DEVELOPMENT SERVICES
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TOWN AND COUNTRY PLANNING ACT 1990

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

HINCKLEY AND BOSWORTH LOCAL PLAN

REPORT OF A PUBLIC LOCAL INQUIRY INTO OBJECTIONS TO THE PLAN

Inspector: Professor Edgar A Rose Msc Dip Arch Dip TP ARIBA FRTPI
Assistant Inspector: Mrs. Susan Holland MA Dip TP MRTPI

Dates of Inquiry: 29,30,31 October 1996
5,6,7,12, 13, 15, 28 November 1996
6,10,11,12,13 December 1996
14,15,22,23,29,30,31 January 1997
4,5,7,19,20,21,25,26,27,28 February 1997;
4,5,6,11,12,14,18,19,20,21 March 1997
20,21,22 May 1997
26 June 1997

2.3.384. Effective waterside activities can provide for leisure pursuits and a design focus for lines of pedestrian movement through the area. In view of the legitimate concerns of objectors, and the recognition of the importance of conserving wildlife, the Local Authority needs to take the lead in drawing up an effective Planning and Design Brief, together or in consultation with relevant prospective developers. The local community should be consulted on the character and scale of development which is appropriate and sustainable on this and related sites.

2.3.385. The general area and the site are well situated in relation to the town centre and reasonably accessible to public transport. The objection site would make a useful contribution towards meeting overall housing land supply requirements. The principle of allocation on a reduced site area is supported therefore.

Recommendation

2.3.386. That the Plan be modified by amending the Proposals Map to show the canal arm and pond excluded from the allocation RES1(ab).
That further consideration should be given to strengthening both the Policy and reasoned justification to reflect the requirement for a Planning and Design brief to be drawn up by the LPA in consultation with developers and the local community.

Sites Proposed for Allocation by Objectors

RES1 Land at Hinckley Stadium

Objector	**395/1/3**	**Bradgate Securities Ltd**
	395/2/1	**Bradgate Securities Ltd (Boundaries)**
	395/1/1	**Bradgate Securities Ltd (REC1)**

Inspector's Comments

2.3.387. The objection is to the non inclusion of the site at Nutts Lane for housing. The site, although principally in agricultural use, also includes the existing Hinckley Greyhound Stadium. Bradgate Securities Ltd supports the evidence of Crest Strategic Projects Ltd concerning their land interests to the south of Coventry Road and refers to the Master Plan for this land prepared by Gillespies which indicates the development potential of the land immediately to the north fronting Nutts Lane including the Stadium.

Recommendation

2.3.388. The recommendations at paragraph 2.3.410 take account of the objections from Bradgate Securities Ltd and propose the allocation of the objection site for residential development and recreational open space

Ref 900/1/3 Coventry Road / A5

Objector(s)	**900/1/3**	**Crest Strategic Projects Limited**
	900/1/1	**Crest Strategic Projects Limited**
	900/2/1	**Crest Strategic Projects Limited**

2.3.389. Crest object to the non-inclusion of its site to the south of Coventry Road, an area of some 16.87 hectares. The Proposals Map shows the Ashby Canal as the effective boundary between settlement and the objection site. The Council's response (CD121) is that "The site is contrary to strategic Environment Policy 6 and Local Plan Objective 1C, 3B and 3D as the site is on good quality agricultural land and is also likely to be affected by pollution from the adjacent trunk road.- no change to the Local Plan."

Inspector's Comments

2.3.390. The differences between the objector and Borough Council are considerably less than appears from the response in CD121. The evidence submitted during the Inquiry raises a number of additional matters, the most important of which is the final paragraph of the Council's evidence (paragraph 6.28 of C1030) which states:

> "....the objection site has been identified as one of a number of sites appropriate for consideration for residential development in the event that the inspector concludes that there is a serious shortfall in the provision of new housing sites. An additional paper on this subject is in preparation."

2.3.391. The Round Table discussion of housing land supply and the subsequent evidence (including that referred to in C1030) submitted by both the Council and objectors is considered at section 2.2. The fact that there is a shortfall for the reasons given, justifies this site in particular being considered for residential development. This is evidently the position adopted by the Council in the paragraph referred to above.

2.3.392. Three issues raised by objectors do not constitute significant grounds for rejecting the allocation of this land for residential use. The first concerns highway or access difficulties. The second inadequate provision in respect of water drainage and sewerage. The third concerns loss of agricultural land. So far as the first two are concerned, the Council's evidence is that there are no objections in principle, and no problems which can not be resolved at a later stage. There is no evidence to suggest otherwise. The issue of agricultural land deserves more attention.

2.3.393. The objector's evidence includes a field survey on agricultural land quality which shows it is for the most part as Grade 3b quality (Proof 526; Appendix). The Council's rebuttal evidence (C1030; paragraph 6.14) acknowledges "that the majority of the site is of Grade 3b quality. Only 22% is of Grade 3a. The Council accept that the objection site does not comprise, in the main, the best and most versatile land and that development on the objection site would not cause significant harm to the objectives of Environment Policy 6 of the Structure Plan.

2.3.394. The Council's own position (CD121) appears somewhat inconsistent with its position summarised at paragraph 19.14 (page 66) of the Inspector's Report of the Hinckley Area Local Plan which states:

> "Although the land is of no outstanding value, either visually or agriculturally, it has a significant contribution to make to the separation of land uses and is valued by local residents as a lung of open space. As such it is worth (sic) of protection for its own sake and an amenity which should be preserved."

2.3.395. On-site inspection, discussion during the Inquiry about the state of the site, and the fact that the land is subject to non-rotational 'set aside' provisions and seriously disadvantaged by its physical severance from land on the other side of the A5, support our judgement that little weight be given to the issue of agricultural land loss.

2.3.396. In summary, the Council's evidence is that the site should remain countryside until the case is made for its release on grounds of strategic housing need. It is not an unfeasible site, but is one which should not be developed at this time. If residential development is shown to be necessary, amelioration is called for; improvements alongside the Canal are needed to compensate in part for loss of countryside on one side of the Canal; 3.7 hectares of Grade 3a land would be lost. These are important considerations, although not strategic issues of principle.

2.3.397. In our judgement, the most important issue, notwithstanding strategic housing land supply requirements, is whether the site is suitable for residential development in view of the proximity of the Ashby Canal and the environmental and amenity concerns which are raised by many objectors in respect of the allocations on the opposite side of the Canal. If it is suitable in principle then whatever detailed safeguards are required in respect of any development should be identified in the Policy supported by a Planning and Design brief.

2.3.398. The commissioned Environmental Appraisal is concerned to safeguard the Canal corridor and open up the land for recreation. It also points to the need for a cumulative traffic impact assessment to assess the impacts on the road network of varying amounts of traffic generated by a range of additional dwellings, dependent on the density and extent of development in this area.

2.3.399. Although the objection site is open and is shown within the countryside in the Deposit Plan, it is part of a triangle of under used land around which there is scattered development. The southern prospect of the objection site, conveniently viewed from the bridge over the Canal at Nutts Lane, indicates the form and extent of the dismantled railway embankment and its visual significance in defining and partially enclosing the site. It provides a strong physical separation, which together with the physical severance occasioned by the line of the A5, supports the view that although by definition the objection site is open and effectively unused at the present time, the line of route of the A5 effectively divides and separates the pattern of settlement from the open countryside to the south. This can be seen on the ground and also on the Local Plan.

2.3.400. Built development on three sides of the objection site is envisaged by the Deposit Plan and it will not be *open* countryside even if the Council's evidence suggests it is at the present time. Although not strictly a 'brown fields' site, its allocation for residential and recreational use, would be preferable to taking 'green fields' in the open countryside. If the case for residential development is also justified by reference to housing supply requirements, it follows that the settlement boundary would need to be redrawn accordingly. RPG8 (paragraphs 3.5 and 3.6) supports such a view.

2.3.401. Given that the site is suitable for residential development, a number of important questions remain; whether all or part of the site should be allocated for residential use at this time; how far should environmental, amenity, recreational, and traffic considerations influence the density or numbers and mix of dwellings. Although some of these questions are more appropriately matters for the detailed layout and planning stage, safeguards are important and this is implicitly recognised by the extent and nature of the preliminary work carried out by Crest in what is in effect a feasibility study and plan.

2.3.402. The proximity of the A5 and possible pollution are relevant concerns. But the Borough Council put forward no technical evidence or forecasts on traffic or pollution. However, in this case the detailed layout of what is a very large area could provide recreational open space which would also serve as a substantial buffer between dwellings and that relatively short stretch of common boundary at grade with the A5. Earth mounding could be employed as part of any landscaping scheme as required. For the rest of its length the southern boundary is conveniently shielded by the existing embankment of the dismantled railway. The elevated length of the extant railway embankment which is contiguous with only a very short length of site boundary is in fact on the southern side of the embankment of the dismantled railway. This would reduce any 'likely pollution' and should significantly reduce the perceived level of traffic noise.

2.3.403. Although there are detailed design considerations associated with providing access to the site, and understandable concern has been expressed by objectors who live nearby in respect of other allocated sites north of the Canal, there is no evidence to support the view that access from Coventry Road cannot be provided to the satisfaction of the Highway Authority. On the contrary, the Highway Authority accept that the site can be accessed from two points on Coventry Road, the detailed design of junction would be considered at a later date. There is no significant evidence of noise and nuisance that would weigh against residential development on the site. Although, as the Environmental Appraisal points out, there could be potential impacts on water quality due to surface run-off and spillage, there are no objections from the relevant authorities or expert technical evidence which suggest that such problems could not be overcome.

2.3.404. The emphasis of national policy on urban regeneration and the location policies in the Plan strengthen the case for allocation. The site is reasonably central and not less central than the sites allocated on the north side of the Canal. It is well-served by public transport and additional services and facilities could be provided, especially given the scale of housing provision envisaged in the wider area. Large scale employment sites are close at hand. The town centre is 2km away.

2.3.405. Given the policy constraints operating in other parts of the outer fringes of Hinckley and elsewhere in the Borough, there is little justification for the view that an allocation here would be ***at the expense*** of other allocations or indeed result in a poorer range of sites in terms of size, distribution, or indeed locality. A consideration of the proposed additional allocations and deletions listed in section 2.2 confirms this. The most important reason advanced for allocation is the shortfall in provision and the conclusion that this is the largest and most suitable existing site readily available for development. It follows that the site's inclusion would represent a net addition and would in no way be a substitution for any other site(s). The scheme would be required to provide a range and mix of dwellings and an appropriate proportion of affordable housing.

2.3.406. Any potential shortfall in school capacity is a cause for concern. It is appreciated that in accordance with Policy IMP1 as proposed to be changed, the Council would seek to negotiate with developers to provide a contribution towards increasing the capacity of Westfield School, or other arrangements, if this became necessary. These are matters for a later stage to be resolved by agreement. An allocation does not determine development will take place. It establishes the principle of development and its appropriateness subject to the approval of detailed proposals. Little reliance can be placed on any forecasts of demand for school places at the Inquiry stage, given the inherent uncertainties in respect of factors as varied as housing numbers, mix, family and household composition.

2.3.407. The allocation of this site and its inclusion within the settlement boundary should be considered together with adjacent Hinckley Stadium site (395/1/3), as well as the sites on the other side of Ashby Canal (RES1(aa) and RES1(ab)). This wider area offers the opportunity to create a new urban community together with a distinctive pattern of open space for leisure and recreation which could safeguard and enhance this stretch of the Ashby Canal. The Stadium site is under used; the Stadium itself is ramshackle in appearance and appears to lack all but the most basic facilities. The future use of this site as a stadium is inappropriate and is likely to be a source of nuisance to people living nearby. Although, the allocation of the objection site and allocation of the adjacent Stadium site are both recommended by us, the Council's decision may well depend in part on the weight given to our judgements and recommendations on housing land supply requirements overall and, more particularly, the benefits and disadvantages of including some sites and excluding others from the list of allocations. If they are included it is essential that planning and design, as well as traffic and circulation, issues are adequately addressed as a whole.

2.3.408. The notional capacities of the sites contained in Topic Paper 3 make little sense applied to specific sites. In the case of the objection site in particular, the objector suggests a figure which appears realistic by comparison. Nevertheless, the indicative scheme advanced by Crest does not provide sufficient effective recreation space. The Council is asked to give further consideration to the mix and intensity of development which should be permitted on this and related sites. The recommendations offer some guidance. While the initial feasibility study may be a starting point, reflecting the developers approach and wishes, a constructive dialogue is required which will establish a Planning and Design Brief for the site and the wider area. In view of the legitimate concerns of objectors, and the recognition of the importance of conserving wildlife, the Local Authority need to take the lead, together or in consultation with developers and the local community.

2.3.409. In conclusion, the Structure Plan requirements in respect of land for housing together with the reasonable location of this specific site on the edge of settlement support the case for an allocation. The site is reasonably accessible to public transport and no doubt additional physical facilities could be 'built-in' to detailed layouts. Residential-development of this and other sites allocated in the immediate vicinity should also include open space for leisure and recreational pursuits. The opportunity exists to create a new community with an appropriate density and mix of residential and ancillary development.

Recommendation

2.3.410. That the Deposit Plan be modified by the allocation of the objection site for housing and recreational use and by amending the Proposals Map accordingly. That the Policy emphasise the special requirements which must be met and the reasoned justification reflect the requirement for a Planning and Design Brief to be drawn up in consultation with developers and the local community. That the Policy and reasoned justification be worded along the following lines:

POLICY RES 1 - COVENTRY ROAD /A5 AND HINCKLEY STADIUM

PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT AND RECREATIONAL OPEN SPACE WILL BE GRANTED ON LAND AT COVENTRY ROAD/A5 AND HINCKLEY STADIUM, HINCKLEY, SUBJECT TO THE FOLLOWING PROVISIONS (AMONG OTHERS) BEING MET:

(i) AN APPROPRIATE LANDSCAPED ASHBY CANAL CORRIDOR AS OUTLINED IN POLICY REC7;
(ii) A LAYOUT AND DESIGN OF DEVELOPMENT FRONTING THE ASHBY CANAL WHICH CONSERVES OR ENHANCES THE SPECIAL CHARACTER OF THE ASHBY CANAL CONSERVATION AREA;
(iii) A RANGE OF HOUSING TYPES, THE DESIGN AND LAYOUT OF WHICH, TAKES FULL ACCOUNT OF THE OPPORTUNITIES FOR LANDSCAPED OPEN SPACE ASSOCIATED WITH RECREATIONAL FACILITIES SERVING BOTH THE ASHBY CANAL AND NEW HOUSING;
(iv) A HIERARCHY OF PEDESTRIAN WAYS OFFERING GOOD ACCESS TO THE ASHBY CANAL AND WIDER AREA;
(v) AN APPROPRIATE LANDSCAPED BUFFER BETWEEN THE A5 AND HOUSING; AND
(vi) THE CARRYING OUT OF AN APPROPRIATE TRAFFIC IMPACT ASSESSMENT OF THE PROPOSED DEVELOPMENT

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LAND AT COVENTRY ROAD/A5, AND HINCKLEY STADIUM, HINCKLEY

Policy RES1(aaa) proposes the development of about 16.87 hectares of land for residential and recreational open space purposes.

The site is bounded along part of its eastern boundary by the Ashby Canal which is of value as a recreational and ecological resource. The Environmental Appraisal of the Local Plan highlighted a concern over the cumulative impact on the Ashby Canal through the loss of an important "green urban corridor" and associated amenity and conservation impacts. The Ashby Canal is also a Conservation Area. Accordingly, although the site is suitable for a measure of residential use, in view of the proximity of the Canal and other proposed housing areas, it is essential that adequate provision is made for recreational needs. Appropriate contribution to such provision will be sought in respect of the development of other sites, immediately to the east, and on the other side of the Canal.

The site is bounded to the south by the A5 and it is important, therefore, to ensure that appropriate measures are taken to reduce the impact of traffic noise. These should include the provision of an open space 'buffer' between housing and road with the possible need for landscaped bunds where the site is at the same level as the existing A5. The existing open space is relatively featureless. There is a need for an overall landscaping scheme which provides for the planting of that part of the dismantled railway embankment and the screening of the gardens of houses fronting Coventry Road and the length of boundary common to the enterprises to the west.

The mix of dwellings and open space appropriate to this site, taking account of the need to establish a coherent and unified treatment of the Canal frontages and the corridor as a whole, emphasises the need for a common approach to environmental planning and design. Moreover, an effective traffic assessment must also consider both vehicular and pedestrian movement through the area, with special consideration given to reducing noise and traffic calming, while improving facilities for bus movement and possible access. A Planning and Design Brief is required, therefore, to guide development. This will be drawn up by the LPA in consultation with developers and the local community.

GOVERNMENT OFFICE
FOR THE EAST MIDLANDS

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Your Ref: RAD/LG/CH09

Our Ref: EMP/APP/K2420/A/99/1019655
/1019657

Date: 9 May 2000

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
PLANNING APPEALS BY CREST STRATEGIC PROJECTS LTD AGAINST NON-DETERMINATION OF PLANNING APPLICATIONS FOR
1) RESIDENTIAL DEVELOPMENT ON LAND SOUTH OF COVENTRY ROAD AND NORTH OF THE A5, HINCKLEY (APPLICATION No 99/00047/OUT)
2) EMPLOYMENT USES B1, B2 AND B8 ON LAND NORTH OF COVENTRY ROAD AND EAST OF HARROWBROOK INDUSTRIAL ESTATE, HINCKLEY (APPLICATION No 99/00048/OUT)
APPLICATIONS FOR AWARDS OF COSTS BY CREST STRATEGIC PROJECTS LTD AND BY HINCKLEY AND BOSWORTH BOROUGH COUNCIL

1. I am directed by the Secretary of State for the Environment, Transport and the Regions to say that consideration has been given to the report of the Inspector, Jonathan G King BA(Hons) DipTP MRTPI, who held a public local inquiry into your clients' appeals under section 78 of the 1990 Act against the failure of Hinckley and Bosworth Borough Council to determine within the prescribed period their applications for outline planning permission for:

A) residential development with associated infrastructure, public open space and landscaping on land south of Coventry Road and north of the A5, Hinckley; and

B) employment uses B1, B2 and B8 on land north of Coventry Road and east of Harrowbrook Industrial Estate, Hinckley.

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2. At the inquiry, applications for costs were made by your clients against Hinckley and Bosworth Borough Council and by the Council against your clients and this is dealt with separately below.

THE APPEALS

3. A copy of the Inspector's report is enclosed and a copy of his conclusions is annexed to this letter. He recommended that, in the light of his considerations in paragraphs 80 to 119 of his report, both appeals be allowed subject to conditions.

4. Since the inquiry was held, a revised version of PPG3 has been published. The Secretary of State does not believe that this raises any new issues not covered at the inquiry, which would affect his decision.

5. The Secretary of State has considered all post-inquiry representations but does not consider that they raise any issues which would affect his decision.

6. The Secretary of State agrees with the Inspector's conclusions and accepts his recommendations. Therefore, for the reasons given by the Inspector, the Secretary of State hereby:

a) allows appeal A and grants outline planning permission for residential development on land south of Coventry Road and north of the A5, Hinckley in accordance with application No 99/00047/OUT and subject to the following conditions phrased to accord with Department of the Environment Circular 11/95:

i) approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced;

ii) plans and particulars of the reserved matters referred to in condition i) above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the local planning authority and shall be carried out as approved;

iii) application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission;

iv) the development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters, whichever is the later;

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v) details of the phasing of the development shall be submitted to and approved in writing by the local planning authority;

vi) no development shall commence until a scheme for the provision of surface and foul water drainage works, which shall be on separate systems, shall be submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved scheme; 1

vii) no development shall commence until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the scheme has been completed in accordance with the approved details; 2

viii) details of the floor levels of the proposed dwellings in relation to the existing ground level and finished levels of the site shall be submitted to and approved in writing by the local planning authority;

ix) there shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank or watercourse and/or 3 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise in writing by the local planning authority;

x) no development shall take place within the application area until the applicant has submitted a detailed design and methods statement and archaeological impact assessment, including existing and proposed ground levels, and layout depths of all foundations, service trenches, drains, landscaping and other ground works, and all revisions of such for archaeological assessment and prior written approval by the local planning authority and no development shall take place except in accordance with the approved details; 3

xi) no development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme. The archaeological works shall be carried out by a suitable, qualified body acceptable to the local planning authority; 4

xii) before development commences, a scheme of noise control measures shall be submitted to and approved in writing by the local planning authority. These measures shall include provisions to mitigate noise from the A5(T), the nearby railway, Paynes Garage and Hinckley Stadium Mitigation shall comprise an appropriate combination of separation and acoustic screening. No dwelling shall be occupied until the approved scheme has been implemented; 5

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xiii) there shall be no residential development within 40 metres of the centre line of the A5(T) Hinckley;

xiv) all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in "Highway Requirements for Development". No work shall commence until such details which shall include parking and turning facilities, access widths, gradients, surfacing and visibility splays have been submitted to and approved in writing by the local planning authority;

xv) no development of the site shall commence until the access works on to Coventry Road in general accordance with drawing No 12088/12A have commenced and no dwelling hereby approved shall be occupied until such access works are substantially completed; 6

xvi) no more than 20 dwellings shall be occupied on the site until the cycle link between points A and B on drawing No 12088/22 Revision A and the proposed toucan shown on drawing No 12088/12A have been constructed and substantially completed in general accordance with the plans and no more than 100 dwellings, or if development has already commenced on the adjacent industrial site (application No 99/00048/OUT) no more than 50 dwellings, on the site shall be occupied until the cycle link between points B and C have been constructed and substantially completed in general accordance with the plans unless otherwise agreed in writing by the local planning authority;

xvii) no more than 100 dwellings or, if the development has already commenced on the adjacent proposed industrial site (application No 99/00048/OUT), no more than 50 dwellings shall be occupied until the improvements shown on TPK Drawing No 12088/14 Revision B, together with improvements to the Nutts Lane bridge as shown on Drawing 12088/13 Revision A, or such other similar schemes have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and the highway authority and have thereafter been substantially completed;

xviii) no more than 100 dwellings shall be occupied on the site until the proposed junction improvements shown on drawing No 12088/03C have been substantially completed in general accordance with the drawing;

xix) no more than 100 dwellings shall be occupied on the site until the internal link road between the two Coventry Road access points has been substantially completed;

xx) no dwelling hereby permitted shall be occupied until a comprehensive Green Travel Plan has been submitted to and approved by the local planning authority. Thereafter, the Plan shall be fully implemented in accordance with the approved details: 7

xxi) no development shall commence until details of a scheme for the provision of 20% of the number of dwellings hereby approved being affordable dwellings, including the phasing of such 8

provision and details of the transferral of such dwellings to a registered Housing Association, shall be submitted to and approved in writing by the local planning authority. No development on the site shall occur other than in accordance with the approved scheme. These dwellings shall be first occupied by tenants of or shared owners with a registered Housing Association save that if within three years of the commencement of development any or all of the dwellings have not been transferred to a registered Housing Association then those dwellings shall be occupied in accordance with a scheme submitted to and approved in writing by the Borough Council in order to ensure the provision of affordable housing by other means;

xxii) before development commences, a scheme which shall include public open space, provision of play equipment and canal buffer together with phasing, location and maintenance of such areas shall be submitted to and agreed in writing by the local planning authority. The scheme shall be landscaped, laid out and made available for public recreation and cycle/footways provided and surfaced within the first appropriate planting season following the occupation of the 200th dwelling on the site; 9

xxiii) no development shall take place ~~until place~~ until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The details shall include all existing trees and hedges on the site which are to be retained and the provision to be made for screening by walls and fences. All landscaping works shall be carried out as approved; 10

xxiv). The approved landscaping scheme shall be carried out during the first appropriate planting season following the date when the proposed dwellings are ready for occupation. The approved scheme shall be maintained for a period of five years from the date of planting. During this period, any trees or shrubs which die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted; and

xxv) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, development within Schedule 2, Part1, Class A-E shall not be carried out on any of the dwellings identified as affordable dwellings in condition xxi) above before planning permission for such development has first been granted by the local planning authority;

and

b) allows appeal B and grants outline planning permission for employment uses B1, B2 and B8 on land north of Coventry Road and east of Harrowbrook Industrial Estate, Hinckley in accordance with application No 99/00048/OUT subject to the following conditions phrased to accord with Department of the Environment Circular 11/95:

i) approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced:

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ii) plans and particulars of the reserved matters referred to in condition i) above, relating to the siting, design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved;

iii) application of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission;

iv) the development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later;

v) details of the phasing of the development shall be submitted to and approved in writing by the local planning authority;

vi) no development shall commence until a scheme for the provision of surface and foul water drainage works, which shall be on separate systems, has been submitted to and approved in writing by the local planning authority. The drainage works shall be completed in accordance with the approved scheme prior to the occupation of any buildings on the site;

vii) no development shall commence until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the local planning authority. No building on the site shall be occupied until the scheme has been completed in accordance with the approved scheme;

viii) there shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank or watercourse and/or 3 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise by the local planning authority;

ix) prior to being discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

x) prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained;

xi) there shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters, whether direct or via soakaways;

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xii) no development shall take place within the application area until the applicant has submitted a detailed design and methods statement and archaeological impact assessment, including existing and proposed ground levels, and layout and depths of all foundations, service trenches, drains, landscaping and other ground works, and all revisions of such for archaeological assessment and prior written approval by the local planning authority, and no development shall take place except in accordance with the approved details;

xiii) no development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the local planning authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitable, qualified body acceptable to the local planning authority;

xiv) before development commences, a scheme of noise control measures shall be submitted to and agreed in writing by the local planning authority. These measures shall include provisions to mitigate noise from the development and access road into the area to the dwellings on Coventry Road and shall be implemented prior to the occupation of any building on the site;

xv) within a distance of 150 metres from the edge of the carriageway of Coventry Road, development shall comprise of Class B1 or B8 units only. Within this area there shall be no working between 7.00pm and 7.00am on Monday to Saturday inclusive nor at any time on Sunday and the development shall accord with this at all times thereafter;

xvi) all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in "Highway Requirements for Development". No work shall commence until such details, which shall include parking and turning facilities, access widths, gradients, surfacing and visibility splays, have been submitted to and approved in writing by the local planning authority.

xvii) no more than 5,000 square metres floorspace on the site or, if the development has already commenced on the adjacent proposed residential site (application No 99/00047/OUT), no more than 2,500 square metres floorspace of new building shall be occupied until the cycle link between points A and C indicated on drawing No 12088/22 Revision A has been constructed and substantially completed unless otherwise agreed in writing by the local planning authority;

xviii) none of the industrial units on the site shall be occupied until the proposed junction improvements shown on drawing No 12088/03C have been substantially completed;

xix) before work commences, a scheme which shall include a canal buffer, together with its location shall be submitted to and agreed in writing by the local planning authority. The scheme shall be

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landscaped, laid out and maintained and made available for public recreation and provided within the first appropriate planting season following the occupation of the first industrial unit;

xx) no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The details shall include all existing trees and hedges on the site which are to be retained, the provision for screening by walls and fences and the provision of open spaces within the site. All landscaping works shall be carried out as approved.

xxi). The approved landscaping scheme shall be carried out within the first appropriate planting season following the date when any of the proposed buildings are ready for occupation. The scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted;

xxii) no more than 5000 square metres of employment floorspace or, if development has already commenced on the adjacent residential site (application No 99/00047/OUT), no more than 2500 square metres of floorspace shall be occupied until the improvements shown on TPK Drawing No 12088/14 Revision B, together with improvements to the Nutts Lane bridge as shown on Drawing No 12088/13 Revision A, or such other similar schemes have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and the highway authority and have thereafter been substantially completed;

xxiii) no building hereby permitted shall be occupied until a comprehensive Green Travel Plan has been submitted to and approved in writing by the local planning authority. Thereafter the Plan shall be fully implemented in accordance with the approved details.

7. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.

8. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused, or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

9. Attention is drawn to the fact that this permission does not entitle the developer to obstruct any footpaths which cross the sites. If it is found necessary to stop up or divert a footpath, application should be made to the local planning authority for them to consider making an order under section 257 of the Town and Country Planning Act 1990 . Attention is also drawn to the enclosed note relating to the Chronically Sick and Disabled Act 1970.

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10. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged in the High Court within 6 weeks of the date of this letter.

COSTS

11. The submission made on behalf of your clients in support of their application for costs, the reply on behalf of the Borough Council, the submission made on behalf of the Borough Council in support of their application for costs, the reply on behalf of your clients and the Inspector's conclusions are set out in the Inspector's costs reports, copies of which are enclosed.

12. In planning appeals, the parties are normally expected to meet their own expenses irrespective of the outcome of the appeal and costs may only be awarded in exceptional circumstances against a party who has behaved unreasonably and thereby caused another party to incur or waste expense unnecessarily. Accordingly, the applications for costs have been considered in the light of the Department of the Environment Circular 8/93, the Secretary of State's decisions on the appeals, the Inspector's costs reports and all the relevant circumstances.

Your Clients' Application for Costs

13. The Inspector concluded, with regard to your clients' application for full costs, that the inquiry could not have been avoided. The Council did not act unreasonably and the appellants were not caused to incur or waste expenditure unnecessarily. A full award was, therefore, not justified.

14. However, with regard to your clients' application for partial costs concerning agricultural land quality, he concluded that unreasonable behaviour, as described in Circular 8/93 had been demonstrated and your clients had been caused to incur or waste expenditure unnecessarily in the preparation of evidence on that subject. He recommended that a partial award of costs be made.

15. After careful consideration of the evidence, the Secretary of State agrees with the Inspector's conclusions in his costs report and accepts his recommendation. Accordingly he has decided that a partial award of costs against Hinckley and Bosworth Borough Council, on grounds of unreasonable behaviour is justified in the particular circumstances. An award of costs is therefore made accordingly.

16. Accordingly, the Secretary of State for the Environment, Transport and the Regions in exercise of his powers under section 250(5) of the Local Government Act 1972 and sections 78 and 320 of the Town and Country Planning Act 1990, and all other powers enabling him in that behalf, HEREBY ORDERS that Hinckley and Bosworth Borough Council shall pay to Crest Strategic Projects Ltd their costs of the appeal proceedings, limited to those costs incurred in refuting resolved reason to refuse No iii) relating to Appeal A, as specified below, such costs to be taxed in default of agreement as to the amount thereof. The subject of the proceedings was an appeal under section 78 of the 1990 Act against the failure of Hinckley and Bosworth Borough Council to determine within

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the prescribed period an application for planning permission for residential development. Resolved reason No iii) for refusal of permission was as follows:

"iii) The proposed development will result in the loss of Grade 3a agricultural land which is amongst the best and most versatile agricultural land."

17. You are now invited to submit to Hinckley and Bosworth Borough Council, to whom a copy of this letter has been sent, details of those costs with a view to reaching agreement on the amount. A copy of the guidance note on taxation referred to in paragraph 5 of Annex 5 to DOE Circular 8/93 is enclosed.

Hinckley and Bosworth Borough Council's Application for Costs

18. The Inspector concluded that your clients' behaviour was not unreasonable, as described in Circular 8/93 and that a partial award of costs relating to the Council's time of one hour incurred hearing the application by your client concerning the expense of preparing agricultural evidence was not justified.

19. Having considered all the evidence available, the Secretary of State agrees with the Inspector's conclusions in his costs report and accepts his recommendation. Accordingly, he has decided that an award of costs against your clients on grounds of unreasonable behaviour, is not justified in the particular circumstances. The application is therefore refused.

Yours faithfully

WENDY WEBSTER (MRS)
Authorised by the Secretary of State
to sign in that behalf

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

Report

inquiry held on 7 to 9 December 1999

by Jonathan G King B A(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Appeal 1: APP/K2420/A/99/1019655

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a failure to determine an application for planning permission within the prescribed period.
- The appeal is brought by Crest Strategic Projects Limited against the Hinckley and Bosworth Borough Council.
- The site is on land south of Coventry Road and north of the A5, Hinckley.
- The application (ref: 99/00047/OUT), is dated 19 January 1999.
- The development proposed is residential development and associated infrastructure, public open space provision and landscaping.

Recommendation: That the appeal is allowed and planning permission granted subject to conditions.

Appeal 2: APP/K2420/A/99/1019657

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a failure to determine an application for planning permission within the prescribed period.
- The appeal is brought by Crest Strategic Projects Limited against the Hinckley and Bosworth Borough Council.
- The site is on land north of Coventry Road and east of Harrowbrook Industrial Estate, Hinckley.
- The application (ref: 99/00048/OUT), is dated 19 January 1999.
- The development proposed is employment uses, B1, B2 and B8.

Recommendation: That the appeal is allowed and planning permission granted subject to conditions.

Procedural matters

1. The inquiry was held on 7, 8 and 9 December 1999. The site inspection was conducted on 9 December 1999.

2. Both applications are in outline, with all matters other than means of access reserved for subsequent approval.

3. The main parties agreed at the inquiry that the plans relating to Appeal 1 include the site location plan (unnumbered), the signalised junction (drawing No 12088/03 Rev C) and the second access (drawing No 12088/12 Rev A). For Appeal 2, the plans include the site location plan (unnumbered) and drawing No 12088/03 Rev C. During the course of the inquiry, drawing Nos 12088/22 Rev A, 12088/13 Rev A and 12088/14 Rev B, showing off-site works were also submitted, as they would be referred to in suggested conditions. All other plans are for illustrative purposes only.

4. The Council resolved with regard to Appeal 1 that had it had the opportunity to determine the application, it would have refused it for the following reasons. (Doc 10 Appendix F).

(i) The proposal is within the open countryside and is contrary to Policy RES6 of the emerging Hinckley & Bosworth Local Plan and Policy HA/RES 9 of the adopted Hinckley Area Local Plan. The development would result in a loss of visual and rural amenity and would be contrary to the Council's decisions set out in the "Statement of Decisions on the Inspector's Report".

(ii) Insufficient information has been submitted to demonstrate that the development will not have a severely detrimental effect on the local road network which is already heavily congested at peak periods.

(iii) The proposed development will result in the loss of Grade 3a agricultural land which is amongst the best and most versatile agricultural land.

(iv) The proposal would result in a concentration of residential development to the west of Hinckley when added to those under construction or proposed which may put undue strain on existing local facilities in the area and result in an inappropriate distribution of housing sites in the Local Plan area.

(v) Insufficient information has been provided relating to air quality and drainage issues.

(vi) Insufficient information has been submitted to demonstrate that the development will not have an adverse impact on the A5 within the context of the Highway Agency's A5 strategy.

5. At the inquiry, the Council stated that it did not intend to present evidence with respect to reasons (iii), (iv) and (v), and that it would not be presenting professional or technical evidence on reasons (ii) and (vi), though evidence would be put forward by the Leader of the Council, Councillor D Bill.

6. The Council resolved with regard to Appeal 2 that had it had the opportunity to determine the application, it would have refused it for the following reasons. (Doc 11 Appendix F).

(i) The proposal is contrary to Employment Policy 1 of the Leicestershire Structure Plan and Policy EMP3 of the emerging Hinckley & Bosworth Local Plan as there is adequate provisions (sic) of employment land within the Plan area.

(ii) The proposed site is identified as an area of separation acting as a buffer between the Ashby Canal and Harrowbrook Industrial Estate, and its loss would result in a detrimental effect to the canal corridor and the visual amenities of the area conflicting with Local Plan Policy NE3 of the emerging Hinckley and Bosworth Local Plan and Policy HA/ENV 1 of the adopted Hinckley Area Local Plan.

(iii) Insufficient information has been submitted to demonstrate that the site can be properly drained.

(iv) Insufficient information has been submitted to demonstrate that the development will not have an adverse impact on the A5 within the context of the Highway Agency's A5 strategy.

(v) Insufficient information has been submitted to demonstrate that the development is unlikely to have a severely detrimental effect on the local road network which is already heavily congested at peak periods.

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7. At the inquiry, the Council stated that it did not intend to present evidence with respect to reason (iii), and that it would not be presenting professional or technical evidence on reasons (iv) and (v), though evidence would be put forward by the Leader of the Council, Councillor D Bill.

8. Applications for costs were made by both main parties against the other at the inquiry. These are the subject of separate reports.

Background

The sites and their surroundings

9. Both sites lie at the south-western edge of the built-up area of Hinckley. The site of Appeal 1 has an area of 14.4 ha. It mainly comprises an area of unused, flat agricultural land presently subject to set-aside. On its northern side it has 2 short frontages to Coventry Road, but it mostly lies behind a ribbon of houses which run along that road. The south-western side is bounded by the A5(T); while to the west is a commercial garage (Payne's Garage). The remaining boundary to the east follows an irregular course which from north to south adjoins a house and paddocks on Coventry Road, the Ashby canal, a field, the Hinckley Greyhound Stadium, and a short length of railway. Along the western side, within the site, is a public footpath. Within the southern part of the site, alongside the A5, is a disused and overgrown railway embankment.

10. The site of Appeal 2 lies to the north of Coventry Road, opposite the eastern of the frontages of the other site. It is a roughly rectangular field extending to 4.7 ha, and is also presently unused. Other than at the western frontage, where it adjoins the end house (No 391) of a ribbon of development on Coventry Road, the western and northern boundaries are marked by the Harrowbrook Industrial Estate. To the east, beyond a hedge, is the Ashby canal.

The proposed development – Appeal 1

11. The means of access to the site forms part of the proposal. The main access to both this site and that of Appeal 2 would be from Coventry Road, by way of a 4-arm traffic signal junction located to the west of the canal. Pedestrian and cyclist crossing facilities would be provided at this junction. Secondary access from Coventry Road is proposed some 350 metres to the west, taking the form of a ghost island priority junction. Proposed off-site highway works include improvements to the Dodwells Bridge Roundabout, at the junction of Coventry Road with the A5 Trunk Road to the west, and the provision of traffic signals at the hump-back canal bridge on Nutts Lane, to the east. A shared footway/cycleway would be provided between the 2 accesses and between the western access and Harrowbrook Road, partly on the north of Coventry Road, and partly to the south. These would be connected by a new "Toucan" crossing and an existing pedestrian crossing point.

12. The application was accompanied by a conceptual masterplan (Doc C Appendix 6). The appellants estimate that the site would accommodate approximately 250 dwellings, of which about one-fifth would be "affordable housing". The plan indicates a landscape buffer to the canal; an earth bund, a tree screen and an area of separation between the housing and the A5; and separation between the housing and Payne's Garage. Also included in the layout is public open space and play areas.

The proposed development – Appeal 2

13. The access to the site would be from Coventry Road as indicated in paragraph 11 above. The conceptual masterplan shows a landscaped buffer, 30 metres wid , separating the area to be developed (some 3.3 ha) from the canal. Further planting woul be placed along the western and northern boundaries, with an acoustic bund adjacent to No 391 Coventry Road.

Planning policy framework

14. The development plan for the area comprises the Leicestershire St ucture Plan 1991–2006 (SP) and the Hinckley Area Local Plan (adopted 1991, with n end date of 1996) (HALP). SP Strategy Policy 1 provides an overall strategy cont xt for development, indicating amongst other things, that (b) most new development is loc ted where a realistic choice of transport is or will be made available; (c) a continuous supp y of housing land is released; (d) a range of sites is released for employment develop ent; and (e) built development in the countryside is minimised. The housing requirem ent for the Borough 1991–2006 is 6250 units. Strategy Policies 2 and 3 and Employme t Policy 2 state that land for major new housing development and the majority of the l nd for employment development will be allocated within and adjoining settlements which will allow a realistic choice of transport. In the case of employment land in Hinckley and Bosworth Borough, this is given as Hinckley and the settlements along the Transport C oice Corridor (the Coventry to Peterborough Railway Line between Hinckley and Melton Mowbray). Employment Policy 1 provides for 80 ha of land to be made available for employment uses in the Borough between 1991 and 2006. Strategy Policy 4 defines *countryside* as land beyond the existing and planned development limits of settlement , and outside land defined as Green Wedges or areas of separation. In the countryside, b ilt development will not normally be appropriate. (Doc 10 Appendix B; Doc 11 Appendix ; Doc 12).

15. In the Hinckley Area Local Plan, the site of Appeal 1 is shown outside the development limit of Hinckley. Proposal HA/ENV 14 states that such areas are subject to the countryside policies of the structure plan; and Proposal HA/RES 3 says that planning permission for residential development will not normally be gr nted other than for dwellings essential to the needs of agriculture. The site of Appeal 2 is identified as an area of open countryside forming a "green buffer" between developmen areas where, under Proposal HA/ENV 1 planning permission will not normally be gra ted for development other than that associated with agricultural, horticultural, community or recreational uses. The area is described as providing a buffer between industrial and res dential areas as well as separating the industrial estate from the Ashby canal. Proposal HA/ENV 2 indicates that environmental improvements will be undertaken to the Ashby can l. (Doc 5 Appendix 10; Doc 6 Appendix 10; Doc 10 Appendix C: Doc 11 Appendix C).

16. The emerging Hinckley and Bosworth Local Plan (HBLP) has b en the subject of a public local inquiry. The Inspectors' report has been submitted. Pr posed Modifications have been published, and objections considered by the Council.

17. The site of Appeal 1 was recommended by the local plan Inspectors as a housing allocation, but this has been rejected by the Council. Objections to that dec sion have also been considered, but no change is proposed. As at March 1999, the Co uncil's housing land supply calculation makes provision for 6327 units, including allocati ns totalling 1837 for the period 1998-2006 under the Council's presently Proposed M odifications to the

emerging local plan. This equates to a mathematical surplus of 77 units over the structure plan requirement. (Doc 8 Appendix H).

18. As proposed to be modified, the plan shows the site as Countryside, where **Policy NE4** applies within the context of SP Strategy Policy 4. Countryside will be protected for its own sake; and permission will be granted only for development: (i) which is important to the local economy and cannot be provided within or adjacent to an existing settlement; (ii) for the change of use etc of existing buildings; and (iii) for sport and recreation. Other criteria also apply. (Doc 5 Appendix 11; Doc 8 Appendices A & B; Doc 10 Appendix D)

19. The site of **Appeal 2** was not included as an employment allocation in the deposit draft of the plan, but was later included as a Pre-Inquiry Change. The local plan Inspectors recommended its inclusion, but this has now been rejected by the Council. Objections to that decision have also been considered, but no change is proposed. As proposed to be modified, the plan shows the site as an area of separation between the industrial estate and the canal, where **Policy NE3** largely continues the approach of HALP Proposal HA/ENV 1. **Policy EMP3** allocates 27.01ha of land for industry on 2 sites, one of which has been deleted in the Modifications, to be replaced by land at Nutts Lane. **Policy REC7** seeks to protect the Ashby Canal Urban Corridor, to either side of the canal, as a recreational and wildlife corridor. (Doc 6 Appendix 11; Doc 9 Appendices A & B; Doc 11 Appendix D).

20. The Ashby canal is a conservation area.

The case for the appellants

The material points are:

Appeal 1 – Residential development

21. The appeal revisits the same issues which were addressed at the public local inquiry into objections to the Hinckley and Bosworth Local Plan, following which the Inspectors recommended the site as an allocation for housing. In making that recommendation, the Inspectors concluded that there was no evidence to show that satisfactory access could not be provided, nor that there would be a noise or pollution problem. There was no objection in principle in respect of drainage and sewerage; and little weight should be given to the issue of agricultural landtake. As the site would adjoin existing and allocated development on 3 sides, and be enclosed on the remaining side by the former railway embankment on the A5 boundary, the site is not open countryside. The Inspectors concluded that national policy on urban regeneration strengthens the case for allocation: the site is reasonably centrally located; well-served by public transport; additional services and facilities could be provided in the context of other housing in the area; and large scale employment sites are close at hand. (Doc 5 Appendices 8 & 16).

22. The Inspectors' specific development requirements for the site have been embraced by the appellants and provide the framework for development set out in a revised masterplan. (Doc 5 Appendix 6).

23. The District Planning Officer recommended that the Council accept the Inspectors' recommendation, but it has declined to do so. (Doc 8 Appendix F).

24. The site would meet the relevant strategic and housing objectives of the emerging local plan, including the provision of sustainable development, the availability of services and facilities, affordable housing and the provision of a residential environment which does not

adversely affect the countryside. The site scores well when assessed on a sustainability impact matrix (Doc 5 Appendix 12). It would also meet the requirements of PPG3 and its draft revision, PPG13, Regional Guidance for the East Midlands, and the adopted and emerging County Structure Plan.

25. The Council is unable to demonstrate a 5 year supply of housing land as required by PPG3. The emerging local plan does not include any specific provision for flexibility, but the local plan Inspectors recommended a degree of over allocation intended to address any 'slippage' or shortfall in rate of provision due to economic or marketing conditions, or problems arising from delays in infrastructure provision, and to help safeguard the rate at which 'affordable' housing is built. This allocation has been reduced in the Council's Proposed Modifications from 160 to 77 units (Doc 5, Appendix 15, paras 2.2.41 to 2.2.47). All housing commitments and allocations would therefore have to proceed to at least partial completion, despite reservations about the attractiveness and deliverability of some. Final decisions are still to be made on a number of sites in the plan. Only a 4 year supply of land exists, and further land needs to be allocated for housing.

26. With regard to the Council's reason No (i), there is alleged conflict with HALP Proposal HA/RES9, but the end date of that plan is 1996, and therefore little weight should be attached to it. The Council in evidence stated only that it should carry "some" weight. There was no robust defence on this from the Council, who also agreed it is a policy to be applied "normally", thereby allowing the possibility of some development. The supporting text to Proposal HA/RES9 refers to intrusion into "open" countryside, and reference is made to the effect of the proposal on openness both in the Council's reason and in its evidence. The application has to be tested against whether the site makes a contribution to open countryside. Contrary to the view of the Council Members, the Council's professional witness accepted, by reference to the local plan Inspectors' report that the site is not open countryside (Doc 8, Appendix E – paras 2.3.399 & 400). It is bounded by existing housing, Paynes' Garage, the unsightly stadium, the railway embankment and the A5. Housing permitted on land to the east of the canal would in the future add further to the sense of enclosure. The emerging plan is not a statutory plan, and Policy RES5, which was referred to in the Council's reason No (i) has now been deleted from it. Policy NE4 was not referred to in the Council's reasons. When tested, therefore, there is no conflict with emerging or adopted policy.

27. The Council's professional witness also conceded that site is suitable for residential development, by reference to the local plan Inspectors' report (Doc 8, Appendix E para 2.2.401). Moreover, in cross-examination, the assistant local plan officer said there were no site-specific objections to the development of the land, a view shared by her chief planning officer. This explains the officers' commendation of the site.

28. The need for housing land is a material consideration, but no harm is conceded against which any claimed lack of need might weigh. This was accepted by the Council's officers, who said that there is no site-specific objection to the proposal. The site is therefore not put forward as an alternative to sites allocated in the emerging plan. Nonetheless, the structure plan requirements for housing in the Borough are not being achieved. The Council concede that that to reach those requirements, land has to be allocated and building rates have to meet the targets. Just allocating land does not result in houses being constructed. At this stage in the life of the plan, 3336 houses should have been built, but only 2809 had been constructed, a shortfall of 527 (Doc 8 Apendix H). For the next 5 year period, some 492 units would be required each year, but to date this target has never been met. The Council

hope that the building rates will improve, but they have actually fallen back in the last year, despite low unemployment, low interest rates and a healthy housing market (Doc 22). The Council acknowledge that something might have to be done to rectify this situation by means of the local plan review procedure. An alternative would be to grant permission on this land.

29. Evidence on behalf of the Council was submitted by Cllr D Bill with respect to reasons Nos (ii) & (vi) *highways matters*, but this was neither agreed nor pursued by the professional witnesses. The holding objections of the Highways Agency and the County Council have been withdrawn, subject to conditions which could be attached to a permission (Docs 18 & 19). The submission that there is existing congestion is not supported by evidence.

30. A highway solution is necessary to enable development to proceed, but a by-product is an increase in capacity of the Dodwells Bridge roundabout and the A5 by the provision of the "interim layout" to improve that junction as part of the proposal (Plan E). The Highways Agency are dependent upon developers' contributions to bring forward improvements to the junction which have been identified in the recommendations of the W S Atkins A5 Hinckley Route Strategy (Docs 15 & 16). Moreover, the proposed traffic lights on Nutts Lane would deter rat running, and reduce traffic on Coventry Road (Plan D). The development would thereby "consume its own smoke", so there would be no additional congestion. The proposed junctions will be able to accommodate traffic generated by the development. The developments would also bring forward some of the cycle routes identified in the Hinckley Area Cycling Network Plan (Doc13). The agreed conditions allow for up to 100 dwellings to be constructed before the implementation of highway works, therefore the Council's concern that the development would be delayed if they were not carried out at the start is groundless. In this regard, the Council's officers conceded that only the decision on the appeals is holding up the development.

31. No evidence was put forward by the Council with regard to reason No (iii) *agricultural land*. Its development control witness withdrew the reason; and the appellants' evidence was not challenged (Doc 5 Appendix 13). Similarly, reason No (iv) *local concentration of development and strain on facilities* was not pursued by the officers. In fact it is well located with respect to community and other facilities (Doc 5 Appendix 19). The education authority have confirmed that local schools could cater for the additional children living on the development (Doc 5 Appendix 18). The site is of very limited utility for recreation or rural pursuits, and the proposal would provide alternative recreational opportunities which can be assured by condition. As for reason No (v), *air quality and drainage* the Council agrees that in view of the response from Severn Trent Water and the submissions of the appellants, there are no objections outstanding which could not be covered by conditions.

Appeal 2 - Employment development

32. The appeal revisits the same issues which were addressed at the public local inquiry into objections to the Hinckley and Bosworth Local Plan, following which the Inspectors recommended the site as an allocation for employment uses, in accordance with the Council's Proposed Change. In making that recommendation, the Inspectors concluded that there was no strategic or visual justification or purpose for an Area of Separation; that satisfactory access could be achieved; and that a landscaped buffer should be provided adjacent to the canal and to the houses on the north side of Coventry Road. There is a compelling need for the site, especially in this area where the local plan Inspectors recommend that sites should be allocated. There is no evidence that the release of this site

would result in harm to the supply of industrial land. Council Members previously accepted that the site is needed in the short term. (Doc 6 Appendix 16).

33. The District Planning Officer recommended that the Council accept the Inspectors' recommendation, but it has declined to do so. (Doc 9 Appendix H)

34. The site is commercially viable: it is well located for B1, B2 and B8 development, being of a regular shape, and of a manageable size adjoining an existing industrial estate. There are no physical constraints to its development in the short term.

35. The site would meet relevant strategic and employment objectives of the emerging local plan, including the provision of opportunities for investment; the opportunity to facilitate growth in the economy without an adverse effect on the environment and the local community; and the provision of an employment site in a transport choice corridor. The site scores highly on a sustainability impact matrix (Doc 6 Appendix 13). The development would meet the requirements of PPG4, PPG13, Regional Planning Guidance for the East Midlands and the adopted and emerging County Structure Plan.

36. Little or no weight should be accorded to the adopted plan owing to its age. The main issue relates to the value of the site as an "area of separation" under HALP Proposal HA/ENV1. The test is whether the development would undermine separation. The Council accepts that if there is no conflict with the test, then there would be no conflict with the policy. HBLP Policy NE3 has similar wording, and the Council agrees that the same test applies. With reference to the Inspectors' report, the Council's witness accepted that there would be a 30m buffer to the canal and marina site (Doc 9, Appendix G, para 3.3.101). The test relates to the separation between residential and industrial uses, not between industry and the marina. Existing houses in Coventry Road could be protected by a bund as recommended by the local plan Inspectors and shown on the masterplan, and the access road would provide further separation (Doc 9, Appendix G, para 3.3.103). Only B1 development, having a lower potential for disturbance, would be placed at the front of the site, close to the housing. This could be ensured by condition. The Council agrees that it would have control over the form of the development at the reserved matters stage.

37. The Council accepts that the question of need for employment land is a material consideration. There is a high level of demand for industrial and warehousing premises in the Hinckley urban area both from existing occupiers, many of whom occupy obsolete buildings, and from incoming companies seeking to relocate in an area well served by major road links and by a quality workforce. This demand is likely to continue into the foreseeable future. There is evidence of companies having difficulty securing land for expansion and some evidence of others (for example Holland & Barrett) moving away because of an inability to find a suitable site.

38. There are approximately 62 ha of employment land in the supply "pipeline", comprising 44.93 ha of commitments and 17.16 ha proposed to be allocated in the emerging local plan (Doc 8 Appendix H). In theory this is sufficient to meet the Structure Plan target to 2006. There is very little between the parties' witnesses concerning the list of land and properties. However, the Flude, Sketchley and Caterpillar sites all relate to expansion, as long term commitments, as distinct from land which is available on the open market. Development of the MIRA site is constrained for security reasons. The "EMEB" site has a developable area of only about 1 ha and access is in practice dependent on a third party. The "Hammonds" land is not a new site. There is some dispute about Peckleton and Station Road, Earl Shilton, but the appellants' evidence from an experienced, qualified worker in the property

industry should be preferred to the Council's officers. The multi-st rey town centre sites which have been identified are not suitable for the kind of busi nesses for which the proposed development is intended.

39. If the land to the north of the borough and the secondary rural lc cations are excluded, together with sites which are not available to the market, only 21.5 ha remains. Of this, 20.8 ha comprises the Grass Plots, Burbage site. However, the Co ncil accepts that the developable area is only 14.45 ha and, unlike the appeal site, it is not available in the short term, owing to the need for infrastructure improvements. This will equire the gaining of Traffic Regulation Orders, involving the potential for significant c elay. Consequently, there is virtually a nil supply of employment land immediately avai able in the Hinckley urban area. Even if Grass Plots were to be developed in the fo eseeable future it is important to have a choice of sites for differing sectors of the market. At present there are no speculative industrial/warehouse buildings readily available, and li tle available second-hand. There will not be a continuing supply of employment la d and development throughout the local plan period.

40. Of the Council's remaining reasons, Nos (iii), (iv) and (v) *highways and drainage*, are on the basis of insufficient information being provided. These matte s are covered under Appeal 1. Reason No (i) claims that the proposal is contrary to the s tructure plan and the local plan. However, the Council agreed that the proposal is not in co nflict with SP Policy EMP1 which allocates 80 ha, and more land than this has been alloc ted anyway. Policy EMP3 of the emerging local plan only relates to specific sites; and the Council agreed there was no conflict with this policy.

The case for the Local Planning Authority

The material points are:

Appeal 1 – Residential development

41. Development of this site in the absence of additional housing need would result in an unwarranted intrusion of urban development in the open countryside c utside the settlement boundary for Hinckley, resulting in an adverse effect on the character a nd appearance of the landscape. It would severely harm the visual amenities of the area to the detriment of the countryside, in conflict with local plan policies which seek to protect it.

42. There are significant public viewpoints into the site. The footpath wi ich runs north-south through its western end is well used recreationally, the only one near a opulated urban area (Doc 10 Appendix G). There are views from Nutts Lane, from the to wpath, and glimpses from the A5. The appellants accept that the land is a "lung of open spac e". Notwithstanding the pockets of public open space which would be provided, the develo ment would replace it by a large block of housing.

43. The expression "open" countryside does not appear in the wording of the relevant policies in the adopted or emerging development plans. The site is countryside both on a theoretical and practical level, even though it is bounded by development and the A5. It is a large site with open fields, and it has the feel of countryside. It is part of a working farm, even though it is presently set-aside. Apart from the intervening A5, i is attached to the countryside beyond. It is close to an urban area, but it does not exh bit the problems of dereliction, vandalism, tipping or trespass associated with the urban fr nge, as described in

PPG7 and PPG17, even though there is an unofficial footpath through it. The Council disputes the description of the site as vacant or underused.

44. The proposal would not be in accordance with the SP Strategy Policy 4 and HALP Proposals HA/RES 9 and 14. The HALP is conceded as being a relatively old plan, and Proposal HA/RES 9 applies "normally". However, it should be accorded some weight. In the emerging local plan, Policy NE4 is applicable. The development does not satisfy the 3 criteria of that policy for development in the countryside. Even though the Council does not agree with the Inspectors' recommendation regarding this site, the recommendations in relation to the policy in general have been accepted. The local plan is at a late stage. It is likely to be adopted by mid 2000 and the controversy is effectively at an end. The proposal would be contrary to PPG7 to protect the countryside for its own sake even though this site is adjacent to an urban area.

45. The Council accepts that it is not necessary to demonstrate need for the development, but it takes the view that no need has been demonstrated. The appellants want to rehearse the local plan process again, by saying that the site is better than competing sites. But this is an impossible exercise. The Inspectors expected that an exercise would be undertaken by the Council to assess whether the site is acceptable taken in the round (Doc 5, Appendix 15, para 2.3.407). That is what the Council has done. The appellants cannot say that the Council is acting perversely. There is no basis for saying that there is a shortage of houses in Hinckley, or that the market cannot be satisfied. There are plenty of houses for sale. There are allocations to provide 77 houses more than the SP allocation (6327 compared to 6250). The local plan Inspectors said that there was no need for a flexibility allowance, as an effective overprovision had been made. There is a 5 year supply of housing land (Doc 8 Appendix I).

46. It is not helpful to examine all of the housing sites referred to by the parties. For example, the Ratby site is just an alternative to another in the same settlement. The historic build rates are of limited value as there are now new allocations, for example at Bagworth, where a permission has been granted for 250 houses, and where decontamination works are taking place on one site, suggesting an interest in development. It is a reasonable expectation that the committed sites and draft allocations will be developed. Planning should plan ahead, rather than follow developers' wishes. The appeal site has infrastructure problems associated with the provision of off-site highway improvements. On the face of it, there are sufficient allocations, and possibly some oversupply.

47. With regard to highways matters, the application did not, at the time of submission, include a highways assessment; and when one was submitted, it did not consider the impact on the A5. That aspect was finally covered by the appellants' evidence. The Highways Agency and the County Council have, albeit during the course of the inquiry, withdrawn their objections to the proposal (Docs 18 & 19). Bearing in mind the proposed programme of improvements, the Council is not now promoting a positive case on highways matters, though the evidence of Councillor Bill and residents should be noted.

48. Councillor Bill believes that if the development were to go ahead, additional traffic would make worse the present congestion on Coventry Road, which will already be affected by 2 presently undeveloped, but committed or allocated, sites to the south of the road. This would severely affect the quality of life of local residents. (Doc 7 Appendices A –D). His principal concerns are:

(a) the congestion at Dodwells Bridge roundabout, with major queues in all directions at peak times and at other times when things go wrong;

(b) accidents which occur on the M1, M6 and M69 result in diversions on to the A5; and accidents on that road result in diversions on to Coventry Road, Westfield Road and Brookside;

(c) to avoid congestion at the Dodwells Bridge roundabout short cuts are taken through Nutts Lane, Sunnydale Road, Trent Road, Glenbarr Drive and Roston Drive;

(d) the highway problems are too severe to be addressed by contributions from developers; and,

(e) the proposed junction on Coventry Road would increase the volume of traffic at the access points.

49. The appellants' case is that traffic conditions will get no worse, rather than improve. Nevertheless, the development is next to a congested road, and future conditions may only become slightly better. It may not be well served by public transport even when the full strategy is implemented. It will still not be possible to accommodate all traffic. The claim that the sites will be immediately available is a fallacy, as though the development can commence, there should be no occupation until the highway works have been completed. There is no timetable for the highway strategy, so the development could be delayed.

50. With regard to reason No (iii), it is accepted that, for the most part the site does not comprise the best and most versatile agricultural land and so does not require special protection. Nonetheless, the Council considers that the net effect of the proposal would be to reduce the amount of agricultural land in an otherwise heavily developed area. No evidence is submitted in relation to reason No (iv) *strain being placed on local facilities and the inappropriate distribution of housing sites*, nor to reason No (v) *drainage*.

Appeal 2 – Employment development

51. Development of the site in the absence of additional employment need would result in the loss of an important area of separation to residents on Coventry Road, who already have an industrial estate to the rear of their properties, thereby conflicting with HALP Proposal HA/ENV 1 and HBLP Policy NE3(b). Areas of separation ensure that incompatible uses do not affect each other, in particular, residential uses. However, the Council accepts that the potential impact of the proposal could be reduced by conditions.

52. The area of separation is also necessary to protect the Ashby canal and conservation area. This attractive corridor contributes to the rural ambience in this part of the urban area, providing relief from built development. The towpath is a well used, pleasant walkway, the value of which would be affected by the proposal (Doc 10 Appendix E). There are public views of the site from the canal bridge from the west along Coventry Road. Subject to the completion of a legal agreement, permission exists for a marina on land to the east of the canal, from which direct views of the site are obtainable. (Plan F and Doc 7 Appendix D).

53. The structure plan allocates 80 ha of employment land to provide for expansion of existing firms as well as for new employers. The only controversy at the local plan inquiry was regarding the MIRA site, where 9 ha were allocated, even though MIRA is an existing employer. The trawl by the appellants of alternative sites is an impossible exercise. 90 ha have been allocated compared to the structure plan requirement of 80ha. The land is coming forward: 11.2 ha have been completed; 17.55 ha is under construction; and 44.93 ha

comprises commitments with planning permission. This is not challenged by the appellants, even though the local plan process not complete. They concede that sufficient land has been allocated to meet structure plan requirements.

54. The Grass Plots site requires infrastructure works, but so does this site, which may also not be available in the short term. The EMEB site is available, with a development brief. 69000 square metres is available at the Caterpillar site. The Hammonds site involves extensions and rebuilding. There is no need for more employment land. There is a healthy turnover of employment sites and properties, so land and buildings are available. The argument regarding the relocation of Holland & Barrett is inapplicable, as the appellants argue that the appeal development would be mainly small units, unsuited to that kind of employer.

55. With respect to reasons (iv) and (v), in common with its approach to Appeal 1, the Council is not now promoting a positive case on *highways matters*, though the evidence of Councillor Bill expressed above and that of residents should be noted.

56. The Council submits no evidence with regard to reason No (iii) *drainage*.

57. Overall, the site is not suitable for the proposed development, and no need has been demonstrated to outweigh the Council's objections.

The cases for interested persons and other bodies in support of the local planning authority

The material points are:

Representations made at the inquiry

58. **Cllr Mrs V Bill** has been the County Councillor for the southern part of Coventry Road for nearly 15 years. She objects to the proposals by reason of the effects of traffic, visual impact and lack of need. The highways aspects of the proposals have not been considered by County Council Members. There are traffic problems on the A5, Coventry Lane and Nutts Lane, principally due to the volume and speed of traffic. There have been accidents on Coventry Road between Lancaster Road and the Dodwells Bridge roundabout. The proposed traffic lights may help control speed, but will do nothing to affect the volume of traffic. On the A5 in the direction of the M69, the railway bridge is too low, causing traffic to be directed through the urban area. The bridge must be raised, but there are no proposals to do so by the developers. The sites would add to the existing traffic. The buses that are available are not suitable for schoolchildren. (Doc 23).

59. The industrial proposal would have an adverse visual effect upon residents who back on to the site, and upon the proposed marina, which would be a recreational facility. With regard to need, the appellants' approach is pragmatic rather than strategic. Development should follow planning, not the reverse. The proposals would result in an over-concentration of development in this part of the Borough. As for other sites mentioned, regeneration funds are being directed to Bagworth. The site at Newbold Verdon is being actively promoted by the Council, because of benefits to the community. There is no need for industrial development in this part of town. Workers live outside the area.

60. **Mr S McGarr** lives nearly opposite the proposed secondary access point. He raised the following matters (Doc 24).

- Account should be taken of those who have local knowledge.
- There is no need for the development; it is simply profit motivated.
- Traffic accidents would increase.
- The actual peak flows of traffic are earlier than suggested by the appellants (07.45-09.15 and 16.00-17.45), and some of the data is out of date.
- The traffic growth predictions are likely to be proved wrong.
- Traffic queues likely to result at both access points.
- The appellants' traffic assignments may be incorrect.
- The road improvements could be regarded as inducements if the Highways Agency have no other means of funding them. The Agency seem more concerned with the money than the detail of the scheme.
- Traffic travelling east on Coventry Road presently flows easily. The proposed traffic lights at the main access would cause backing-up, making it difficult to enter frontage properties.
- The constraints to development on alternative sites appear to relate principally to cost.
- The proposed traffic lights on the Nutts Lane canal bridge may actually make the use of this short cut more attractive.
- There are many houses for sale in Hinckley, not including those presently under construction.
- Loss of a recreational area.
- The residential site is frequented by a great deal of wildlife (26 species listed).
- The visual impact of Payne's Garage is limited by a row of trees.
- The residential land is countryside: it would not be enhanced by the proposed development.
- The industrial buildings would be visible from the footpath at the proposed marina.
- The barrier between the industrial site and adjoining properties would be, or could become, ineffective.
- Access to the industrial site could be made through the existing industrial estate.

61. **Mr G R Bailey** spoke for a number of residents. He has lived 27 years in his house. After the construction of the Northern Perimeter Road, Coventry Road became a 'B' Road, but the traffic has been getting heavier. There are many additional vehicles, for example associated with Trinity Motors, a hotel and Nutts Lane. It is impossible for pedestrians to cross the road. There is a problem at the Longshoot traffic lights (at the junction of A5/A47), causing tailbacks. On 26 November 1999 there was 3 miles of tailback and queuing to Trinity Motors from the roundabout. This is a regular problem which is worse in summer. The volume of traffic on Coventry Road is so great that it can take between 2 and 10 minutes to get out of a drive. People consequently take risks. The screening behind the houses on the north side (backing on to the industrial estate) is ineffective. The proposed

traffic lights would not make access easier for householders; and the removal of the verge would increase the exit gradient. The quality of life of residents would be affected by noise from the rear, side and front.

62. **Mrs S Kay** spoke on behalf of neighbours and friends, and her 7-year old son, who is deaf. In addition to points made above, she expressed concern at:

- the loss of the verge along Coventry Road to accommodate a cycleway;
- rainwater from the road drains to the dwellings: this would be made worse by the proposals;
- recent residents do not know about development;
- traffic is re-routed down local roads following accidents;
- the existing volume of traffic (213 vehicles recorded on Coventry Road in 10 minutes);
- children attending the Westfield Schools, OAPs and other pedestrians would have more roads to cross.

63. **Mr J A Hewitt** and **Mrs B M Sharrott** also spoke for themselves and their neighbours. They agree with Cllr D Bill and other residents. The proposed traffic lights would help, but another lane is needed at the roundabout (in a N-S direction on the A5 and a road behind the Longshoot houses. With regard to the residential proposal, the site has deteriorated over the last 20 years. It used to be 8 fields. However, the canal has improved. A cycle track is not needed. It would hinder access to properties and people would park on it. There are also highways drainage problems.

64. **Mr J King**, representing Trinity Motors and the developers of a proposed marina at Wharf Farm (to the east of the site of Appeal 2, on the far side of the canal) presented their proposals, which also include a public house/restaurant, a shop and other facilities, to be marketed as a single destination. The Council has resolved to grant planning permission subject to a Section 106 agreement being entered into relating to wildlife matters. The intended timetable for development is for the marina and the shop to be open by June 2000. Detailed building plans are out to tender. There is concern at the effect on the environment. The marina is aimed at the top end of the market, and it is important to attract people. Its appearance is critical. The development would be adversely affected by views of the industrial development from the terrace and mezzanine of the pub/restaurant. (Plan F).

Written representations

65. Four representations have been received in support of the Council. (Doc 27).

66. **The Inland Waterways Association**, indicate that the maintenance of the Ashby canal corridor as largely undeveloped open space is essential to protect its historic environment and its future use for amenity and leisure purposes. This is recognised in HBLP Policies RES1, NE3 and REC7. The employment proposals would cause significant harm to the canal and conservation area. Objection is also raised to the housing proposal, but if the appeal is allowed, a request is made that the section closest to the canal should be excluded, or a buffer maintained as open space along the canal.

67. **Onyx Econotek Ltd** operate a waste transfer station, vehicle depot, recycling centre and scrapyard located on the southern side of the A5, opposite the site of Appeal 2. That part closest to the site (approximately 50 metres) is used for the handling and storage of hazardous waste materials. The site is subject to control under the Environmental Protection Act 1990 and it is operated in accordance with modern standards. The company are not aware of any complaints or objections, but they are concerned that the potential for unsubstantiated fear of it by residents of the new houses would be disruptive to the business. It is considered inappropriate to permit residential development in such close proximity to such a site. They request that if the appeal is upheld, an informative should be attached to the permission in order to alert purchasers of the existence of the facility.

68. **Mr & Mrs D Gunn**, of 329 Coventry Road, express concern at the amount of traffic, including heavy traffic, using Coventry Road and Nutts Lane, particularly at peak times, so that it is difficult for residents to access their properties. The proposals would only make matters worse. Redundant industrial sites are suggested as suitable alternatives for new housing.

69. **Mr A Morris**, of 393 Coventry Road, who is registered blind after being knocked down on Coventry Road 5 years ago. He uses a guide dog, and has to cross Coventry Road to get to work. If the proposals go ahead, crossing the road would become more difficult because of the extra traffic and the proposed traffic island.

Representations in support of the appellants

70. During the course of the inquiry, responses to the proposal were received from the Highways Agency (Doc 18) and from the Leicestershire County Council as highway authority (Doc 19). Both withdrew holding objections to the proposal, subject to the imposition of conditions requiring the implementation of off-site highway works and the preparation and implementation of a 'Green Transport Plan'. (Docs 18, 19, & 26).

Conditions:

Appeal 1

71. I draw attention to the conditions suggested by the Council which were discussed at the inquiry and, subject to the amendments outlined below, agreed between the main parties. (Doc 10, Appendix H).

72. Conditions 1 and 2 should be replaced with the model outline conditions set out in Circular 11/95. Although the means of access is not a reserved matter, it should be included as details of the secondary access were submitted only in illustrative form. Some items not normally included as reserved matters are covered by separate conditions and need not be repeated in the recitation of reserved matters. There is a typographical error in condition 8: "all" in the penultimate line should read "an". In conditions 11, 12, 13, 14 and 15, the words "in general accordance with" should accompany reference to works shown in specified drawings; and reference to works being "completed" should be altered to "*substantially* completed". Reference to drawing No 12088/22 should be drawing 12088/22 *Revision A*.

73. Condition 13 should be modified in the light of the recommendation received from the Highways Agency to read: "No more than 100 dwellings (or if development has already commenced on the adjacent proposed industrial site [application No 99/00048/OUT], no

3.33

more than 50 dwellings) shall be occupied until the improvements shown on TPK Drawing No 12088/14 Revision B, together with improvements to the Nutts Lane bridge as shown on Drawing No 12088/13 Revision A, or such other similar schemes have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and the highway authority and have thereafter been substantially completed".

74. The Highways Agency suggest a further condition relating to the submission of a Green Travel Plan (Docs 18 & 26). An alternative wording based on condition (xii) of Doc 21 was agreed in an amended form to read: "No dwelling hereby permitted shall be occupied until a comprehensive Green Travel Plan has been submitted to and approved in writing by the local planning authority. Thereafter the Plan shall be fully implemented in accordance with the approved details". The parties further agreed that condition 16 may not be enforceable as it seeks to control the movement of vehicles on the highway, which is outside the control of the developer.

Appeal 2

75. I draw attention to the conditions suggested by the Council which were discussed at the inquiry and, subject to the amendments outlined below, agreed between the main parties. (Doc 11, Appendix H).

76. Conditions 1 and 2 should be replaced with the model outline conditions set out in Circular 11/95. Some items not normally included as reserved matters are covered by separate conditions and need not be repeated in the recitation of reserved matters. It should be made clear in condition 12 that the hours of working relate to Monday to Saturday inclusive. In condition 14, "completed" in the last line should read "*substantially* completed"; and reference to drawing No 12088/22 should be to No 12088/22 *Revision A*.

77. Details of the canal buffer (condition 17) may be included within landscape details to be submitted as a reserved matter under the outline conditions, though for the avoidance of doubt, the Council indicated a preference for a separate requirement.

78. Condition 19 should be modified in the light of the recommendation received from the Highways Agency to read: "No more than 5000 square metres of employment floorspace (or if development has already commenced on the adjacent residential site[application No 99/00047/OUT], no more than 2500 square metres of floorspace) shall be occupied until the improvements shown on TPK Drawing No 12088/14 Revision B, together with improvements to the Nutts Lane bridge as shown on Drawing No 12088/13 Revision A, or such other similar schemes have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and the highway authority and have thereafter been substantially completed".

79. The Highways Agency suggest a further condition relating to the submission of a Green Travel Plan (Docs 18 & 26). An alternative wording based on condition (xii) of Doc 21 was agreed in an amended form to read: "No building hereby permitted shall be occupied until a comprehensive Green Travel Plan has been submitted to and approved in writing by the local planning authority. Thereafter the Plan shall be fully implemented in accordance with the approved details". The parties further agreed that condition 16 may not be enforceable as it seeks to control the movement of vehicles on the highway, which is outside the control of the developer.

Conclusions

80. The following conclusions are based on my report of the evidence given at the inquiry, all other representations received and my inspection of the site and its surroundings. In this section the numbers in square brackets refer to the paragraphs in the preceding sections of the report from which these conclusions are drawn.

Main considerations – both appeals

81. In my view, the main considerations upon which the decisions should be based are:

(a) whether the proposals are in accordance with adopted and emerging development plan policies and, if not, whether material considerations concerning the supply of housing land (Appeal 1), and of industrial land (Appeal 2) justify a departure from the provisions of those policies;

and, the effect of the proposals on:

(b) the character and appearance of the area, with particular regard to the relationship of the sites to surrounding land uses;

(c) road safety and the free flow of traffic; and

(d) the living conditions of those residing in the vicinity of the site.

Appeal 1

The development plan

82. Section 54A of the Town and Country Planning Act 1990, as amended, requires that where, in the making of any determination under the planning Acts, regard is to be had to the development plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise. The development plan comprises the Leicestershire Structure Plan and the Hinckley Area Local Plan.[14, 15]

83. In principle, the siting of the proposal is in accordance with the aspirations of SP Strategy **Policies 1 (b)** and **3** insofar as it is located adjoining a settlement where a realistic choice of transport is or will be made available, and within a Transport Choice Corridor defined in **Strategy Policy 2**. Nonetheless, it is outside the development limit of Hinckley defined in the adopted local plan, and it is therefore *countryside* for the purposes of applying SP **Strategy Policy 4** and **HALP Proposals HA/ENV 14 and HA/RES 9**. Consequently the proposal is contrary to these policies, though the use in them of the expression "normally" implies that in some undefined circumstances residential development in the countryside may be acceptable.[14, 15, 21]

84. The end date for the local plan is 1996. Though it is thereby technically "out of date", it nonetheless remains part of the adopted development plan. I agree with the Council that it should be afforded some weight, more particularly those policies relating to matters which the Council do not intend to change substantially in the emerging local plan.[14, 26, 44]

The emerging local plan

85. The emerging Hinckley and Bosworth Local Plan is a material consideration. It is at an advanced stage and should therefore be accorded weight appropriate to its status in accordance with the advice of paragraph 48 of PPG1. The Council has considered the recommendation of the local plan Inspectors to allocate the site for housing but have decided not to accept it, but to retain it as *countryside*. Objections to that decision have also been considered, but it does not intend to amend its stance. Unless its position is altered, the plan will be adopted in this form. The proposal does not fall within any of the categories of acceptable development in the countryside under Policy NE4, and it is therefore contrary to the provisions of the emerging local plan.[16, 17, 18, 44]

86. I conclude that the proposal is contrary to the provisions of the development plan, including the adopted local plan, and to the Proposed Modifications to the emerging local plan.

Housing land supply

87. The need for housing land is a material consideration, which, if demonstrated, would weigh in favour of the proposal.[28, 45]

88. As proposed to be modified, the emerging local plan includes a mathematical surplus of 77 housing units above what is necessary to meet the structure plan requirement. This compares with a surplus of 160 units included in the local plan Inspectors' recommended allocations. Although the Inspectors declined to include a specific "flexibility allowance" in their recommendations, this surplus was intended to address any 'slippage' or shortfall in rate of provision due to economic or marketing conditions, or problems arising from delays in infrastructure provision, and to help safeguard the rate at which 'affordable' housing is built, and therefore provided a degree of flexibility. The degree of flexibility afforded by the Proposed Modifications is less than half that considered advisable by the Inspectors, thereby reducing the ability of the plan to address the issues highlighted.[14, 17, 25, 45]

89. In order to meet the structure plan requirement, 416 dwellings need to be built each year, on average, throughout the plan period. To date, this has not been achieved, with the result that there is a significant shortfall of 527 units to March 1999. To make up the shortfall and to fulfil the requirement, 492 units would have to be built each year to the end of the period. To date, this level of building has never been achieved. Annual completions for the last 4 years have been below 416, and show a decline. The figure for 1998-99 (231) is the lowest achieved during the period, despite favourable economic conditions. Although the future adoption of the local plan will bring greater certainty to the development process, there is little reason to conclude that building rates will increase by the proportion required.[28]

90. The Council shows that a 5 year supply of housing land exists. However, it acknowledges that there is uncertainty over whether some sites will in practice be brought forward within the necessary timescale: for example at Dragon Lane, Newbold Verdon, where strategic objections remain unresolved. The development of sites at Bagworth and Earl Shilton are dependent on infrastructure being put in place, but there are serious doubts about the timing and indeed the likelihood of its provision. Moreover, the assumed build rates in these and other locations are far in excess of what has been achieved in the recent past. Even taking an optimistic approach, it appears unlikely that all of the sites upon which the 5 year supply has been calculated will in practice be developed in the period, or that the rate of building will approach that assumed by the Council.[25, 28, 45]

91. Notwithstanding the small mathematical surplus of housing allocations over the structure plan housing requirement contained in the Proposed Modifications, I conclude that there is a need for land to be made available additional to that allocated in the emerging local plan if the requirement is to be met.

92. With respect to the appeal site, I place considerable weight on the fact that the local plan Inspectors chose to allocate it for housing, having regard to the wider consideration of all other aspects of the plan; and that this was accepted by the Council's officers, if not the Members. Of particular relevance is the Inspectors' opinion that the emphasis of national policy on urban regeneration strengthens the case for allocation: the site is reasonably centrally located; it is well served by public transport; additional services and facilities could be provided in the context of other housing in the area; and large-scale employment sites are close at hand. This view is borne out by the high score achieved by the site in its sustainability impact matrix, which was not challenged by the Council. This adds weight to the support given by the Strategy Policies of the structure plan with respect to its location within a Transport Choice Corridor.[14, 21, 23, 24]

The character and appearance of the area

93. The site is shown as "countryside" in the adopted and emerging local plans, but that is not a recognition of its character or appearance, but simply an acknowledgement that it lies beyond the designated development limit of Hinckley. It is agricultural land forming part of an agricultural holding. It is on the urban fringe, but it is not derelict or vandalised; and while not possessing any great visual attractiveness, it maintains a degree of rural character. Notwithstanding its severance from the remainder of the holding, and the fact that it is currently "set-aside", it is an extensive tract of land which has the potential to resume productive use. Local residents value it as an open area containing wildlife and having some limited recreational potential deriving from the footpath which runs along its western edge. However, it is viewed from most publicly accessible locations within the context of existing urban development, which it directly adjoins to the north and west, and the unsightly greyhound stadium to the south-east. This urban setting and sense of enclosure would be further emphasised in the future by housing for which permission exists to the east of the Ashby canal. It is visually and physically separated from open land to the south and south-east by railway embankments and the A5 Trunk Road. It cannot be regarded as "open" countryside; and its development as proposed would have little or no impact on the character or appearance of the rural area beyond.[9, 14, 15, 21, 26, 41, 42, 43, 60]

94. I conclude that the site displays a range of both urban and rural characteristics, visually, physically and functionally, but it is principally in an urban setting. PPG7 and HBLP Policy NE4 state that countryside should be protected for its own sake. If developed, any residual rural character would be lost, but I consider that would be outweighed by the provision of open space and recreational facilities of substantially greater community value than is presently afforded by the land. Such provision can be assured by means of the agreed conditions.[13, 44, 71]

95. The Ashby canal is in a conservation area, the character or appearance of which there is in law an obligation to pay special attention to the desirability of preserving or enhancing. I am satisfied that the provision of a landscaped corridor within the site along the canal will preserve the character and appearance of the area by physically separating it from the housing and providing a planted setting, in accordance with HBLP Policy REC7, and the agreed conditions.[20, 63, 66, 71]

Road safety and the free flow of traffic

96. The Council has not promoted a positive case or submitted any technical evidence in relation to highways matters. It therefore does not seek to support reasons (ii) & (vi). It nevertheless draws attention to the evidence of Councillor D Bill and residents.[4, 5, 29,30, 47, 49, 70]

97. The appellants' evidence shows that the proposed accesses to Coventry Road are adequate to carry the estimated traffic generated by the development. Coventry Road itself has the capacity to carry that traffic. Subject to the proposed road improvements taking place at the Dodwells Bridge roundabout, that junction with the A5 would also function satisfactorily. Moreover, the proposed traffic lights on the Nutts Lane canal bridge are likely to deter rat-running down that road, with a consequent reduction in the use of the junction with Coventry Road. Other benefits also include the improvement of the cycle facility along Coventry Road, together with enhanced crossing facilities for pedestrians and cyclists.[30]

98. Neither the Highways Agency nor Leicestershire County Council as highway authority raise objections to the proposal, subject to the imposition of conditions.[29, 47, 70]

99. Fear is expressed by residents and their representatives concerning the effects of additional traffic, congestion and the safety of pedestrians. Although respect must be given to their experience and local knowledge, there is an insufficient basis upon which to question the conclusions of the appellants' research and the views of the relevant highways authorities.[48, 49, 58, 60, 61, 62, 63, 68, 69]

100. I conclude that, subject to the imposition of the conditions recommended by the Highways Agency and the County Council, the proposal would not harm the interests of road safety or the free flow of traffic on the highway.[70, 71]

The living conditions of those residing in vicinity of the site

101. Representations to the proposal on grounds of amenity focus mainly on the effects of traffic and the loss of a green area. Those living adjoining the proposed junctions to Coventry Road may experience greater disturbance from turning traffic, but I have no reason to believe that this would be to unacceptable levels. In the context of the present traffic flows on Coventry Road, I am satisfied that traffic generated by the proposal would not have any significant additional impact on local residents. The site is of very limited utility for recreation or rural pursuits, and the proposal would provide alternative recreational opportunities which can be assured by condition. I take the view that the proposal would not result in any significant harm to the living conditions of those residing in the vicinity of the site.[30, 31, 48, 59, 60, 61, 62, 63, 71]

Other matters

102. The Council did not seek to support reason (iii). It recognises that, for the most part, the site does not comprise the best and most versatile agricultural land and so does not require special protection. This is the view taken by the local plan Inspectors, and I concur.[21, 31, 50]

103. The Council did not support reason (iv) *over concentration of development / strain on local facilities*. The education authority have confirmed that local schools could cater for the additional children living on the development. There is no other evidence to show that

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there would be an over-concentration of development in this area, or that local facilities would be unable to cope.[31, 50, 59]

104. With respect to reason (v) *air quality and drainage* the Council is satisfied that sufficient information has been provided, and that these matters could be dealt with by way of conditions if permission were to be granted. I agree. The representations concerning poor road drainage appear to relate to present conditions. I see no reason why the proposed development would make matters worse. [21, 31, 50, 71]

105. The concern of the operators of the waste transfer site on the A5 is recognised. However, the proposed housing would be separated from it by the width of the road, the old railway embankment and associated planting. It is subject to control under other legislation. In my view it should not give rise to fear amongst future occupiers with regard to health. [27]

Conclusions: Appeal 1

106. I conclude that the proposal is contrary to the countryside protection policies of the development plan and the emerging local plan. However, the site is designated as countryside only by reason of falling outside the development limit of Hinckley rather than any intrinsic rural character. There is sufficient land allocated for housing in the borough to meet the requirement of the structure plan, but there are serious doubts concerning the likelihood, timing and speed of implementation. Consequently there is a need for land to be made available additional to that allocated in the emerging local plan if the requirement is to be met. The site is well located in strategic terms and in relation to the urban area of Hinckley. Its allocation for housing was recommended by the local plan Inspectors. Subject to agreed conditions, the proposal would not harm the character or appearance of the area, the interests of highway safety, or the amenity of local residents. In my view, these material considerations indicate that the determination should not be in accordance with the development plan; and the appeal should be allowed.

Appeal 2

The development plan

107. Section 54A of the Town and Country Planning Act 1990, as amended, requires that where, in the making of any determination under the planning Acts, regard is to be had to the development plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise. The development plan comprises the Leicestershire Structure Plan and the Hinckley Area Local Plan.[14, 15]

108. **SP Employment Policy 1** provides for 80 ha of land to be made available for employment uses in the Borough between 1991 and 2006. It does not prescribe any maximum figure or allocate specific sites, and there is no dispute that it would not be breached by the proposal. Moreover, in principle, the site is in accordance with the aspirations of **SP Strategy Policies 1 (b) and 3** insofar as it is located adjoining a settlement where a realistic choice of transport is or will be made available, and within a Transport Choice Corridor defined in **Strategy Policy 2**.[14, 35, 37, 38, 53]

109. Nonetheless, the adopted local plan identifies it as an area of open countryside forming a "green buffer" between development areas. The proposal does not fall within the types of development listed in **Proposal HA/ENV 1** as acceptable in such a buffer. Consequently it is contrary to the provisions of the policy, though the use in it of the expression "normally"

implies that in some undefined circumstances other forms of development in the countryside may be acceptable. I conclude that in principle the proposal is contrary to the development plan.[15, 36, 51]

110. The end date for the local plan is 1996. Though it is thereby technically "out of date", it nonetheless remains part of the adopted development plan. I agree with the Council that it should be afforded some weight, more particularly those policies relating to matters which the Council do not intend to change substantially in the emerging local plan.[14, 36]

The emerging local plan

111. The emerging Hinckley and Bosworth Local Plan is at an advanced stage and should therefore be accorded weight appropriate to its status in accordance with the advice of paragraph 48 of PPG1. It is a material consideration. Although the site was not included as an employment allocation in the deposit draft plan, the Council supported its inclusion at the local plan inquiry. The local plan Inspectors recommended that the site should be allocated, but the Council has decided not to agree, but to retain it as an *area of separation* identified under **Policy NE3**. An objection to that decision has also been considered by the Council, but it does not intend to amend its stance. Unless its position is altered, the plan is likely to be adopted in this form.[16, 19, 32, 51]

112. The proposal is not contrary to **Policy EMP3**, which relates to the allocation of other employment sites, but does not restrict development to those sites alone. It would also satisfy the requirements of **Policy REC7**, provided that the development incorporates a landscaped buffer alongside the canal, as indicated on the illustrative plan. However, as it does not fall within the types of development acceptable in an area of separation set out in **Policy NE3**, it is thereby in principle contrary to the provisions of the emerging local plan.[19, 40, 51]

Employment land availability

113. There is no dispute that the emerging local plan, as proposed to be modified, allocates sufficient employment land to meet the structure plan requirement of 80 ha for the borough as a whole. There are approximately 62 ha of committed and allocated sites "in the pipeline". However, land availability should be assessed in terms of location as well as of quantity. Of the sites located in and around Hinckley, much is not generally available, as it is retained for expansion by individual firms (eg Flude, Sketchley), or is partially constrained by special circumstances (eg security within the motor industry at MIRA). The availability of a major site at Grass Plots is likely to be delayed by the need to obtain authority for, and to carry out infrastructure works to the A5. I regard it as a site available in the medium- rather than the short-term. The present proposal also requires infrastructure provision but, under the agreed conditions, it could commence without delay. There are several small sites. The availability of some remains in dispute, but none appears to offer development opportunities comparable to the appeal site. Notwithstanding the Council's present position, significant weight should be given to the fact that it supported the allocation of this land at the local plan inquiry (albeit in the absence of the Grass Plots site), and that view was shared by the Inspectors. Overall, despite the position with regard to the borough as a whole, I agree with the appellants that there is an inadequate supply of *readily available* employment land *to the open market* in the *Hinckley* area, which is a strategically favoured location .[14, 38, 39, 53, 54]

The character and appearance of the area

114. I agree with the local plan Inspectors' opinion of the site. Although it is a field, it does not have a mainly rural character as it is dominated by the adjoining Hanbrook Industrial Estate. It provides a short break in the frontage development to Coventry Road, but it is at a lower level and contributes little of visual benefit to the character of the area. Despite its identification as an area of separation in the adopted and emerging local plans, it does not in practice separate areas of housing and industry. Indeed, it does not appear to fulfil any practical or visual purpose other than to form part of the undeveloped corridor along the Ashby canal.[32, 51, 52]

115. The Ashby canal is in a conservation area, the character or appearance of which there is in law an obligation to pay special attention to the desirability of preserving or enhancing. The proposed buildings would be approximately 85 metres closer to the canal than those on the existing industrial estate. They would be visible from the canal and from the projected marina complex and, initially, the visual impact would be greater. Nonetheless, I am satisfied that, allowing for time for maturation, the provision of a landscaped corridor within the site along the canal would preserve the character and appearance of the area by physically separating it from the new development and providing a planted setting, in accordance with the recommendation of the local plan Inspectors, the illustrative masterplan, the provisions of HBLP Policy REC7 and the agreed conditions. [20, 32, 51, 52, 59, 66, 76]

Road safety and the free flow of traffic

116. The same considerations apply to this proposal as for Appeal 1. Following receipt of responses from the Highways Agency and Leicestershire County Council as highways authority, the Council does not seek to support reasons (iv) & (v) with technical or professional evidence. Whilst recognising the genuine concerns of residents and their representatives, there is no convincing evidential basis for concluding that the proposal would harm the interests of road safety and the free flow of traffic on the highway. Indeed, in providing cycleways and improved road crossing facilities, and by slowing traffic through light controlled junctions, which would be required through the agreed conditions, Coventry Road is likely to become safer for pedestrians and cyclists.[40, 47, 48, 49, 55, 58, 60, 61, 62, 63, 68, 69, 76]

The living conditions of those residing in vicinity of the site.

117. Representations to the proposal on grounds of amenity focus mainly on the effects of traffic and noise or disturbance from the development. In the context of the present traffic flows on Coventry Road, I am satisfied that traffic generated by the proposal would not have any significant additional impact on local residents. Only one house directly adjoins the site. It would be separated by a landscaped bund of similar design to that which presently separates the rear gardens of the dwellings on the north side of Coventry Road from the industrial estate to the rear. This would be in accordance with the recommendation of the local plan Inspectors. It would be further separated from new buildings by the width of the access road. Moreover, under an agreed condition, the front part of the site, including that adjoining the house would only be occupied by Class B1 uses which would have a significantly lower potential for disturbance. A condition restricting the hours of working has also been agreed. I take the view that the proposal would not result in any significant harm to the living conditions of those residing in the vicinity of the site.[30, 32, 36, 76]

Other matters

118. The Council does not seek to support reason No (iii) *drainage*. It is satisfied that sufficient information has been provided; and that this matter could be dealt with by way of conditions. I agree. The representations concerning poor road drainage appear to relate to present conditions. I see no reason why the proposed development would make matters worse.[40, 56, 76]

Conclusions: Appeal 2

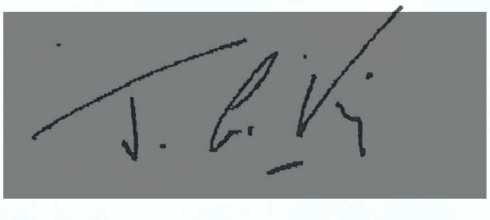
119. I conclude that the proposal is contrary to the provisions of the development plan and the emerging local plan by reason of its location in a green buffer or an area of separation. However, the site does not in practice perform that function. There is a need for readily available employment land to the open market in the Hinckley area which the site could fulfil. Subject to agreed conditions, the proposal would not harm the character or appearance of the area, the interests of highway safety, or the amenity of local residents. In my view, these material considerations indicate that the determination should not be in accordance with the development plan; and the appeal should be allowed

Conditions

120. Planning conditions in line with those discussed and agreed between the main parties during the course of the inquiry would be needed if planning permission were to be granted for the proposals. In my opinion, these would be required in the interests of highway safety, including the safety of pedestrians and cyclists, and the free flow of traffic; ensuring an acceptable layout and appearance to the developments, including the provision of proper access and landscaping, and with respect to Appeal 1, affordable housing, recreational land and open space; ensuring the protection of the water environment, air quality and residential and visual amenity, including that of the Ashby canal conservation area; affording the investigation of archaeological features, if present; ensuring proper phasing of development in relation to the carrying out of road improvements; and the encouragement of a choice of transport modes. [71-79 inclusive]

Overall conclusions

121. For the above reasons, I recommend that both appeals be allowed and planning permission granted subject to the conditions outlined in the body of the report.



JONATHAN G KING

Inspector

REPORT

APPEARANCES

FOR THE APPELLANT:

Mr T Blaney MSc LAMRTPI	Partner, Lawrence Graham, Solicitors, 190 Strand, London WC2R 1JN.
He called	
Mr P T Parry MSc CEng MICE MCIT	Partner, Tucker Parry Knowles Partnership, 3 London Road, Newbury, Berkshire RG1 4DL.
Mr J R Stephenson FRICS FSVA. ACIArb	Senior Director, Grant & Partners, 21 Hanover Street, London W1R 8EE.
Mr R Dunnett, BA(Hons) MRTPI	Partner, Stoneleigh Planning Partnership, Kingsley House, 63, Holly Walk, Leamington Spa, Warwickshire, CV32 4JG.

FOR THE LOCAL PLANNING AUTHORITY:

Mr S Gasztowicz	Of Counsel, instructed by the Principal Legal Officer, Hinckley & Bosworth Borough Council.
He called	
Cllr D C Bill	Borough Councillor, Clarendon Ward; Leader of Hinckley & Bosworth Borough Council; County Councillor; Chairman of the Leicestershire Development Control and Highways Regulation Board.
Ms P Carstairs BA(Hons)	Planning Officer, Hinckley & Bosworth Borough Council.
Mrs T A Darke DipTP MRTPI	Senior Planning Officer, Hinckley & Bosworth Borough Council.

INTERESTED PERSONS:

Cllr Mrs V Bill	County Councillor.
Mr G R Bailey	395 Coventry Road, Hinckley.
Mrs B M Sharrott	11 Sunnydale Road, Hinckley.
Mr C Handley	358 Coventry Road, Hinckley.
Mrs S Kay	508 Coventry Road, Hinckley.
Mr J A Hewitt	442 Coventry Road, Hinckley.
Mr S McGarr	475 Coventry Road, Hinckley.
Mr J King	Representing Trinity Motors, Coventry Road, Hinckley, and Wharf Farm Developments.

DOCUMENTS

Document	1	List of persons present at the inquiry
Document	2	The Council's letter of notification and list of those notified.
Document	3	Figures, Tables & Appendices to Mr Parry's proof.
Document	4	Appendices 1 – 3 attached to Mr Stephenson's proof.
Document	5	Appendices to Mr Dunnett's proof (Appeal 1).

Document	6	Appendices to Mr Dunnett's proof (Appeal 2).
Document	7	Appendices A – D to Cllr Bill's proof.
Document	8	Appendices A – I to Ms Carstairs proof (Appeal 1).
Document	9	Appendices A – J to Ms Carstairs proof (Appeal 2).
Document	10	Appendices A – H to Mrs Darke's proof (Appeal 1).
Document	11	Appendices A – H to Mrs Darke's proof (Appeal 2).
Document	12	Extracts from the Leicestershire Structure Plan 1991-2006: pp18 & 53.
Document	13	The Hinckley Area Cycling Network Plan, Consultation Draft.
Document	14	Leicestershire Industrial Property Bulletin, October / November 1999.
Document	15	Extract from A5 Hinckley Route Strategy, November 1998 - W S Atkins / Highways Agency.
Document	16	A5 Improvements at Hinckley – Preliminary Consultation, June 1999 – Highways Agency.
Document	17	Letter from SPP to the Council, accompanying planning applications – 19 January 1999.
Document	18	Copy of a Fax from Highways Agency – 7 December 1999.
Document	19	Letter from Leicestershire County Council to the Borough Council – 8 December 1999.
Document	20	Property details – Holland & Barrett Unit, Dodwells Bridge Industrial Estate, Hinckley.
Document	21	Appeal Decision – Ref: T/APP/L3625/A/99/1021685/P7.
Document	22	Annual residential house completions data: 1987 – 1999.
Document	23	Accident data, submitted by Cllr Mrs Bill.
Document	24	Statement and other material submitted by Mr McGarr.
Document	25	Submission by Mr A Morris, 393, Coventry Road, Hinckley.
Document	26	Letter from TPK to the Borough Council, regarding Green Travel Plan condition - 3 December 1999.
Document	27	Bundle of written representations.

PLANS

Plan	A	The application plans (Appeal 1).(3 plans)
Plan	B	The application plans (Appeal 2).(2 plans).
Plan	C	Drawing No 12088/22 Rev A. Indicative footway / cycleway along Coventry Road.
Plan	D	Drawing No 12088/13 Rev A. Possible shuttle working at Nutts Bridge.
Plan	E	Drawing No 12088/14 Rev B. Signalisation of Dodwells Roundabout. Interim Layout Option 2.
Plan	F	Drawing No M376-10 (Rev H). Plan of proposed canal marina.
Plan	G	Illustrative plans on behalf of the appellants, contained in Docs 3, 4, 5, & 6.
Plan	H	Supporting plans on behalf of the local planning authority, contained in Docs 7, 8, 9, 10, & 11.

Appeal Decision

Inquiry held on 8 November 2005
Site visit made on 8 November 2005

by Mrs K. A. Ellison BA, MPhil, MRTPI

an Inspector appointed by the First Secretary of State

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Date
19 JAN 2006

Appeal Ref: APP/K2420/A/04/1170891
Land off Paddock Way, Hinckley, Leicestershire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Crest Nicholson (Midlands) Ltd against Hinckley & Bosworth Borough Council.
- The application Ref 04/01235/FUL, is dated 12 October 2004.
- The development proposed is the erection of 19 no. dwellings, associated access, parking and landscaping.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The Council states that had it had the opportunity to determine the application, it would have refused it for five reasons: development in the open countryside; the poor width, geometry and alignment of the turning head; lack of archaeological information; lack of a financial contribution to address increased pressure on local educational infrastructure; and harm to the local environment due to the loss of a protected tree. However, a revised layout plan was submitted with the appeal showing alterations to the turning head which are generally acceptable to the Highway Authority. As a result of discussions regarding an archaeological mitigation strategy, the Council has accepted that its concerns on this matter could be addressed through the use of a condition. In addition, a Unilateral Undertaking relating to open space and education provision was submitted at the Inquiry and the Council confirmed this would meet the relevant requirements.

2. The amendments in the revised layout plan, together with an associated plan relating to the dwelling on plot 15, are relatively minor and in my opinion would not affect adjoining properties. Since I consider that no interests would be prejudiced, I have taken these two revised plans into account in my determination of the appeal.

3. Thus the Council's remaining reasons addressed at the Inquiry were:

   1) In the opinion of the Local Planning Authority, the proposal would result in development in open countryside which will be detrimental to the general appearance and character of an area which should be protected for its own sake. This is considered to be premature to the preparation of the Local Development Framework and contrary to policy NE5 and BE1 of the adopted Hinckley and Bosworth Local Plan and Strategy Policy 8 'development in the countryside' of the Leicestershire, Leicester and Rutland Structure Plan, as proposed to be adopted.

   2) In the opinion of the Local Planning Authority, the proposal will result in the loss of a tree protected by a Tree Preservation Order due to its contribution to the

visual amenities of the area, and its loss would be harmful to the quality of the local environment, contrary to policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Main Issues

4. In the light of the above, I consider that the two main issues in this appeal are:

a) whether, for planning purposes, the site should be regarded as being in the countryside; and

b) the effect of the proposal on the character and appearance of the surrounding area, taking account of the loss of a protected tree.

Planning Policy

5. The development plan includes the Leicestershire, Leicester and Rutland Structure Plan 1996 – 2016, adopted 2005 and the Hinckley and Bosworth Local Plan adopted 2001. In the Structure Plan, Strategy Policy 8 states that land beyond the existing and planned limits to the built-up areas of settlements will be designated as countryside. Local Plan policy NE5 states that the countryside will be protected for its own sake and then sets out those circumstances where permission for development in the countryside will be granted. In relation to residential proposals on unallocated sites, Local Plan policy RES5 states that permission will only be granted if the site lies within the boundaries of an urban area as defined on the Proposals Map and the siting, design and layout do not conflict with relevant plan policies.

6. Policy BE1 seeks, among other things, to safeguard the existing environment. It sets out a number of criteria relating to design and siting, including that development should avoid the loss of open spaces, important gaps, vegetation and features which contribute to the quality of the local environment. The Council also referred to policy BE19. However, since this policy applies to designated sites, I consider that it does not bear directly on the issues in this appeal.

7. I have also had regard to the advice in Planning Policy Statement 1: *Delivering Sustainable Development* (PPS 1) and Planning Policy Guidance note 3: *Housing* (PPG 3). PPS 1, paragraph 8, states that where the development plan contains relevant policies, applications should be determined in line with the plan unless material considerations indicate otherwise. In addition *The Planning System: General Principles* states, at paragraph 15, that where there is no clear guide in the development plan for a particular proposal, it should be determined on its merits in the light of all the material considerations. In relation to housing, PPG 3 encourages the efficient use of previously developed land in the urban area and sets out a presumption that previously developed sites should be developed before greenfield sites.

Reasons

8. The appeal site is some 0.58ha in size. There is a motor dealership to the west, with residential development on the remaining three sides. The site is essentially rectangular in shape, although the northern side curves gradually towards the east. It is generally flat, heavily overgrown and contains a number of protected trees, including a maritime pine located towards the centre of the site, some 35m from the western boundary.

a) whether the site should be regarded as being in the countryside

9. According to the Local Plan Proposals Map, the settlement boundary for this part of Hinckley runs along the rear of properties on Coventry Road, which is also the northern boundary of the appeal site. In terms of the Local Plan therefore, the site is within the countryside. It is protected by policy NE5 and, since it is not within the boundaries of an urban area on the Proposals Map, its development would be contrary to policy RES5.

10. However, the appeal site is bordered to the east and south by Waterside Park. Construction of this new housing area, which will comprise some 420 dwellings when completed, is now well underway. As a result of this development, the appeal site is no longer contiguous with any land which could be described as countryside. It also means that the site does not fall within the definition of countryside given in Strategy Policy 8 of the Structure Plan. Furthermore, the Council acknowledged at the Inquiry that the site does not contribute to the purpose of policy NE5, namely to protect the countryside.

11. Because the Structure Plan does not make site-specific allocations, Strategy Policy 8 does not in my view alter the planning status of the appeal site as established in the Local Plan. Nevertheless, in view of the development of Waterside Park, I consider that the appeal site cannot any longer be regarded as forming part of the countryside and that it is now effectively part of the Hinckley urban area. It follows that there would be no planning benefit in seeking to protect it on the basis of its current designation in the Local Plan. Consequently, local plan policies NE5 and RES5 do not provide a clear guide for the appeal proposal. In accordance with the advice in *The Planning System: General Principles*, the appeal should be determined on its merits in the light of all material considerations, including policy BE1.

b) character and appearance

12. In the Inspector's Report into the 2001 Local Plan, land to the east and south of the appeal site (now being developed as Waterside Park) was recommended as an allocation for housing. The Council declined to accept that recommendation but outline permission for residential development was granted on appeal in May 2000. At the time of the 2000 appeal, that Inspector concluded that the loss of any residual rural character would be outweighed by the provision of open space and recreational facilities. I recognise that a similar assessment might have been made at that time in relation to the site of the current appeal. However, I have already noted that this site should not now be considered on the basis of its designation as countryside. In addition, there have been extensive changes to the surrounding area since my colleague's assessment was made.

13. Although there are no direct views into the appeal site, much of the greenery and vegetation within it is clearly visible, particularly from Paddock Way which is a main entrance into Waterside Park. From this aspect, the site is also seen in conjunction with the long rear gardens of the properties on Coventry Road. It provides a strong sense of greenery and spaciousness as well as a tangible sense of separation between the planned, higher density approach of Waterside Park and the less formal, inter-war development on Coventry Road. Even though the appeal site provides only a partial gap between these two housing areas, I consider that this break in development nevertheless makes an important contribution to the quality of the local environment.

14. In addition, the scale of the Waterside Park development represents a substantial recent change in the character of the immediate locality. Whilst the appeal site cannot be regarded as countryside, it nevertheless, in my opinion, acts as an indicator of the area's previously undeveloped character. Furthermore, the Appellant's own ecological survey identifies the mature trees, hedgerows, dense scrub and grassland as features of local or parish value. Even though the site does not meet the criteria for it to be formally protected, this survey adds weight to the views expressed by local residents regarding its importance in the locality.

15. I therefore conclude that the site contributes to the surrounding area through its role as a break in development and its quality as an undeveloped piece of land. Its development would thus be harmful to the character and appearance of the surrounding area, contrary to the objectives of policy BE1.

The loss of the protected tree

16. The proposed development would also lead to the loss of a maritime pine within the site which is the subject of a Tree Preservation Order. The Appellant's first arboricultural study, dated October 2004, assessed the pine as a tree whose retention would be desirable but then went on to state that the tree was of low public visual amenity and its removal would have a negligible impact on the treed character of the area. However, a second survey in August 2005 noted that the pine exhibited brown foliage and appeared to be in some decline. It concluded that the tree was no longer worthy of protection since it was not visible from public vantage points and would have a shorter than normal life expectancy.

17. It was confirmed at the Inquiry that the first survey had assessed the pine as desirable (category B) on the basis that it was a young tree with potential to develop into a tree whose retention would be most desirable (category A). I recognise that if the brown foliage is due to a biotic disorder, the prognosis for this tree would be very poor. However, the browning of the foliage may be due to a number of factors and the report puts forward no other indications of a biotic disorder. During the site inspection, I observed that although there were areas where the needles were brown, these formed only a small proportion of the overall foliage which as a whole did not appear sparse or patchy. Also, the Council's own arboricultural report, although undated, found that the tree was essentially healthy. In the absence of any other indicators as to poor health therefore, I consider that the tree should be regarded as having a normal life expectancy.

18. I note that the pine is not visible when viewed from the surrounding public areas. However, this is partly owing to the fact that views from the south have become restricted as a result of recent housing development. Also, evidence at the Inquiry indicated that the tree's normal life expectancy would outlast the design life of the appeal scheme. Given its expected growth and lifespan, it seems to me that the tree thus has considerable potential to make a significant contribution to the surrounding area. As the only tree of this species on the site, it would in my opinion add interest to the treed character of the area.

19. On balance therefore, I consider that even though the tree is not generally visible at present, its loss would be harmful to the character of the surrounding area in the longer term and this would also be contrary to policy BE1.

Other Matters

The presumption in favour of previously developed land.

20. National planning guidance on housing, as set out in PPG 3, makes it clear that decisions on housing sites should be underpinned by a presumption in favour of previously developed land. There was no dispute that this is a greenfield site but no assessment of its suitability against the availability of previously developed sites was provided. Although the Council's residential land availability survey gives some information, it does not, in my opinion, enable an informed assessment to be made along the lines required by PPG 3.

21. I note that this is a relatively small piece of land so that it would be unlikely to have a significant effect on whether previously developed sites might come forward. Also, I recognise that it may well satisfy other sustainability indicators. However, in the absence of supporting information on this matter, I am not satisfied that the proposal would be in accordance with current national guidance.

Prematurity

22. In its first reason for refusal, the Council contended that this proposal would be premature to the preparation of the Local Development Framework (LDF). However this small site would not, in my view, predetermine decisions as to the scale, location or phasing of development. I consider that the appeal proposal could not therefore be regarded as premature within the terms of the advice in PPS 1.

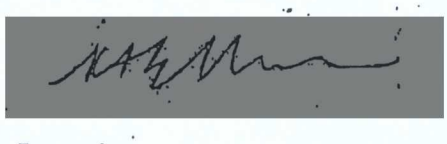
Overall Conclusions

23. I have found that the appeal site should not be protected on the basis of its designation as countryside in the Local Plan. However, the site is an important gap and its loss to development, along with the loss of a protected tree, would be harmful to the character and appearance of the surrounding area. The appeal proposal would thus fail to safeguard the environment and so would be contrary to policy BE1 of the Local Plan. Added to this, I am not satisfied that the proposal accords with current national guidance relating to the presumption in favour of previously developed land.

24. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Formal Decision

25. I dismiss the appeal and refuse to grant planning permission for the erection of 19 no. dwellings, associated access, parking and landscaping at Land off Paddock Way, Hinckley, Leicestershire.



Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Stephen Gastowicz	of Counsel, instructed by the Principal Legal Officer of Hinckley & Bosworth Borough Council
He called	
Mrs T Darke DipTP, MRTPI, DMS	Planning and Building Control Manager, Hinckley & Bosworth Borough Council

FOR THE APPELLANT:

Mr Ian Dove QC	instructed by Mr G Jones of the Tyler Parkes Partnership Ltd
He called	
Mr G Jones BSc (Joint Hons), MRTPI	Associate Director, the Tyler Parkes Partnership Ltd
Mr I Murat MSc	Principal, A.C.S. Consulting

INTERESTED PERSONS:

Mr R Parsons	Committee for the Paddock
Miss C Jenkins	Sketchley Road, Burbage
Cllr D Bill	Member, Clarendon Ward Hinckley & Bosworth BC and Hinckley Ward, Leicestershire CC
Mr B Styring	Paddock Way, Hinckley
Mr G Bailey	Coventry Road, Hinckley

DOCUMENTS

Document	1	List of persons present at the Inquiry
Document	2	Council's letter giving notice of the Inquiry
Document	3	Letters of representation
Document	4	Appendices A - E to Mr Jones' proof
Document	5	Appendices 1 - 3 to Mr Murat's proof
Document	6	Appendices A - H to Mrs Darkes' proof
Document	7	Opening submissions on behalf of the Appellants
Document	8	Hinckley & Bosworth Local Plan, policies RES5 and BE19 and Proposals Map
Document	9	Large site residential land availability 31/3/2005
Document	10	Small site residential land availability 31/3/2005
Document	11	Additional letters of representation (5 in total)
Document	12	Unilateral Undertaking relating to off site open space provision and education provision

PLANS

Application Plans	A1	location plan
	A2	250/001, proposed site plan and street elevation
	A3	0250/010P to 022P, house types, plans and elevations
	A4	1545, topographical survey
	A5	JBA (N) 04/962-01, landscape masterplan October 2004
	A6	902/02 Arboricultural assessment
Revised Plans	B1	250/001, Rev B proposed site plan and street elevation, submitted with appeal
	B2	0250/010P, Rev A, House Type Andover and Ashford, submitted with appeal

HINCKLEY & BOSWORTH **BOROUGH COUNCIL**

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

Name and Address of Applicant
Crest Nicholson (Midlands) Ltd
C/o Pegasus Planning Group

Name and Address of Agent (if any)
Pegasus Planning Group
4 The Courtyard
Church Street
Lockington
Derbyshire
DE74 2SL

Part I - Particulars of Application

Date of Application	**Application No.**
07.06.06	06/00638/FUL

Particulars and location of development:

MAJOR RESIDENTIAL DEVELOPMENT COMPRISING 89 DWELLINGS INCLUDING PROVISION OF PUBLIC OPEN SPACE AND ASSOCIATED WORKS

Greyhound Stadium Nutts Lane Hinckley Leicestershire LE10 0NT

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s) :-

1. In the opinion of the Local Planning Authority, the proposal would result in development in the countryside that would be detrimental to the general appearance and character of an area, which should be protected for its own sake. This is contrary to Policy NE5 and BE1 of the adopted Hinckley & Bosworth Local Plan and Strategy Policy 8 'Development in the Countryside' of the Leicestershire, Leicester and Rutland Structure Plan and Policies 2 and 20 of the Regional Spatial Strategy for the East Midlands (RSS8).

2. In the opinion of the Local Planning Authority, the use of the site for residential development would result in the loss of a recreation facility that provides an important community facility in an area where there is a shortage of recreation land. The applicant has failed to provide sufficient new or compensatory provision of recreation facilities of equal recreational and amenity value on land conveniently located for the continued use by the community. This is contrary to policy REC1 of the adopted Hinckley and Bosworth Local Plan, Leisure Policy 3 of the Leicestershire, Leicester and Rutland Structure Plan, Policy 1 of the Regional Spatial Strategy for the East Midlands (RSS8), Planning Policy Guidance 17: Planning for open space, sport and recreation and Planning Policy Guidance 3: Housing.

3. In the opinion of the Local Planning Authority the proposed layout for the development does not address good urban design principles creating an unimaginative poorly designed scheme which would create an unsatisfactory living environment for the occupiers of the proposed development. It is therefore contrary to Policies BE1 and RES5 of the adopted Hinckley and Bosworth Local Plan and adopted Supplementary Planning Guidance: New Residential Development.

4. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that the proposal would not have an unacceptable adverse impact on the water environment, contrary to Policy NE13 of the adopted Hinckley and Bosworth Local Plan.

5. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that the proposal would not result in an unacceptable adverse impact on protected species contrary to Policy NE8 of the adopted Hinckley and Bosworth Local Plan.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ON THE REVERSE SIDE OF THIS FORM

Continued.....

6. In the opinion of the Local Planning Authority, insufficient information has been submitted to suggest that the development is unlikely to result in an unsatisfactory living environment for the occupiers of the proposed development by reason of noise, arising from the activities of existing businesses in close proximity to the site, to the detriment of residential amenity, contrary to Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

7. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that an appropriate and safe vehicular access or accesses, including access for emergency services, would be provided to the proposed development and that sufficient improvements works will be provided for Nutts Lane, to the potential detriment of highway safety. In addition, the applicant has insufficiently developed integrated transport measures within the Transport Assessment and does not propose sufficient measures to connect the site with local facilities. Accordingly, it is therefore contrary to Policies BE1 and T5 of the adopted Hinckley and Bosworth Plan.

8. In the opinion of the Local Planning Authority, the lack of any financial contribution to address the increase in pressure placed on the play and open space facilities, education facilities, library facilities, health care facilities and civic amenity of the local area by the proposed development would not accord with Government Guidance Circular 5/05, Strategy Policy 11 of the adopted Leicestershire, Leicester and Rutland Structure Plan 1996-2016, Policies REC2, REC3 and IMP1 of the adopted Hinckley and Bosworth Local Plan, and the Supplementary Planning Guidance on Play and Open Space adopted October 2002.

9. In the opinion of the Local Planning Authority the proposed development is considered to prejudice the proper consideration of the Borough Council's Preferred Options as would be set out in the emerging Local Development Framework Core Strategy, which is currently in its early stages of preparation.

10. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that sufficient suitable affordable housing would be provided contrary to policy RES3 of the adopted Hinckley and Bosworth Local Plan, Housing Policy 4 of the adopted Leicestershire, Leicester and Rutland Structure Plan, the Council's adopted Supplementary Planning Guidance on Affordable Housing and Circular 06/98: Planning and affordable housing.

NOTES TO APPLICANT :-

1. The applicant is advised that any subsequent application should include either proof of ownership of the entire site or a valid Article 7 Certificate confirming that the requisite notice has been served on Network Rail.

Date :07.12.06

Proper Officer of the Council

Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

Name and Address of Applicant
Crest Nicholson Operations Ltd
C/o Agent

Name and Address of Agent (if any)
Pegasus Planning Group
5 The Priory
Old London Road
Canwell
Sutton Coldfield
West Midlands
B57 5SH

Part I - Particulars of Application

Date of Application

27 August 2009

Application No.

09/00660/FUL

Particulars and location of development:

RESIDENTIAL DEVELOPMENT FOR 84 DWELLINGS INCLUDING PROVISION OF OPEN SPACE, NEW ACCESS ARRANGEMENTS AND OTHER ASSOCIATED WORKS

Greyhound Stadium Nutts Lane Hinckley Leicestershire LE10 0NT

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s):-

1. The applicant has failed to demonstrate that the proposal will not lead to an unacceptable, significant increase in traffic on Coventry Road towards its junction with A5 Watling Street and A47 Dodwells Road leading to additional disadvantage to road users and potential road safety hazards. The proposed development is therefore contrary to government guidance contained in Planning Policy Guidance 13: Transport; policy T5 and T11 of the adopted Hinckley and Bosworth Local Plan and guidance contained in Leicestershire County Council document 'Highways, transportation and development'.

2. The applicant has failed to demonstrate that adequate improvement works for the benefit of pedestrians and cyclists will be carried out to Nutts Lane, Hinckley in the interests of highway safety and the sustainability of the development. The proposed development is therefore contrary to government guidance contained in Planning Policy Guidance 13: Transport; policies IMP1 and T5 of the adopted Hinckley and Bosworth Local Plan and guidance contained in Leicestershire County Council document 'Highways, transportation and development'.

3. In the opinion of the Local Planning Authority the road layout and design does not comply with the requirements contained in the Leicestershire County Council document 'Highways, transportation and development' and as a result fails to provide for the safe and free movement of all highway users through the development. The proposal is therefore contrary to government guidance contained in Planning Policy Guidance 13: Transport; policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan and guidance in the Leicestershire County Council document 'Highways, transportation and development'.

IMPORTANT – PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

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NOTES TO APPLICANT :-

1. Reason 3 relates to the road layout and design and in this instance refers to carriageways and footway/cycleway widths, forward visibility, pedestrian visibility, drainage, garage/parking spaces, speed calming measures and demarcation of the highway.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date :1 December 2009

NOTES

1. It will be most helpful if the application number shown overleaf is quoted on all correspondence.

2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission he may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within **six months (see para 2a below)** of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Room 305(K), Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by telephoning 0117 372 6372). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

2a. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 14 October 2004 must be made within **six months** of the date of this notice.

3. If permission to develop land is refused whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

4. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

RNOTES

DETR
ENVIRONMENT
TRANSPORT
REGIONS

BY DESIGN

Urban design in the planning system: towards better practice

COMMISSION FOR ARCHITECTURE
& THE BUILT ENVIRONMENT

56

THE NEED FOR BETTER URBAN DESIGN

PURPOSE OF THE GUIDE

The aim of this guide is to promote higher standards in urban design. It does not set out new policy. The Government's policy for design in the planning system is contained in Planning Policy Guidance Note 1 *General Policy and Principles (PPG1)* and expounded further in other PPGs. The challenge in PPG1 is clear: "good design should be the aim of all those involved in the development process and should be encouraged everywhere".

This guide will help to encourage better design and is intended as a companion to the PPGs. But it is not intended to be the last word, nor should it be. It has been written to stimulate thinking about urban design, not to tell the reader how to design. The central message is that careful assessments of places, well-drafted policies, well-designed proposals, robust decision-making and a collaborative approach are needed throughout the country if better places are to be created.

The guide is relevant to all aspects of the built environment, including the design of buildings and spaces, landscapes and transport systems. It has implications for planning and development at every scale: in villages as well as cities and for a street and its neighbourhood as well as regional planning strategies.

Its main audience is expected to be officers and councillors in local authorities who guide and control development. But the guide will also be relevant to housebuilders and all those who promote new development and apply for planning permission. More widely, it will be of interest to anyone who wants to see greater care taken in the design of their neighbourhoods.

A striking fact is that many of the small developments that can cumulatively change a place dramatically are designed by people with little or no formal design training. Raising standards of urban design will depend in large part on whether the people behind these projects make more use of suitably qualified, skilled and experienced designers. It will also depend, as envisaged in PPG1, on high standards being set and upheld within the planning system.

URBAN DESIGN

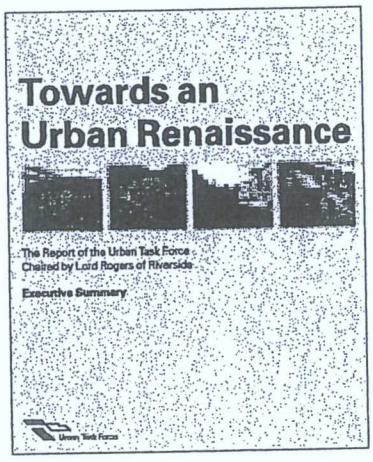
Urban design is the art of making places for people. It includes the way places work and matters such as community safety, as well as how they look. It concerns the connections between people and places, movement and urban form, nature and the built fabric, and the processes for ensuring successful villages, towns and cities.

Urban design is a key to creating sustainable developments and the conditions for a flourishing economic life, for the prudent use of natural resources and for social progress. Good design can help create lively places with distinctive character; streets and public spaces that are safe, accessible, pleasant to use and human in scale; and places that inspire because of the imagination and sensitivity of their designers.

There are many benefits to be gained from thinking coherently about the way places are designed. Some are the traditional concerns of good planning, others are relatively new. For example, 'Secured by Design' promoted by the Association of Chief Police Officers has prompted greater attention to designing out crime and the fear of crime. More recently, the Urban Task Force led by Lord Rogers underlined the importance of good urban design to an urban renaissance. The Task Force's vision of towns and cities as places of opportunity and sustainable growth is largely founded on design excellence.

Urban design does not just concern one profession or interest group. This was underlined in 1998 when five professional institutes came together with other organisations and set up the Urban Design Alliance, finding a common purpose in working across their individual disciplines. These professions – town planners, landscape architects, surveyors, architects and civil engineers – can all be powerful influences for better urban design.

As the Urban Task Force pointed out, the best way to promote successful and sustainable regeneration, conservation and place-making is to think about urban design from the start of the planning and development process. Leaving urban design until the end can make the planning process slow, frustrating and a source of wasteful conflict, and is unlikely to lead to the best outcome in terms of quality.



THE URBAN TASK FORCE, LED BY LORD ROGERS, EMPHASISED THE IMPORTANCE OF GOOD DESIGN

PLACE-MAKING

Successful urban design requires a full understanding of the conditions under which decisions are made and development is delivered. Many factors determine or influence the outcome of the design process and the sort of places we make. Success, nowadays, rarely happens by chance. It depends on:

- a clear framework provided by development plans and supplementary guidance delivered consistently, including through development control;
- a sensitive response to the local context;
- judgements of what is feasible in terms of economic and market conditions;
- an imaginative and appropriate design approach by those who design development and the people who manage the planning process.

It is vital to bring these factors together. If policy is not set out clearly for applicants, a proposed development may conflict unwittingly with a local authority's aspirations for good design. If too little weight is given to feasibility, the development may fail commercially. If too little weight is given to local context, the proposal may be opposed locally. If the design approach is wrong, the site's opportunities will be missed and poor or mediocre development will result.

THE ROLE OF THE PLANNING SYSTEM

The planning system provides the means to encourage good design, not just in conservation areas and other attractive places, but everywhere. Securing good design is central to good planning. The appearance of proposed development and its relationship to its surroundings are relevant to the consideration of a planning application and PPG1 makes it clear that local planning authorities should reject poor designs.

This guide looks at the 'tools' local authorities have available within the planning system to help deliver better design. The most important is the local authority's development plan. This should set out the design policies against which development proposals will be assessed. This guide considers both what could be included in the plan and how further explanation might be provided in supplementary guidance.

The development control process is vital. The way it is used determines whether and how the design policies in development plans and supplementary guidance are reflected and applied. The most thoroughly developed design policies will achieve little if they are ignored in the development control process. As stated in PPG1, "applicants for planning permission should be able to demonstrate how they have taken account of the need for good design in their development proposals and that they have had regard to relevant development plan policies and supplementary design guidance".

TOWARDS BETTER PRACTICE

Using the planning system effectively to create the conditions for better urban design requires positive management, meaningful collaboration and the right skills.

This guide offers suggestions to help create those conditions. It does not attempt to define a single blueprint for good urban design. Rather, as an aid to understanding, it seeks to describe some of the objectives of urban design. They relate to how people use buildings and urban space, and what they feel about the places they live and work in, and visit. The objectives are not unique to this guide and they could, and have been, described differently. What is attempted here is simply one description of what makes a successful place, based on widely shared experiences. Underlying it is the need to plan sustainable developments.

The objectives are supported by a series of considerations that can act as prompts to thinking about urban design. These prompts help to relate the objectives to the form of development – layout, scale, density, appearance and landscape. Achieving a successful relationship between objectives and development form depends on an intelligent response to local conditions.

An aim of this guide is to encourage a move away from a negative reliance on standards towards a more positive emphasis on performance criteria. Standards specify precisely how a development is to be designed (by setting out minimum distances between buildings, for example). Performance criteria are the means of assessing the extent to which a development fulfils a specific planning requirement (such as maintaining privacy). Imaginative designers can respond to performance criteria with a variety of design solutions.

Ultimately, achieving good design depends on the skills of the designer and the commitment to good design of all those concerned with new development. Better practice guidance cannot substitute for skilled designers and their ability to analyse places, to understand how they are used and experienced and to design with flair and sensitivity.

THINKING ABOUT URBAN DESIGN

Good urban design is rarely brought about by a local authority prescribing physical solutions, or by setting rigid or empirical design standards but by approaches which emphasise design objectives or principles.

OBJECTIVES OF URBAN DESIGN

Successful streets, spaces, villages, towns and cities tend to have characteristics in common. These factors have been analysed to produce principles or objectives of good urban design. They help to remind us what should be sought to create a successful place. There is considerable overlap between the objectives and they are mutually re-inforcing.

OBJECTIVES OF URBAN DESIGN

CHARACTER *A place with its own identity*	To promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, landscape and culture.
CONTINUITY AND ENCLOSURE *A place where public and private spaces are clearly distinguished*	To promote the continuity of street frontages and the enclosure of space by development which clearly defines private and public areas.
QUALITY OF THE PUBLIC REALM *A place with attractive and successful outdoor areas*	To promote public spaces and routes that are attractive, safe, uncluttered and work effectively for all in society, including disabled and elderly people.
EASE OF MOVEMENT *A place that is easy to get to and move through*	To promote accessibility and local permeability by making places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport.
LEGIBILITY *A place that has a clear image and is easy to understand*	To promote legibility through development that provides recognisable routes, intersections and landmarks to help people find their way around.
ADAPTABILITY *A place that can change easily*	To promote adaptability through development that can respond to changing social, technological and economic conditions.
DIVERSITY *A place with variety and choice*	To promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.

ASPECTS OF DEVELOPMENT FORM

LAYOUT: URBAN STRUCTURE *The framework of routes and spaces that connect locally and more widely, and the way developments, routes and open spaces relate to one other.*	The layout provides the basic plan on which all other aspects of the form and uses of a development depend.
LAYOUT: URBAN GRAIN *The pattern of the arrangement of street blocks, plots and their buildings in a settlement.*	The degree to which an area's pattern of blocks and plot subdivisions is respectively small and frequent (fine grain), or large and infrequent (coarse grain).
LANDSCAPE *The character and appearance of land, including its shape, form, ecology, natural features, colours and elements, and the way these components combine.*	This includes all open space, including its planting, boundaries and treatment.
DENSITY AND MIX *The amount of development on a given piece of land and the range of uses. Density influences the intensity of development, and in combination with the mix of uses can affect a place's vitality and viability.*	The density of a development can be expressed in a number of ways. This could be in terms of plot ratio (particularly for commercial developments), number of dwellings, or the number of habitable rooms (for residential developments).
SCALE: HEIGHT *Scale is the size of a building in relation to its surroundings, or the size of parts of a building or its details, particularly in relation to the size of a person. Height determines the impact of development on views, vistas and skylines.*	Height can be expressed in terms of the number of floors; height of parapet or ridge; overall height; any of these in combination; a ratio of building height to street or space width; height relative to particular landmarks or background buildings; or strategic views.
SCALE: MASSING *The combined effect of the arrangement, volume and shape of a building or group of buildings in relation to other buildings and spaces.*	Massing is the three-dimensional expression of the amount of development on a given piece of land.
APPEARANCE: DETAILS *The craftsmanship, building techniques, decoration, styles and lighting of a building or structure.*	This includes all building elements such as openings and bays; entrances and colonnades; balconies and roofscape; and the rhythm of the facade.
APPEARANCE: MATERIALS *The texture, colour, pattern and durability of materials, and how they are used.*	The richness of a building lies in its use of materials which contribute to the attractiveness of its appearance and the character of an area.

Aspects of development form

Urban design objectives are, by themselves, abstract. They have an impact on people's lives only by being translated into development. The form of buildings, structures and spaces is the physical expression of urban design. It is what influences the pattern of uses, activity and movement in a place, and the experiences of those who visit, live or work there. This guide sets out the most important characteristics of the physical form of development by articulating eight aspects. Together, these define the overall layout of the place (in terms of its routes and building blocks); its scale (in terms of building height and massing); its appearance (as expressed in details and use of materials); and its landscape (including all the public realm, built and green spaces).

Objectives and development form brought together

Effective design policy and design guidance is likely to focus on how, in a particular context, development form can achieve the urban design objectives.

The lists of objectives and aspects of form have been produced in order to encourage writers of policy and guidance and decision-makers to ask a series of questions that go deeper than generalisations. These questions should draw together urban design objectives and aspects of development form. For example, what form of layout would help to achieve a particular objective in this context? What scale? And so on, depending on what is considered relevant. Guidance based on such systematic thinking will help developers and designers by moving beyond simple exhortations that, for example, new development should be 'in character'.

Ultimately, the development form which emerges as a result of such a process is more likely to result in better designed places. Readers of this guide are encouraged to think in terms of objectives and form as they consider its advice and decide how to put it into practice in their own locality.

PROMPTS TO THINKING

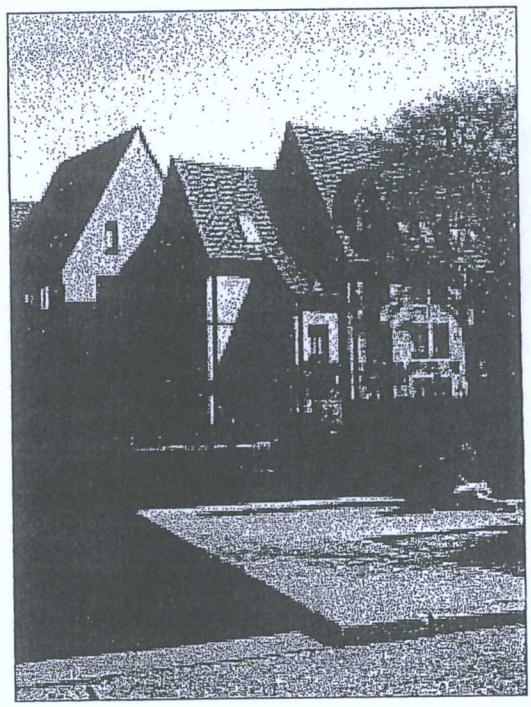
The objectives are general and should be tailored to the locality. This process can be helped by the series of prompts to thinking about urban design set out in the next section of this guide. The prompts are unfolded under each of the urban design objectives but they are closely related and are not unique to the objective under which they appear.

Most importantly, they are prompts not rules. They are not rigid formulae to be followed slavishly.

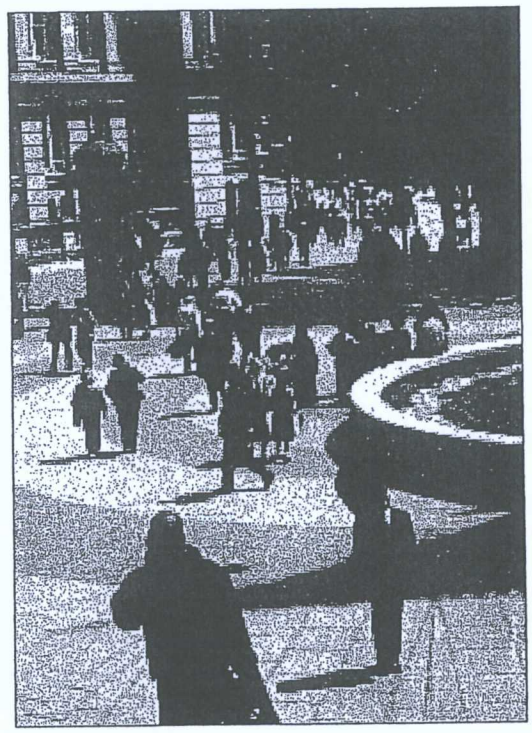
In any real situation, some of these prompts will conflict and some will benefit some people more than others. Good design results from consideration being given to a wide range of concerns and the creative resolution of potential conflicts. For example, the height of a building might need to respond to a general pattern of buildings of no more than three storeys, to the potential of high density development for making the most of public transport and creating vitality, to the value of creating a landmark to enhance views, to the need for a sense of enclosure, to the opportunity to enhance safety by natural surveillance, and to the need to avoid overshadowing.

Each of these might indicate a different height for the building if they were to be considered separately. In the real world, the planning and design process must lead to a solution that takes all concerns into account. This depends on, first, a judgement of how important each is in the circumstances and, second, design skills capable of rising imaginatively to the demands of a difficult brief.

The prompts are followed by pointers to good design. Some prompts can be explained more simply than others, but this does not necessarily mean they are less important. Nor is the list exhaustive: evolving practice and special local conditions will always give rise to new ways of achieving better urban design.



RESPONDING TO LOCAL CHARACTER



A SUCCESSFUL PLACE BRINGS PEOPLE TOGETHER FOR DIFFERENT REASONS

The list of urban design objectives is used as the basis of the prompts which follow.

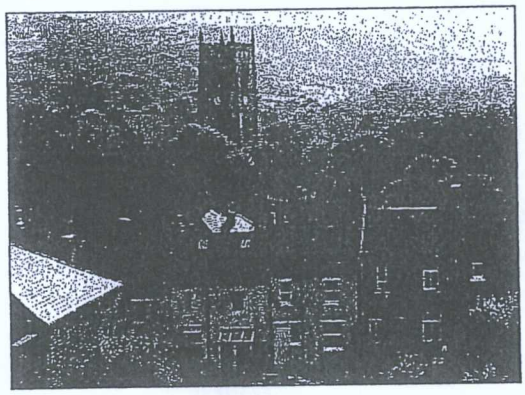
CHARACTER

A place with its own identity

The positive features of a place and its people contribute to its special character and sense of identity. They include landscape, building traditions and materials, patterns of local life, and other factors that make one place different from another. The best places are memorable, with a character which people can appreciate easily.

Many of the places which we now think of as being pleasantly distinctive grew naturally in response to local circumstances. Where such distinctiveness is ignored, new development may reflect only the marketing policies or corporate identities of national and international companies, the standard practices and products of the building industry, or the latest fashions among design professionals. Development that responds sensitively to the site and its setting, by contrast, is likely to create a place that is valued and pleasing to the eye.

Designing for local distinctiveness involves the creative reconciliation of local practices, on the one hand, with the latest technologies, building types and needs, on the other. Where there are no significant local traditions, the challenge to create a distinctive place will be all the greater. There is no reason why character and innovation should not go together. New and old buildings can coexist happily without disguising one as the other, if the design of the new is a response to urban design objectives.

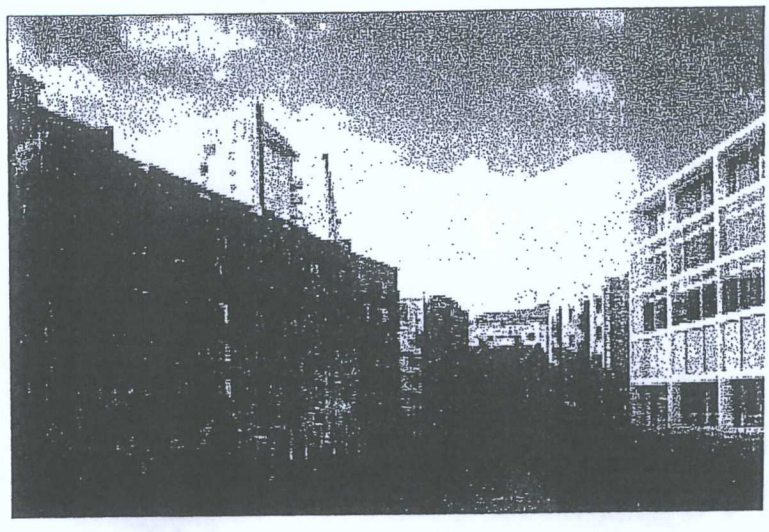


LANDSCAPE IS AN IMPORTANT PART OF LOCAL IDENTITY

Consider the site's land form and character when laying out new development.

- The three-dimensional shape of the landscape is the basis for a development's form (expressed in its layout and massing). Natural features can help give shape to a development and integrate it into the wider area, contributing to a sense of place.
- Conserving a site's natural features provides for a better relationship between new development and its environment. Natural features include rivers and streams, wetlands, ponds and lakes, hills, trees, wildlife habitats and rock outcrops.
- The local ecology can help to determine the character and identity of both a development and the place of which it is a part.

THE MODERN BUILDING ON THE RIGHT RESPONDS TO THE ROBUST CHARACTER OF TRADITIONAL DEVELOPMENT IN LONDON DOCKLANDS



Integrating new development into its landscape setting reduces its impact on nature and reinforces local distinctiveness.

- The layout, massing and landscape design of development can be integrated successfully into the wider landscape through using structure planting, shelter belts, green wedges, and (along natural features, roads, rivers and canals) green corridors.
- Reflecting plant species that are common locally will help planting in new development to reinforce the distinct natural qualities of a place.
- Integrating new and existing development at their boundaries maintains the continuity of urban form and landscape.



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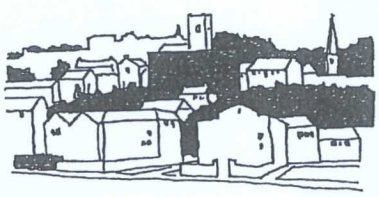

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SKYLINES ARE SENSITIVE TO BEING OBSCURED BY HIGH BUILDINGS IN FRONT OF EXISTING BUILDINGS OR HAVING THEIR SILHOUETTE SPOILED BY HIGH BUILDINGS BEHIND THEM

Responding to the existing layout of buildings, streets and spaces ensures that adjacent buildings relate to one another, streets are connected and spaces complement one another.

- The existing layout of an area reflects its history, functions and connections with adjoining areas. These can contribute to the interest and richness of new development, and to its potential to accommodate further change in future.
- Integrating existing buildings and structures into new development can maintain the continuity of the built fabric as well as retaining buildings of local distinctiveness, historic or townscape merit.
- Narrow plot widths promote more active frontages, increase the sense of enclosure and allow higher densities. They are particularly appropriate where they reflect existing settlement patterns.

Responding to local building forms and patterns of development in the detailed layout and design of development helps to reinforce a sense of place.

- Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions are rarely acceptable, as they are unlikely to create a distinctive identity or make good use of a particular site.
- Local building forms sometimes include distinct housing types, boundary treatments, building lines, roof slopes, window types and gardens.
- Responding to such forms and practices should only be at the appropriate scale. The common practice of inflating traditional domestic forms to larger scales is generally to be avoided.

The use of local materials, building methods and details is a major factor in enhancing local distinctiveness.

- The scale, texture and colour of building materials reflects an area's special function and character.
- Every element of the street scene contributes to the identity of the place, including sculpture, lighting, railings, litter bins, paving, fountains and street furniture.
- Development can be enhanced by reflecting local art and craft traditions. These might relate to elements such as ironwork, stained glass, thatching, brickwork, masonry, walling and paving. They should not be add-ons or after-thoughts, but part of the design from the start.

The scale, massing and height of proposed development should be considered in relation to that of adjoining buildings; the topography; the general pattern of heights in the area; and views, vistas and landmarks.

- Relating new development to the general pattern of building heights should not preclude a degree of variety to reflect particular circumstances. The character of townscape depends on how individual buildings contribute to a harmonious whole, through relating to the scale of their neighbours and creating a continuous urban form.
- On a sloping site, buildings that sit on the real ground and step up the hill are more likely to contribute to local character and avoid blank walls at ground level than large monolithic slabs that ignore the topography.
- The massing of development contributes to creating distinctive skylines in cities, towns and villages, or to respecting existing skylines. The character of a skyline is composed of the massing of blocks and the shape of roofs, as well as by the height of buildings. A building should only stand out from the background of buildings if it contributes positively to views and vistas as a landmark. Buildings which have functions of civic importance are one example.



CREATING A CLEARLY DEFINED URBAN EDGE

CONTINUITY AND ENCLOSURE

A place where public and private spaces are clearly distinguished

Development either contributes to making the urban fabric coherent or undermines it. Urban design is often a matter of adopting good manners, recognising that every building is part of a greater whole. Too many places have been blighted by development which, even if its design has merits seen in isolation, ignores its local urban structure and creates bits of leftover space that contribute nothing to the living village, town or city.

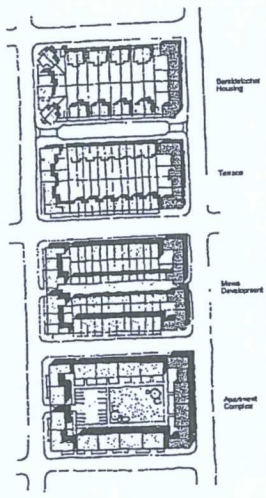
Successful urban space (including street space) is defined and enclosed by buildings, structures and landscape. The relationship between buildings on a street, and between buildings and the street, are the key to this. Buildings which follow a continuous building line around a street block and contain the private space within back yards or courtyards are often more successful than individual buildings that stand in the middle of a site. Buildings with live edges, such as shopfronts, doors directly to the street, or residential upper floors, enable people to keep an eye on public space and make it feel safer.

Buildings that relate to a common building line reinforce and define the street.

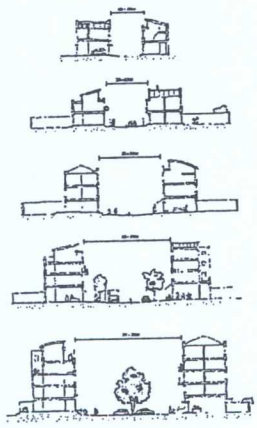
- Development that follows the boundary of the street block can help to create an unambiguous distinction between public and private spaces. Respecting the historic or traditional building line helps to integrate new development into the street scene, maintains the continuous urban fabric and avoids places of concealment.
- Continuous street frontages have a minimum of blank walls and gaps between buildings. Gaps between buildings reduce the degree to which the street is overlooked, as do blank walls (which also encourage graffiti). There are places, however, such as some villages where strong building lines are not a dominant feature of the street scene.
- Projections and setbacks from the building line, such as bays and entrances add valuable emphasis without undermining the principle of continuity.
- Where buildings step back from the common building line, they can create usable, attractive spaces for pedestrians.
- Small setbacks can be used to soften the impact that buildings and the public realm have on each other.

The primary access to a building is best achieved from the street.

- Building entrances that are clearly identifiable contribute to the ease of understanding a place. Entrances are where people move between public and private space and create activity on the street.
- Direct access to the street from ground floor premises (both housing and shops), rather than by way of communal entrances, can reduce the length of blank facades.
- Primary access to buildings by means of internal courtyards reduces street activity and the live connection between building and street.
- Access to private or communal back yards, such as for parking, requires careful control by means of gates or by overlooking.



PERIMETER BLOCKS CAN WORK AT ANY SCALE



THE SCALE OF BUILDINGS SHOULD RELATE TO THE WIDTH OF THE STREET

The front and backs of buildings are often used in different ways, their design can reflect this.

- Designing the less private rooms (such as living rooms) to face the street, particularly at the ground floor, means the front of a building can have a direct relationship with the street.
- More private rooms such as bedrooms and bathrooms contribute little or nothing to overlooking the street and tend to deaden the street frontage.
- Buildings which present their backs to public space (even on main roads) often present high fences and walls to the street, reducing overlooking and safety. A separate boulevard-type slip road is a way of enabling buildings to front onto main roads where access is restricted.

Clearly defining and enclosing private space at the back of buildings provides for better privacy and security.

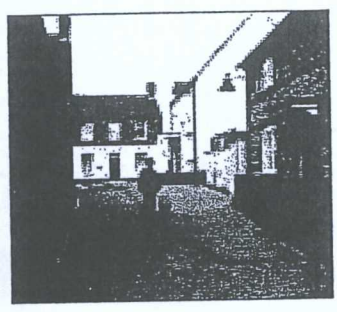
- Back yards or inner courtyards that are private or communally shared space are best enclosed by the backs of buildings.
- The rear gardens of houses are more secure if they back on to other gardens, rather than side roads, service lanes or footpaths.
- Where shared (but not public) space is provided in internal courtyards of high density housing developments, the privacy of ground floor rear rooms can be protected by private yards or gardens. These need to be clearly defined by walls or other boundary treatments.

Development can help define streets and public spaces.

- Streets, squares, parks and other spaces can be defined by appropriately scaled buildings and trees. The height of buildings should relate to the width and importance of the space (including streets) which they enclose. The massing and height of a building should also have regard to the degree to which it will overlook and overshadow other buildings.
- A building at the corner of a street block can turn and close the corner visually. Shallower building depths can be used at the corners of street blocks, to allow sunlight and daylight to penetrate without interrupting the continuous building line round the block's perimeter. Relaxing standards (for minimum garden sizes and back-to-gable distances) can reduce or even eliminate gaps and blank walls when housing turns the corner. This also increases privacy to the rear.
- Setbacks at upper floors reduce a building's impact at street level by allowing one or more upper storeys to be less visible from the street. Setting back can allow an increase in density without an equivalent increase in the sense of scale but when overdone it can result in over-development and block light.

Defining the relationship between the fronts of buildings and the street benefits their respective uses.

- Clearly indicating the extent of private ownership of space round a building (by means such as walls, fences, railings, gates, arches, signage and paving) defines the boundary between public and private space.
- Detailed design can make clear whether ambiguous spaces (such as forecourts, malls, arcades and covered streets) are public or private.



BUILDINGS AT POUNDBURY OPEN DIRECTLY ONTO THE STREET IN THE TRADITIONAL WAY

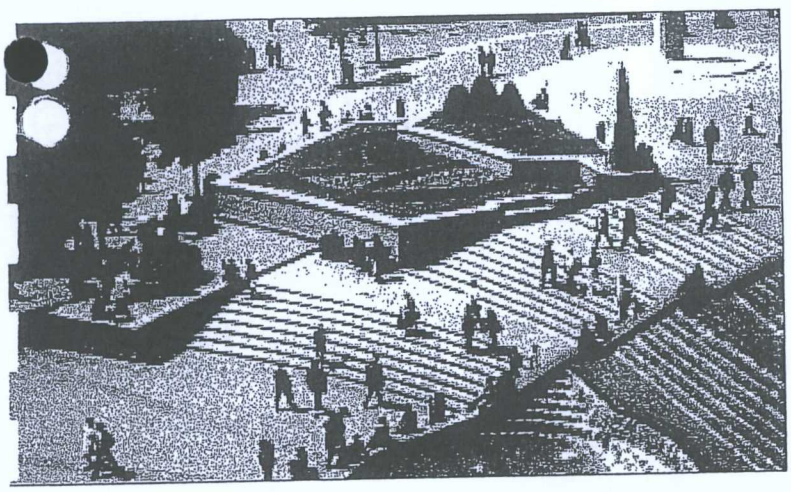
QUALITY OF THE PUBLIC REALM

a place with attractive and successful outdoor areas

The success of the public realm depends on the arrangement of its paving, planting, lighting, orientation, shelter, signage, street furniture, and the way it is overlooked, as well as the routes which pass through it, and the uses in and next to it.

The public realm is made up of the parts of a village, town or city that are available, without special charge, for use by everyone. This can include streets, parks, squares, arcades and public buildings, whether publicly or privately owned. It provides the setting not only for everyday life, but also for more formal civic occasions. It is enlarged and enriched by developments designed to welcome a broad range of people, and by creative management. It is restricted and impoverished by buildings and spaces designed to keep out or discourage all but a narrow range of users, and by over-regulation. Anyone who is designing a building, or any other structure, is helping to shape the public realm.

How attractive a public space is, and how well people treat it, will partly depend on the arrangements made for its management and on how easy it is to maintain.



VICTORIA SQUARE, BIRMINGHAM: SUCCESSFULLY REMADE AS A CIVIC AND PEDESTRIAN FOCUS

A successful place has a system of open and green spaces that respect natural features and are accessible.

- Public spaces can be designed to create a variety of type of space (path, street, square, park, plaza, green), character of space (informal, civic, recreational, commercial) and scale of space, rather than being merely the parts of an area that have not been built on. The provision of public spaces should respond to the needs established by the patterns of local economic, social and cultural life.
- Well-designed public spaces are functioning parts of a network of pedestrian routes, providing for the needs of all users including disabled and elderly people.
- Streets and street junctions that are designed as public spaces (rather than just traffic routes) are likely to be more convenient for all users.
- Street trees and street lighting can reinforce the character and relative importance of a route.
- Making use of natural assets such as water, riversides, slopes, trees and other planting helps to create attractive spaces and encourages biodiversity.

Ground floors occupied by uses that relate directly to passing pedestrians create activity and interest.

- Facades can be enlivened by active uses (such as shops and restaurants), entrances, colonnades, and windows (views into the building give interest to passers-by and make the building's function apparent, while views out of the building facilitate overlooking, which contributes to safety).
- Privacy for ground floors of residential development on busy streets can be maintained by raising the floor above street level.
- Street entrances at frequent intervals help to ensure activity.

- Buildings on busy street corners that are designed to accommodate shops, restaurants and other similar activities can contribute to local identity and activity.

Well-designed public space relates to the buildings around it.

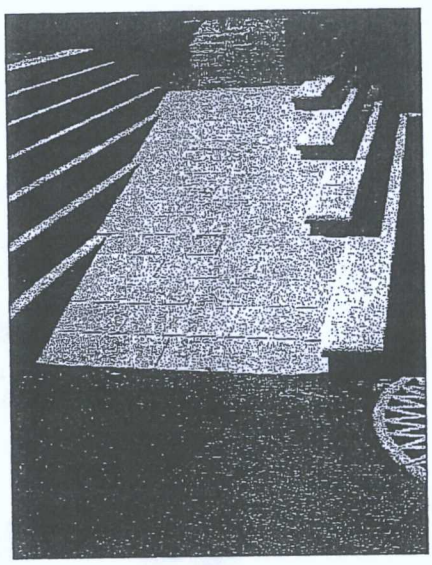
- Public space should be designed with a purpose in mind. Space left over after development, without a function, is a wasted resource and will detract from a place's sense of identity. It is likely to be abused and vandalised, diminishing safety and security.

Streets and spaces that are overlooked allow natural surveillance, feel safer and generally are safer.

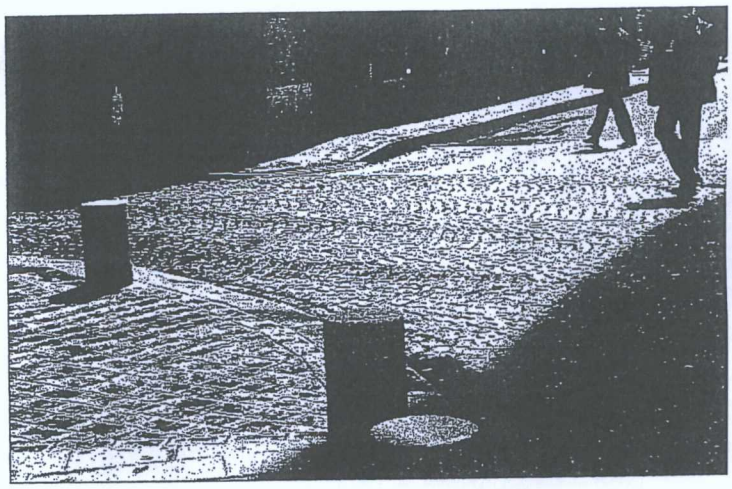
- Buildings of all types which front on to streets, squares or parks, contribute to overlooking by showing their public face.
- Making separate footpaths or cycle tracks as direct as possible, and well overlooked, will help avoid producing places where pedestrians and cyclists feel unsafe.
- There are advantages in play areas, other communal space and parked cars being overlooked.
- Living over shops encourages natural supervision and evening activity.
- Lighting and planting can help or hinder surveillance and perceptions of safety.

The design of public spaces should take account of the micro-climate.

- The layout and massing of development should take account of local climatic conditions, including daylight and sunlight, wind, temperature and frost pockets.
- The micro-climate will both influence and be influenced by the form of development, including the orientation of buildings and the degree of enclosure.
- Public spaces should be protected from down-draughts from tall buildings, as well as from lateral winds.
- Deciduous trees and climbers can filter heat and pollution in summer and allow low winter sunlight.



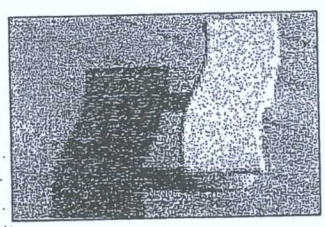
MEETING ACCESSIBILITY STANDARDS CAN INSPIRE CREATIVE SOLUTIONS



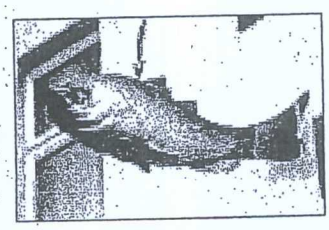
HIGH QUALITY MATERIALS FOR SHARED SPACES

Works of art and well-designed street furniture integrated into the design of public spaces give identity and enhance the sense of place.

- Co-ordinating the design of streetscape avoids clutter and confusion. This includes all elements of the street scene including signage, lighting, railings, litter bins, paving, seating, bus shelters, bollards, kiosks, cycle racks as well as sculpture and fountains.
- Streetscape design should take account of the need for maintenance, resistance to vandalism and access to underground services.
- The work of artists should be integrated into the design process at the earliest possible stage if it is to be used effectively.
- Street furniture such as benches and bus stops should be sited with the safety of users in mind.



EVERY ITEM OF STREET FURNITURE IS A POTENTIAL WORK OF ART



THE EXPERIENCE OF THE PUBLIC REALM IS ENRICHED BY DETAILS

EASE OF MOVEMENT

A place that is easy to get to and move through

The convenience, safety and comfort with which people go to and pass through buildings, places and spaces play a large part in determining how successful a place will be. Streets are more than just traffic channels for vehicles, and should offer a safe and attractive environment for all. Well-designed streets encourage people to use them, and make going outside a safe and pleasant experience.

Successful places are unlikely to include large blocks of inward-looking development which exclude public access.

A well-designed urban structure has a network of connected spaces and routes, for pedestrians, cyclists and vehicles.

- New routes should connect into existing routes and movement patterns. The degree of connection in a new development is often the key to its success. Established footpaths, shortcuts and minor roads can become the basis of enduring linkages.
- Public transport should be designed as an integral part of the street layout.
- Minimising walking distances between major land uses and public transport stops makes public transport easier to use and available to as many people as possible.
- A junction can be designed as a point of entry. Such junctions can help identify a place and define the routes through.

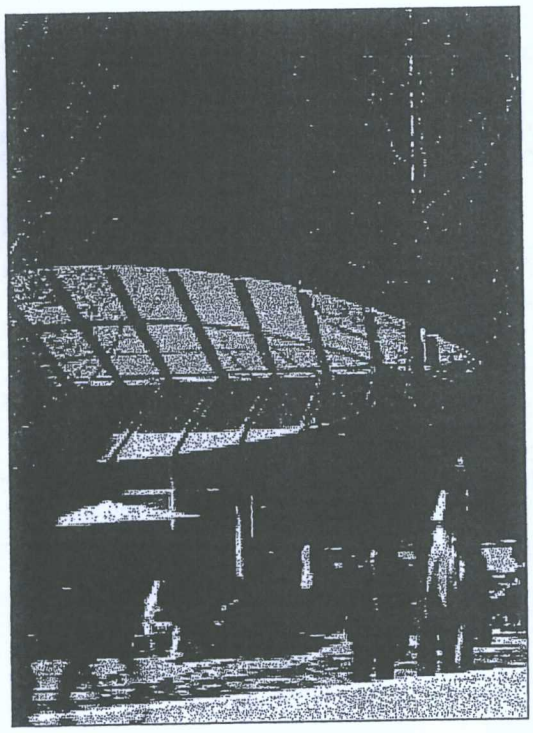
Transport routes should reflect urban design qualities and not just traffic considerations.

- Streets should be designed as public spaces not just in response to engineering considerations.

- Boulevards are a means of creating continuous frontage development and providing a high level of traffic capacity.
- The traditional form of high street, which allows for stopping, parking and slow traffic, provides an effective way of accommodating local shopping and economic activity.

A development's access and circulation should contribute to a fine-grain network of direct and connected routes within and beyond the site rather than creating big blocks.

- The grain of streets is usually finer around busy shopping streets.
- Streets that connect to other streets encourage movement and activity and short linked-up streets can make places more accessible and encourage walking and cycling.
- In designing for connected streets care should be taken to avoid undermining the 'defensible space' of particular neighbourhoods.



The way development is laid out can encourage low traffic speeds.

- Developments should be designed with regard to their effect on traffic speeds.
- Traffic speeds can be managed by the arrangement of buildings and spaces. Physical traffic-calming measures should be secondary but considered as an integral part of the design.
- Changes in materials or 'gateways' at the entrance to low speed areas can alert motorists to the need to reduce speed.
- Smaller corner radii will encourage more careful vehicle movement.

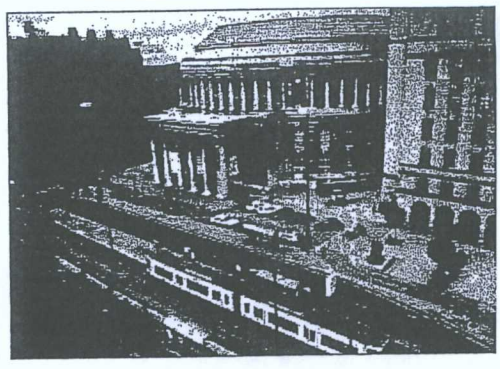
The layout and density of development can help increase accessibility to public transport.

- Higher densities help to support public transport.

Integrated transport interchanges promote the use of public transport and provide for seamless movement between all modes of travel.

- Higher density commercial and mixed-use developments, civic buildings and developments likely to generate large numbers of visitors are best located within close walking distance of public transport interchanges.
- Stations designed as an integral part of the public realm create safe and secure pedestrian environments at all times of the day.

PUBLIC TRANSPORT AS AN INTEGRAL PART OF THE STREET



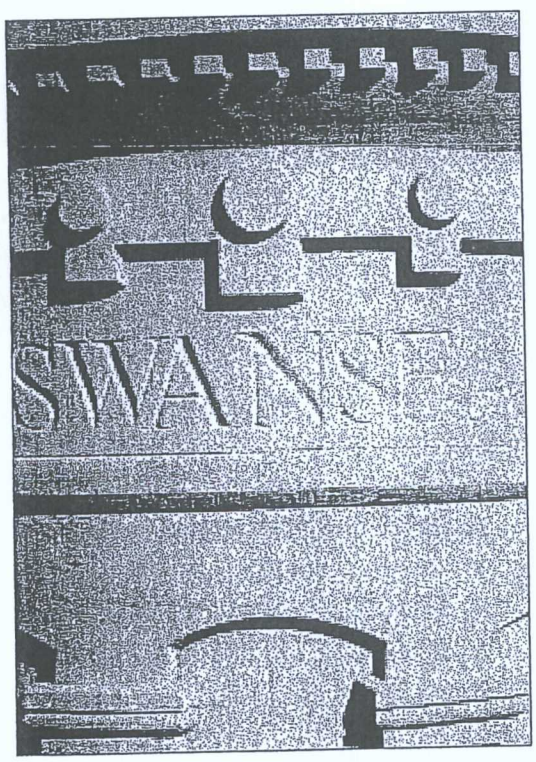
THE NEW CENTRAL SQUARE AT BIRMINGHAM'S BRINDLEYPLACE LINKS TO THE CITY CENTRE'S MAIN PEDESTRIAN ROUTE

LEGIBILITY

A place that has a clear image and is easy to understand

Landmarks, gateways and focal points help people find their way. Vistas create visual links between places. Planting can emphasise pedestrian routes. Visible routes and destinations, and a visible choice of routes, will contribute to making a place feel safe and unthreatening. Places where form, layout and signage make them easy to understand are likely both to function well and to be pleasant to live in or visit.

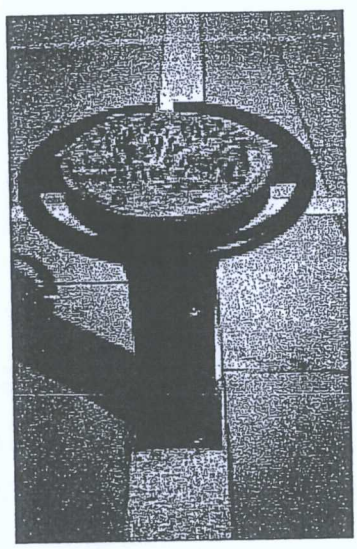
Equally, some places draw their charm from their lack of clear routes. The process of design needs to take account of the fact that people do not all read, interpret and enjoy a place in the same way. Men and women, children and adults, residents and visitors, old and young people, and people from different cultures will experience it differently and be encouraged to feel at ease by different aspects.



LOCAL IDENTITY IS A KEY TO LEGIBILITY

Development that is sited so as to enhance existing views and vistas, and create new ones, can help people to find their way around.

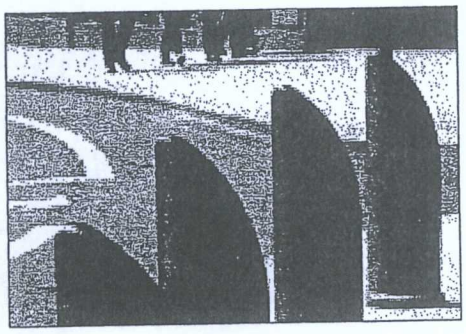
- The ability to see important routes and landmarks can be integral to finding one's way around and in reinforcing the sense of place.
- Where possible, views should focus on important routes, memorable buildings and landscape features.
- A sense of place often depends on the design of the public realm and its contribution to an area's character and identity. Bespoke design can help, not least of street furniture.

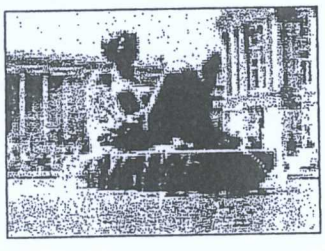


A DIRECTION AID DOES NOT HAVE TO BE SOMETHING TO READ

The design, location and function of buildings can reinforce the identity and character of the routes and spaces they serve.

- Concentrating the most active uses on main routes and around focal points will contribute to the vitality of a place.
- Civic and community buildings, located around public spaces, provide symbols of community identity and a focus for civic life.





SOMETHING MEMORABLE IS WORTH A HUNDRED SIGNS

- The choice of materials can add interest and aid legibility. The infinite variations in any natural material have their own intrinsic qualities and uniqueness.
- The quality of signage, including that for shops and other commercial premises, is important and can enhance identity and legibility.
- Works of art and lighting schemes can help to aid identity and legibility.

ADAPTABILITY

A place that can change easily

- Ensuring that a public building's function is readily apparent to passers-by and that its main entrance is easily identifiable contributes to the ease of understanding a place.

Well-designed corners enhance legibility by creating visual interest and contributing to a distinctive identity.

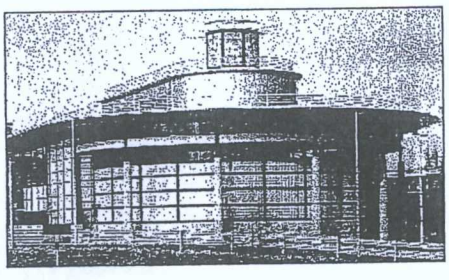
- Corner buildings can provide identity and points of orientation. Making them higher than the surrounding buildings will emphasise their importance.
- Locating public uses such as shops on the corners of busy streets enhances activity and local identity.

The legibility of an area can be improved through the detailing and quality of materials in new development.

- Legible designs often depend on close attention being paid to the detailing, for example of shopfronts and building entrances.
- Richness of detail is particularly important at ground level, where people see it close at hand.

The most successful places have prospered in changing circumstances. Even though people may live, travel and work in very different ways, the basic structure of the physical fabric of such places proves to be grounded in unchanging patterns of human life, rather than being unalterably fitted to some very specific purpose. Successful places avoid the destructive trauma of large-scale blight and dereliction, and the sort of comprehensive redevelopment which serves a narrowly-defined range of purposes.

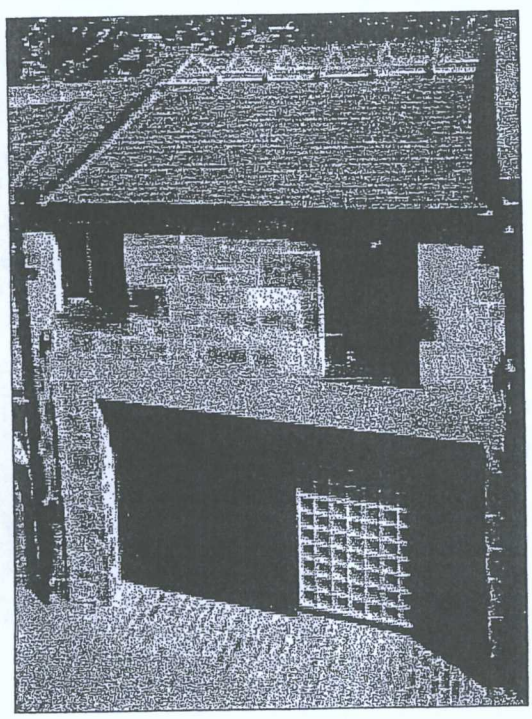
Places need to be adaptable at every scale. A household makes different demands on a house as children are born and grow up. Towns and cities as a whole have to adapt as industries rise and decline, demand for housing and the nature of workplaces changes, and buildings and infrastructure age.



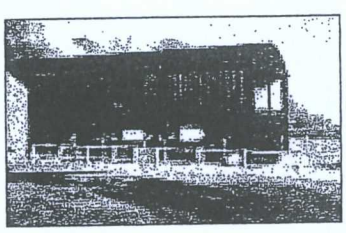
DISTINCTIVE BUILDINGS HELP PEOPLE FIND THEIR WAY AROUND

Simple, robust building forms, not tightly designed to a very particular use allow for the greatest variety of possible future uses to be accommodated.

- Floor-to-ceiling heights and building depths should be considered in the light of the need for flexibility to allow later conversion of a building to other uses.
- Adaptable ground floors on corners of busy streets allow different uses to be accommodated over time.
- Well-designed housing is adaptable to the changing needs of its occupants.



THE UNDIVIDED GROUND FLOOR SPACES IN MEWS BUILDINGS MAKE THEM EASY TO ADAPT. SUCH FLEXIBILITY CAN BE DESIGNED INTO NEW BUILDINGS



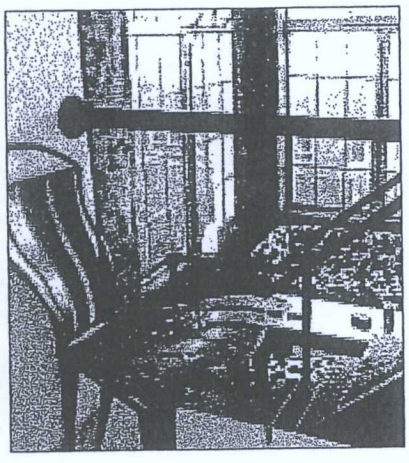
A DUTCH BARN CONVERTED INTO OFFICES AND STABLES

Places should be capable of being used for a range of activities.

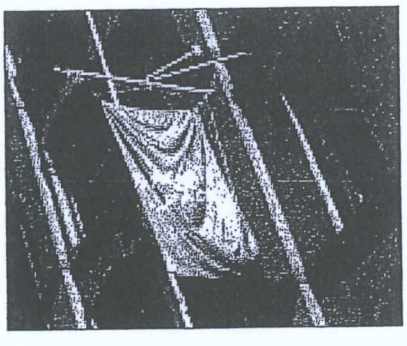
- Well-designed public spaces allow for different uses, such as events, festivals and markets.
- Development can be related to the public realm in ways that encourage rather than discourage flexible use of buildings and space. This can be achieved through the imaginative use of elements such as terraces, balconies and forecourts.
- To encourage a mix of uses buildings can be designed so as to facilitate different access arrangements at different times.

Developments that endure have flexible layouts and design.

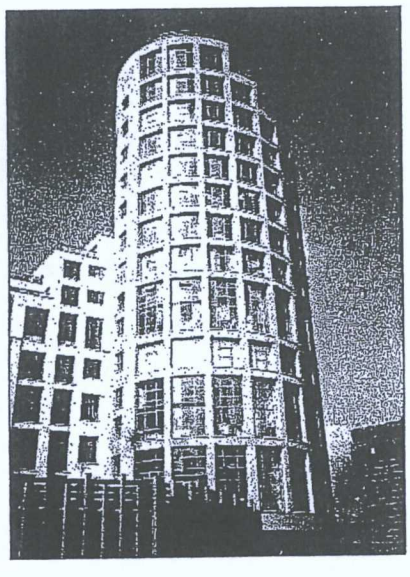
- Fine-grain development is easier to adapt than large-scale megastructures.
- Roads within a development which are built to adoptable standards, rather than being locked into estate management agreements (which inhibit change), will allow a greater variety of uses to be developed over time.
- The layout of the infrastructure servicing development (including water supply, sewerage, drainage, gas, electricity, cable, telephone, roads, footpaths, cycleways and parks) should take account of foreseeable changes in demand.
- Building to last means thinking about future uses, expansion and changing needs for access. For example, the location of means of escape can facilitate a building's later conversion, the position of the building on its site can affect scope for expansion, and floor-to-ceiling heights are important in this context.



LOFT CONVERSIONS TAKE ADVANTAGE OF ROBUST BUILDING FORMS



LONG-LIFE, LOOSE-FIT STRUCTURES HAVE FLEXIBILITY BUILT IN



THE ADAPTABLE FORM OF THIS FORMER COMMERCIAL BUILDING ALLOWED IT TO BE CONVERTED TO HOUSING WHEN THE MARKET CHANGED.

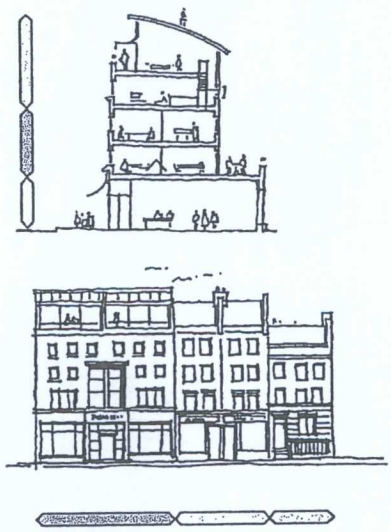
DIVERSITY

A place with variety and choice

The mix of uses (whether within a building, a street or an area) can help to determine how well-used a place is, and what economic and social activities it will support.

A mix of uses may be appropriate at a variety of scales: within a village, town or city; within a neighbourhood or a street; or even in a particular building. In a town centre, for example, housing can provide customers for shops, make use of empty space above them and generate activity when they are closed. In residential areas, workplaces, shops and other facilities can make the place more than just a dormitory.

Mixed-use development can make the most of opportunities for higher densities and intensive activity at locations with good access to public transport. At higher densities, it can provide the sort of environment that will suit particular kinds of household, such as single or young people, or couples without children.



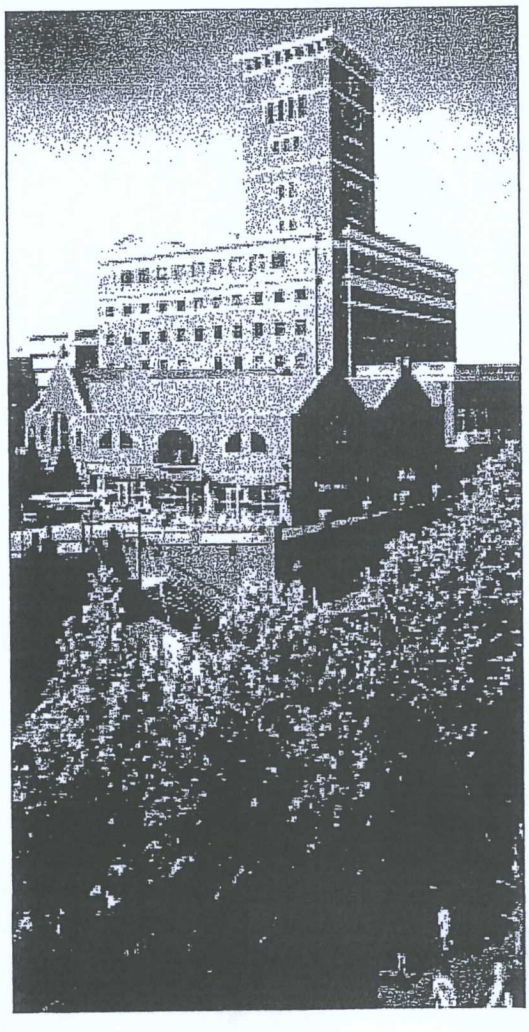
MIXED USES WITHIN A BUILDING (TOP) AND ON A STREET

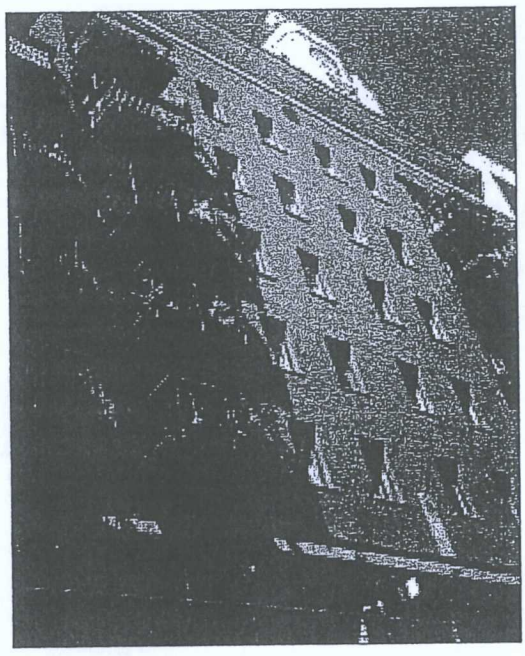
Creating a mix of uses can help to attract people to live, work and play in the same area.

- The mix can be at the scale of the building (one use above another), the street (one use next to another) or the neighbourhood (groups of uses next to others).
- Vital places often have a mix of uses which involves different people using the same parts of a building or place at different times of the day, as well as different uses happening in different parts of a building or space at the same time.

Getting the mix right is important.

- A successful mix of uses results where the uses are compatible one with another and interact with each other positively.
- A successful mix of uses is achieved where the uses help to create a balanced community with a range of services, without increasing reliance on the car.





OXO TOWER WHARF ON LONDON'S SOUTH BANK MIXES DIFFERENT USES ON DIFFERENT FLOORS

Diversity of layout, building form and tenure can contribute to making successful living and working environments.

- Buildings of different sizes and types allow for different uses to be accommodated over time.
- To promote social inclusion, in well-designed places social housing is not distinguishable from private housing by its design, nor is it banished to the least attractive site.
- Subdividing large sites into smaller development plots, each with direct access to public roads or spaces, can help create diversity, especially if different approaches to design are adopted, using different architects.
- Narrow plot frontages can allow small-scale shopping and commercial activities to flourish and adapt to changing needs.

BIRMINGHAM'S BRINDLEYPLACE IS A MAJOR COMMERCIAL MIXED-USE DEVELOPMENT

URBAN DESIGN AND THE PLANNING TOOLKIT

A better practice guide can only hope to convey a general appreciation of why urban design matters. It can offer prompts for better design but successful development depends on tailoring these to local circumstances in both drawing up and implementing planning policies. Development plan policies and supplementary planning guidance should be drawn up so as to reflect local needs and opportunities. Design policies cannot take a standard format or be imported from another area. Everything hangs on how well a local authority draws up, and then uses, the tools it has available to foster better urban design.

UNDERSTANDING THE LOCAL CONTEXT

Understanding the local context should be the prelude to drawing up the planning 'toolkit'. Developing this understanding will involve considering a wide range of matters. Some will be matters of simple observation or professional judgement. Others will be matters of opinion, raising questions about whose perspective counts in the particular circumstances, and how those people are to be involved in the process of appraising the context. A range of techniques is available, but carrying out an appraisal is more important than the specific technique used and a simple assessment is better than none.

An appraisal can consist of three elements; the emphasis will differ depending, for example, on whether the aim is to produce policy for a plan or a brief for a specific site. First, there is likely to be a mainly qualitative assessment of how the area performs in terms of urban design objectives. Second, the characteristics of the area or site could be assessed in terms of constraints, opportunities and capacity for development. Finally, those factors which overlay the local context, such as government advice, would need to be built into the appraisal.

ANALYSING PERFORMANCE IN TERMS OF URBAN DESIGN

The urban design objectives set out earlier can be used to order the considerations relevant to appraisal. What follows is, in effect, a series of checklists. They are not meant to be followed slavishly. Understanding the local context does not require every item on the checklists to be examined on every occassion and in every place or in the same depth. The checklists provide pointers to understanding an area in terms of its urban design.

CHARACTER

A place with its own identity

A variety of techniques is available for appraising the unique qualities of a place and its people. These include observation and site surveys, reviewing historic records, interviews with local amenity groups, and wider public consultation.

Appraisals can include assessments of:

- memories and associations, local traditions and cultural diversity;
- the origins and development of the topography of the area, including surviving elements of historic street patterns, plot subdivisions,

boundary treatments and the relationships between buildings and spaces;
- the archaeological significance and potential of the area;
- the architecture and historic quality, character and coherence of buildings, both listed and unlisted, and the contribution they make to the special interest of the area;
- the character and hierarchy of spaces and their townscape quality;
- prevalent and historic building materials;
- the contribution made to the character of the area by green spaces, trees, hedges and other cultivated elements;
- the area's prevailing (or former) uses, plan forms and building types;
- the relationship of the built environment to landscape or open countryside, including significant landmarks, vistas and panoramas;
- features which have been lost, or which intrude on or detract from the character of the area.

CONTINUITY AND ENCLOSURE

A place where public and private spaces are clearly distinguished

The appraisal of the continuity of building frontages and the degree of enclosure of blocks and public spaces is largely based on site surveys, and studies of the dimensions of buildings and streets.

Techniques include identifying and mapping:
- gap sites and abnormal setbacks which interrupt the common building line of the street;
- conflicts between the backs and fronts of buildings and the fronts of others, and instances where the backs of buildings are exposed to public view and access (as in the case of back gardens on to roads, alleys and public spaces);
- active and dead frontages at ground floor level: positive factors such as entrances, shopfronts and windows; and negative factors such as long blank facades and high boundary walls, solid roller shutters to shopfronts, and service entrances and yards;
- active and dead frontages at upper floors: positive factors such as windows of habitable rooms overlooking public space; and negative factors such as blank gable walls and unused space over shops;
- places where buildings meet the public realm: boundary treatments such as changes of level; gates, railings, fences and boundary walls; front gardens and in-curtilage parking; and servicing;
- spatial enclosure: cross-sectional studies examine the relationship between the heights of buildings and the spaces they define;
- planting (such as trees and hedges), natural features, land form, and retaining walls which define and enclose blocks and spaces.

QUALITY OF THE PUBLIC REALM

A place with attractive and successful outdoor areas

Appraisals of the public realm are based largely on looking at its components in terms of condition, fitness for purpose, and contribution to local and civic identity, and at the potential for reducing street clutter.

Traffic Measures in Historic Towns (Civic Trust and English Historic Towns Forum, 1993) provides a valuable checklist for assessing how street clutter can be reduced. Appraisals can be supplemented by detailed mapping using Geographical Information System (GIS) techniques and surveys of users, and by looking at local crime and accident statistics.

Public realm audits can include assessments of:
- hard landscaping (paving materials, kerbs, walls, steps and ramps);

- planting (trees, planters, grassed areas, flowers and borders);
- street furniture (seats, bins, bollards, manhole covers, tree grilles and railings);
- structures (bus shelters, kiosks, stalls, information points, pedestrian bridges, beacons and temporary structures);
- banners and signs (interpretative, instructive, informative, and directional);
- lighting (pavement, pedestrian, highway, security, building and feature);
- public art and features (permanent and temporary works, fountains and graphics);
- shopfronts (thresholds, glazing, stall risers, signs, banners and shutters).
- advertisements (hoardings, kiosks and banners);
- special treatments and provision (use of colour, tactile paving, wheelchair ramps, dock edge treatments);
- safety and security (emergency equipment, salt and grit bins, closed-circuit television, gates and grilles);
- traffic and highways installations (including highway markings, parking meters, traffic signals and control boxes);
- public space use and management (informal use as well as formal, events, markets, graffiti removal, litter collection and street cleansing).

EASE OF MOVEMENT

A place that is easy to get to and move through

All types of movement in an area can be appraised, in terms of strategic and local accessibility, traffic passing and arriving, and the potential for shifting the balance from cars to walking, cycling and public transport. Such appraisals will largely rely on survey information and statistical analysis of already available data. Existing information held in local authorities, by passenger transport operators, town centre management and retail research organisations (for pedestrian flows in town centres) and local businesses can be supplemented by additional surveys and counts.

PPG 13 *Transport: a guide to better practice* provides a checklist for an audit of transport conditions in an area.

Assessing ease of movement includes the following subjects:

- catchment areas;
- public transport services and accessibility, including modal split, trip patterns and journey times, interchange characteristics, levels of service and priority measures;
- cycle use, including routes and facilities;
- car use (and car ownership levels) including access and circulation and traffic flows;
- parking (on- and off-street);
- accessibility for disabled people, including gradients and obstructions;
- pedestrian movements including pedestrian counts (at various times of the day and week), points of arrival and destinations, pedestrian crossings and barriers to movement, points of conflict with other road users and overcrowding and congestion. Fruin analysis can be used to assess levels of comfort on pedestrian routes.
- connections through the area (these can be assessed by examining network characteristics, sightlines and the relationship of access to land use. Space syntax analysis is one technique that can help in this).



SPACE SYNTAX IS A TECHNIQUE FOR MEASURING HOW WELL STREETS ARE CONNECTED

LEGIBILITY

A place that has a clear image and is easy to understand

How easy a place is to understand can be assessed through a variety of techniques, including mapping, carrying out surveys and interviews, and watching how people behave.

Kevin Lynch developed techniques for analysing the local context which include appraisals of:

- gateways and points of transition (at main entry points, between different areas and at transitions between different uses);
- nodes (important junctions and points of interaction);
- landmarks and features (important buildings, corners, symbols and works of public art);
- views and vistas (seen from within the area and from the outside);
- edges, seams and barriers (including the boundaries between different zones and areas, and streets which integrate or sever).

ADAPTABILITY

A place that can change easily

Adaptability can be appraised through surveys of buildings and spaces, and by looking at how they are used. The level of detail will depend on the circumstances.

Buildings can be assessed in terms of:

- occupancy and tenure;
- building type (such as warehouse, commercial office block, terraced house);
- plan form, including building floorplate dimensions (window-to-window and floor-to-ceiling);
- access and circulation, including alternative means of escape, servicing and vertical circulation;
- adjacent buildings' uses;
- structural condition;
- service areas and access cores;
- suitability for modernisation or conversion to other uses.

Spaces can be assessed in terms of:

- ownership and tenure;
- access and circulation;
- overshadowing and micro-climate;
- surrounding buildings and their uses;
- layout including planting, paving, lighting and street furniture;
- shape, scale and slope.

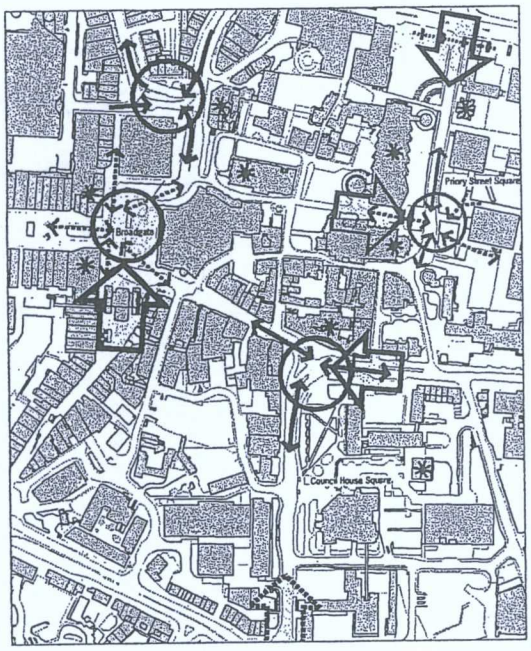
DIVERSITY

A place with variety and choice

The degree of diversity a place offers can be assessed by looking at how buildings and spaces are used, and at patterns of ownership and occupancy.

Surveys will show:

- broad patterns of land use (precincts and quarters);
- patterns of sub-divisions of blocks (typical frontage dimensions and depth of block);
- distribution and amounts of land uses (residential, commercial, retail, community and employment) at street level and upper floors;
- social mix (private and social housing);
- ownership and tenure.



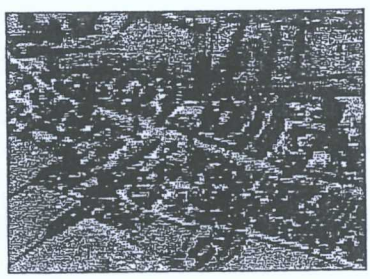
LYNCHIAN ANALYSIS FOCUSES ON THE FEATURES WHICH MAKE A PLACE EASY TO UNDERSTAND

IDENTIFYING CONSTRAINTS AND OPPORTUNITIES

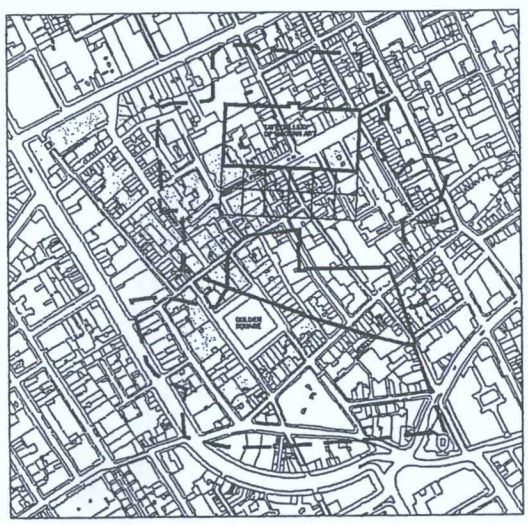
An analysis of constraints and opportunities draws on the assessment of how the site or area is performing. It is not independent of the policy context. This mainly quantitative process can establish the capacity for growth or change.

Assessments will include:

- planning context (current policies, applications and consents);
- strategic context (links to the wider area and relationships to surrounding development);
- local and immediate context (adjacent land uses and links to the area or site);
- site and statistics (size, proportions, boundary definition);
- site and area characteristics (contours, ecology, landscape, hydrology, ground conditions, crime pattern analysis);
- site and area infrastructure (roads, services, utilities);
- statutory constraints (listed buildings, tree preservation orders);
- development feasibility, including an assessment of market demand;
- important structuring elements such as axes, historic routes, watersheds and main points of site access;
- tissue studies, which use tracing or overprinting to show comparisons between existing patterns of development on a site or area and well-known developments in other places; such studies can help to show a site's or area's capacity for development and suggest how it may be laid out.



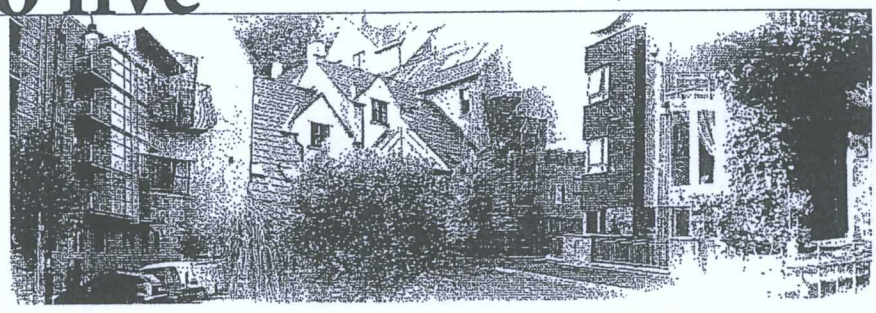
THE GRAIN OF BLOCKS AND PLOTS CAN PROVIDE CLUES ABOUT HOW TO INTEGRATE DEVELOPMENT INTO ITS SETTING



TISSUE STUDIES CAN HELP IN DETERMINING THE CAPACITY OF A SITE OR AREA

Ref 6

Better places to live



A companion guide to PPG3

'New housing development of whatever scale should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality.'

PPG 3: Housing paragraph 56

The bigger picture

The successful integration of new housing with its surrounding context is a key design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre. A crucial first step in achieving this is to develop a thorough understanding of the context within which the new housing will sit and then of the nature of the site itself and its immediate surroundings. This initial analysis will inform a whole range of subsequent design decisions including, for example:

- scale and massing of development;
- framework for movement;
- mix of dwelling types and sizes;
- landform, landscape and ecology of the site;
- orientation of dwellings;
- mix of uses and provision of community facilities;
- amount and arrangement of car parking.

While contextual analysis has traditionally focused on issues such as landscape, townscape and the use of appropriate materials, the objectives of sustainable development and urban renaissance now require a broader approach. In particular, greater emphasis now needs to be given to the linkages between new housing and:

- local facilities and community infrastructure;
- the public transport network;
- established walking and cycling routes.

Making these linkages is fundamental to achieving more sustainable patterns of movement and to reducing people's reliance on the car. Understanding a site's relationship to local facilities and to the public transport network is therefore not only an important element of contextual appreciation, it is also central to the consideration of the extent to which a site may be appropriate for higher density development in the context of the guidance given in PPGs 3 and 13.

This chapter illustrates the form that contextual analysis can take in a variety of different places. It gives particular emphasis to accessibility on foot to local facilities and the public transport network, but also highlights other contextual considerations[1].

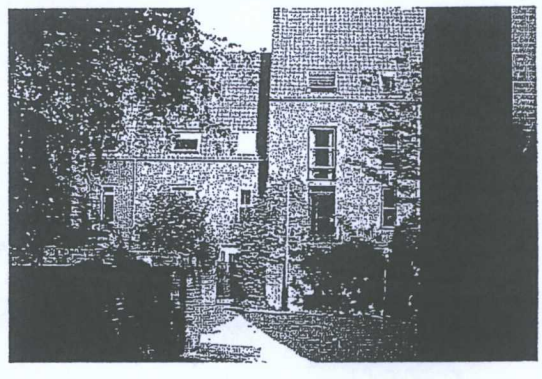


Site



New housing sensitively integrated into the established urban grain. Webster's Yard, Kendal





Here the new housing layout is informed by surrounding historic routes and the desire to create good communal spaces. Friars Quay, Norwich

Preparing the guide

Unlike previous design guides which have relied heavily on a singular view of housing design, this guide takes a more reflective approach. This is based on the view that:

- the shortcomings in current practice are first and foremost to do with basic issues of layout rather than detailed issues of internal configuration, construction materials or architectural idiom;
- we can learn from the best of contemporary practice, but we can also learn a great deal from those residential environments which have stood the test of time, met the housing needs and expectations of many generations and which remain popular today;
- the residential environment must be seen in the round; approaches which have given too much emphasis to one issue (notably to accommodating traffic) have often failed because they departed from other tried and tested principles of urban design.

This guide is based on a detailed examination of both historic and contemporary practice, drawing from a study of residential environments from across the country. While a number of the developments included in the guide have won Housing Design Awards[3] for the quality of their design, the guide deliberately draws from a wide range of different housing forms and contexts rather than looking solely at the very best of contemporary British housing design. The residential environments were selected to provide clear examples of practical approaches to implementing the basic principles of good urban design in a variety of different contexts, and to highlight both strong and weak points in their design. Indeed, an important objective in their selection was to include representation of ordinary, everyday housing as a counterfoil to some of the better known examples. The architecture illustrated in the guide will not, therefore, be to everyone's taste.

The focus has been the attributes of successful housing environments. These are the transferable lessons that can contribute to the creation of better residential environments in a wide variety of different contexts.

The attributes of successful housing

A literature review and analysis of historic and contemporary practice identified a number of attributes of successful housing. These were tested by a sounding board drawing on expertise from a wide range of disciplines working in a variety of backgrounds - including architects, highway engineers, landscape architects, planners, house builders and police officers concerned with crime prevention. These attributes provided a basis for the analysis of selected residential environments and are reflected in the structure and content of the guide. The attributes are set out below, together with a signposting to the relevant Chapters of the guide.

		Chapters
Movement	A movement framework which is safe, direct and attractive to all users	2, 3 & 5
Mix	A rich mix of housing opportunities	4
Community	A sense of neighbourhood and community ownership	2 & 4
Structure	A coherent structure of buildings, spaces, landscape and routes for movement	3 & 5
Layout	Street layout and design which is appropriate to use and context	3 & 5
Place	Attractive and clearly defined public and private spaces	5, 6 & 7
Amenity	Pleasant gardens and private amenity space	6 & 7
Parking	Convenient but unobtrusive car parking	5 & 7
Safety	A safe and secure environment	All
Space	Well planned homes which provide space and functionality	6
Adaptability	Housing which is robust and adaptable to changing requirements	6
Maintenance	An environment which can be well maintained over the long-term	6 & 7
Sustainability	Housing designed to minimise resource consumption	All
Detail	Well considered detailing of buildings and spaces	7

'The Government places particular emphasis on the importance of integrating decisions on planning and transport in order to reduce the need to travel by car. Local planning authorities should therefore.... seek to ensure that all housing developments are accessible by a range of non-car modes.'

PPG 3: Housing paragraph 47

Access to facilities

Most urban sites have very rich settings comprising existing communities, historic movement patterns, a mix of uses and activities and many generations of investment in community infrastructure, technical services and facilities.

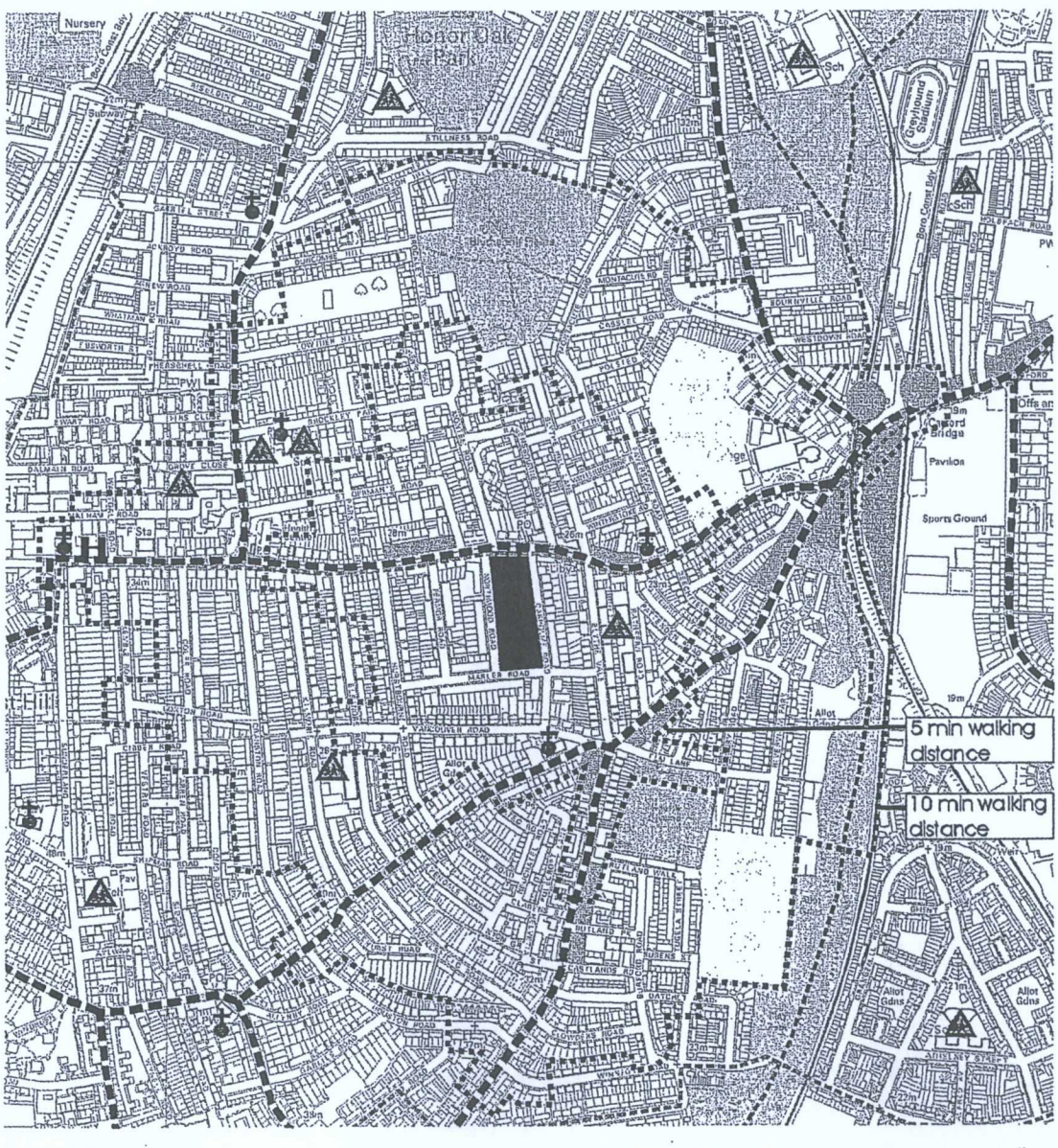
Having established a site's broad setting in terms of its relationship to a city, town or village centre, a good starting point is to examine the area within 10 minutes' (about 800m) walking distance of the site. This can help to identify the range of facilities which residents may access comfortably on foot, as well as opportunities to reach more distant facilities by public transport.

The diagram of the Stanstead Road area below illustrates how such analysis can be applied to one of the case study areas in a mature inner suburb. Quality of access should be assessed in terms of distance and routes to local services, including shops, schools, general practitioners' surgeries and so on.

In practice, this would be supported by analysis of the frequency of bus and train services and an assessment of the quality of pedestrian routes to all local destinations in terms of their safety, quality, gradients and crossing points. The study *Sustainable Residential Quality: exploring the housing potential of large sites*[2] includes case study analysis illustrating aspects of such appraisal.

Analysis of the provision of local facilities and services in the area around a site is also an important first step in considering the opportunities to provide new community facilities as part of the development. These issues are considered further in Chapter 4.

Contextual analysis of this type is simple and straightforward, but it can alter significantly perceptions of the development potential of a site, for example by demonstrating that it is much better served by facilities and public transport than may have been apparent from a cursory inspection.



Simple but informative analysis of a site's relationship to local facilities and the public transport network. This analysis of a site in a mature inner suburb used 1:10,000 scale mapping and was conducted as a desk exercise with a follow-up site visit. The analysis points to a site which is better served by local facilities and public transport than may have been apparent from a more instinctive analysis. Stanstead Road, Lewisham

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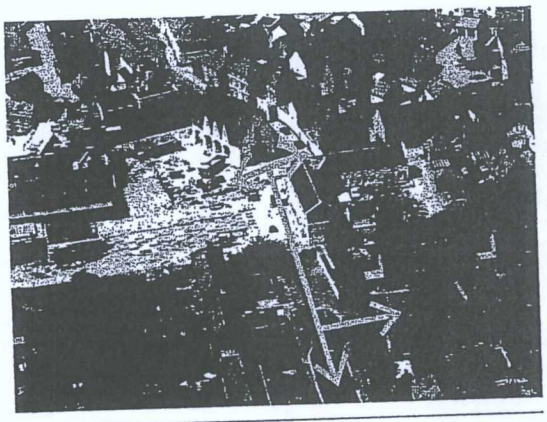
Housing development on the edge of an urban area can present particular challenges. The issue is how to knit new development into the existing urban fabric, which may not have been planned with future expansion in mind. Even where it has, developers and local authorities may come under pressure from local residents to propose access arrangements which are neither sustainable nor suited to the new development. These problems can be difficult, but a positive approach is needed if long-term issues of sustainable movement are not to be sacrificed for short-term convenience.

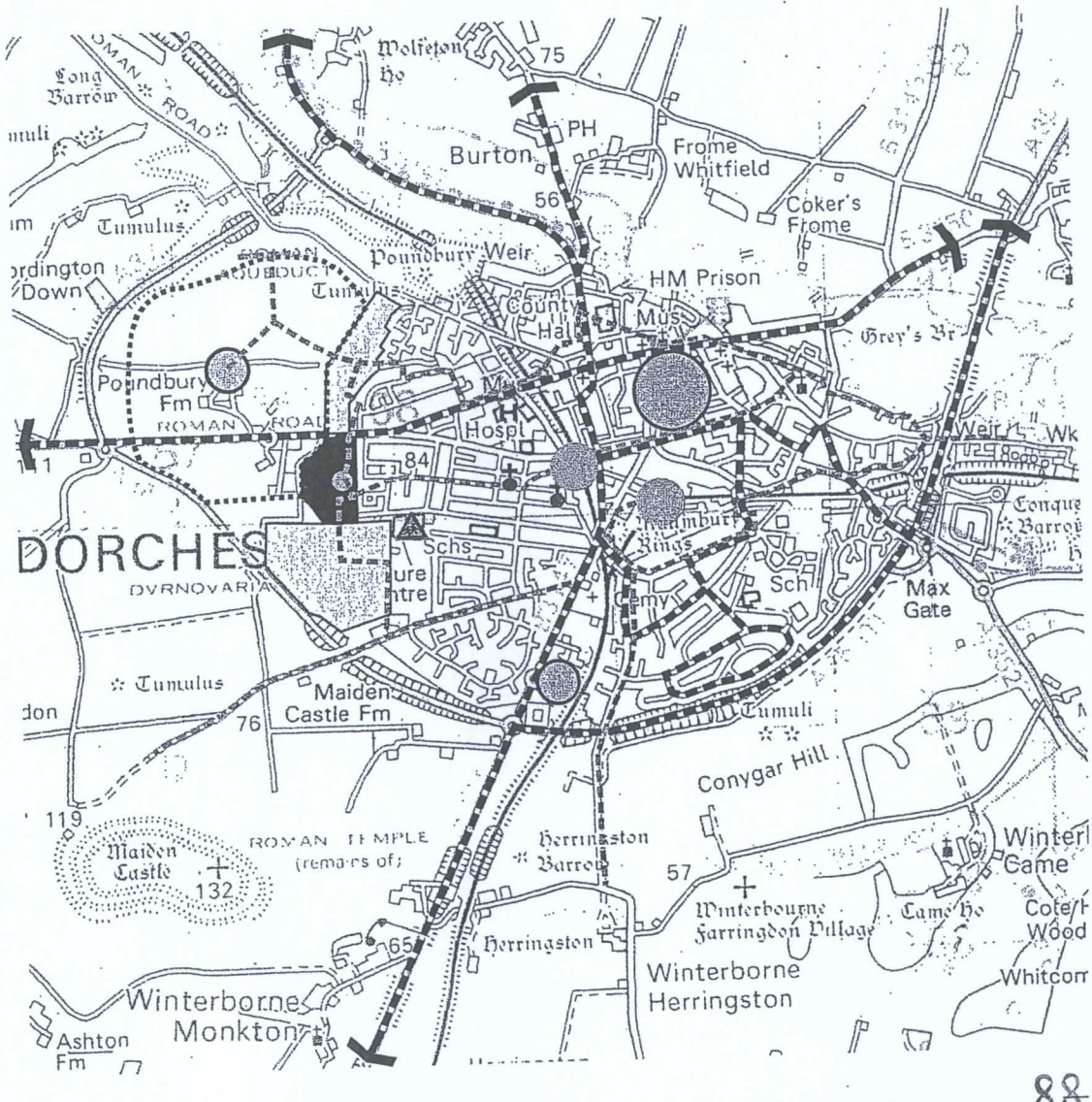
Issues of a more strategic nature arise where housing is being planned as part of a major urban extension. Here the issues are not only to do with direct connections, but also with ensuring that the new development is complementary in scale and function to the existing settlement. In particular, planned urban extensions can provide opportunities to enhance the quality and frequency of bus services to and from the town centre. Such improvements will benefit not just new residents, but all those living and working along the route[3].

The forthcoming publication *Planning and Sustainable Access* (DTLR 2001) provides more detailed consideration of both the strategic and detailed issues to be addressed in planning for access by a range of travel modes.



New housing on the urban edge making the connections (shown by arrows) with existing movement patterns. Poundbury, Dorchester

Poundbury has been designed as a mixed community of 5,000 people on the outskirts of Dorchester. The intention is to complement rather than compete with the existing town centre, where the major facilities (the market, hospital and principal shops) are located. The new development has a variety of facilities, including workplaces and shops for everyday items, but for many of their needs residents travel the short distance to the traditional centre.



Site	■
Proposed expansion	□
Local shops	▦
Open space	▭
Bus route	▬
Cycle route	----
Place of worship	‡
Railway station	◎
School	▲
Health Facility	H

The site and immediate surroundings

Understanding the opportunities and constraints presented by the site and its more immediate surroundings is a well established aspect of development appraisal.

The analysis of a site's immediate surroundings will include an assessment of:

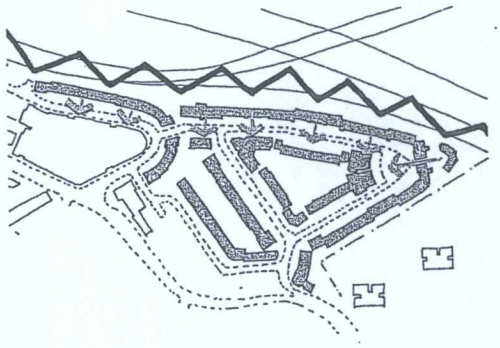
- landform and ecology;
- established building heights;
- landmark buildings or important landscape features;
- pedestrian desire lines around and through the site;
- views into and through the site;
- orientation of the fronts and backs of buildings adjoining the site;
- hostile edges, 'bad-neighbour' uses and areas of positive aspect;
- availability and capacity of utilities and other services.

In addition, Crime Pattern Analysis can help ensure that the layout and design of new housing are informed by analysis of criminal activity in an area and contribute to crime reduction objectives[4].

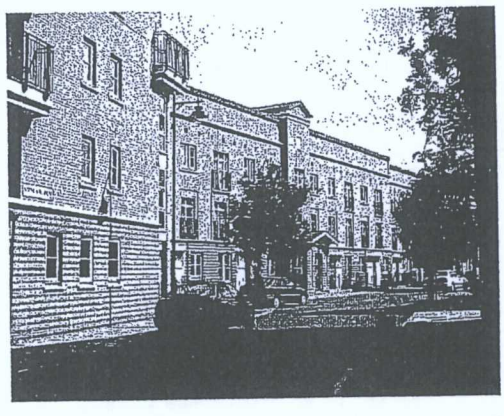
The analysis of the site itself will include considerations such as:

- landscape structure and the presence of mature trees;
- important views out from the site;
- physical constraints such as ground contamination, overhead power lines or steep slopes etc;
- potential open space areas.

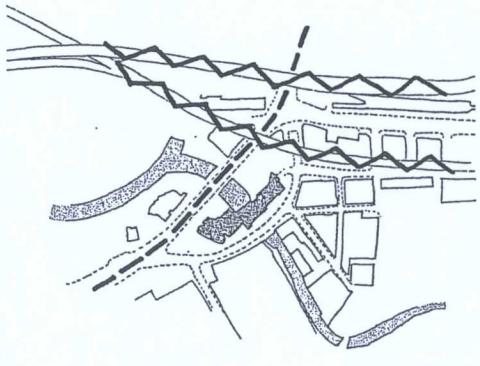
Fuller consideration is given to these and other aspects of contextual analysis in *By Design*[5].



Railway line — Front aspect

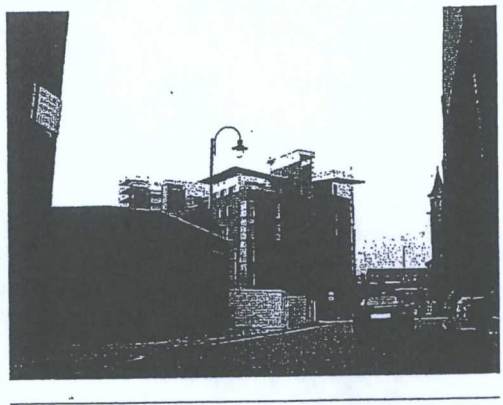


Here orientating the fronts of dwellings away from a dominating railway line is an important structuring element in the design. Isledon Village, Islington



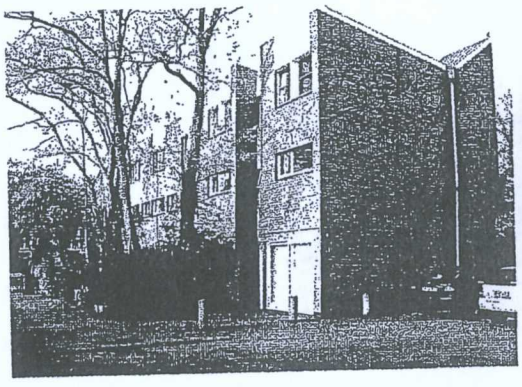
Railway bridge

Major traffic route

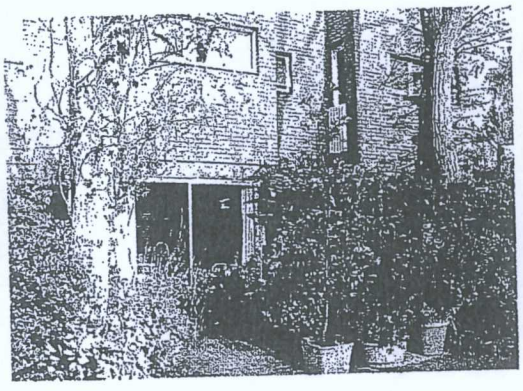


A robust design response to an environment dominated by elevated railway lines, roads and substantial buildings. Deansgate Quay, Manchester

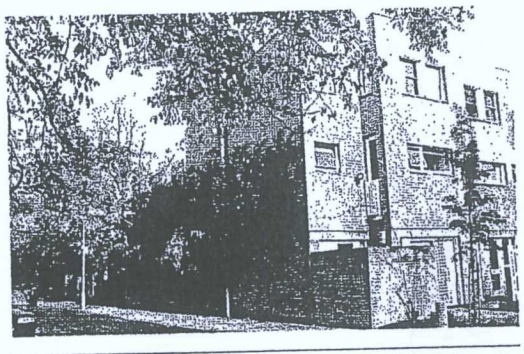
Integrating new housing with a mature urban landscape



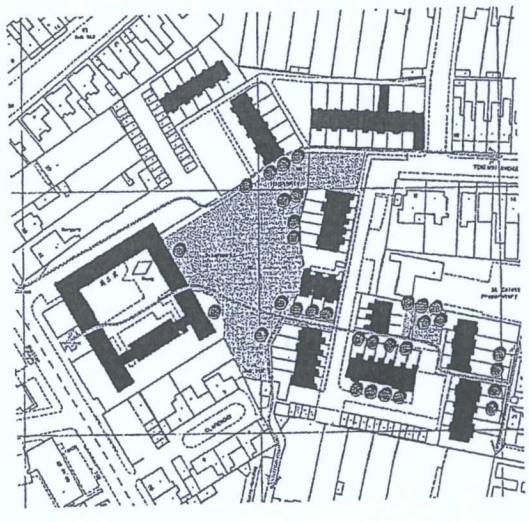
The canopies of trees have an impressive relationship to the roof line of houses



Tree trunks are seen as part of the building elevation



New planting has been introduced to soften building elements



Dwellings

Open space

Pedestrian routes

Mature trees

Highsett demonstrates the quality of environment which can be created when the relationship between mature landscaping and new housing is considered in detail. The site was previously a backland area within a large urban block containing mature deciduous trees, open space and an orchard.

The layout and articulation of buildings have been heavily influenced by the location of established trees. For example:

- buildings are arranged parallel to lines of trees;
- special trees are organised to become a set-piece within small informal greenspaces;
- pedestrian routes are organised to follow lines of established trees.

In particular, new planting has helped to soften edges of some parts of the architecture, such as where creepers have been introduced along end gables as well as helping to define the front boundaries of houses.

It is interesting to note that while, in general, guidance on the siting and design of open spaces (including that given in Chapters 4 and 5) emphasises the importance of buildings overlooking open space to provide good surveillance, Highsett shows that it is possible to depart from such principles.

However, it is important to appreciate that the open spaces at Highsett work within the context of a small and intimate development which is enclosed within a larger block. Hence the spaces are not subject to intensive use or general public access. As always, much depends on the skills of designers and in tailoring the design to the particular characteristics of the site and its surroundings.

The very close proximity at Highsett between some buildings and trees also requires very careful attention. In such cases great care is needed throughout the development process to ensure that trees survive the building phase and have enough space to spread their routes and branches over time[6].

Within the context of established trees, new planting has been introduced to renew the stock of larger species and to provide a contrasting scale of landscape.

A joined-up approach

Most experienced designers will undertake contextual analysis instinctively, building it into the design development process in an intuitive way. However, there can be real benefits in recording this analysis so that the emerging design approach can be related back to the initial appreciation. This can enable the wide range of people with an interest in the development to understand the design approach and to contribute to its development and refinement.

The purpose of contextual analysis is to make a positive contribution to the process of design development. For this to be effective it is important that the different elements of analysis are conducted in an integrated and informative way, rather than commissioned as discrete packages at different stages in the development process.

Design reviews, bringing together expertise from a range of different disciplines (as well as representation from local community groups, local authority access officers and other stakeholders), can play an important part in developing an holistic approach to the design process and ensuring that new housing is properly integrated with its surroundings. In this way contextual analysis can inform design development at all levels, from the orientation of routes for movement (see Chapter 3) to issues of detailed architectural treatment (see Chapter 7).

Some key points

In terms of the particular issues examined in this chapter, the following key points should be considered:

Access to facilities and public transport

- Has an adequate analysis been carried out of the site's relationships to public transport and local facilities?
- How has this analysis informed the design of the development? For example, in terms of density, car parking provision and pedestrian routes and entrances?
- Does the development accommodate important pedestrian desire lines through the site?
- How does the provision of facilities relate to existing provision in the surrounding area?

Townscape and landscape

- How does the development respond to its context in terms of building heights, setbacks, use of materials and the established urban grain?
- Has the potential of landform and local ecology been reflected in the layout?
- Does it maintain important views of prominent buildings or landscape features?

Endnotes:

1 Indicator 1 (Location) of The Housing Quality Indicators can provide a helpful tool for conducting this part of the contextual analysis.

2 See pages 65 et seq.

3 Sustainable Urban Extensions: Planned through Design (September 2000), a joint publication by the Prince's Foundation, English Partnerships, DETR and the Council for the Protection of Rural England, provides further advice on designing urban extensions. See also the example illustrated on page 28.

4 Crime Pattern Analysis is carried out by the Police and is available through liaison with the Architectural Liaison Officer/Crime Prevention Design Advisor.

5 See pages 36-40. The Urban Design Compendium also has useful material and readers may also wish to refer to the Urban Design Alliance's Placecheck as an approach to contextual analysis.

6 Further guidance can be found in BS 5837: Trees in Relation to Construction.

Movement and place-making

The success or failure of a new development depends significantly on how well connected it is to existing areas, especially in terms of access to local services. That is why, in the contextual analysis of a proposed site, the question of how it will link to established routes and facilities is so important. Communities of every shape and size have always relied on movement as their lifeblood, both within their area and in linking them to the wider world.

It is all too easy, however, for movement to seem an end in itself, shaping a development to the exclusion of other factors. This is particularly detrimental when one form of movement is given priority above others, as happens when a road layout designed largely to the requirements of vehicular traffic is allowed to dictate the whole character of a development. Roads, streets and other routes have a multitude of functions in addition to carrying traffic. As described in *Places, Streets and Movement*, places which have stood the test of time are those where traffic and other activities have been successfully integrated and where the buildings and spaces, and needs of people, not just of their vehicles, shape the area. Successful environments are those designed at the human scale with the needs of pedestrians in mind.

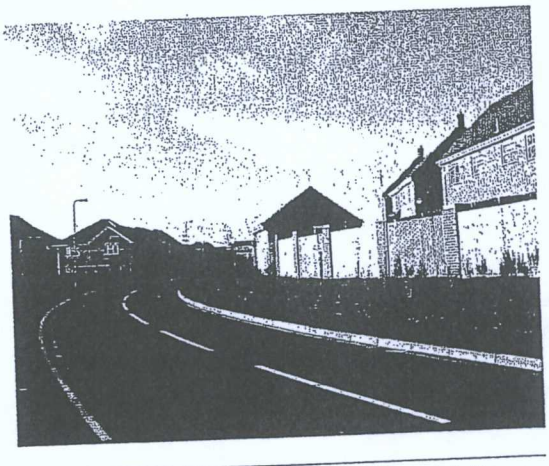
The rigidity and standardisation of most recent housing layouts are partly the result of the dominance of motor vehicles. Layouts have been based on the geometry of vehicle movement, with the natural result that residents find it easier to use their car than any other form of travel. In these circumstances the car is immensely convenient. But there are many journeys made by car which, with better planning, could be made by walking, cycling or public transport. The layout of housing development can have a significant influence on that choice.

Whether it be infill or edge-of-town development, the quality of new housing depends on a movement framework based on the following considerations:

- the integration of new development into existing routes;
- provision for the maximum choice in how people make their journeys;
- the control of vehicle movement and speed;
- the design of routes which reinforce the character of the place;
- the location of shops and services near to new housing.



Roads, streets and other routes have a multitude of functions in addition to carrying traffic. Here houses, gardens, landscape and parking are integrated with movement routes for cars and pedestrians



A road designed primarily to carry traffic. Not only is it a soulless place, but its value to pedestrians as a safe walking route is also undermined by a lack of surveillance from nearby houses

The way each form of movement is provided for, namely the location of bus stops, walking distance to facilities, and the design of vehicle routes, is fundamental to the shaping of developments. This Chapter looks at how these priorities have been met with reference to the case study areas. The issues of traffic and movement are often thought to be insoluble, but evidence from schemes across the country shows just how much is possible even in the most challenging locations. The emphasis here is on general layout principles rather than on technical detail, which is already considered in *Places, Streets and Movement.*

The principles illustrated here are compatible with these technical requirements. Whatever the site or size of development, provision for the mobility of disabled and visually impaired people should always be made where new build is concerned, especially in the design of footways, crossings, parking (see Chapter 5) and access to front doors.

Creating connections

Routes should lead where people want to go. Providing for the optimum variety of journeys means creating open-ended, well-connected layouts. Introverted, dead-end layouts limit people's choice of how to travel, especially if they want to walk, cycle or use the bus. They also limit the adaptation or extension of the development. By contrast, a well-connected layout has many advantages:

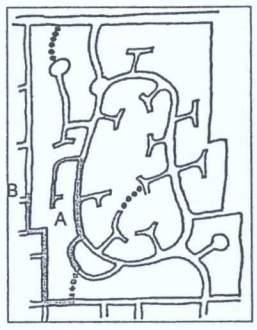
- frequent points of access into and through the development;
- more convenient, direct routes for pedestrians and cyclists;
- better opportunities for the provision of bus services through the site;
- clear views and easy orientation;
- traffic dispersal;
- scope in the long-term for adaptation and change.

There is no standard formula for designing such layouts: much will depend on the local context (including local security issues) and how the development relates to existing areas.

The case studies demonstrate that these benefits can be achieved on almost every kind of site. For instance, Canning Street, Liverpool represents a traditional grid layout, providing a hierarchy of clear connections which work as well today as when the area was developed in the early nineteenth century. At Rolls Crescent, Manchester, a major regeneration project has been used to re-establish routes severed by insensitive 1960s development, thus knitting the area back into the city. Poundbury exemplifies how an edge-of-town community can be laid out to maximise access and allow for future expansion.

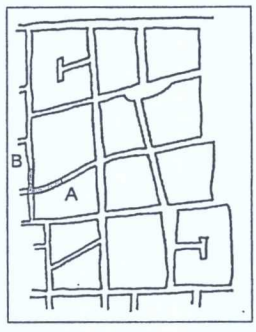
In essence, these and other examples illustrate two kinds of movement framework:

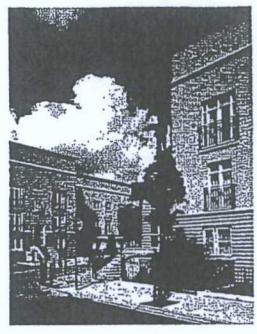
- *infill developments*: the maintenance or extension of existing routes to create a permeable layout. A well-planned development can help link together the areas that surround it;
- *edge-of-town developments*: the creation of a layout which provides a series of connections to the existing area and can easily be extended.



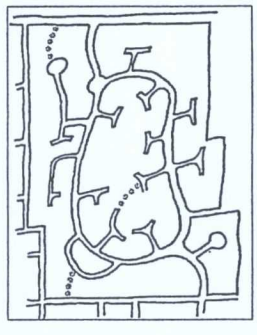


In this layout the journey from A to B is a long convoluted one. It does not allow for easy pedestrian journeys to neighbouring facilities, making a car trip more likely to get from A to B





In this layout the journey from A to B is short, legible and direct. It encourages pedestrian journeys to local facilities as the preferred option





Pedestrian routes introduced to overcome poor connections often result in routes which are not overlooked and are unattractive to pedestrians





Pedestrian-only routes should be designed as an integral part of the street network, as here

Routes and functions

The types of road and street which form a movement framework are crucial in determining the character of a development. Conventionally, in recent years, their size and layout have been based on estimates of vehicle capacity, rather than on their overall, multi-functional role. As well as disadvantaging other street users, especially pedestrians and cyclists, this has resulted in the segregation of uses. Main routes have been diverted around development and major uses (including retail facilities) located along those routes. This fragmentation of the role of traditional streets detracts from the viability of small-scale uses, such as shops and services, which rely on a local, predominantly walk-in, catchment.

A traditional street hierarchy as, for instance, in the Canning Street area of Liverpool, is a reminder that to have main routes passing through rather than around the edge of an area helps sustain a variety of uses and connections. It enhances the viability of bus provision and the mutual support between public transport and other facilities. Only when traffic levels on the principal route threaten to sever an area is it necessary to consider the need for alternative routes.



Main routes

B Bus stops

Main routes pass through the area, not around it. Canning Street, Liverpool

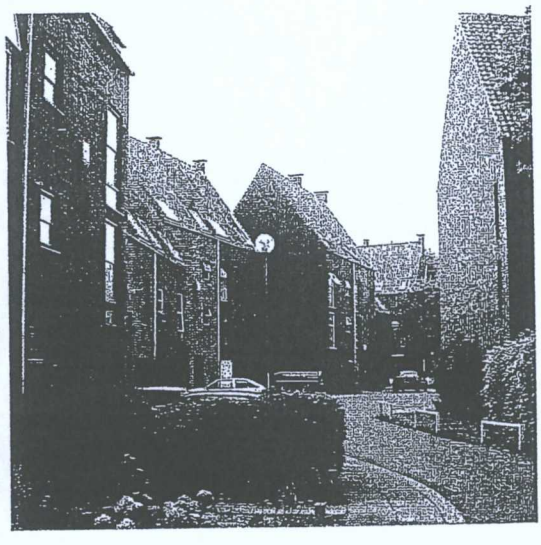
Walking and cycling

If people are to be persuaded to leave their cars at home, the routes for walking and cycling demand particular attention. Because they are simple, low-key modes of travel requiring no complex infrastructure, they are all too easily neglected. In fact, the design of new housing can benefit greatly from specialist design skills in respect of both walking and cycling.

Pedestrians and cyclists need routes which are positive, safe, direct, accessible and free from barriers. Generally streets which are designed for low traffic speeds are safe for walking and cycling (ideally 20mph or less), especially when the detailed layout design (of junctions, crossings and surfacing) has their needs in mind. People feel safer on streets where there is activity, where they can be seen by drivers, residents and other users.

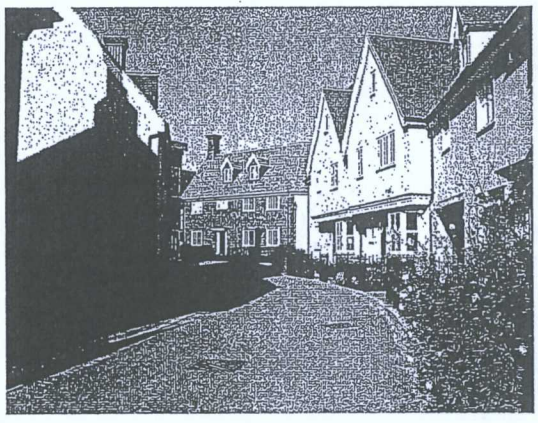


New housing fronting the street ensures that routes are clearly overlooked. Calne, Wiltshire



Routes are shared with footways clearly marked. Friars Quay, Norwich

Segregated pedestrian or cycle routes are not necessarily the answer, except when they can provide a more direct route from one place to another than the road. Only a few of the case studies incorporate segregated routes, and then only for very short distances. The success of most examples is based on their low speed environment, combined with the clarity of their layouts. Both Poundbury, Dorchester and Thorley Lane, Bishops Stortford illustrate how pedestrians and vehicles can coexist in shared-surface streets, generally designed to serve ten houses or fewer[1].



Shared-surface access serving a small group of dwellings. Thorley Lane, Bishops Stortford

A bonus to cycling is a street layout which restricts traffic movement but allows a through route for cyclists and pedestrians, a link which is a continuation of the street rather than a segregated route. Within such links there should be a clear demarcation between the cycle and pedestrian paths.

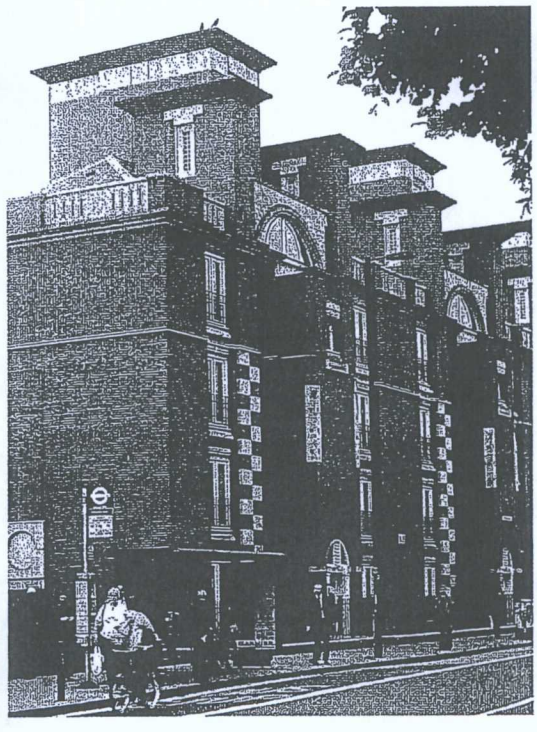


Cycles and cars can share the same movement space on streets with low traffic speeds. Greenland Passage, Southwark

Public transport

The idea of new housing linked to a railway station or a tram route, as so often happened in the nineteenth century, is still a real possibility. But for most developments it is the bus that matters. A crucial aspect of the connection between new and old development is the diversion or extension of an existing bus route, or the introduction of a new one.

Putting to one side issues of subsidy, a certain critical mass of development is needed to justify a regular bus service at frequent intervals, sufficient to provide a real alternative to the car. This will vary with context and route characteristics, but assuming stops at every 200-300 metres, ideally this means densities above 40 dwellings per hectare, preferably with increased densities around the stops[2].



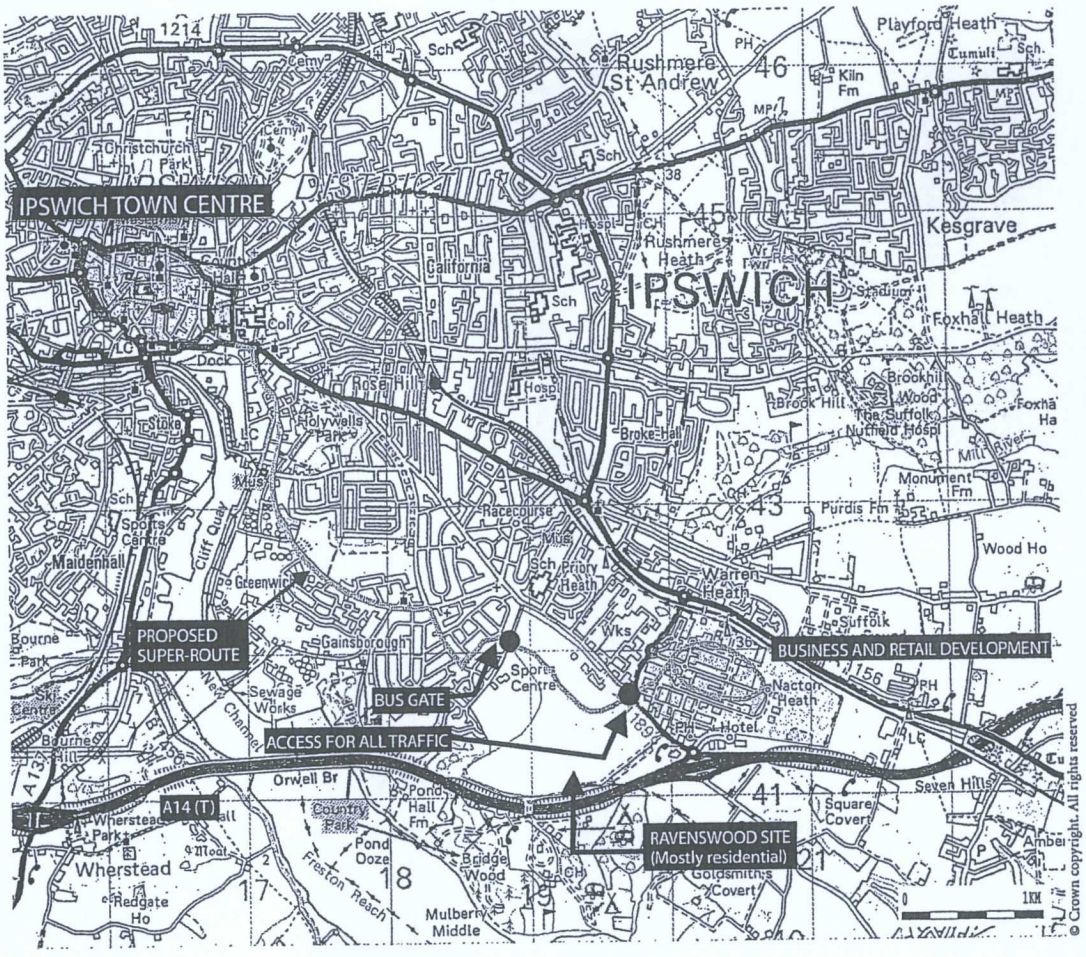
Higher density housing along a public transport route supports a frequent bus service. Essex Road, Islington

The planning of the routes and location of stops are also crucial. The case studies and other evidence highlight that bus use depends on:

- routes which follow principal roads or streets through the heart of the area;
- stops located where activity is concentrated, near shops or a road junction;
- clear walking routes to the stops, including road crossings.

None of the case studies included a bus priority route, but that is not to say that one should not be considered, especially for large-scale schemes.

Integrating new housing on urban edge with improvements in public transport services





A new urban extension in Ipswich is being planned together with enhanced bus services to the town centre. The high quality, high profile Superoute service will be introduced over four years as the development is completed to provide an ultimate frequency of four buses an hour. The route has journey-generating uses at each end and an established residential area in between. This generates a two-way peak-flow and off-peak usage. The accessibility provided by the Superoute is contributing to the developer's marketing of the development.

Managing the traffic

The varied uses of a typical street or road may help provide interest, but may also be a source of potential conflict, especially between vehicles and other users. The resolution of these problems lies in using a combination of three approaches:

- the design of the overall block structure and layout, including the length of streets and the spacing of junctions. This aspect is discussed further in Chapter 5;
- the management of traffic flows through the street network;
- the control of traffic speed.

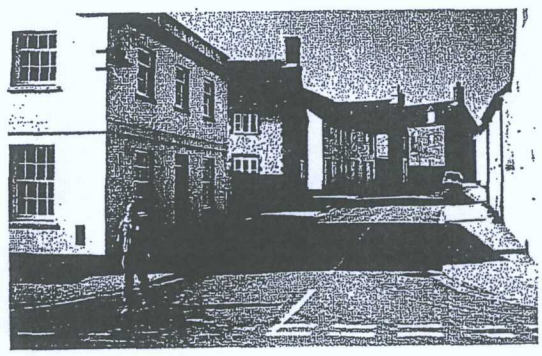
Most housing areas are designed to concentrate the main traffic flows onto main roads, but traffic can have an adverse effect on subsidiary streets and roads unless through routes are restricted. The issue is how to restrict traffic without disadvantaging the free movement of pedestrians and cyclists.

Canning Street, Liverpool illustrates how selective street closures in a historic layout achieves a balance between vehicles and other users passing through the area. The same technique is equally valid in new development. The barrier to vehicles does not constitute a dead end, but is a natural part of the street overlooked by buildings. If necessary, a barrier can be in the form of removable or retractable bollards, to allow emergency vehicles and disabled badge holders to get through, or rumble strips which can be crossed by a fire engine.

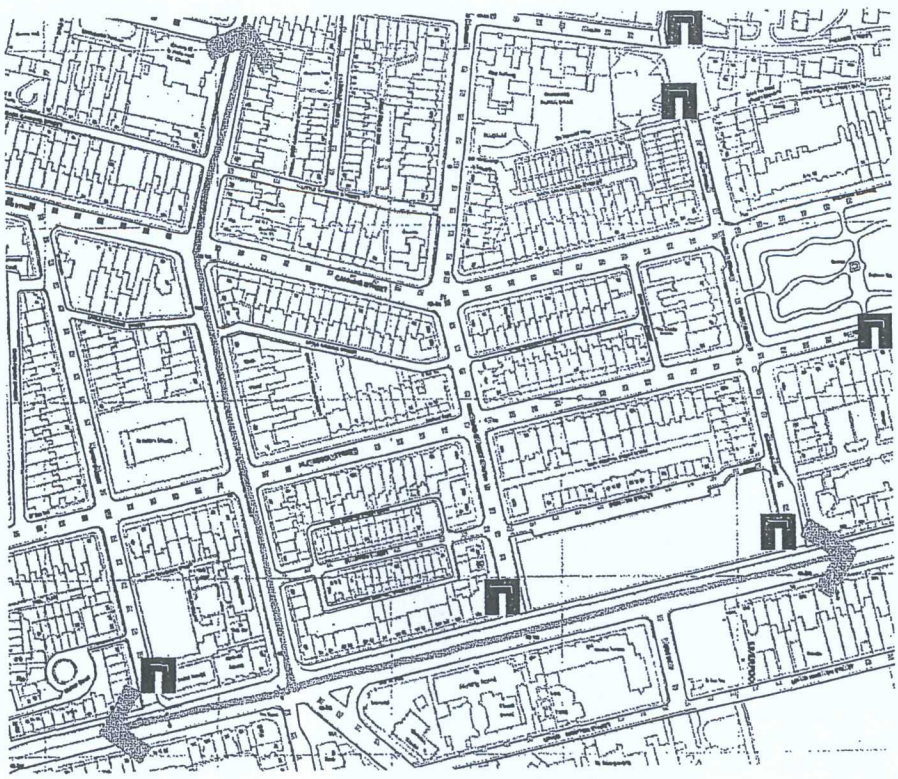
Speed restraint has usually involved the use of add-on measures such as speed humps and chicanes, as commonly used to traffic-calm existing roads. In new housing developments there is the opportunity to control speeds using the minimum number of such devices, by starting from first principles in how the area is to be laid out.



Traffic-calming added as an afterthought



Tight corners and pinch points in the street encourage drivers to drive cautiously. Poundbury, Dorset



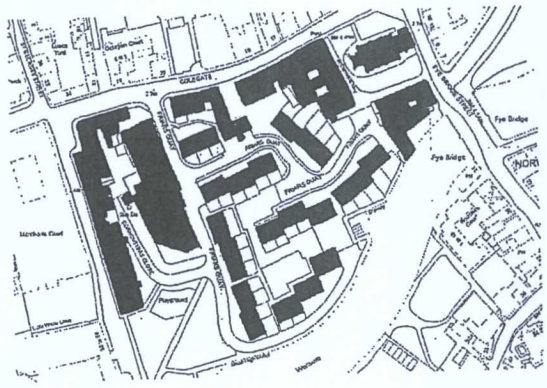
Selective street closures direct traffic to the main streets while allowing pedestrians and cyclists a full choice of routes. Canning Street, Liverpool

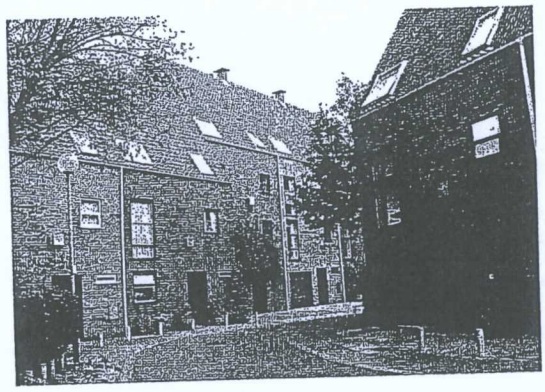
The lesson from countless traditional towns is that the overall arrangement of buildings and spaces, by obstructing forward vision, induces drivers to go slowly. The same effect can be achieved in new developments by using the technique known as 'tracking', as described in *Places, Streets and Movement*[3]. This method gives priority to the arrangement of buildings and spaces, with the carriageway threaded through. As well as helping create a traffic-calmed environment, tracking has two major benefits:

- it helps define the pattern of the spaces and enclosures which characterise a distinctive place;
- it allows a reduction in unsightly traffic signage and other highway clutter.

But even with the best layout based on the principle of tracking, features such as raised crossings and raised junctions may be necessary. These help indicate that the pedestrian should have priority, as well as helping break up the street layout.

Tracking is an essential tool in the placemaking process. The most comprehensive example of the use of tracking in a housing layout is at Poundbury, where it has been successfully adopted in the design since the inception of the scheme in 1990. Other more recent developments, such as Thorley Lane illustrated here, have followed the lead but with modifications.

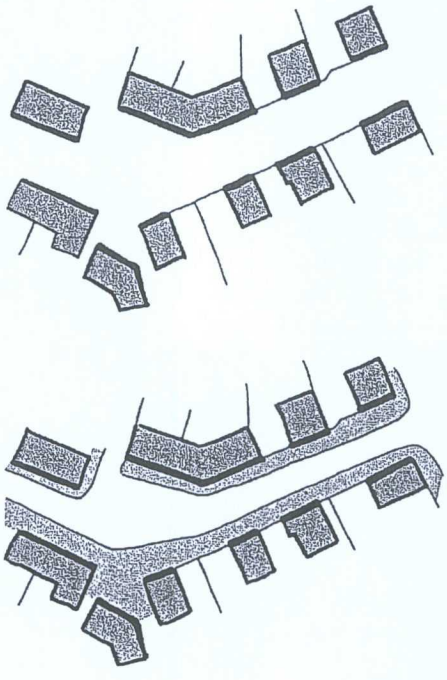




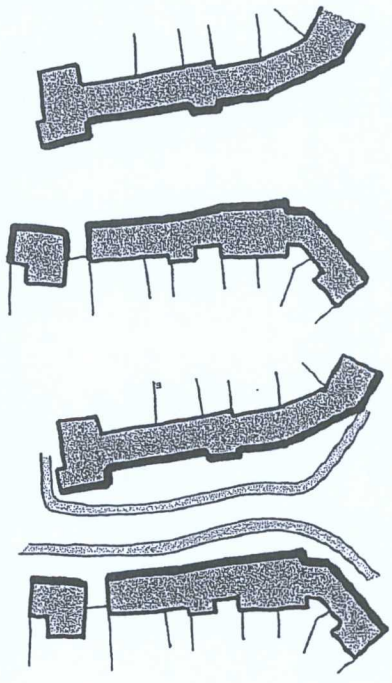
Layout of buildings and spaces has a traffic-calming effect. Friars Quay, Norwich

At both Poundbury and Thorley Lane the principle of tracking has been used to create good street enclosure and interesting spaces. At Poundbury the footpaths are laid out to follow the building line. This has a traffic-calming effect. At Thorley Lane the footpaths follow the carriageway, creating a greater emphasis on the roadspace

Poundbury



Thorley Lane

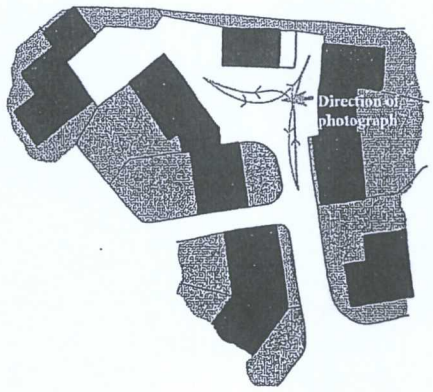


Footpath

Servicing the home

Modern houses are more heavily serviced than their predecessors. Some of these services have a visual impact on development, especially the arrangements for refuse vehicle access.

In some places it is possible to bring refuse vehicles to the rear of the house, but generally they use the road at the front. Where that happens it is important that their requirements are met, but are not allowed to dictate the layout. In particular, it is possible to accommodate the turning space at the end of a closed-off street as part of the arrangement of buildings, rather than as a piece of severe road geometry.



Turning circle for bin lorry



Turning places at the end of closed off streets are defined by the arrangement of buildings. Thorley Lane, Bishops Stortford

Some key points

In appraising the movement aspects of any new development, the following key points should be considered:

Streets and spaces

- Is the development based on a high quality network of streets and spaces catering for all residents and their visitors, or does it give primacy to the movement of vehicles?
- Is traffic-calming an integral part of the layout design?

Connections

- Will the development be well-connected to existing routes, and will it allow links to be made for future developments?

Travel choices

- Does the development provide for all forms of travel, including walking, cycling and public transport?
- Is the density sufficient to support an efficient bus service?

End notes:

1 Shared surface streets raise particular issues for disabled people. Further advice will be forthcoming on this issue as a result of an ongoing project being taken forward by DTLR to provide good practice guidance on catering for the needs of disabled people through the planning system.

2 Towards an Urban Renaissance: The Report of the Urban Task Force page 61.

3 See page 55.

'The Government believes that it is important to help create mixed and inclusive communities, which offer a choice of housing and lifestyle. It does not accept that different types of housing and tenures make bad neighbours'

PPG3: Housing paragraph 10

Creating mixed communities

The creation of successful residential environments is about much more than visually attractive design. It is also in essence about providing opportunities for homes which respond to people's needs and providing a framework within which communities can become established and grow.

Mixed neighbourhoods of people of different ages and economic status and with different lifestyles and different levels of mobility and independence can provide a number of important community benefits. For example, they can:

- lead to a better balance of demand for community services and facilities such as schools, recreation facilities and care for elderly people;
- provide opportunities for 'lifetime communities' where people can move home without leaving a neighbourhood;
- make neighbourhoods more robust by avoiding large concentrations of housing of the same type;
- enable community self-help such as with arrangements for child care, help with shopping, the garden or during the winter freeze;
- assist community surveillance with people coming and going throughout the day and evening, as compared to the dormitory suburb which becomes deserted during the working day, making the opportunities for crime easier.

The provision of a mix of housing types and uses[1] can also contribute to the creation of more attractive residential environments by enabling a greater diversity of building forms and scales. For example:

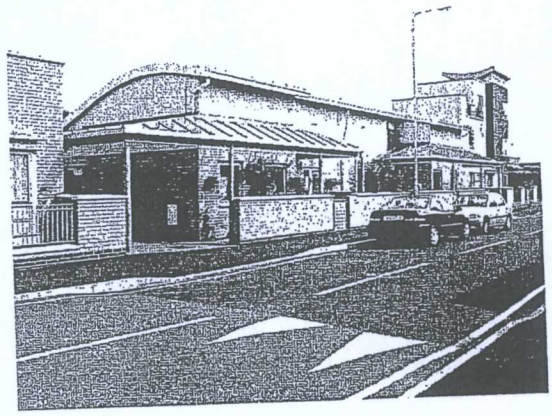
- apartments can give scale to local centres and turn corners elegantly with continuous frontage;
- town houses can contribute to more formal compositions of avenues, circuses and squares and help frame open spaces;
- community buildings such as schools and health centres can be designed to give status to civic spaces and provide a focus for community.

The provision of a range of housing in terms of dwelling size, type and affordability as well as appropriate community facilities and services, such as open spaces, créches, daycare and health services, are all important in creating the framework within which communities can grow.

Providing a range of housing opportunities

A good mix of both housing types and sizes is important in creating a basis for a balanced community. The case studies show that even comparatively small developments can embrace a wide mix of dwelling types.

The Rolls Crescent development at Hulme demonstrates how design flair can deliver a very wide range of dwelling types within a coherent street scene. Within the scheme of 67 dwellings there are 11 different dwelling types ranging from three-storey, 5-bedroom houses to single-storey 2-bedroom units designed to be wheelchair accessible.



A range of different housing opportunities are well integrated to create a balanced community and a coherent street scene. Rolls Crescent, Hulme

Much recent housing has provided a limited range of tenure choices, often focusing on a narrow market segment or particular housing need. Even where affordable housing has been provided as part of a development, it has often been poorly integrated with homes developed for private rent or sale.

At Poundbury, more than 20% of the dwellings provided in the first phase of development are for affordable rent. These are provided mainly in small groups of between two and four dwellings which are scattered throughout the development. A key point is that in terms of building form and external appearance they are indistinguishable from the homes for private sale.

'Good design and layout of new development can help to achieve the Government's objectives of making the best use of previously-developed land and improving the quality and attractiveness of residential areas. In seeking to achieve these objectives, local planning authorities and developers should think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment.'

PPG3: Housing paragraph 54

The importance of structure

This chapter is concerned with the structure of the residential environment: the arrangement and inter-relationships of streets, homes, gardens and places for leisure and parking.

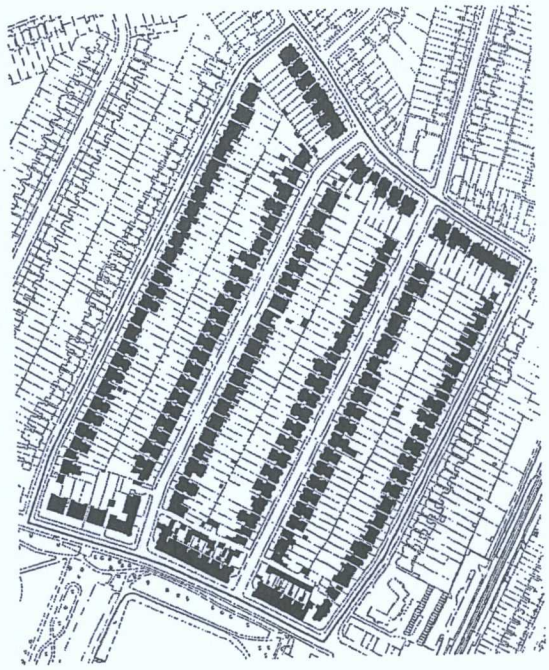
Getting the structure of a residential environment right is fundamental to the success of any area. Many of the best residential environments (in metropolitan, urban, suburban and village settings) display a very clearly defined and coherent urban structure. This is characterised by a framework of inter-connected routes which define 'blocks' of housing, open spaces and other uses. The resulting structure of blocks can be viewed at different levels. For example, large neighbourhood blocks are defined by principal movement routes. These are then divided by a network of local streets to define a series of street blocks.



Movement routes define blocks of housing, open space and other uses. Letchworth Garden Suburb, Hertfordshire

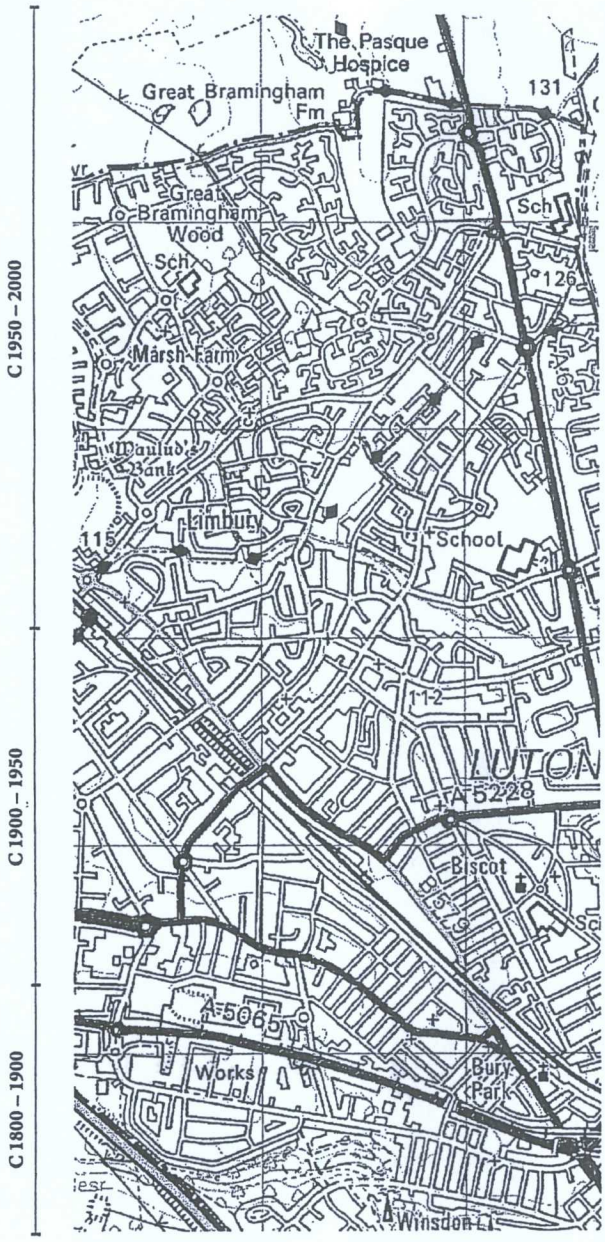
The layout of housing within these street blocks can take a wide variety of forms including, for example, streets, squares, courts, mews, circuses or avenues. The scale is intimate, grand or somewhere in between. The fact that there is a unit which is larger than the individual home but smaller than the district helps to contribute both to a sense of scale and to a sense of belonging and community.

It is important to appreciate that some of our most attractive and enduring residential environments have the simplest of structures and are often nothing more than a regular pattern of rectangular blocks. Their visual quality comes not from the two-dimensional layout, but from the mix of activities and from the quality in detailing of the buildings, the landscape and the interfaces between these elements. The block structure works in terms of providing direct and convenient routes for movement, in making efficient use of land and in providing a tried and tested framework around which a quality place can be crafted.





Some of the most attractive and enduring residential environments have the simplest of structures. In this classic street block structure, houses face the street, gardens run end-to-end and cars are mainly parked on the street. The sense of quality comes from the detailed design of the buildings, the corners and boundary treatments and from the mature landscape. Fox Lane, Enfield



A block structure defined by a network of inter-connected movement routes has been a predominant form of housing layout for centuries. Only relatively recently have structures created primarily for the car resulted in formless residential environments characterised by a dead-end road system of 'loops and lollipops'

Many recently developed areas lack any sense of coherent urban structure. In particular, many suffer from layouts which:

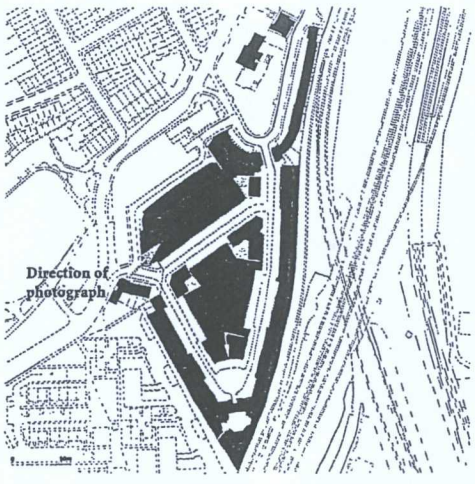
- are difficult to understand and to move around within;
- create left over and ill-defined spaces;
- result in a haphazard arrangement of dwellings, with houses turning their backs and blank facades towards important routes and spaces;
- make walking and cycling inconvenient because of an introverted and dead-end movement framework.

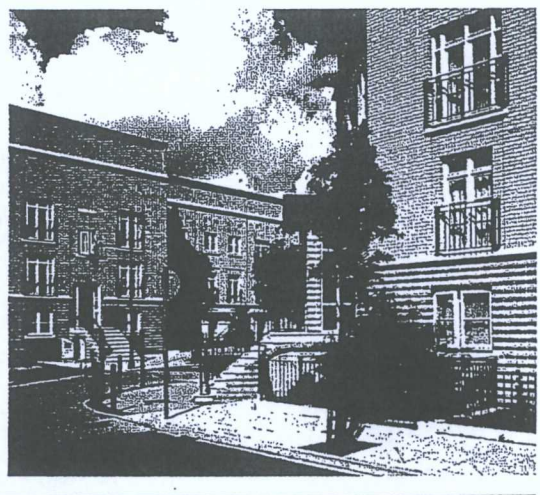
In many cases these shortcomings reflect the rigid application of highway engineering standards in terms of road hierarchies, junction separation distances, sight lines and turning radii for service vehicles. The result is often a sense of sprawl and formlessness and development which contradicts some of the key principles of urban design.

Another characteristic of many residential environments which have failed the test of time is that they have been based on experimental or convoluted layouts. Often this has resulted in a development performing very well in terms of one or two objectives, but very poorly in other important respects.

This does not mean that future housing should simply copy the structure of historic environments. Requirements have changed, not least in terms of accommodating the car, and there are many aspects of historic practice which can be improved upon.

The key point is that the structure of the residential environment needs to be created with a broad range of objectives in mind and in this respect there is much to learn from both contemporary and historic practice. The focus of this chapter is on drawing out these transferable lessons.





A coherent block structure is not just a feature of historic practice. It also forms the basis of a number of recent schemes which have also satisfied the requirements for servicing and road safety. Isledon Village, Islington

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Perimeter blocks

The perimeter block structure has proved to be robust over time. In particular, perimeter blocks can provide for:

- good connections to the surrounding area (see Chapter 3);
- efficient use of land;
- a clear distinction between the public and private realms;
- a legible environment;
- good natural surveillance of the street with windows and doors facing outwards.

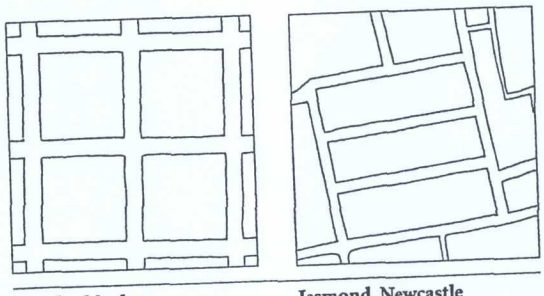
Forms of perimeter blocks

The perimeter block can take a wide variety of forms including:

- regular rectangular or square blocks based on a grid;
- concentric grids designed to promote access to local centres or public transport routes;
- irregular layouts with a more 'organic' character.

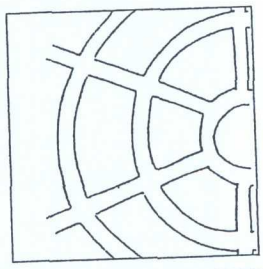
The case studies show that these basic forms are not mutually exclusive. Poundbury, for instance, combines an organic character with a concentric grid layout focused on the local centre.

Different forms of perimeter block can impart different characters to the streetscape. Compare, for example, the formal character of Jesmond, Newcastle with its uniform street widths and building heights, with the more intimate character of Thorley Lane, Bishops Stortford and its more variable building line. However, despite these differences of character, the underlying benefits of the perimeter block remain.

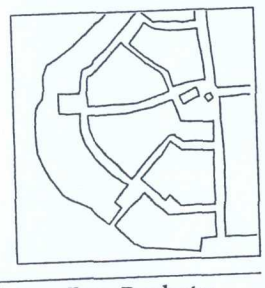


Regular blocks

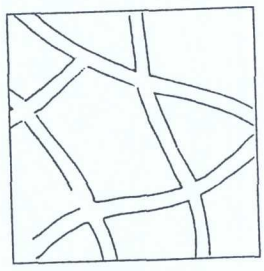
Jesmond, Newcastle



Concentric blocks



Poundbury, Dorchester



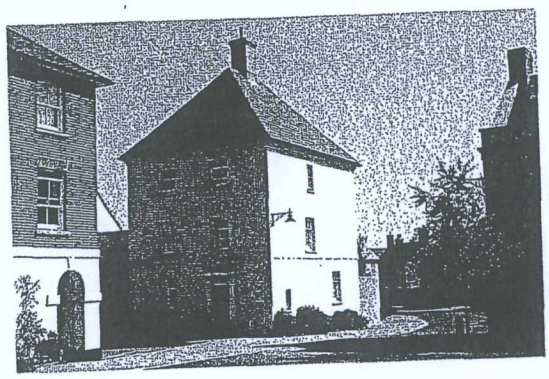
Irregular blocks



Thorley Lane, Bishops Stortford



Regular – almost a 'grid iron' – layout of blocks in a suburban context. Jesmond, Newcastle



Concentric blocks arranged to promote access to a local centre. Poundbury, Dorchester



An irregular block structure providing an 'organic' and intimate character. Thorley Lane, Bishops Stortford

The arrangement of dwellings within the block structure

A characteristic of perimeter blocks is that dwellings face outwards towards the edge of the block and the public realm and there is a continuity in the relationships between the fronts and backs of dwellings.

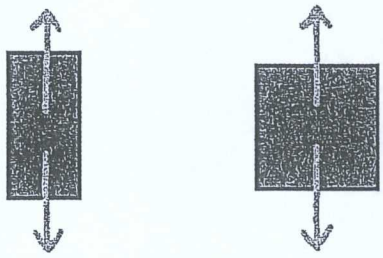
The arrangement of dwellings within the block structure and their relationship to the street and to other building elements are influenced by the plan form of the dwellings themselves (for example, wide frontage/shallow plan; narrow frontage/deep plan; or square plan). The orientation of windows is also an important consideration, particularly in relation to the treatment of block corners.

Shallow and square plan dwellings provide greater opportunities to create varied street layouts and are much better suited to informal 'organic' layouts than deep plan dwellings. Both Thorley Lane, Bishops Stortford and Poundbury, Dorchester show how a continuous but varied building line can be created with a mix of dwelling frontages, garden and garage walls.

By contrast, the historic case study areas (Canning Street, Jesmond and Stanstead) show how narrow-frontage, deep plan forms can be utilised in predominantly straight runs of terraces with continuous building frontages to provide a very land-efficient layout in terms of both development density and the ratio of dwellings to street length.

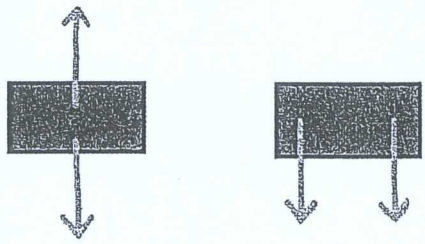
Different dwelling plans

Houses



Narrow frontage, deep plan with through aspect

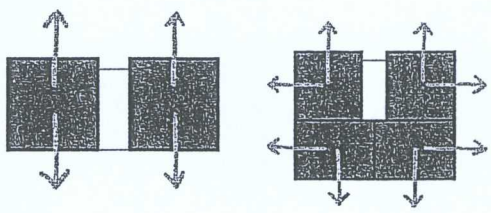
Square plan with through aspect



Wide frontage, shallow plan with through aspect

Wide frontage, shallow plan with single aspect

Apartments



Square plan with through aspect

Square plan with corner aspect



A mix of square and shallow plan dwellings provides a continuous street frontage. Rolls Crescent, Manchester

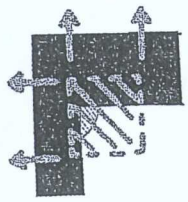


Narrow frontage, deep plan dwellings provide generous internal space and use land efficiently. Stanstead Road, Lewisham

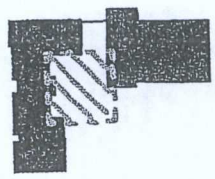
Designing for corners

The treatment of corners requires careful consideration, particularly where perimeter blocks incorporate sharp corners. The key design issues include:

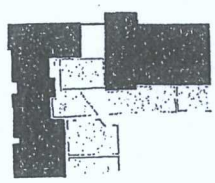
- maintaining a continuity of frontage and visual surveillance;
- securing a direct relationship between habitable rooms and gardens;
- ensuring privacy between habitable rooms within the corner;
- allowing light penetration to garden space and habitable rooms;
- articulating prominent junctions and nodal points.



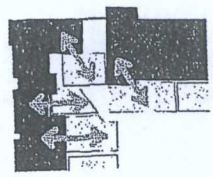
Unusable space in the corner



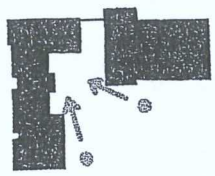
Creating space in the corner



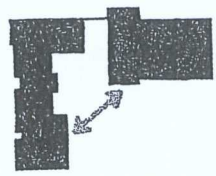
Fitting in the gardens



Relating gardens to habitable rooms

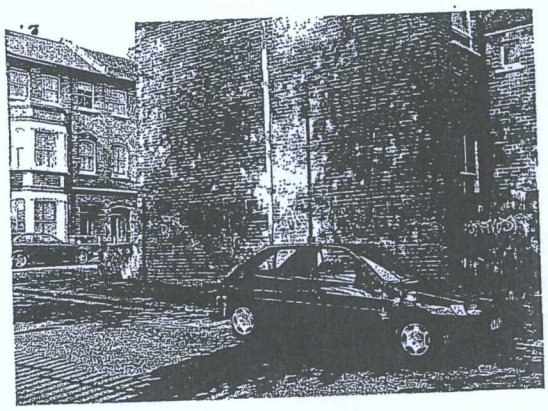


Light penetration to the corner



Ensuring privacy

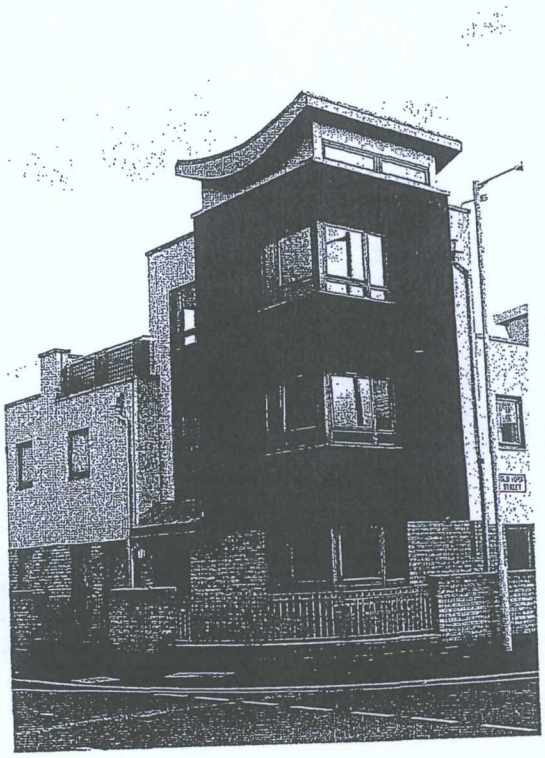
The case studies illustrate a range of different approaches to these issues with varying levels of success. Stanstead Road, Lewisham and, to a lesser extent, Jesmond, Newcastle highlight a common shortcoming in Victorian housing with limited or no frontage along the short end of the block, thus creating an area that is not overlooked and which can become a focus for nuisance and vandalism.



Blank gable ends can encourage graffiti and nuisance

The more recent case studies show how these issues can be addressed through careful design. At Rolls Crescent, Hulme three-storey houses give prominence to the corners, and the use of both square and shallow plan dwellings allows the corners to be turned with continuous frontage and aspect to the street, as well as allowing light penetration to the windows of habitable rooms within the corner.

Rolls Crescent also succeeds in resolving the relationship between principal habitable rooms and private garden space within the corner. At Greenland Passage, Southwark this issue is addressed by incorporating into the corners single aspect apartments without private gardens.



Family houses with gardens on a corner. Rolls Cresent, Hulme

Block dimensions

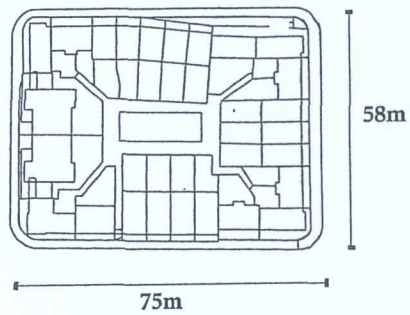
There are no hard and fast rules in terms of the optimum dimensions of a perimeter block; indeed a variety of different block lengths is important in adding richness to a neighbourhood. The case studies highlight a number of key considerations including:

- balancing land efficiency with the need to provide convenient pedestrian routes through an area and to important local facilities;
- traffic management in terms of controlling vehicle speeds and discouraging rat-running (see Chapter 3);
- the spatial needs of activities which are to be accommodated within the block.

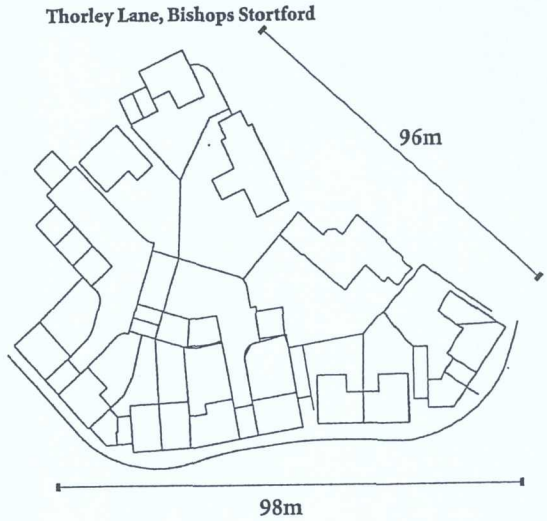
The historic 'long grid' often achieved land efficiency at the expense of convenient pedestrian movement and this explains why long residential blocks were often orientated along the main pedestrian desire lines. The Rolls Crescent scheme at Hulme represents the opposite extreme with very short (70 x 80 metres) square blocks providing a very high degree of pedestrian permeability through the area. Between these two extremes, a block length of between 100 and 150 metres would represent a general rule-of-thumb.

Decisions about the use of space within the block are also a significant factor in determining appropriate block dimensions. At Rolls Crescent, for example, the objective to provide a secure sitting out and play area for use by immediate neighbours has resulted in a small and intimate urban block. By contrast, at Thorley Lane, Bishops Stortford and Poundbury, Dorchester the decision to accommodate car parking *within* the block has resulted in much larger blocks.

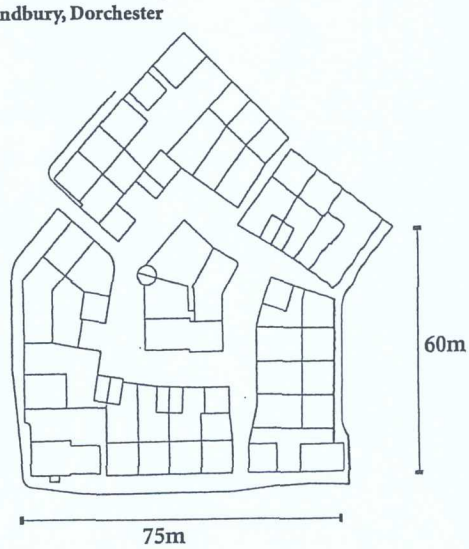
Rolls Crescent, Hulme



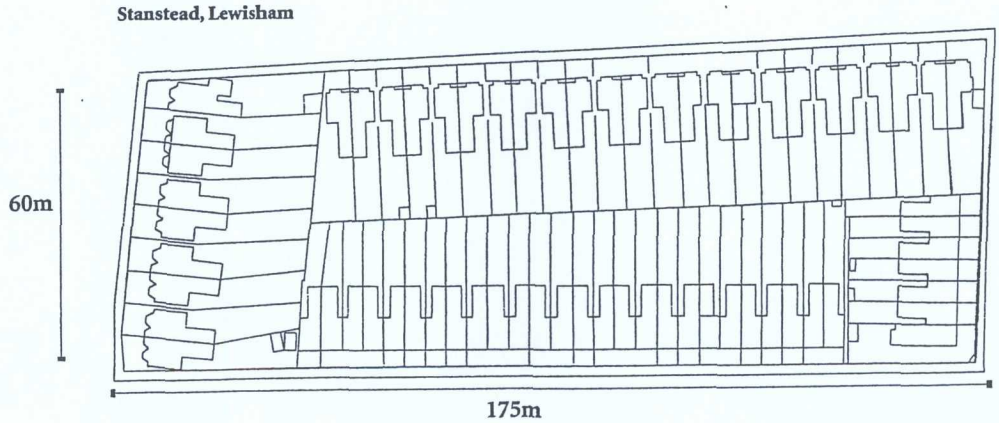
Thorley Lane, Bishops Stortford



Poundbury, Dorchester



Stanstead, Lewisham



Access to back of block areas

A key consideration in the design of residential blocks is the degree of public access provided to areas within the block. It is here that some of the significant choices and trade-offs need to be made between competing objectives. Principal among these is the tension between the arrangements for servicing (including car parking) and the security of dwellings and garden areas.

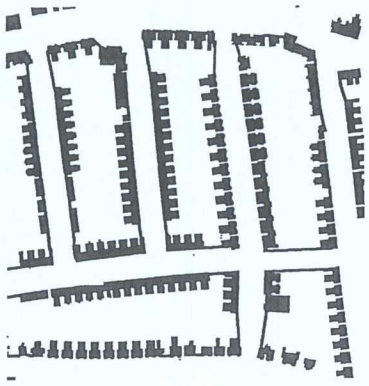
Servicing dwellings from within the block (such as at Jesmond, Poundbury and Thorley Lane) can improve the appearance of the streetscape in terms of car parking and refuse collection and enable residents to have access to the rear of gardens. However, these advantages need to be carefully balanced against other concerns. In particular:

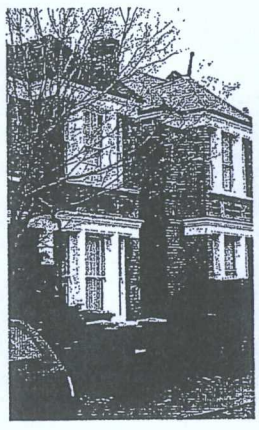
- rear servicing can undermine the security of dwellings by allowing strangers access to the rear of dwellings;
- without very careful attention to detailed design, rear parking courts and alleyways can become unpleasant and even hostile places;
- rear courtyard parking can reduce the area available for back gardens and the coming and going of cars can detract from the tranquility of garden areas.

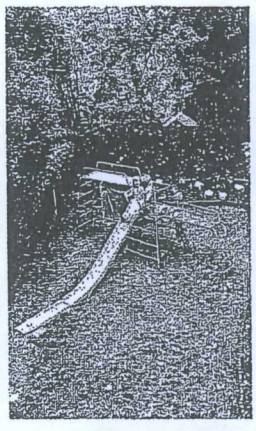
The design of Poundbury successfully overcomes some of these concerns by incorporating dwellings into the rear courtyards to provide surveillance and to create an attractive public space. Yet care needs to be taken in replicating this model, both in ensuring that the design principles are carried through as rigorously as at Poundbury, Dorchester and in taking account of the density of development and the character of the surrounding area.

The Stanstead Road, Lewisham and Rolls Crescent, Hulme case study areas both achieve complete enclosure of the back of block area. This helps to make the rear of dwellings secure and the arrangement of rear garden to rear garden (as at Stanstead) provides the opportunity for substantial landscaped areas within the block. However, it requires dwellings to be serviced from the front and cars to be parked on the street. A particular issue in respect of terraced houses can be the need to carry garden equipment and waste through the house, unless a shared and gated front access to back yards and gardens is provided. The same point applies to building maintenance and to any future building work at the back of the house.

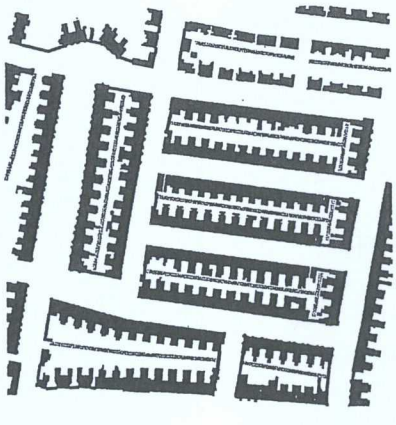
Enclosed backs give security to the rear of dwellings and provide space for more generous gardens, but parking and servicing must be accommodated in the front. Stanstead Road, Lewisham



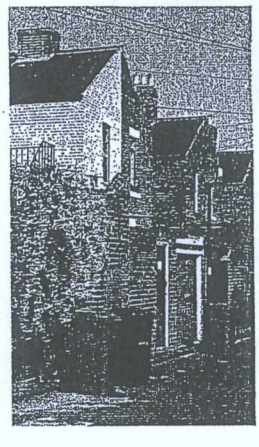




Rear service alleys provide convenient access to rear gardens and can remove bin storage and clutter from the street. However, they raise serious issues in terms of safety and security. Here bins in the alley also provide a platform for burglars to scale the rear wall and gain access to the back of the home. Jesmond, Newcastle

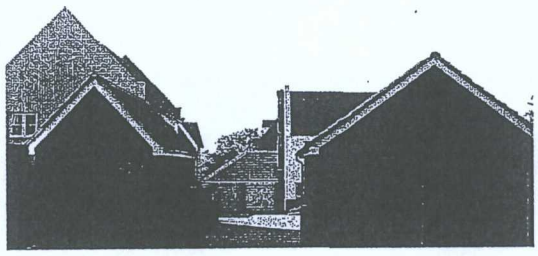






Parking in courts within the block can improve the quality of the street scene, but this can have implications in terms of the size, security and tranquility of gardens. Thorley Lane, Bishops Stortford

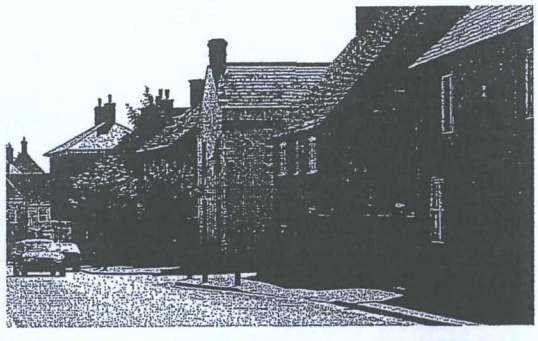






Placing dwellings within the parking courts can help to improve natural surveillance. Here the design creates a public space which has cars parked in it, rather than a car park. Poundbury, Dorchester







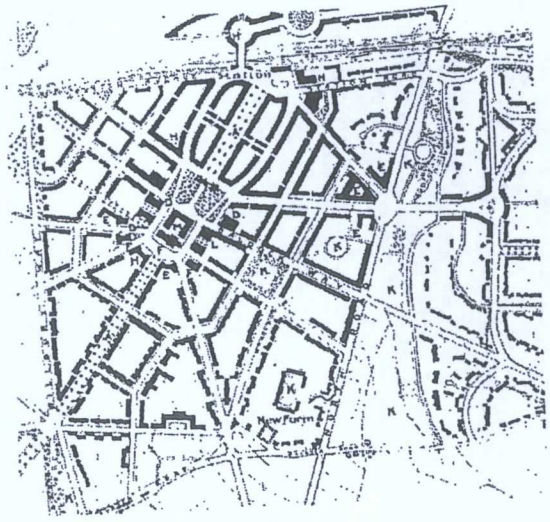
Extent of public access

Other block structures

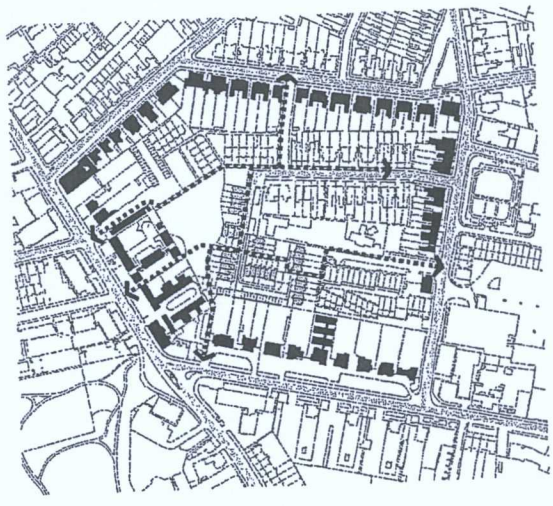
Until recently, perimeter blocks were the most common and robust form of housing layout, but there are situations where a different form of layout is appropriate. These can include constrained sites or those where a 'setpiece' development is required, such as one overlooking an important civic space.

Equally, perimeter blocks can accommodate a variety of layout forms within them. Specifically, cul-de-sac forms can work very well within a wider block structure. This can add interest and diversity as well as making good use of backland areas within large development blocks.

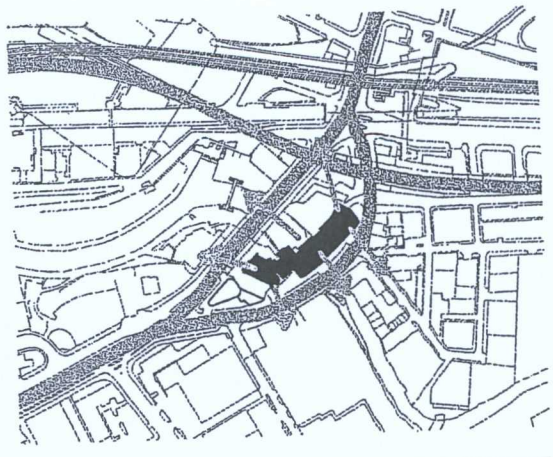
Highsett, Cambridge shows how a secluded and intimate residential area with good pedestrian links into the surrounding area can be created within a larger block. Where such opportunities are taken it is important that the scale and massing of development within the block respect that of the buildings forming the main block and take account of the existing orientation of fronts and backs.



Unwin and Parker's plan for Letchworth (1907), based on a perimeter block structure but with enclosed layouts within larger blocks and buildings on special sites



Enclosed housing layout relying on a wider block structure which maintains continuity of frontage to the principal routes around the block, Highsett, Cambridge



A pavilion building is 'civic' on all sides. Here the attributes of the perimeter block form are condensed into a single building. Deansgate Quay, Manchester

'Local planning authorities should adopt policies which . . . focus on the quality of the places and living environments being created and give priority to the needs of pedestrians rather than the movement and parking of vehicles.'

PPG3: Housing paragraph 56

Street widths and enclosure

Designing residential streets around the functional requirements of cars, service vehicles and utilities, with inadequate attention being paid to other important amenity requirements, has been one of the greatest failings of much recent development. In comparison to the best historic residential environments, the consequences have included:

- a loss of local identity through the widespread application of the same standards;
- an incoherent relationship of dwellings to the street and to each other;
- a lack of any sense of enclosure;
- the loss of front garden areas to hardstandings for off–street car parking;
- the loss of boundary treatments, such as walls and well-managed hedges, which define public and private space and articulate the boundaries between dwellings;
- often an absence of street trees.

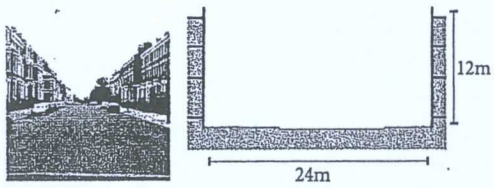


This street has a very good sense of enclosure. Street width and building heights are well related and the tall building at the end of the street terminates the view. Greenland Passage, Southwark

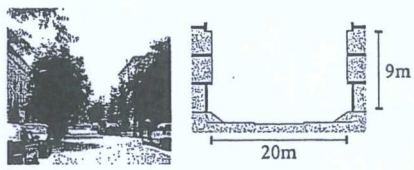
There are no hard and fast rules. Indeed the case studies show that streets can work at widths as varied as nine metres (Rolls Crescent, Hulme) and 24 metres (Canning Street, Liverpool). What is important is that the space between the buildings is considered in relation to the scale of dwellings and the activities taking place in the street. For example, Canning Street works well with a very wide separation because the street is framed by 12 -14 metre high buildings. In other cases landscaping can help create a sense of enclosure where wider spacing is required between dwellings, such as along principal movement routes.

It follows from this that the design of streets needs to be tailored to the particular needs of the place and its physical and social context and considered in three dimensions.

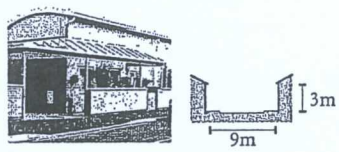
Varying ratios of street width to building height



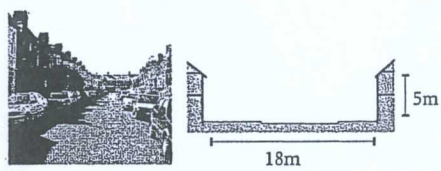
1:2 ratio, Canning Street, Liverpool



1:2.2 ratio, Isledon Village, Islington



1:3 ratio, Halston Street, Hulme



1:3.6 ratio, Cavendish Place, Jesmond

In looking at the degree of enclosure achieved in the case study areas, it is also important to remember that the historic case study areas feature higher floor-to-ceiling heights than would be the norm today. Hence, creating the same sense of enclosure with the same number of building-storeys would require a reduced separation distance between facing dwellings, for example as at Poundbury, Thorley Lane and Rolls Crescent. By contrast, at Isledon Road, monopitch roofs have been used to lend a larger scale to the street elevations.

Setbacks

The setback of dwellings from the street is a key consideration in terms of:

- defining the character of the street;
- determining the degree of privacy given to ground floor rooms;
- accommodating storage and service requirements at the front of the dwelling.

It is no exaggeration to say that the success or failure of a street can often depend on the design of a one or two metre setback between the dwelling and the footway.

Where dwellings are serviced from the rear, such as at Poundbury, Thorley Lane and Friars Quay, dwellings can be pushed forward to the 'back of footway' with no or very little setback to create a very intimate environment without compromising either the storage space for bins and utilities or ease of access by service vehicles. Where this is done, careful consideration needs to be given to the design of front door and threshold areas, particularly in relation to security. At Poundbury the use of recessed porches helps to enhance the threshold to the dwelling.

The other case studies show that even a very modest setback of a metre or so can be sufficient to accommodate bin and cycle storage and provide privacy to front rooms, while a setback of three to five metres can provide for a small front garden. Issues of detailed design in relation to setbacks and thresholds are considered further in Chapter 7.



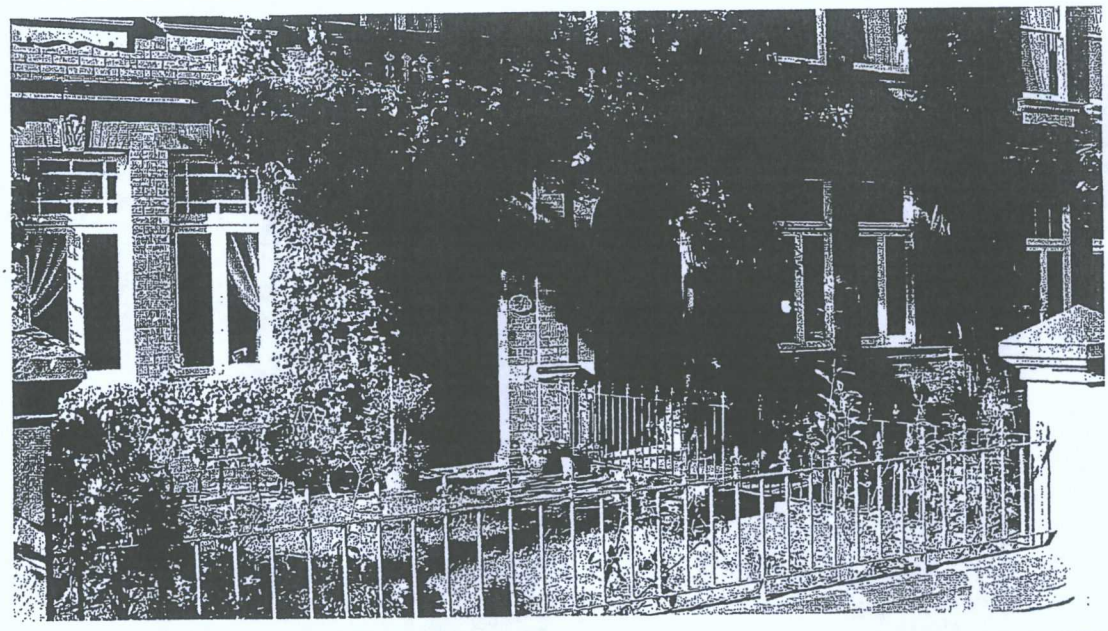
A zero setback. Poundbury, Dorchester



A minimal (1-2 metre) setback. Thorley Lane, Bishops Stortford



A small front garden (within a 3 – 5 metre setback) provides privacy and a buffer to the street. Stanstead Road, Lewisham



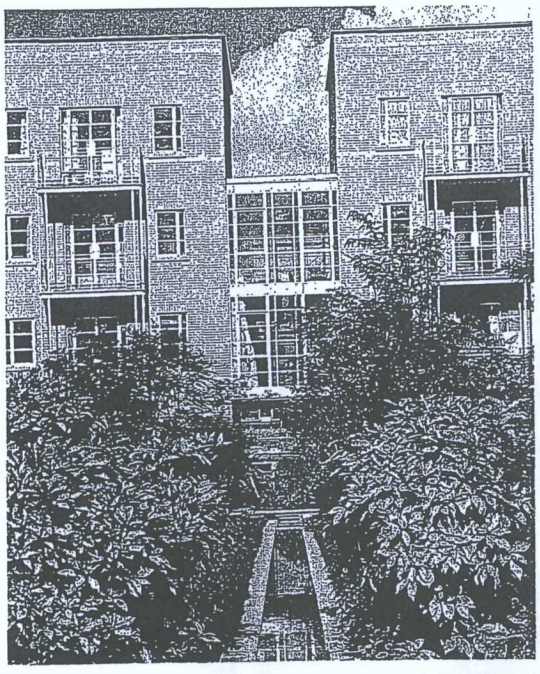
A larger front garden (within a 5 – 7 metre setback) provides a landscape structure and setting for the house. Jesmond, Newcastle

Solar orientation

The orientation of dwellings in relation to the sun is important, not only in relation to the arrangement of gardens and principal habitable rooms (see Chapter 6), but also in influencing the potential to reduce energy requirements within the home. For example, daylighting reduces the need for artificial lighting and passive solar gain reduces the need for internal space heating. Emerging technologies involving the use of photovoltaic cells can convert solar radiation into electricity, while solar panels can provide a source of hot water for washing and heating.

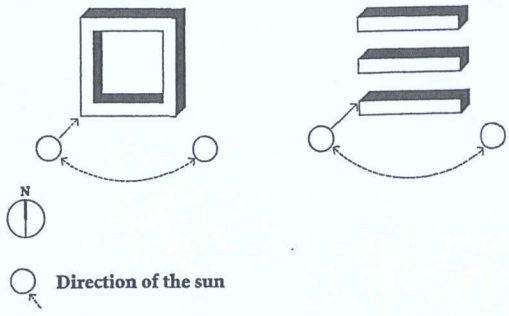
The optimum orientation in terms of maximising solar potential is for dwellings to face southwards, with streets arranged in an east-west pattern and with a generous separation between dwellings to provide for full solar access. However, strict adherence to these principles can result in trade-offs against other planning and urban design objectives. For example:

- the orientation of the street pattern also needs to be considered in relation to pedestrian desire lines and connections to existing places and routes;
- orientating all dwellings towards the south can undermine the relationships between the fronts and backs of dwellings and reduce natural surveillance of the street;
- very wide spacing between dwellings can result in an inefficient use of land and weaken a sense of street enclosure.



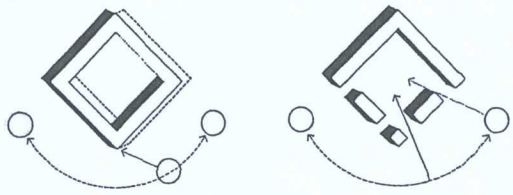
Denser urban apartment blocks require careful consideration to ensure good solar penetration to the interior of the block. Here a break in the building block at the third storey allows good sunlight penetration to an attractive communal space. Narrow Street, Tower Hamlets, London.

In fact, with careful orientation of streets and the arrangement of dwellings within the block structure, it is possible to provide good opportunities for solar gain and daylight penetration to habitable rooms, while at the same time addressing other key principles of good urban design. Once again, design decisions need to be made in the round to reach a considered balance between competing design objectives.



Standard perimeter block creates areas of overshadowing

South-facing terraces maximise solar gain but can compromise other design objectives

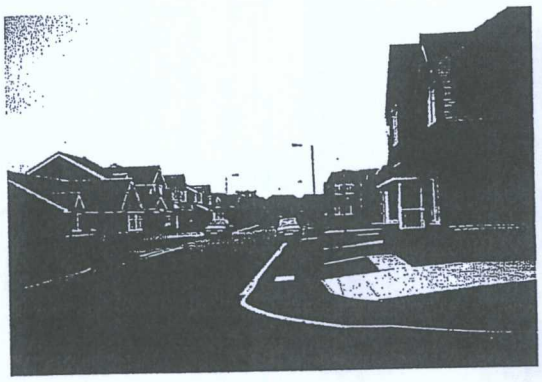


Orientating blocks to the sun's path reduces overshadowed areas within the block

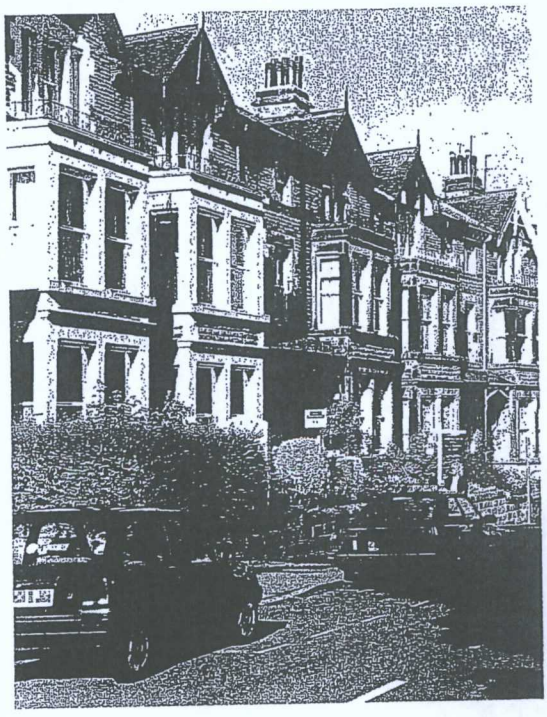
Breaks in the building form or reduced storey heights increase solar penetration of the block

Public, private and communal space

Most residential environments comprise a mix of, public, private and communal spaces. It is important that the role of each space is clear and that the boundaries between different types of space are clearly defined. Left-over space is wasted space which in time is likely to become a source of nuisance.

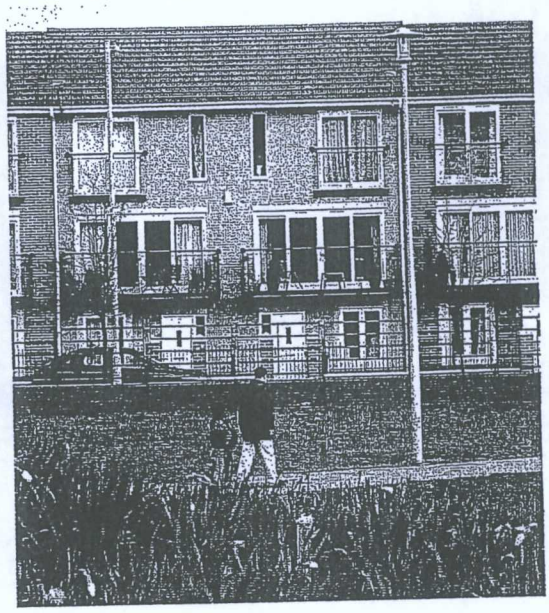


Rigid adherence to highway design standards, in this case sight lines between front driveways and the street, undermines the quality and utility of front gardens and blurs the distinction between the public realm of the street and the private realm of the dwelling. Residents or visitors still find it more convenient to park on the street despite generous off- street parking provision



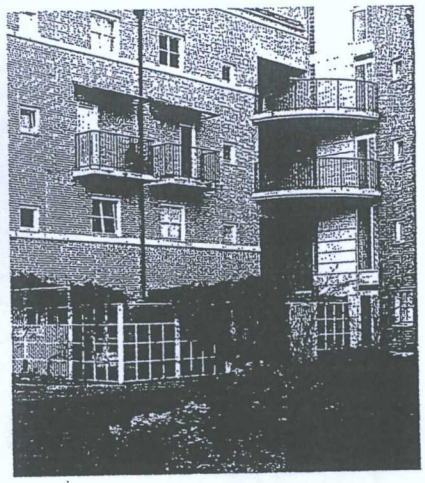
Here cars are parked on the street and public and private space is clearly defined by walls, hedges and gates. Valley Drive, Harrogate

Public open space is potentially one of a community's greatest assets. The best open spaces are those which not only cater safely for play, exercise and relaxation, but which also provide an area with a sense of identity and community. In many cases this will involve drawing the open space to the heart of the neighbourhood to create an important structural element within the overall urban design strategy (see Chapter 4).



Open space can bring character and quality to a neighbourhood and provide residents with a pleasant outlook. Park Mews, Hulme

Where communal space is provided as internal gardens or courtyards in higher density housing, care needs to be taken to protect privacy and amenity to the rear of ground floor dwellings. This is successfully achieved in parts of Greenland Passage where the ground floor of townhouses and apartments opens into a small patio area, which provides a buffer to the attractive communal garden beyond.



The addition of planting helps to define the boundary between private and communal space and creates a degree of privacy for private patios. Greenland Passage, Southwark.

Designing for privacy

Privacy is an important design objective in ensuring that residents feel at ease within their home. It is also an area where general planning standards prescribing minimum separation distances between habitable rooms can frustrate the creation of attractive residential environments by denying the ability to provide privacy through careful design.

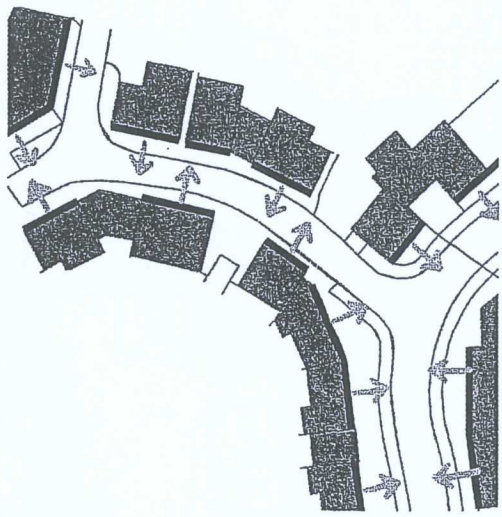
Design can help create privacy in a number of ways:

- street design can influence the relationship between facing dwellings. A varied building line (such as at Thorley Lane, Bishops Stortford and Poundbury, Dorchester) can create oblique views, allowing the fronts of dwellings to be brought closer together than where facing views are direct, such as at Jesmond;
- rooms needing less privacy, such as living rooms and kitchens, can face the street with bedrooms and bathrooms located towards more private parts of the home;
- windows can be designed in relation to the function of the room: generous windows for living rooms overlooking the street or a garden; frosted windows for bathrooms; and smaller windows for bedrooms. Bay windows provide oblique views down a street;
- the careful orientation of primary and secondary windows can enable dwellings to be drawn close together while still providing surveillance of the public realm;
- screening and landscaping can limit overlooking between facing rear windows.

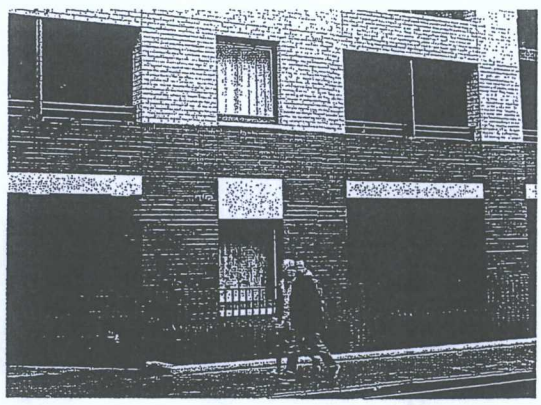
Thus, while there are well established rules of thumb (such as a minimum 'back-to-back' distance of 20 metres), these need to be applied flexibly in relation to the specific context and in the recognition that the objective of privacy can often be better secured through careful design rather than by physical separation alone.



Smaller kitchen windows balance the need for surveillance with privacy. Isledon Road, Islington



A varied building line creates oblique views across the street. Thorley Lane, Bishops Stortford



A failure to consider the need for privacy can result in curtains and blinds being permanently drawn

'Local planning authorities should adopt policies which . . . promote design and layouts which are safe and take account of public health, crime prevention and community safety considerations.'

PPG3: Housing paragraph 56

Creating a feeling of safety

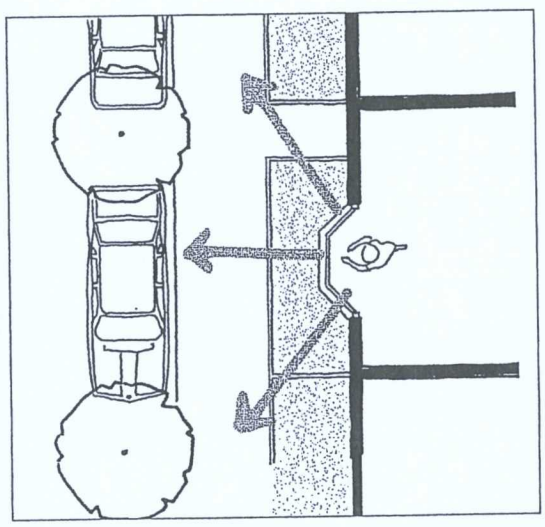
Design has a crucial role to play in delivering and creating a sense of safety and security. A key issue is that of natural surveillance. Streets which are well overlooked and which have activity in them throughout the day and evening benefit from the presence and surveillance of residents and visitors.

Good planning and design can help by ensuring that:

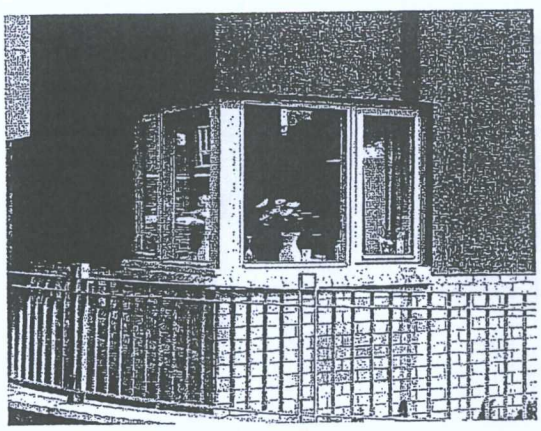
- dwellings fronting the street have their principal entrance on to it;
- windows are designed to maximise overlooking of the street;
- continuity of frontage and aspect is maintained on corners;
- blank facades and areas which are not overlooked are avoided;
- the mix of dwelling types and sizes encourages activity in the street throughout the day and evening (see Chapter 4 on dwelling mix and neighbourhood).

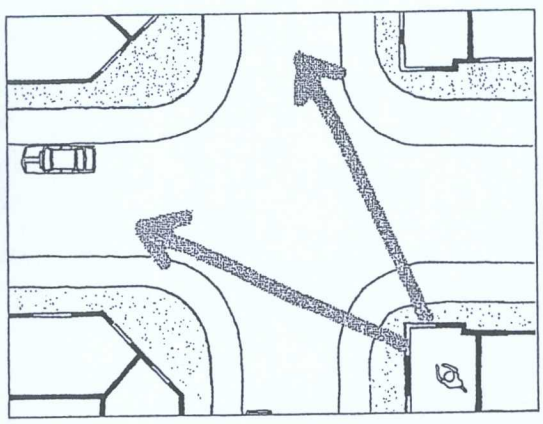
Designing for safety and security should not be separated from consideration of details such as those addressed by *Secured by Design* and issues of long-term management; the latter being particularly important in relation to higher density apartment development. Considerations of the number of dwellings to be served by a common entrance and the introduction of concierge schemes can often prove fundamental to the ultimate success of a place.





The archetypal 'safe street'. Windows overlook it, doors open onto it, enabling people to see and be seen. Ideally, shrubbery would be managed to a height which allows privacy but still provides for natural surveillance. Jesmond, Newcastle





Corner windows can provide views in several directions. Rolls Crescent, Hulme

'Parking policies should be framed with good design in mind, recognising that car ownership varies with income, age, household type, and the type of housing and its location.'

PPG 3 Housing paragraph 60

Accommodating parking

Where and how cars are parked are crucial to the quality of housing development and to the choices people make in how they travel. The level of parking provision and its location are both equally important. Car owners want to be able to park near their home and to be able to see their car. In meeting these aspirations the typical result is a car-dominated environment with 'car platforms' in front of houses or integral garages facing the street.



Cars dominating the housing frontage

This has a number of negative consequences including:

- eliminating front garden space and the opportunities for landscape and planting;
- blurring the distinction between public and private space by preventing traditional boundary treatments;
- removing the opportunity to park on the street;
- introducing potential conflicts between pedestrians and cars which have to cross the footway to park.

In addition, dedicating car parking spaces to individual dwellings does not provide the same flexibility towards variations in car ownership between households as communal arrangements do.

Instead of the dominance of cars parked in front of houses, there are often opportunities to use a combination of dedicated and communal parking, especially in developments where secure communal provision can be made an integral part of the overall site layout. The particular context and requirements of a site can help to furnish an appropriate solution.

As a guide to establishing parking policies that support sustainable development, PPG3 points to an upper threshold of 1.5 spaces per dwelling on average. It is to be expected that, with a sustainable approach to parking, local authorities will revise their parking standards to allow for significantly lower levels of parking than have been the case recently, particularly for developments:

- in locations where services are readily accessible by walking, cycling or public transport;
- which provide housing where the demand for parking is likely to be less than for family housing;
- involving conversions where off-street parking is less likely to be successfully designed into the scheme.

Whatever format of parking is chosen, special account needs to be taken of those with restricted mobility, espcially in getting in and out of parked cars and approaching the front door of a house.

On-street parking

Most traditional terraced housing in many towns throughout the country has adjusted well to the advent of the car. Streets in inner suburbs, such as Jesmond, although not designed for the car, show that on-street parking can work. It is convenient, well overlooked from surrounding houses and is extremely efficient, both in terms of the amount of space required for parking and in providing for variations in car ownership between households. On-street parking can also have a traffic-calming effect, helps to separate pedestrians from other traffic and provides the opportunity to include boundary treatment landscaping for dwellings.



On-street parking in a traditional street. Jesmond, Newcastle

In new developments (or the upgrading of existing areas) there is much to be said for on-street parking, but with the 'line of steel' interrupted at intervals.

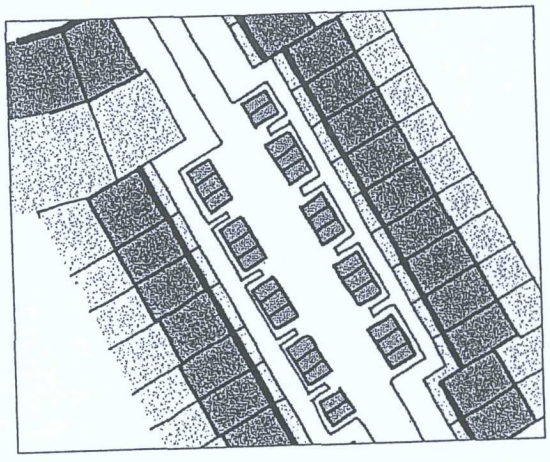
On-street parking bays can be incorporated into the overall width of the street, demarcated by paving, trees and planting. There are two main types:

Parallel parking against the kerb. The example illustrated is of streets with good surveillance from neighbouring houses;

Angled parking bays. These allow a greater parking capacity than parallel parking, but because of the danger from reversing vehicles, they are only suitable for streets with low traffic speeds.



Parallel parking against the curb can have a traffic-calming effect. Canning Street, Liverpool



Right-angled parking bays (see also photograph below). Isledon Village, Islington



Right-angled and parallel parking. In this arrangement there is one space per dwelling and the parking bays are broken up by tree planting. Isledon Village, Islington.

Courtyard parking

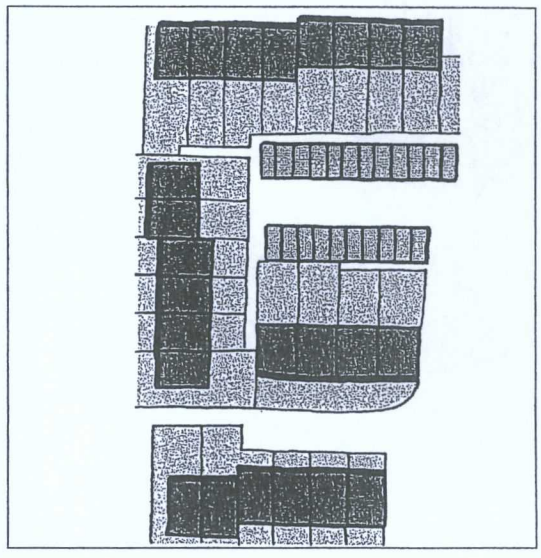
Communal parking in courtyards has gained a bad reputation because of inadequately designed parking courts from the 1960s and 1970s, usually located away from housing and therefore lacking surveillance.

But more recently it has been shown that secure rear courtyards can be a useful addition to dedicated spaces in front of dwellings. Courtyards which work well exhibit three main characteristics:

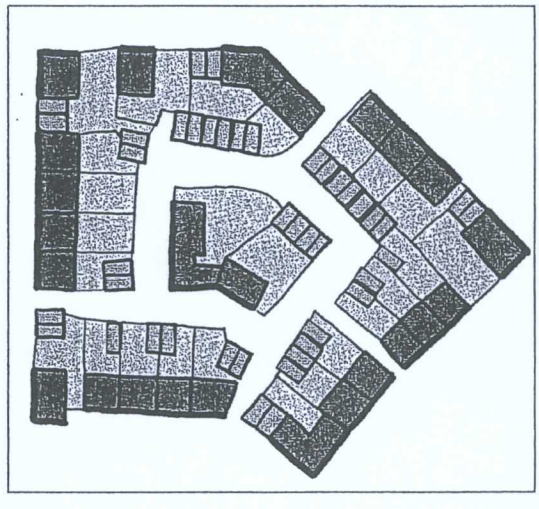
- they are not car parks but places which have parking in them;
- they are overlooked by adjoining houses, or by buildings entered from the parking area;
- they normally include at most ten parking spaces. If there are more spaces the courtyard layout should be broken up.

The courtyard will usually be located at the centre of a street block, designed as an integral part of the development. Ideally, it will have more than one access point, forming a route across the block, although in some locations concerns about security may preclude that arrangement.

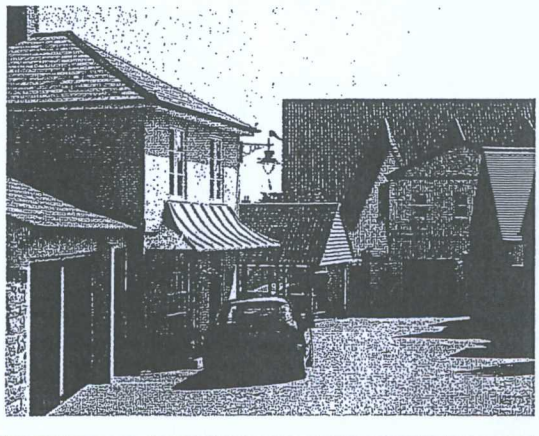
The entrance to a rear courtyard, between buildings or through an archway, needs to respect the street frontage. Over wide openings are unnecessary if serving ten spaces or fewer, and they may damage the continuity of the street.



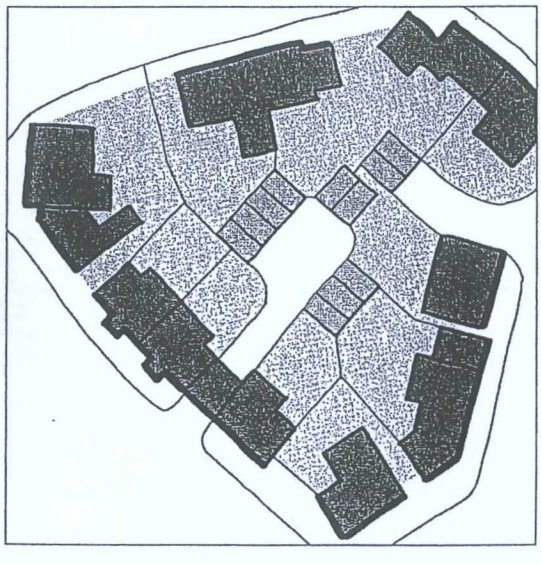
A typical 1970s development, with parking totally segregated from housing and not overlooked



This arrangement of buildings creates a well overlooked space. Through routes increase natural surveillance from passing pedestrians. Poundbury, Dorchester



Houses within the rear courtyard provide natural surveillance. Poundbury, Dorchester



A courtyard formed by the arrangement of buildings. Here there is no through route for pedestrians. Thorley Lane, Bishops Stortford



Narrow entrance arch to a rear courtyard. Black Notley, Essex.

In–curtilage parking

Various arrangements can help mitigate the effect of parking within the building curtilage. The simplest of these is to locate the garage or carport alongside the house, set back from the building line. Many parts of Thorley Lane, Bishops Stortford show what can be gained from such a configuration. Alternatively, in some locations, the garage can be concealed as part of a boundary wall.

Basement and undercroft parking

The success of an infill development such as Webster's Yard, Kendal depends upon the use of basement parking, without which the scheme would not have been viable. Apart from the financial equation, the advantage of putting cars underground is that it preserves the street frontage. But, as with courtyard parking, much depends on the location and design of the entrance. Webster's Yard provides a clever example of concealment.

Car parking structures have a rigid geometry based on the dimensions of a parking bay, but this should not be allowed to dictate the shape of the building above.

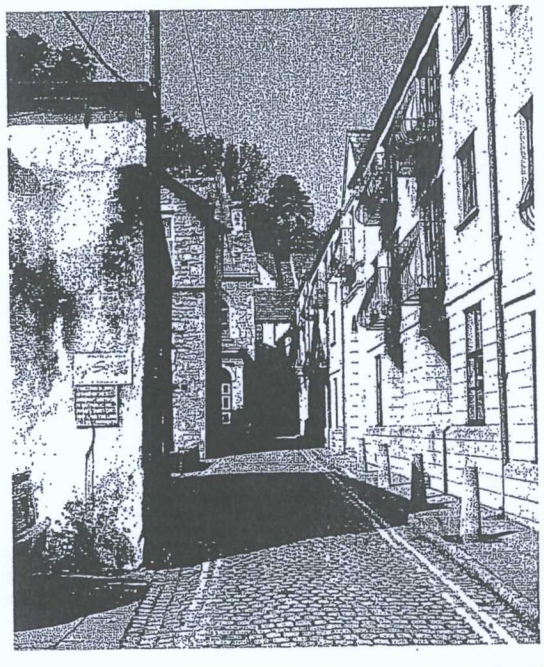
Car clubs

Car clubs eliminate the need to own a car by allowing residents to hire vehicles as and when they need them. People wanting to use the club simply pay a small annual fee. The vehicle is then charged by the time hired and the distance driven, the operator covering insurance and maintenance costs.

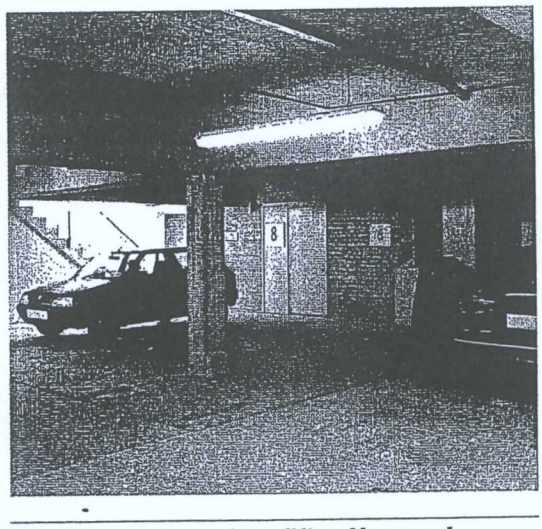
Although car clubs are common in other European countries, none of the case studies had one in operation or proposed. In terms of housing layout, a successful car club offers the prospect of a development with much reduced parking provision and thus, in some cases, significantly higher densities.



Town houses with integral garages. Ingress Park, Greenhithe



View of New Inn Road, leading to basement car park at the end of the street. The treatment of the car park entrance preserves the street frontage. Webster's Yard, Kendal



This underground car park is well lit and has several pedestrian access points. Webster's Yard, Kendal

'In determining planning applications, local planning authorities should reject poor design ... applicants for planning permission for housing development should be able to demonstrate how they have taken account of the need for good layout and design and how their proposals reflect the guidance set out in this PPG.'

PPG3: Housing paragraph 63

The importance of thoroughness

The richness and sense of quality seen in the best environments are the consequence of careful consideration of the detailed design of the buildings and the spaces and interfaces between them. This is the focus of this Chapter. It is concerned with the architecture, the 'streetscape' - the hard and soft landscape - and the threshold between private and public space. These are the concerns which will ultimately distinguish the quality of place created. However well planned and structured, a disappointing scheme is likely to result if it is not well executed at the level of detail.

This Chapter cannot and does not purport to be a detailed design manual. There is a great deal of relevant material elsewhere on the many aspects involved. The key messages of this Chapter are firstly, that detailed design is a key element in the creation of places of enduring quality and secondly, that regardless of the design guidance provided, high quality design, especially in relation to matters of detail, needs highly skilled designers.

It needs to be emphasised that there is no single appropriate design response. Quality comes in many forms. Indeed, in order to be responsive and fitting to different contexts, it is important to recognise the validity of a diverse range of approaches.

The lesson which is most clearly conveyed by the case studies is the fundamental importance of a coherent and integrated approach to the detailed design of a place.

In a quality place, the components from which it is made are fully resolved. This requires a fusion o all elements; the building, landscape and the interface between them. All components need to have been designed and constructed with the overall scheme, its character and quality, in mind. The best schemes do not appear to comprise buildings, a road and the bits in between, but rather form a place where the elements belong seamlessly to each other.

This is all too often not the case. The architect plans the buildings and general layout; the engineer designs the roads and services and negotiates with the authorities involved; the landscape architect then deals with the spaces in between. On occasion, certain of these design professions are not involved at all. A sense of completeness and cohesion is unlikely to emerge from such an approach, especially where the key visual elements at the interfaces (fences, walls and so on) are 'retro-fitted'. The road, in particular, has to be designed as an element of the urban landscape as well as being fit for purpose. Equally, the landscape design needs to complement the buildings and vice versa.



All details handled in a thoroughgoing way to create a quality place. Upper Brook Hill, Woodstock

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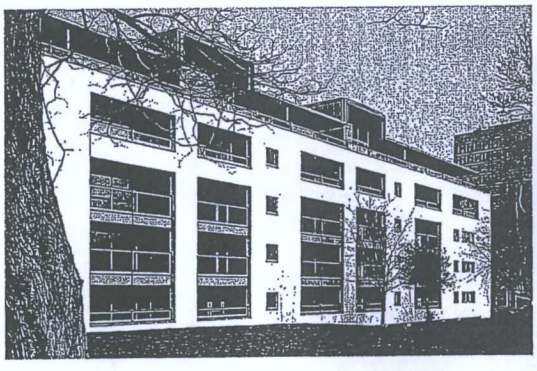
Building elements

The quality of the building can be spoilt by poor attention to detail. The individual elements of which buildings of any kind are composed have a key role in determining their quality. To contribute successfully to the whole they need to be well designed in their own right, and arranged in a coherent and legible way which is consistent with the overall architectural approach. The parts contribute to a whole which has integrity. This is nothing to do with architectural styles, or, necessarily, with tradition. The best domestic architecture of all ages has abounded with invention and even fun.

It is at the level of the individual elements that the viewer makes the connection with the human scale, an important part of achieving places of quality. When the elements are brought together in a coherent way, whether with deliberate uniformity or deliberate variety, they build up to a larger scale - the house, the block, the street - which in turn is comprehensible. For example, the terraced housing at Greenland Passage, Southwark provides a useful illustration of the skillful arrangement of the elements of a facade which makes use of modelling and shadow and sets up a rhythm. The strength of the detailed design is such that it can successfully accommodate garage doors.



Splendid articulation and rhythm of gables, bays, balconies and the facade create a human scale despite the large bulk of the building. Elgin Avenue, Maida Vale



The same success as illustrated above can also be achieved with contemporary forms and materials. Century Court, Cheltenham

Building elements

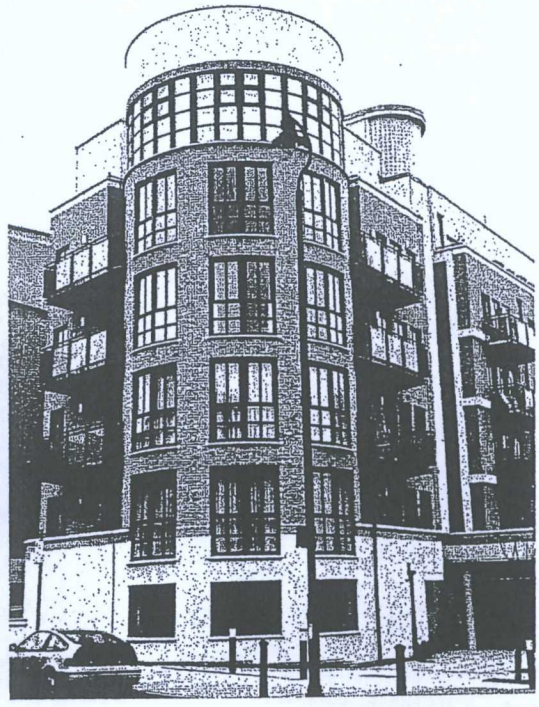
The building elements which require careful attention in detailed design include:

- doors
- windows
- porches
- roof structures
- lighting
- flues and ventilation
- gutters, pipes and other rainwater details
- balconies
- garage doors
- ironmongery and decorative features
- flashings

It is vital not only to view these elements in isolation, but also to consider how they come together to form the whole and to examine carefully the 'joins' between the elements.



Strong design treatment of windows and balconies draws attention away from potentially intrusive garage doors which are also skilfully handled. Greenland Passage, Southwark



A good corner. The ground floor internal planning of schemes of this type is very important to create an acceptable internal living space. Narrow Street, Tower Hamlets

There is also a danger of seeing the detailed design response as either 'traditional' or 'modern'. Such debates about style can get in the way of producing a distinctive quality response to the design challenges involved. Traditional materials and design ideas can be used in a totally modern way. Conversely, new materials and cutting-edge construction technologies can be deployed to create a comfortable human scale architecture and, where appropriate, reflect traditional styles.

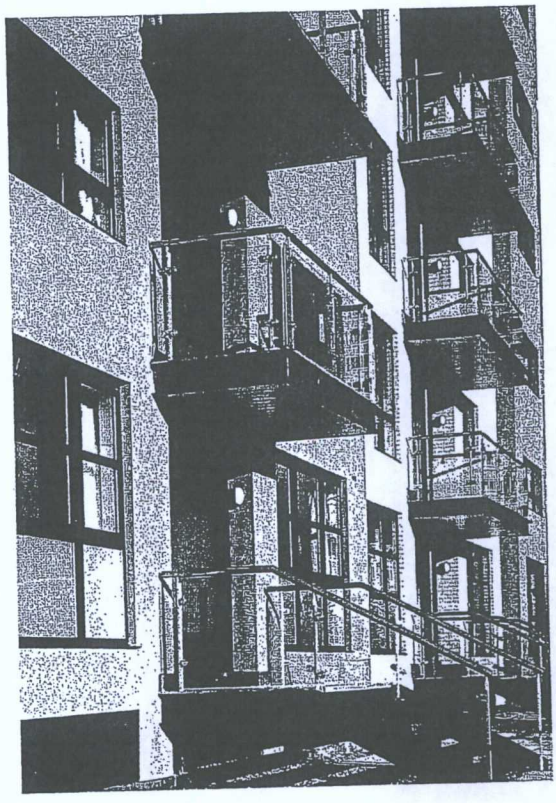
Whatever the language and idioms of the architecture, there is a need to understand their structure and logic as well as appearance. These issues affect design subtly and at different scales. In any design or idiom, the approach needs to involve an iterative process between the massing and form of the building and its detailed components. As with everything else in this guide, there is no substitute for design skill.



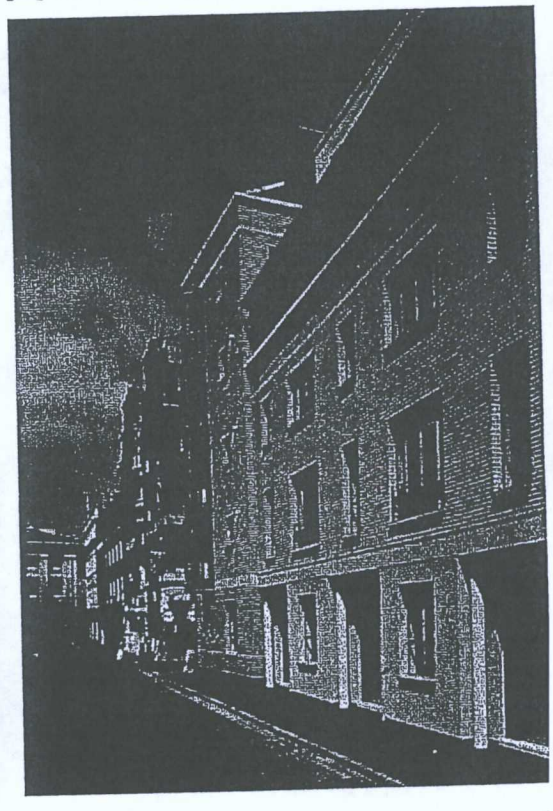
The scale of the terrace is articulated at roof height by the elegantly glazed dormers and the occasional change in plan and height. Jesmond, Newcastle



A well articulated roofline, a strong horizontal parapet and well proportioned fenestration all contribute to the quality of this scheme. Even the guttering and vents are used to punctuate the facade and contribute to the sense of proportion. Brightlingsea Place, Tower Hamlets



Modelling, colour, shadow and clear detailing throughout. Note the frosted glass for privacy in the lower level windows and the discrete venting of the undercroft parking. However, the steps would not meet current requirements for level access. Ocean Wharf, Tower Hamlets



The elevational components are carefully designed to relate to the overall form and mass of the scheme. Coptic Street, Camden

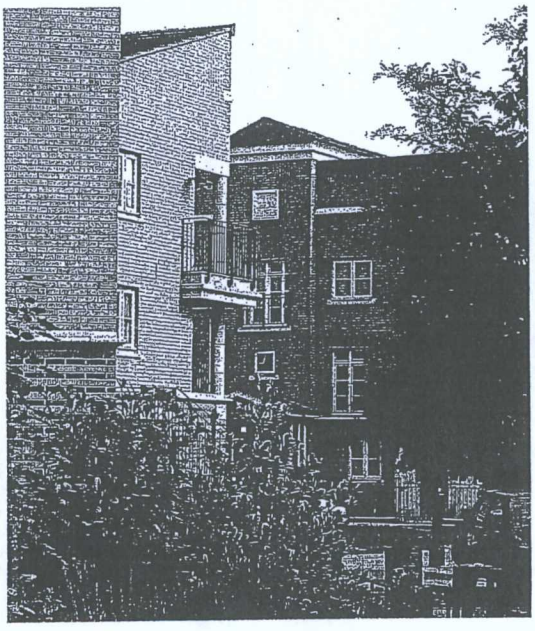
'Landscaping should be an integral part of new development and opportunities should be taken for the retention of existing trees and shrubs, and for new plantings.'

PPG3: Housing paragraph 52

Landscape

Landform, natural features and their ecology are always important. Trees, shrubs, flowers and grass and their containment require particular attention. The retention and use of existing trees and, on occasion, walls, ramps, steps and hedges can give a sense of maturity and distinction. New planting needs careful and specialised consideration according to locale and practicality. Soils, drainage, sunlight and shelter are critical factors as well as the use, where possible, of native species.

Where close to buildings, a strong maintenance regime is essential for hedges, shrubs and grass. All planting elements need well defined edges which can be formed by properly designed walls, kerbs, tree grilles and the like. Using the positioning of the buildings, rather than the road and statutory setbacks, or sight lines remains the most effective way of defining the space. The principle of 'tracking' is useful here (see Chapter 3[1]).



Well planted front gardens perfectly suited to the scale of the buildings. Isledon Village, Islington



The design of sitting-out areas provides a framework for planting in an intimate courtyard. Webster Yard, Kendal

Landscape elements

The landscape elements which require careful consideration in detailed design include:

- trees, flowers, grass and other planting
- the carriageways, footways and floorscape
- cycle–ways
- kerbs
- steps and ramps
- fences, walls, hedges and gates
- inspection boxes and covers
- tree grilles
- street signage
- street lighting
- seats
- bollards
- railings
- public art
- wayleaves and easements

The detailed alignment of carriageways, footpaths and any front garden or threshold space before the building edge involves the consideration of many elements including: pedestrian, cycle and vehicle needs; on-street parking and service requirements; underground services; and landscape features.

The street needs to be considered as an important element of detailed design. A well-designed space will accommodate street furniture, signage and other elements in a calm, unemphatic way. In general, this is often a case of 'less' being 'more'.

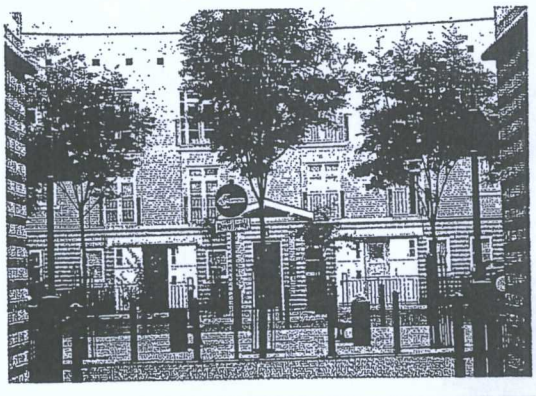
It is always important to avoid clutter. Buildings, walls and fences can in some circumstances be used to mount road signs and lighting upon, but attention to the need for wayleaves and easements to allow for their installation and maintenance will be important. Cables should be undergrounded as far as possible. Inspection boxes should be recessed in the planting and street furniture should not clutter pavements.



Shrubs and trees screen parking areas and soften the 'join' between the buildings and the street. Bedford Court, Doncaster



No signs, no bollards, no road markings and simple lighting. A clutter-free environment. Friars Quay, Norwich



Retro-fitting of bollards and signs rather spoil a well planned local space. Isledon Village, Islington

The floorscape is particularly important. Traffic calming measures need to be designed in as an integral part of the layout and draw from a well chosen palette of materials. There are places where shared surfaces will be appropriate and vehicles can be slowed by such devices as narrow carriageways and surfaces of setts, paviors and slabs. Again, less can be more.

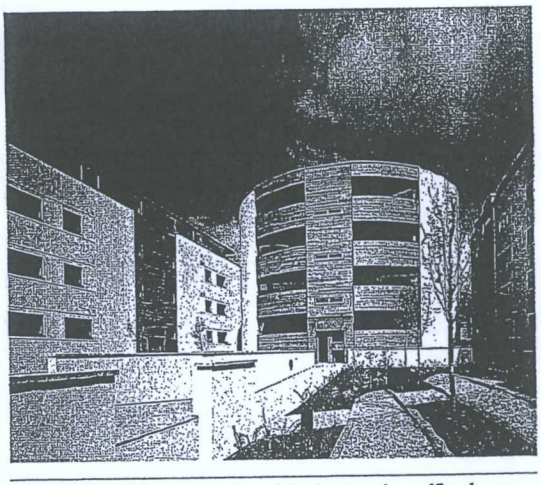
Good quality lighting can make an important contribution to the attractiveness of an area, in terms of the quality of its appearance during both daylight hours and night time, as well as to its safety and public security. There is increasing emphasis on lighting for walking, cycling and amenity as well as driving and upon the reduction of light pollution. It is important that lighting engineers are involved at an early stage in the project design. The design of the columns and luminaires in obviously critical. There are other possibilities – wall mounting, bollards with integral lights, and ground level up-lighters which are appropriate in some circumstances.

Consistency and continuing commitment

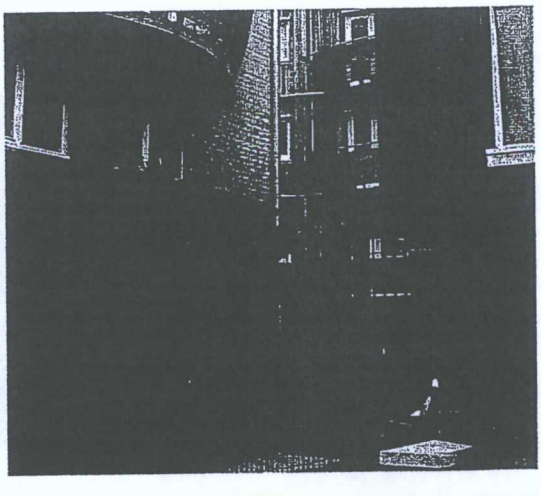
Creating high quality residential environments requires a continuing commitment to quality and detailed design right through to the completion and handover of the scheme. There are a number of areas where attention is important:

- avoiding 'retro-fittings' and 'bolt-ons';
- consulting early with statutory, regulatory and adoption agencies and specialist advisers on such matters as lighting, security and road safety;
- determining the nature of future maintenance, adoption and service regimes and responsibilities. This is particularly important for landscape planning and design.

Attention to these matters can help both to avoid obvious or glaring mistakes and to create a sense of quality through the harmony of all the components. Indeed, ingenious detailed solutions in resolving such matters can enrich a scheme.



Rigorous attention to detail and the integration of landscape and building elements. Century Court, Cheltenham



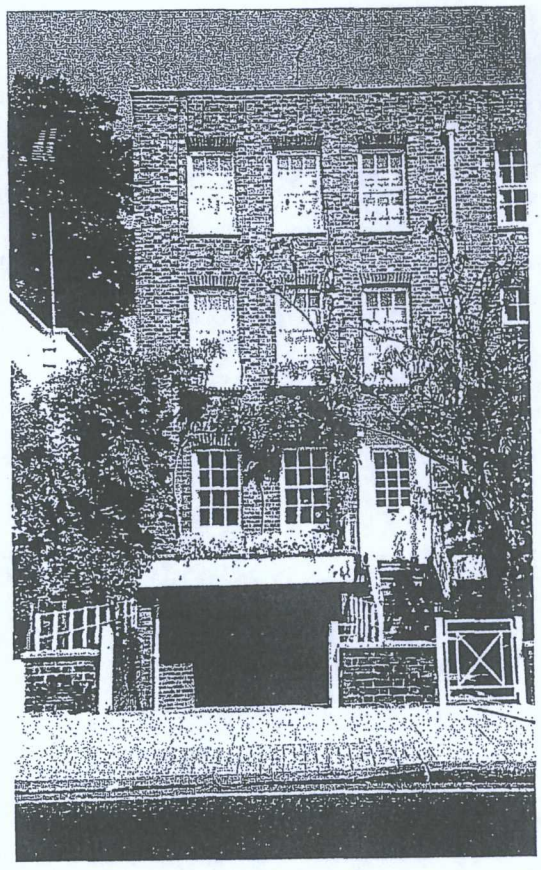
Children's play dictated the need for a gate to this family housing scheme. The gate is celebrated as public art and lifts the whole scheme. Dragon Court, Camden

The quality of the public realm can be undermined through:

- the lack of a full landscape plan and specification as part of the design of the scheme submitted for planning approval;
- inadequate and unrealistic budgets for external works, particularly for hard and soft landscape;
- a tendency for the budgets for these items to be reduced in an attempt to cover over-runs in work undertaken earlier in the construction process;
- the problems of accommodating late additions, especially those required by the adoption agencies.

These issues apply to all forms of housing development, but it is important to appreciate that as the density of development rises and/or the intensity of use increases, so too does the importance of a complete and robust landscape treatment.

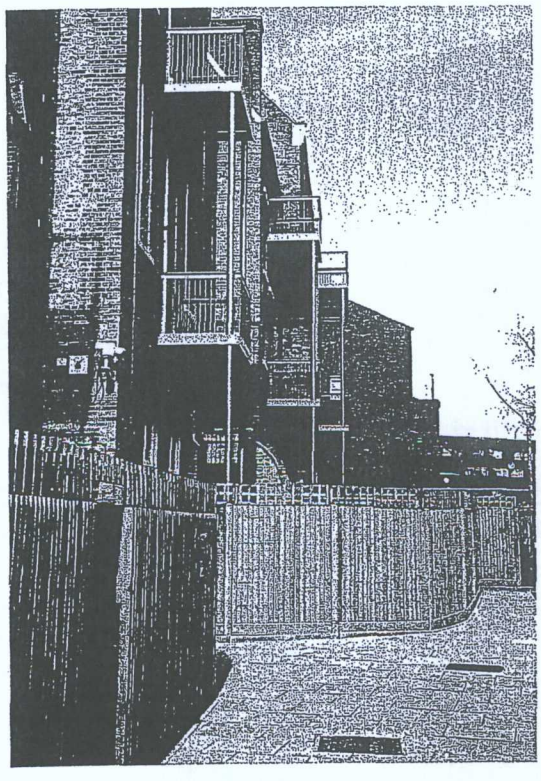
The overriding objective has to be to generate a culture where there is a commitment to the creation of enduring value through investment in the landscape and associated works rather than cost minimisation. The selection of materials for the external works always needs to be subject to the same rigour as has been applied to the buildings themselves.



Here the relationship with the street is maintained with car parking in a semi-basement, set back from the footpath and the boundary wall. Holland Park, Kensington



Integral garages can create a lifeless, dead frontage effect while at the same time not accommodating many cars. Here quality is further eroded by the mismatch between the raised surface and the length of cars on the forecourt as well as by oil stains and painted road markings



Timber fence on indeterminate alignment and without a planting edge lets down this scheme

Advice Produced by The Department for Communities and Local Government

Demonstrating a 5 Year Supply of Deliverable Sites

Background

1. PPS3 requires Local Planning Authorities from 1 April 2007 to assess and demonstrate the extent to which existing plans already fulfil the requirement to identify and maintain a rolling 5-year supply of deliverable land for housing (paragraph 7) as this influences how planning applications are determined (see PPS3 paragraphs 68-73).

2. In particular, PPS3 paragraph 71 states that 'where Local Planning Authorities cannot demonstrate an up to date 5-year supply of deliverable sites....., they should consider favourably planning applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69'.

3. It follows that where an LPA can demonstrate a 5-year supply of deliverable sites then they should consider planning applications having regard to PPS3, existing Development Plan policies as well as other material considerations.

Purpose

4. This paper sets out advice to Government Offices and the Planning Inspectorate in considering whether Local Planning Authorities are able to demonstrate a 5-year supply of specific sites which are deliverable in the terms of paragraph 54 of PPS3. This applies both to initial assessments as well as those carried out as the 5-year land supply is regularly reviewed and rolled forward, as required by PPS3.

Approach

5. There are three main stages:

Appeals & Other Casework

Planning Appeals
Enforcement Appeals
Common Land
Highways and Transport
Local Development Frameworks
Regional Spatial Strategy
Rights of Way
All types of Appeal / Casework

General Information

Submitting a Complaint / Comment / Suggestion
Employment
FAQS
Forms
Freedom of Information
Newsletter
Press Releases and Notices
Publications
Related sites
Site Help

i) Identify the level of housing provision to be delivered over the following 5 years which, in the first instance, will be from 1st April 2007 to end March 2012. Local Planning Authorities should use, where available, housing provision figures in adopted Development Plans, adjusted to reflect the level of housing that has already been delivered (within the lifetime of the current plan). Where housing provision figures are not available in the Development Plan for the following 5 years, Local Planning Authorities should make the best available estimate of the level of housing required over the full 5-year period. For example, this may include having regard to the evidence underpinning housing provision policies in the emerging Regional Spatial Strategy, projecting forward based upon current Development Plan figures or drawing on other relevant and up-to-date information.

ii) Identify sites that have the potential to deliver housing during the following 5 years. Potential sites include those that are allocated for housing in the Development Plan, sites that have planning permission (outline or a full planning permission that has not been implemented) and specific, unallocated brownfield sites that have the potential to make a significant contribution to housing delivery during the 5 year period. Such unallocated brownfield sites would normally have been identified by the Local Planning Authority as being suitable for a housing use and have made sufficient progress through the planning process at the time of the assessment to be able to be considered deliverable in the terms of paragraph 54 of PPS3.

iii) Assess the deliverability of the identified potential sites. Paragraph 54 of PPS3 says that to be deliverable, sites should:

- Be available - the site is available now
- Be suitable - the site offers a suitable location for development now and would contribute to the creation of sustainable, mixed communities
- Be achievable - there is a reasonable prospect that housing will be delivered on the site within five years.

Assessing Deliverability

6. Local Planning Authorities will need to assess whether potential sites (see paragraph 5 ii) are deliverable in the terms of paragraph 54 of PPS3, drawing upon up-to-date information and ensuring that their judgements are clearly and transparently set out, noting any assumptions made. It is

Modified: 03-Feb-2010

important that developers and local communities understand the basis on which the assessment is made.

Deliverability Criteria	Assessing Deliverability
Available	Does the information that supports either the allocation of a site in an up-to-date plan (subject to planning permission), or the granting of a planning permission, clearly indicate that site is available now? If existing information is not sufficient, it may be necessary for the Local Planning Authority to gather further, up-to-date evidence by discussing availability of the site with relevant developers/landowners.
Suitable	Can sites that are allocated or have planning permission be regarded as being suitable? This will usually be a reasonable assumption, but it may be necessary to assess whether circumstances have changed (e.g. since a site was allocated) that would alter the suitability of the site for housing.
Achievable	Does the information supporting the site allocation or planning permission clearly demonstrate that there is a reasonable prospect of housing being delivered within 5 years? It may be necessary to discuss with relevant developers/ landowners and/or analyse current housing market conditions in order to make an informed judgement about this.

8. Unallocated brownfield sites may be included in the 5 year supply of deliverable sites, but only where the Local Planning Authority is satisfied, having considered the particular circumstances of the specific site, that the site will meet all the tests of deliverability in paragraph 54 of PPS3 and will make a significant contribution to the delivery of housing during the relevant 5 year period. As indicated above, such unallocated brownfield sites would normally have made sufficient progress through the planning process to be able to be considered deliverable in the terms of paragraph 54 of PPS3.

9. Unallocated sites that are not likely to make a significant

contribution to the delivery of housing during the relevant 5-year period should not be taken into account in an assessment of the 5-year supply until a planning permission has been granted and the land supply is being reviewed.

Consequences of the Assessment

- Local Planning Authorities should be advised that:
- Where they cannot demonstrate an up to date 5-year supply of deliverable sites, they should:
- Determine planning applications having regard to paragraph 71 of PPS3 (see paragraph 2 above).
- Consider options for increasing the supply of deliverable sites in the short term, for example, through Area Action Plans and/or taking action to address obstacles to the deliverability of potential sites.
- Consider, as soon as is practicable, the development of Local Development Documents that fully take account of PPS3 policies for developing a flexible and responsive supply of land, in particular, having regard to the level of housing proposed in the relevant emerging Regional Spatial Strategy as set out in paragraph 53 of PPS3.
- Where they can demonstrate an up to date 5-year supply of deliverable sites, they should:
- Consider planning applications having regard to PPS3 (in particular paragraph 69), Development Plan policies and other material considerations. In areas with significant demand and need for housing Local Planning Authorities should not necessarily treat the 5-year housing provision figures as a ceiling which cannot be exceeded.
- Determine planning applications for sites allocated later in the overall 15 year land supply having regard to paragraph 70 of PPS3.
- Ensure their plan-making programme provides for Local Development Documents to reflect PPS3 policies as soon as is practicable.

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Executive Summary

Our vision

We want everyone to have access to a decent home at a price they can afford, in a place where they want to live and work. Good quality, affordable housing enables stable and secure family lives: we are all healthier, happier and wealthier when we have decent homes close to schools, healthcare and transport links.

But this is not just an issue for families. Good housing can improve our social, environmental and economic well-being. It helps create better communities that can attract investment and skilled workers. And getting the design right can also improve the environment and reduce our carbon footprint.

Therefore, the strategic housing decisions we take collectively over the next few years are critical to the life chances of the next generation.

Section I: What's happened since 1997

Since 1997, housing has improved for many people. Homeowners have seen the value of their properties increase. Social tenants have seen massive improvements in the quality of their homes. And concerted action has slashed homelessness and directly helped 77,000 households to buy their first homes.

All of this has been achieved in a climate of economic growth and stability – far removed from the boom and bust of previous decades. Low inflation and low interest rates have led to over 1 million more home owners over the last ten years.

We have achieved a great deal through our investment in housing over the past ten years. That investment means social housing now has over 1 million fewer non-decent homes and the number of private sector vulnerable households living in non-decent homes has been reduced by over 300,000. We have also cut the number of rough sleepers by over two thirds and ended the long-term use of bed and breakfast accommodation for families with children. Our investment has also helped improve demand for homes in some previously blighted urban areas.

The challenges we face

But we face new challenges today. Demand for homes to buy or rent is growing faster than supply. And as house prices have grown faster than wages, it is becoming increasingly difficult for young people to get a step on the housing ladder. And the challenges of climate change mean we need to provide greener, better-designed housing for the future.

This Green Paper sets out our proposals to improve the housing fabric of our society. We will work with our partners to provide:

- More homes to meet growing demand;
- Well-designed and greener homes, linked to good schools, transport and healthcare;
- More affordable homes to buy or rent.

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Section II: More homes to meet growing demand

Our first challenge is to provide more homes. Housing supply has increased substantially in the last few years and is now at its highest level since the 1980s, but supply is still not keeping up with rising demand from our ageing, growing population.

Why we need more homes: While the housing stock is growing by 185,000 a year, the number of households is projected to grow at 223,000 a year, many of them people living alone.

New targets: That is why the Government is now setting a new housing target for 2016 of 240,000 additional homes a year to meet the growing demand and address affordability issues. The level of housing supply needs to increase over time towards this target and we believe that a total of three million new homes are needed by 2020, two million of them by 2016.

Delivering 2 million homes by 2016 and 3 million homes by 2020: Our proposals assume that housing supply will rise over time towards the 240,000 per year target in 2016, delivering approximately two million new homes by 2016 and continuing at around 240,000 homes per annum over the next four years to deliver an extra million new homes by 2020.

The two million new homes that will be delivered by 2016 will include the following:

- **1.6 million homes are already in existing Regional Spatial Strategies (RSS) and plans now in place including around 650,000 homes in Growth Areas** with support from the 2003 Sustainable Communities Plan (e.g. Thames Gateway and Milton Keynes/South Midlands);

- **150,000-200,000 additional homes in the new round of RSS and plans now under consideration,** including many smaller sites and urban area schemes, together with **further, partial RSS reviews** where they are needed;

- **100,000 extra homes in 45 towns and cities** that make up the **29 New Growth Points** which have already come forward in 2006 proposing high growth schemes. Those towns will be eligible for additional support and growth funding – comparable to support which Growth Areas receive, including access to a £300 million Community Infrastructure Fund for Growth Areas, New Growth Points and eco-towns;

- **An additional round of New Growth Points** including for the first time the North. Our ambition would be to deliver around **50,000 new homes**. The final number will depend on the strength, costs and sustainability of bids coming forward;

- We are launching today an invitation for local authorities and developers to propose **5 new eco-town schemes**, with the entire community designed to be able to reach zero carbon standards. Each scheme could provide between 5,000 and 20,000 new homes giving a total of some **25-100,000 homes**. Final decisions will depend on the strength, costs and sustainability of the bids received.

Delivering homes where they are needed: Young families face problems finding affordable homes in every region, in urban and in rural areas. New housing is therefore needed throughout the country delivered in a way that is sensitive to local needs. We are extending the New Growth Points programmes to northern cities and towns.

Rural homes: We recognise that rural communities face particular pressures. We will set out measures to ensure more social and shared ownership homes are delivered in villages, as the Affordable Rual Housing Commission proposed. The Housing Corporation is investing £230 million to deliver around 6,300 homes in small towns and villages through its 2006–08 affordable housing programme. We will set a target for delivery of affordable housing in rural areas over the period 2008-11. We are also supporting seven new potential pilot Community Land Trusts in rural areas, giving local communities access to land for affordable house building.

Planning reviews: We will set up partial reviews of regional plans to increase regional and local targets and ensure the new eco-towns and additional Growth Points are properly handled in the planning system. Reviews of Regional Spatial Strategies will be carried out by 2011 to reflect plans for 240,000 homes a year by 2016.

Local planning incentives and enforcement: A new Housing and Planning Delivery Grant will direct extra resources to those councils who are delivering high levels of housing and to those councils who have identified at least 5 years worth of sites ready for development. Local councils will have to identify enough land to deliver the homes needed in their area over the next 15 years by rapidly implementing new planning policy for housing (PPS3). We are publishing new guidance showing how councils can find the land they need. Where councils have not identified enough land and do not grant sufficient planning permissions, planning inspectors will be more likely to overturn their decisions and give housing applications the go ahead at the appeal stage. We will also consult on ways to strengthen the requirement on developers to commence development or lose planning permission, and what more can be done to develop a consistent approach to the disclosure of land holdings.

Public sector land: We have raised our target to 200,000 new homes to be delivered on surplus public sector land by 2016, a significant increase from the previous target of 130,000 announced in the Pre-Budget Report. English Partnerships will set out new standards for housing on surplus Government land, which will increase the number of affordable homes developed, bring forward sites more quickly and ensure that design and environmental performance standards are raised to meet housing policy objectives.

Recycling homes and land: We also need to make the most of existing homes and buildings and disused land. We believe brownfield land should be the priority for development. The Government will continue with the national target that over 60% of homes should be built on brownfield land and every region and local authority will be expected to set their own target for brownfield land use. The new homes agency[1] will work with local authorities to support them in their place-shaping role, including on how local authority and other disused land can be used to lever in private investment and transform communities. Councils, as part of their strategic housing role, need to reduce the number of homes that are left empty for long periods of time. We will explore a range of measures including the new Housing and Planning Delivery Grant.

[1] This refers to the government's new delivery body for housing and regeneration, currently being consulted on as *Communities England*, in 'Delivering housing and regeneration: Communities England and the future of social housing regulation'. More information on the role of the new homes agency is given in Chapter 12: Implementation: A shared endeavour.

Section III: Better homes: How we create places and homes that people want to live in

We don't *just* want to build *more* homes. We want them to be *better* homes, built to high standards, both in terms of design and environmental impact and homes that are part of mixed communities with good local facilities. Our new homes need to be part of the solution to climate change; not part of the problem. We will work with other government departments to make this a reality. We also want to improve the quality of existing social homes, so that everybody has decent housing.

Infrastructure funding: We have already delivered significant investment in infrastructure through mainstream government funding. £14 billion was spent on infrastructure in the three main regions of growth (London, the South East and East) during 2006-07. We are setting out new procedures to ensure mainstream programmes provide proper support for high growth areas.

New settlements should be attractive places with good quality neighbourhoods and green public space that help create healthy communities. They must provide good local infrastructure – transport, schools and healthcare. Such provision will be central to our plans and we are proposing new procedures for councils and Government departments to plan for new schools, new health facilities and improved transport facilities. We are funding CABE Space to assist local authorities with their green space strategies, in order to provide more and better open spaces for people to use, including play areas for children. Green spaces are an essential part of our Growth Areas, New Growth Points and eco-towns programmes, where a tenth of Growth Area funding has been dedicated to improve parks, forests and green spaces since 2003.

We will also continue with targeted funding for Growth Areas, New Growth Points and eco-towns including the new £300m Community Infrastructure Fund over the next three years. Announcements on levels of funding will be made in the Autumn.

Planning Gain: We also believe that more infrastructure funding could be drawn from the value uplift that the planning system generates. We propose a Planning-gain Supplement Bill – to ensure that local communities benefit from new developments. But if a better way is identified before this year's Pre-Budget Report of ensuring local communites receive significantly more of the benefit from planning gain, including to invest in necessary infrastructure and transport, and it is demonstrated that it is a better alternative, the Government will be prepared to defer next session's legislation. This Green Paper sets out possible alternative approaches to facilitate discussion with key stakeholders.

Greener homes: New housing needs to be much more sustainable for the future. We need a revolution in the way we build, design and power our homes. A quarter of the UK's current carbon emissions (around 150 million tonnes of carbon dioxide each year) arise from how we heat, light and run our homes. We want to increase protection of the environment by cutting carbon emissions and we want all new homes to be zero carbon from 2016. We will strengthen building regulations by 25% in 2010 and by 44% in 2013 to set the standards we need to help achieve this. We will also set new minimum standards for water use in new homes cutting average water use by almost 20%. And we are consulting on how best to rate new homes against our Code for Sustainable Homes to inform consumers and help drive up standards. We have set up a task group to look at research and work across the supply chain to deliver the improvements we need.

We will monitor closely the effectiveness of our new planning policy protecting new homes from flooding.

We are committed to the principles of the Green Belt. We will make no fundamental changes to Green Belt planning policy, as set out in Planning Policy Guidance note 2.

Well-designed and good quality homes: Our aim is to eliminate poorly-designed new housing, and make good and very good new development the norm. And we recognise that getting the design right can improve the quality of life for all members of the community, as well as improving the environment, creating safer and stronger communities and reducing our carbon footprint. We recognise the inspirational power of the very best and are encouraging innovative new designs of the highest standards, for example through competitions in eco-towns. These competitions will stimulate new architectural thinking on how to achieve a strong vision and identity in a range of new settlements and at individual building level, whilst reflecting local character and context.

We will work closely with the Commission for Architecture and the Built Environment (CABE) on its work with the public and private sectors to raise design standards. A light-touch review of CABE in the autumn will ensure we maximise its contribution to good design as we expand housing growth. We will also pilot a quality assurance programme with local authorities and developers, to explore ways to provide a meaningful concession to developers who meet quality benchmarks, with a view to speeding up the development process whilst safeguarding design outcomes.

Our new planning policy for housing (PPS3) ensures that housing developments reflect the varied needs of local communities, providing more affordable homes, proper infrastructure and high standards of design. And our *National Strategy for Housing in an Ageing Society*, to be published in the autumn, will set out more on ensuring housing growth responds to the needs of an ageing population.

Section IV: Making housing more affordable

House prices have doubled in real terms in the last decade. The average house now costs over £210,000, over 8 times the average salary. This has made it more difficult for young people and families to buy their own home. Although building more homes is essential to tackle long term affordability pressures, more support is also needed to help young people and families over the next few years. While we have focused on improving the quality of social housing since 1997, we now need to develop more affordable homes both to rent and to buy, including increasing provision of family housing. Local authorities will have new opportunities to build and manage new houses as well as Housing Associations and the private sector.

We plan a £8 billion programme for affordable housing in 2008-11, a £3 billion increase compared to the previous three years.

At least 70,000 more affordable homes a year by 2010–11: We want to ensure there are more affordable homes and more opportunities for people to get on the housing ladder. Government will help deliver at least 180,000 new affordable homes over the next three years, and more than 70,000 affordable homes a year by 2010-11 – with an ambition to increase further in the next spending review.

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At least 45,000 new social homes a year by 2010-11 – a 50% increase in social housing in 3 years, more than doubling new provision since 2004-05, and **a goal of 50,000 new social rented homes a year,** in the next spending review period.

We will significantly expand the programme of converting temporary accommodation into settled homes, adding to the number of homes which will become intermediate or social housing.

Over 25,000 shared ownership and shared equity homes a year funded mainly by the Housing Corporation (or its successor the new homes agency) to particularly help key workers and others who cannot afford to buy near where they work.

Thousands more shared ownership homes through local housing companies and public sector land. We will use public sector land to deliver additional shared ownership homes without grant. We will set out more details on the scale of this programme as the work with local housing companies progresses.

Rural Affordable Housing: The new homes agency will work with rural councils so that they can meet the particular pressures faced by rural communities by supporting social housing and shared ownership homes in villages and rural areas as well as in larger towns. Later in the year, building on advice from the regional assemblies we will set a target for rural affordable housing for 2008-11.

Local Housing Companies: We are setting out proposals for new local housing companies that local councils can establish (in partnership with the new homes agency) in particular to deliver shared ownership homes and homes for first time buyers built on local council land. We believe these have the potential to deliver tens of thousands of shared ownership homes over the next five years.

Private Sector Shared Equity: We believe the private sector can play a greater role in offering shared equity mortgages or shared ownership homes, and we want to see far more competitive products on offer. Communities and Local Government are appointing Brian Pomeroy, to help us follow up on the Shared Equity Task Force report and advise us on ways to develop the private sector shared equity market. We have already launched a shared equity competition for lenders to develop more shared equity and we are now announcing a new 17.5% government equity loan product. Through this, we aim to increase both the range of private sector organisations involved in this area and the competitiveness of products available.

Improving the way the mortgage market works: We want to look at ways to help mortgage lenders finance mortgages, including more affordable longer-term fixed rate mortgages.

Wider delivery of affordable housing in mixed communities: We want to see a wider range of organisations bringing in more resources to build affordable housing. The first ten Arms Length Management Organisations and other local authority companies have pre-qualified to bid for social housing grant, and more will have an opportunity to pre-qualify next year. We are setting out new ways for councils to use their land and resources to build homes, and are seeking views on changes to the treatment of rents and capital receipts from additional homes which would incentivise this. We also want to promote greater private sector involvement in increasing social housing.

Section V: Delivery: how we make it happen

More skilled workers: We need enough appropriately skilled workers to deliver our housing ambitions. This means improved training and tackling recruitment and retention difficulties in key areas and a focus on ensuring we have enough skilled professionals, construction workers and planning officers to meet our ambitions.

Implementation: a shared endeavour: This Green Paper sets out a scale of ambition to provide more housing than seen in this country for a generation. If we are to build these much needed homes we must join in a shared endeavour – with political leadership and delivery support shared between national, regional and local levels; with private, public and third sector providers all playing full roles; and involving local communities.

Everyone needs to take responsibility and account for the part they play in delivery. Communities and Local Government and English Partnerships are working with the Prime Minister's Delivery Unit to design a delivery mechanism to ensure this ambitious, cross government programme is realised. We want to see local people effectively involved in the debate about housing growth and infrastructure provision in their communities.

Local authorities have a critical role to play in achieving a major increase in new homes and their strategic housing role is at the heart of achieving our ambitions for housing supply. We want to see local authorities step up to play a stronger role in addressing the housing needs of all their residents, as part of their strategic housing role.

And we want home builders to rise to the challenge faced by the new targets for housing delivery, working with us to bring forward more land and tackle quickly any operational barriers to our plans.

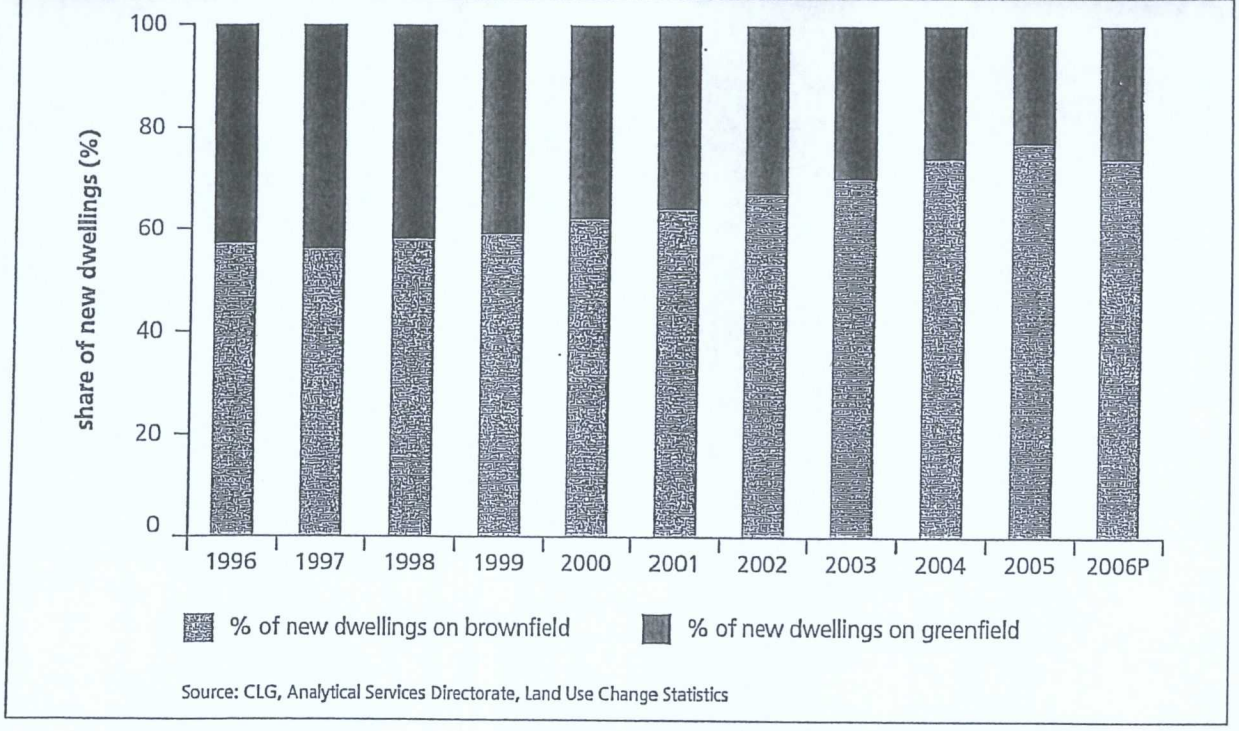
Supporting documents

Alongside this Green Paper we are publishing a series of documents providing more detail on this package of investment and reform:

- Eco-towns Prospectus – setting out a vision and specification for local authorities and developers, including an invitation to propose at least five new eco-towns;
- Building a Greener Future – our strategy and timetable for achieving zero-carbon homes by 2016;
- Building Regulations, Energy Efficiency Requirements for New Dwellings, a forward look at what the standards may be in 2010 and 2013;
- Water Efficiency in New Buildings – our joint policy statement with Defra;
- Improving the Sustainability of New Homes – making a rating against the Code for Sustainable Homes mandatory;
- Strategic Land Availability Assessment: Practice Guidance – to provide local planning authorities with advice on identifying land for housing and assessing deliverability;
- Impact Assessment for the Homes for the future: more affordable, more sustainable;

- Regulatory Impact Assessment for Energy Efficiency Requirements for New Dwellings;
- Regulatory Impact Assessment for Building a Greener Future.
- Draft Guidance on Planning Performance Agreements; and
- Provisional Allocations to Local Authorities of the Second Tranche of Planning Delivery Grant for 2007-08.

Figure 4: New dwellings: greenfield vs brownfield in England



Source: CLG, Analytical Services Directorate, Land Use Change Statistics

The challenges

13. We need to build on these achievements to meet the challenges and urgent priorities we face. We face new and substantial issues, including affordability of housing, shortages of social housing and climate change.

14. The population is expected to continue to rise and the average household size is falling. In 1971, 19% of households were one-person households. Now 32% are[10].

15. The latest (2004-based) household projections show that the number of households is projected to grow by 223,000 a year until 2026. This underlines the urgent need to build more homes for this, and future, generations.

[10] CLG Household Estimates and Projection Model

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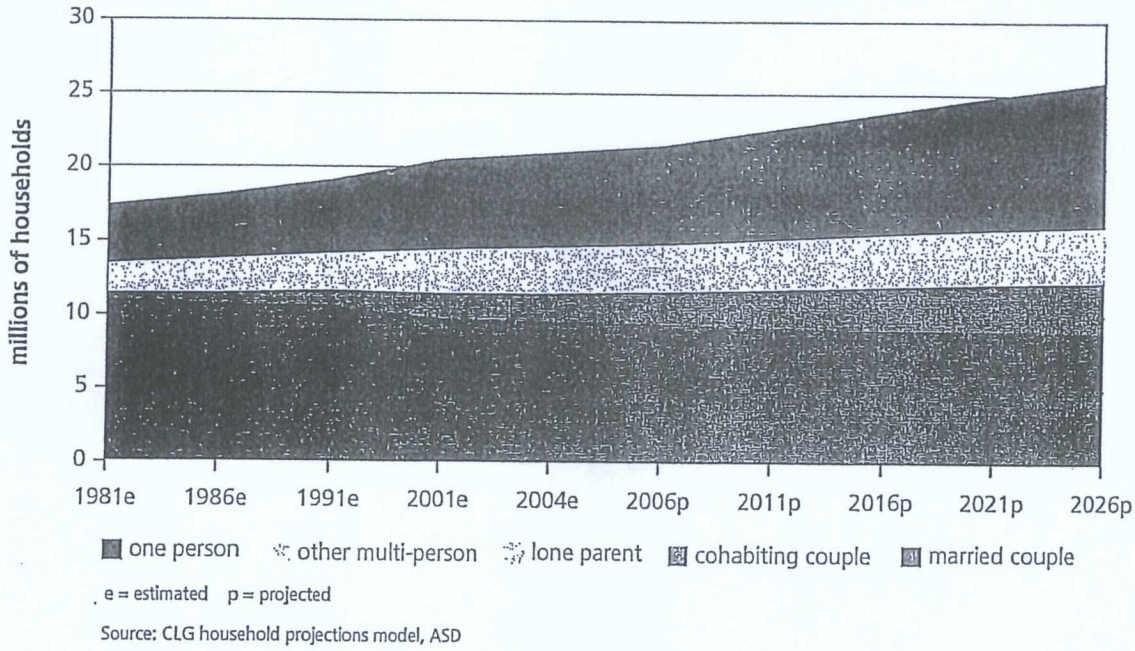
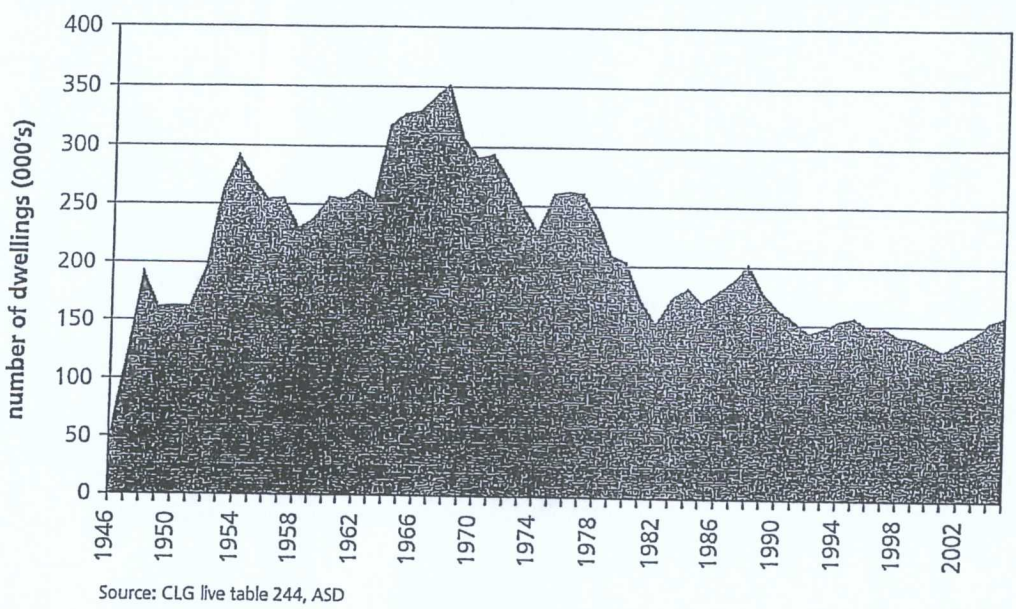
Figure 5 : Estimates and projections of the number of households in England



Source: CLG household projections model, ASD

16. Progress is being made. The level of completions of new homes has increased by 30% since 2002 and is now at its highest level for 17 years.[11] However, it is not yet high enough. More needs to be done to increase the long-term trend rate of growth as well as to respond to the short-term market pressures which affect levels of house building.

Figure 6: New dwelling completions in England



Source: CLG live table 244, ASD

[11] CLG housing statistics live table 244.

East Midlands Regional Plan
March 2009

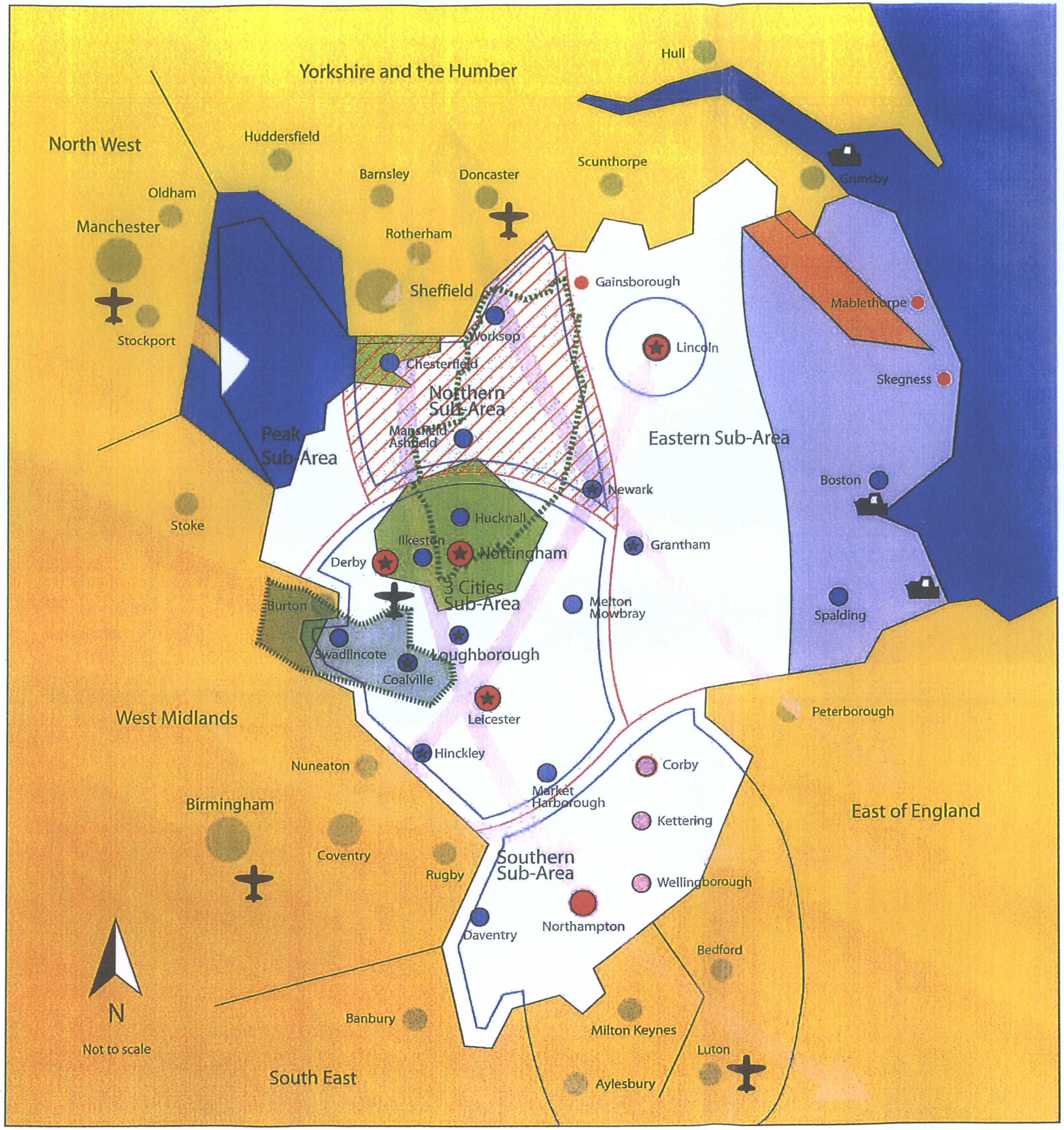


GOVERNMENT OFFICE
FOR THE EAST MIDLANDS

East Midlands Regional Plan

Communities and Local Government

London: TSO



Regional Key Diagram

- Principal Urban Areas (Policy 3)
- MKSM Growth Towns (Policy 3)
- Growth Points (Policy 4, 7 & 12)
- Sub - Regional Centres (Policy 3)
- Additional Regeneration Towns (Policy 19)
- Sub - Area Boundaries (Policies 4 - 12)
- Sub Regional Strategies (Section 4)
- Regional Transport Priorities (Policies 49 & 52)
- Northern Sub - Area Regeneration Priority (Policies 7 & 19)
- Peak District National Park (Policies 8 - 10 & 31)
- Green Belt (Three Cities SRS Policy 2)
- Lincolnshire Wolds AONB (Policies 4 & 31)
- National Forest (3 Cities SRS Policy 5)
- Sherwood Forest Regional Park - Area of Search (Northern SRS Policy 5)
- Airports (Policy 55)
- Ports (Policies 42, 43 & 54)
- Lincolnshire Coastal Strategy Area (Policy 5)

The Regional Policy Context

1.1.4 The Regional Plan has been developed within the overall vision set by the East Midlands Regional Assembly's Integrated Regional Strategy (IRS):

> **Regional Vision**
>
> **The East Midlands will be recognised as a Region with a high quality of life and strong healthy sustainable communities that thrives because of its vibrant economy, rich cultural and environmental diversity and the way it creatively addresses social inequalities, manages its resources and contributes to a safer, more inclusive society.**
>
> In the next two decades development should be concentrated on the region's major urban areas, in ways that allow cities and towns to work together for mutual benefit while retaining their distinctive identity.
>
> **This will be achieved for the benefit of present and future generations through the integration of:**
>
> • A vibrant and competitive economy with increased productivity characterised by high quality employment learning and skills, enterprising individuals, innovative businesses and improvements in the physical infrastructure;
>
> • Cohesive and diverse communities that empower and engage people, are safe and healthy, combat discrimination and disadvantage and provide hope and opportunities for all;
>
> • A rich, diverse and attractive natural and built environment and cultural heritage; and
>
> • Sustainable patterns of development that make efficient use of land, resources and infrastructure, reduce the need to travel, incorporate sustainable design and construction, and enhance local distinctiveness.

1.2 The Objectives of the IRS

1.2.1 The IRS objectives cover the social, economic, environmental and spatial themes of sustainable development. The spatial objectives of the IRS are:

- To ensure that the location of development makes efficient use of existing physical infrastructure and helps to reduce the need to travel;
- To promote and ensure high standards of sustainable design and construction, optimising the use of previously developed land and buildings;
- To minimise waste and to increase the re-use and recycling of waste materials; and
- To improve accessibility to jobs and services by increasing the use of public transport, cycling and walking, and reducing traffic growth and congestion.

1.2.2 All IRS Objectives have been used to inform the development of the Sustainability Appraisal incorporating the requirements of the EU Strategic Environmental Assessment (SEA) Directive, which has been used to evaluate options and appraise the impact of the Regional Plan. In developing and implementing the Regional Plan, it is important to have regard to all the objectives of the IRS and to the other regional strategies which contribute to it. These include the Regional Economic Strategy (*A Flourishing Region*) and the Regional Cultural Strategy

(*The Place of Choice*), both of which have been reviewed in parallel with the preparation of the Regional Plan. The RES sets out a vision for the Region's economy which is underpinned by 3 main themes:

- Raising productivity
- Ensuring sustainability
- Achieving equality

1.2.3 Climate change is now widely recognised to be the most significant issue for the future of the Region cutting across all land use sectors and affecting the East Midlands' environment, economy and quality of life. Many policies in this RSS specifically deal with climate change adaptation and/or mitigation in some way. These need to be seen as part of an overall, coherent strategy to deal with a major long-term problem that demands an immediate and co-ordinated response. In particular, plan users are referred to the core objectives in Policy 1 and policies on:

- Promoting better design (Policy 2);
- Enhancing biodiversity (Policy 29);
- Managing and increasing woodland cover (Policy 30);
- Water resources and quality (Policy 32);
- Priorities for the Management of the Lincolnshire Coast (Policy 34);
- A Regional Approach to Managing Flood Risk (Policy 35);
- Energy (Policies 39 and 40);
- Transport (Policies 43-56)

These policies reflect a commitment to implement the Climate Change Programme of Action commissioned by the East Midlands Climate Change Partnership. Actions to deal with climate change will be included in the Implementation Plan.

1.3 Objectives for the Regional Plan

1.3.1 The Core Objectives set out in Policy 1 are intended to translate this broader policy context into a spatial strategy that will deliver sustainable development in the East Midlands.

Policy 1

Regional Core Objectives

To secure the delivery of sustainable development within the East Midlands, all strategies, plans and programmes having a spatial impact should meet the following core objectives:

a) To ensure that the existing housing stock and new affordable and market housing address need and extend choice in all communities in the region.

***b) To reduce social exclusion** through:*

- *the regeneration of disadvantaged areas,*
- *the reduction of inequalities in the location and distribution of employment, housing, health and other community facilities and services, and by;*
- *responding positively to the diverse needs of different communities.*

***c) To protect and enhance the environmental quality of urban and rural settlements** to make them safe, attractive, clean and crime free places to live, work and invest in, through promoting:*

- *'green infrastructure';*
- *enhancement of the 'urban fringe';*
- *involvement of Crime and Disorder Reduction Partnerships; and*
- *high quality design which reflects local distinctiveness.*

***d) To improve the health and mental, physical and spiritual well being of the Region's residents** through improvements in:*

- *air quality;*
- *'affordable warmth';*
- *the availability of good quality housing; and*
- *access to health, cultural, leisure and recreation facilities and services.*

***e) To improve economic prosperity, employment opportunities and regional competitiveness** through:*

- *the improvement of access to labour and markets; and*
- *ensuring that sufficient good quality land and premises are available to support economic activity in sectors targeted for growth by the Regional Economic Strategy.*

***f) To improve accessibility to jobs, homes and services** through the:*

- *promotion and integration of opportunities for walking and cycling;*
- *promotion of the use of high quality public transport; and*
- *encouragement of patterns of new development that reduce the need to travel especially by car.*

***g) To protect and enhance the environment** through the:*

- *protection, enhancement, sensitive use and management of the Region's natural cultural and historic assets, giving particular attention to designated sites of international importance;*
- *avoidance of significant harm and securing adequate mitigation or compensation for any unavoidable damage;*

- *reducing the amount of waste produced and increasing the amount recycled or otherwise beneficially managed; and*
- *recognition of the limits to the capacity of the environment to accept further development without irreversible damage.*

***h) To achieve a 'step change' increase in the level of the Region's biodiversity** through:*

- *the management and extension of habitats, both to secure net gains in biodiversity and to facilitate species migration to allow the biosphere to adapt to climate change; and*
- *ensuring that no net loss of priority habitats or species is allowed to occur.*

***i) To reduce the causes of climate change** by minimising emissions of CO_2 in order to meet the national target through:*

- *maximising 'resource efficiency' and the level of renewable energy generation;*
- *making best use of existing infrastructure;*
- *promoting sustainable design and construction; and*
- *ensuring that new development, particularly major traffic generating uses, is located so as to reduce the need to travel, especially by private car.*

***j) To reduce the impacts of climate change**, in particular the risk of damage to life and property from flooding and sea level change and the decline in water quality and resources. This will be achieved through the location, design and construction of new development in ways that include:*

- *reducing the build up of heat island effects in urban areas;*
- *providing carbon sinks; and*
- *providing sustainable drainage and managing flood water.*

***k) To minimise adverse environmental impacts of new development and promote optimum social and economic benefits** through the promotion of sustainable design and construction techniques.*

1.4 Promoting Better Design

1.4.1 The East Midlands will see a substantial amount of new development over the lifetime of the Regional Plan, particularly in areas identified for growth or regeneration. In the recent past there have been some outstanding examples of new development in the Region. However, some new development has been of an unacceptably low standard. In the future, it is essential that all new developments in the East Midlands aspire to the highest standards of design and construction if the IRS's vision of sustainable development is to be achieved. Particularly important factors include adaptability to climate change, improving resource efficiency, reducing CO_2 emissions, greater use of local materials and meeting the needs of an ageing population. In addition to the national guidance provided by the Commission for Architecture and the Built Environment and the establishment of a Regional Design Review Panel, the Regional Planning Body has developed a Sustainable Construction and Design Guide (2006) to help improve design and construction standards in the East Midlands, available at: http://www.emra.gov.uk. Town and Village Design Statements and Historic Landscape Characterisations will also be relevant, where appropriate, as will the Sustainable Communities Guides published by the TCPA: *Biodiversity by Design and Climate Change Adaptation by Design*.

1.4.2 In securing a proportion of energy from decentralised and renewable or low-carbon sources, the Planning Policy Statement (PPS): *Planning and Climate Change* (which supplements PPS1) expects development plan documents to include policies which promote and encourage a proportion of the energy supply of new development to be secured from decentralised and renewable or low-carbon sources. In the interim period, before DPDs are in place, all new developments of more than 10 dwellings, or for others uses exceeding 1,000m_2 floorspace, should seek to secure at least 10% of their energy from decentralised and renewable or low-carbon sources unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, this is not feasible or viable.

1.4.3 The policy refers to levels of building sustainability in the context of urban extensions. The Government confirmed in its *Building a Greener Future* policy statement that it sees considerable value in a strong national framework balanced with appropriate local flexibility in moving towards zero carbon homes. It has set a world leading target for all new homes to be zero carbon from 2016 by outlining a timetable to achieve a 25% reduction in carbon emissions from new homes by 2010, and 44% by 2013 before reaching zero carbon in 2016. These reductions will be required by national, and binding, building regulations. The Government has also announced an ambition for all new non-domestic buildings to be zero carbon from 2019 with consultation on the timeline and its feasibility.

1.4.4 Paragraphs 30-33 of the Climate Change PPS recognise that there will be situations where it could be appropriate for local planning authorities to anticipate levels of building sustainability, for identified development areas or site-specific opportunities, in advance of those set out nationally. The PPS makes clear that local planning authorities must be able to demonstrate the local circumstances that warrant and allow this and that any local requirement must be set out in a development plan document to ensure it is properly tested. It also makes clear that local requirements should be specified in terms of achievement of nationally described sustainable buildings standards (the Code for Sustainable Homes in the case of housing).

Policy 2

Promoting Better Design

The layout, design and construction of new development should be continuously improved, including in terms of reducing CO_2 emissions and providing resilience to future climate change, by:

- *design led approaches which take account of local natural and historic character;*
- *minimising energy use, reducing the heat impact of urban areas, using sensitive lighting, improving water efficiency, providing for sustainable drainage (SUDS) and management of flood water, reducing waste and pollution, securing energy from decentralised and renewable or low carbon energy technologies, incorporating sustainably sourced and recycled materials wherever possible, and considering building orientation at the start of the design process;*
- *ensuring that all urban extensions that require an Environmental Impact Assessment achieve the highest viable levels of building sustainability;*
- *making the most efficient use of land;*
- *locating and designing access from new development to local facilities on foot, by cycle or by public transport;*
- *highway and parking design that improves both safety and the quality of public space;*
- *design which helps to reduce crime and the fear of crime, supports community safety, promotes vitality, maintains amenity and privacy, and benefits the quality of life of local people; and*
- *taking account of the need to develop carbon sinks and 'green infrastructure' networks and provide for access to open space and the enhancement of biodiversity and landscape quality.*

2.1 Overview

2.1.1 The regional development strategy aims to locate new growth and regeneration in the areas which can, most sustainably, provide good sites for development. These need to be related to the best opportunities for maximising both the existing investment in infrastructure and the opportunity for providing new infrastructure, as well as providing the best possible access to services, facilities, and jobs. Policy 3 therefore concentrates new development and economic activity in and adjoining existing urban areas.

2.1.2 More than a third of the population of the region is concentrated in the urban areas around the three main cities of Derby, Leicester and Nottingham, and these three cities also contain the main concentrations of public administration, business, education, health services and cultural activities. The three cities also have good links with the rest of the region and with adjoining regions and beyond. They are increasingly working together as the "Three Cities Partnership" in planning for growth and regeneration, for example in their joint New Growth Point arrangements.

2.1.3 To maximise the development of key elements of the economy and to build on the existing infrastructure a policy of urban concentration has been adopted and, therefore, a major proportion of the new growth required in the region should be concentrated in and adjoining these three conurbations. Within these built up areas there are also significant areas of deprivation including many areas of brownfield land that need to be recycled and revitalised as part of any local strategies aimed at addressing social, economic and physical regeneration.

2.1.4 Similar issues apply in Northampton and Lincoln. The local need for regeneration in these areas is still very significant and major opportunities exist for both revitalisation and growth. Lincoln especially has a large rural catchment area that depends on the city's economy, services and facilities for many of the essential aspects of life.

2.1.5 Northampton is already part of the Milton Keynes and South Midlands Growth Area where substantial policy-led growth is planned as part of the Government's Sustainable Communities Plan. Corby, Kettering and Wellingborough are also included within the Growth Area and many large investments are already planned within these towns which will bring not only many new houses and jobs, but also much new investment in infrastructure and facilities.

2.1.6 There are also many other large towns within the region, some of which have their own local economies and hinterlands, such as Mansfield and Chesterfield, while others, though smaller, function as important service centres for local areas. Many of these also have regeneration needs and some have significant areas of brownfield land that need to be redeveloped.

2.1.7 Policy 3 does not list other towns and settlements below Sub-Regional Centres but it is not intended to curtail growth elsewhere. Rather it indicates the general scale of development that is expected in the main towns and cities in the region. Policy 19 also sets out the areas most in need of regeneration.

2.1.8 The Regional Transport Strategy (Section 3.4 and Policies 43-56) supports the spatial strategy by providing for sustainable travel patterns through measures that will reduce the need to travel, and improve public transport, where it can bring about the most benefit. Where infrastructure needs to be improved, for example on major inter-regional routes (M1, A1 and A14), important routes within the region (e.g. A38, A46 and A453), and local schemes aimed at improving congestion or road safety, regard has been had to priorities set out through the Government's Regional Funding exercise, which are linked to the amount of resources likely to be available.

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2.1.9 There are particular priorities in rural areas, where considerable amounts of deprivation and disadvantage still exist. It is very important to create sustainable rural communities, ensuring appropriate levels of new growth to allow rural communities to flourish and thrive. The rural economy also needs to be encouraged in line with the principles expressed in PPS7 *Sustainable Development in Rural Areas*. Achieving these objectives should be set against the need to avoid unsustainable patterns of new development which could lead to more and longer journeys, particularly in areas close to major urban centres where growth in unsuitable locations could encourage increased levels of commuting.

2.2 Distribution of New Development

2.2.1 Urban renaissance is the key to achieving a more sustainable pattern of development. Most people already live in urban areas which offer the greatest opportunity to ensure that homes, jobs and services are related to one another and hence maximise accessibility. The concentration of development also supports the efficient use of resources by:

- reducing the need to travel longer distances from home to work, shops and services;
- securing a more efficient use of existing and new infrastructure and services;
- conserving the countryside and high grade agricultural land;
- making use of previously developed land and buildings to limit the need for undeveloped land to be brought forward for development; and
- maximising opportunities for the socially excluded to benefit from development activity.

2.2.2 The Government's Urban White Paper (2000) and the revised East Midlands Urban Action Plan (2005) advocate a range of measures to promote urban renaissance. These include the re-use of suitably located derelict and other previously developed land, the balanced distribution of good quality housing, including affordable housing, and the provision of and improved access to, good quality employment opportunities, services and open space. Such measures will help to make urban areas more attractive, contribute to their regeneration and hence safeguard their future. Successful urban regeneration will also require complementary improvements to standards in schools, health care and community safety to reduce the fear of crime. This will need to be allied with an integrated approach to accessibility, particularly in larger centres, leading to a reduced dependence on private car use through the encouragement of public transport, cycling and walking.

2.2.3 emda and other partners have carried out master planning exercises in a number of urban areas, including parts of Leicester, Nottingham and Grantham. Further work is planned. Urban Regeneration Companies and Urban Development Corporations will assist in delivering regeneration in parts of the Region.

Policy 3

Distribution of New Development

Development and economic activity should be distributed on the following basis:

a) new development will be concentrated primarily in and adjoining the Region's five Principal Urban Areas (PUAs), the built up areas centred on Derby, Leicester, Lincoln, Northampton and Nottingham;

b) significant levels of new development should also be located in the three growth towns of Corby, Kettering and Wellingborough;

c) appropriate development of a lesser scale should be located in the Sub-Regional Centres (SRCs), i.e.in the:

- *Eastern Sub-area: Boston, Grantham and Spalding;*
- *Northern Sub-area: Chesterfield, Mansfield-Ashfield, Newark and Worksop;*
- *Southern Sub-area: Daventry;*
- *Three Cities Sub-area: Coalville, Hinckley, Hucknall, Ilkeston, Loughborough, Market Harborough, Melton Mowbray and Swadlincote;*

d) The development needs of other settlements and rural areas should also be provided for. New development in these areas should contribute to:

- *maintaining the distinctive character and vitality of rural communities;*
- *shortening journeys and facilitating access to jobs and services;*
- *strengthening rural enterprise and linkages between settlements and their hinterlands; and*
- *respecting the quality of tranquillity, where that is recognised in planning documents;*

In assessing the suitability of sites for development priority should be given to making best use of previously developed land and vacant or under-used buildings in urban or other sustainable locations, contributing to the achievement of a regional target of 60% of additional dwellings on previously developed land or through conversions.

In applying this policy the influence of major urban areas outside the Region should also be taken into consideration, particularly those fulfilling the role of PUAs for parts of the East Midlands, i.e. Peterborough, South Yorkshire and Greater Manchester, where policies in regional strategies for neighbouring regions will be relevant.

Principal Urban Areas (PUAs)

2.2.4 The five PUAs have been identified as settlement conurbations that can develop into sustainable urban communities where people will wish to live work and invest. They have the potential for:

- a variety and choice of high quality, healthy, affordable and sustainable living and working environments;
- a sufficient number and variety of jobs to meet employment needs, along with associated education and training opportunities;
- modern urban transport networks and modal interchanges with an emphasis on public transport provision;

- vibrant central areas and local centres to serve communities with high quality services, to promote identity and social cohesion and to drive economic growth; and
- improved infrastructure capacity, including healthcare, recreational, cultural and other facilities and green infrastructure.

2.2.5 Accessibility will need to be enhanced to the PUAs from both within and beyond the Region, particularly through the provision of high quality public transport services. National and international links should also be strengthened.

2.2.6 The physical extent of each PUA is defined in the Sub-Regional Strategies in Section 4. In order to ensure consistent policies and co-ordinated development proposals at the local level, joint Local Development Framework (LDF) Core Strategies and Action Plans should be pursued. These LDF Action Plans will also need to take into account the provisions of relevant Sub-Regional Strategies.

Growth Towns

2.2.7 In addition to the Northampton PUA, Corby, Kettering and Wellingborough have been identified as growth towns in the Milton Keynes and South Midlands Sub-Regional Strategy (MKSM SRS). In line with the principles of sustainable communities set out in the Government's Sustainable Communities Plan (February 2003), increased levels of new development will be planned in these towns, providing new houses, new infrastructure, new facilities and essential services, and new employment opportunities. Further detail is available in Section 4.1.

2.2.8 The proposed new growth and essential new infrastructure in the three towns will be co-ordinated through a jointly prepared Local Development Framework also covering the adjoining district of East Northamptonshire. This will ensure that the implementation of new development is phased according to a plan agreed between the four districts. The three growth towns will, however, retain their separate identities and measures should be adopted to prevent coalescence between the towns.

Sub-Regional Centres (SRCs)

2.2.9 The SRCs have been identified for their ability to perform a complementary role to the PUAs and have been selected on the basis of their size, the range of services they provide, and their potential to accommodate further growth. They have the capacity to support sustainable development objectives through:

- the use of design-led approaches such as master planning and town centre renewal activity to enhance existing character and community infrastructure;
- additional development in accordance with Policy 2;
- providing opportunities for economic diversification;
- providing a range of services to support surrounding hinterlands; and
- being the most accessible centre in an area with a range of transport modes.

2.2.10 Development in Sub-Regional Centres should support individual roles and functions. It should not be of a scale and character that prejudices the urban renaissance of the PUAs.

New Growth Points

2.2.11 Where there is considered potential to accelerate the delivery of new housing, the Government has accepted a number of bids from local authorities for settlements in the East Midlands to be New Growth Points. These are not planning designations but arrangements whereby the relevant local authorities have agreed higher growth targets in partnership with Government and are guaranteed access to increased levels of funding for necessary infrastructure.

2.2.12 There are four first round New Growth Points in the region, i.e. the 3 Cities and 3 Counties (Derby, Leicester and Nottingham), Lincoln, Grantham and Newark. All these towns and cities are either Principal Urban Areas or Sub-Regional Centres and the proposed growth levels are in line with the policy of urban concentration envisaged in Policy 3. Gainsborough has provisionally been accepted as a second round New Growth point, subject to the testing of that proposal through the next review of this Regional Plan.

Eco-Towns

2.2.13 The Government has invited proposals from developers for new "eco-town" locations in England. These are intended to be new settlements designed to achieve zero carbon development and built to the highest design standards. The Government is giving further consideration to several proposals, including some possible sites in the East Midlands. Because of timing, these proposals are not within the scope of this Regional Plan but once the Government has decided the eco-town locations, longer term planning issues such as their ultimate size will be tested in the Regional Plan review.

2.3 Regional Priorities for Rural Communities

2.3.1 The needs of rural areas must also be addressed in order to achieve a balanced urban and rural system within the East Midlands, in accordance with the principles underpinning the ESDP. Although in the context of Europe the East Midlands is an urbanised region, about 30% of the Region's population live in communities of less than 10,000 people. Rural areas offer distinctive landscapes and a living and working economy, as well as providing access to the countryside and enhanced recreational opportunities for people living in urban areas.

2.3.2 The ongoing importance of rural areas has been recognised by the European Commission's approval of the England Rural Development Programme (ERDP, October 2000) and the Rural Development Programme for England (2007 to 2013) and by the Government's Rural Strategy (2004). These objectives are further developed by the Government's Strategy for Sustainable Farming and Food (2002), supported by an East Midlands Regional Delivery Plan. The Regional Rural Delivery Framework and Rural Action Plan (2006-2013) identify the following rural priorities for the East Midlands:

- improving access to affordable rural housing;
- increasing the quality of the Region's green areas (green infrastructure);
- improving enterprise, innovation and employment opportunities;
- improving accessibility to jobs and services;
- developing active communities;
- supporting existing land-based and other rural business, and adapting to economic change; and
- addressing climate change.

2.3.3 In order to promote sustainable rural communities, strategies to provide an appropriate range of housing (particularly affordable housing), diversify incomes, add value to rural produce, improve skills and broaden the economy through the provision of jobs will need to be implemented. To ensure that economic growth does not lead to increased long distance commuting to jobs in urban areas, continued attention will need to be given to the provision of public transport and the use of other non-car modes of travel.

2.3.4 In line with PPS3, PPS7 and draft PPS4, it will be essential to seek ways of maintaining the vitality of rural communities and meeting local community and business needs. Improving access to services in rural areas will be of key importance, including by the use of information and communications technology (ICT). Parish Plans provide a tool to support the identification of local needs and opportunities by local communities.

2.4 Sub-area Priorities

2.4.1 The following section provides a Sub-area policy framework for the rest of the Regional Plan. The policies in this section do not cover every issue of relevance in each Sub-area. Rather, they provide a broad spatial framework which is developed, where appropriate, in the following topic based chapters and in the Sub-Regional Strategies in Section 4.

Sub-area Boundaries

2.4.2 The boundaries of the Sub-areas have been reviewed on the basis of research commissioned into the local authority groupings that relate to sub-regional Housing Market Areas in the East Midlands. This is available at http://www.emra.gov.uk. These local authority groupings have been used as the starting point for determining key policies in the Regional Plan, including levels of new housing provision.

Eastern Sub-area Priorities

2.4.3 This Sub-area comprises Lincolnshire and Rutland and contains a relatively traditional settlement structure comprised of dispersed towns with predominantly rural hinterlands. The only Principal Urban Area in the Sub-area is Lincoln, which acts as a focus for employment and services. Grimsby to the north and Peterborough to the south fulfil this role for other parts of the Sub-area. Lincoln has significant potential to strengthen its position in the Region as a cultural and commercial centre and this should be encouraged. The establishment and planned expansion of the University of Lincoln has started this process, and will also benefit the Sub-area as a whole. The Lincoln Policy Area Sub-Regional Strategy in Section 4.4 also contains policies and proposals to strengthen the regional role of Lincoln within its rural hinterland.

2.4.4 Boston, Grantham and Spalding have sub-regional roles which can complement the larger centres. All three require some consolidation and strengthening, and Grantham in particular has significant potential for growth, assisted by the town's recognition as a New Growth Point.

2.4.5 Below the Sub-Regional Centres, a large number of smaller settlements have service and employment roles which should be maintained and strengthened. They also have the potential to accommodate sustainable development because of their role as hubs and interchanges on the Sub-area's transport network. In general terms, these settlements possess many or all of the following services and characteristics:

- existing and potential employment opportunities
- secondary school and adult education facilities

2.4.37 The Sub-area's important environmental and cultural assets need to be protected and enhanced and new development will need to be sensitively located and designed to achieve this. For example new development should respect the character of distinctive areas of countryside such as Rockingham Forest. Areas like the Nene Valley can also provide opportunities for sport and informal recreation and contribute to the network of green infrastructure that will be necessary to secure sustainable communities.

2.4.38 Further guidance on growth in the Southern Sub-area is contained in the Milton Keynes and South Midlands Sub-Regional Strategy and is available at www.goem.gov.uk. Part B of this Sub-Regional Strategy is included below in Section 4.1.

Policy 11

Development in the Southern Sub-area

Development should be concentrated in, or in planned extensions to, existing urban areas in accordance with the policies and proposals in Section 4.1 below and the following spatial priorities:

- *Northampton's role and function as one of the Region's five Principal Urban Areas should be strengthened by new public transport infrastructure and facilities;*
- *The regeneration of Corby should be supported by a level of housing development that will significantly reduce the need for in-commuting. New transport infrastructure and improved connections to the national rail passenger network will also support regeneration. Development should be located and designed to respect the character of the surrounding countryside, taking particular account of the distinctive qualities of the landscape, woodland, and settlement pattern of Rockingham Forest;*
- *The roles of Kettering and Wellingborough as Growth Towns and Daventry as a Sub-Regional Centre should also be significantly strengthened;*
- *the roles of the small towns in the Sub-area should be maintained through the retention of basic services and facilities, environmental improvements and the safeguarding of their rural hinterlands from encroachment by larger centres;*
- *the quality of villages should not be degraded by inappropriate growth;*
- *the natural and cultural heritage of the Sub-area should be protected and enhanced, in particular Special Area of Conservation covering the Upper Nene Valley Gravel Pits; and*
- *in those parts of the Sub-area influenced by major urban areas in adjoining regions provision for development should respect sustainable development principles.*

Three Cities Sub-area Priorities

2.4.39 The Three Cities Sub-area contains the three largest cities of the Region – the Principal Urban Areas of Derby, Leicester and Nottingham. These are major commercial, industrial, administrative and cultural centres. They contain many of the Region's key companies, its largest shopping destinations, the main centres of higher education and healthcare, and other public services.

2.4.40 There are a number of large and medium sized settlements in the Sub-area. Some, like the Sub-Regional Centres are relatively free standing. Others such as Eastwood/Kimberley and Long Eaton are strongly related to Nottingham and/or Derby. The development needs and opportunities of these settlements should be considered in the light of their relationship to

the Principal Urban Areas. Birmingham and Coventry influence the south west of the Sub-area and there are close local functional relationships between Ashby, Swadlincote and Burton, and between Hinckley and Nuneaton.

2.4.41 The Nottingham-Derby Green Belt, extending to over 60,000 hectares, is the main area of Green Belt lying entirely within the Region. This is drawn tightly around the urban area of Nottingham and has a vital role in preventing the coalescence of the Nottingham and Derby conurbations and the towns in the Erewash Valley. The Sub-area also includes the area around Leicester where a long established green wedge policy has successfully controlled urban sprawl around the city.

2.4.42 A strategic review of the Green Belt was undertaken in relation to development requirements up to 2026 as part of the evidence base for the Three Cities Sub-regional Strategy in Section 4.2 below.

2.4.43 Derby, Leicester and Nottingham all have relatively high concentrations of economic, social and physical deprivation within their inner areas and in some outer housing estates. Addressing this deprivation is a key regeneration priority for the Region which is being pursued in collaboration with *emda* and urban regeneration companies in the three cities. Such regeneration activity must be broadly based and contribute to social, economic and environmental objectives. It should also improve the accessibility of new opportunities to those most in need and help to reduce out-migration, particularly from Leicester and Nottingham.

2.4.44 The integration of transport and land-use development is particularly important within the major built-up areas in the Sub-area. Areas of new development should be identified in sustainable locations, promoting where possible the use of previously developed land, and contributing to regeneration initiatives. Derby, Leicester and Nottingham also have the potential to support sustainable transport facilities within the built up area, as well as inter-city linkages to reduce commuter journeys by car.

2.4.45 As well as bringing about the physical regeneration of the three cities, it is important that measures are focused on the needs of communities, particularly at improving educational and training achievement levels. This will enable local people in more deprived areas to be better able to share the benefits of economic growth.

2.4.46 The Sub-area contains the Region's only international airport, East Midlands Airport (EMA), which is situated near Castle Donington. EMA is a key national and regional asset, and is important both as a passenger and freight hub facility. In the past there has been pressure for development in the vicinity of the Airport. However, urbanisation of the area around EMA would not lead to a sustainable pattern of development, and would in the long term undermine its operational viability. Instead related development should be focussed where possible in surrounding urban areas, in particular the three Principal Urban Areas and the Sub-Regional Centre of Loughborough.

2.4.47 The Sub-area contains many important environmental assets, including most of the National Forest, Charnwood Forest, the rivers Soar and Wreake and the Trent Valley, some of which have been degraded by past development. There are significant opportunities to enhance such assets as part of regeneration and 'green infrastructure' initiatives The Sub-area also includes the River Mease Special Area of Conservation and most of the internationally designated Derwent Valley Mills World Heritage Site – the only such designation in the East Midlands. While this brings a range of economic, environmental and social opportunities to the Sub-area, the World Heritage Site's outstanding universal value and unique cultural assets should be afforded appropriate levels of protection.

2.4.48 The Three Cities Sub-Regional Strategy in Section 4.2 below seeks to build upon the existing inter-relationships between Derby, Leicester and Nottingham, and to develop further complementary roles and services that will promote a more sustainable pattern of development and improve collective economic performance.

Policy 12

Development in the Three Cities Sub-area

Development should support the continued growth and regeneration of Derby, Leicester and Nottingham, and maintain and strengthen the economic, commercial and cultural roles of all three cities in accordance with the policies and proposals in Section 4.2 below. This will be achieved by ensuring that the agreed Growth Point Programme of Delivery for the 3 Cities and 3 Counties is achieved both in overall numbers of dwellings and in the agreed phasing of development and that provision is made for:

- *a mix of housing types;*
- *a balance in the provision of jobs and homes within and adjoining urban areas to reduce the need to travel;*
- *employment land to meet the needs of indigenous manufacturing and distribution uses and to encourage new investment;*
- *regeneration of deprived inner urban areas and outer estates;*
- *enhancement of transport links and public transport accessibility both within and between the cities, to reduce car use, especially commuting;*
- *retailing, office, residential, entertainment and service uses within central areas, to provide for a mix of uses to support the vitality and viability of the city centres; and*
- *the protection, development and enhancement of green infrastructure to address past environmental degradation and contribute to the development of sustainable communities.*

Outside Derby, Leicester and Nottingham, employment and housing development should be located within and adjoining settlements. Such development should be in scale with the size of those settlements, in locations that respect environmental constraints, in particular the River Mease Special Area of Conservation, and the Derwent Valley Mills World Heritage Site, and the surrounding countryside, and where there are good public transport linkages.

Development associated with East Midlands Airport should be focussed where possible in surrounding urban areas, in particular the Principal Urban Areas of Derby, Leicester and Nottingham and the Sub-Regional Centre of Loughborough.

3.1 Regional Priorities for Housing

National and Regional Policy Context

3.1.1 Housing policy is a key component of the Regional Plan. The Government's specific objectives for housing are set out in PPS3 and include the aims of providing sufficient housing, creating mixed communities and meeting local housing needs. Emphasis is placed on a 'plan, monitor and manage approach' to housing provision.

3.1.2 In line with the Regional Assembly's Integrated Regional Strategy, PPS3 and the Housing Green Paper, the Regional Plan seeks to ensure that good quality housing is available to all within the East Midlands. Particularly important in this respect are the following issues:

- ensuring that sufficient additional housing is provided to meet requirements, taking into account anticipated growth based on past trends and future prospects in the Region, and Government policies for Growth Areas and New Growth Points;
- ensuring that sufficient housing is provided which is affordable according to local circumstances;
- creating sustainable neighbourhoods by not breaching environmental capacity and using water, energy and other resources in an effective and efficient manner;
- encouraging the use of higher densities to make more efficient use of land;
- providing well designed and landscaped neighbourhoods that have a clear identity and are diverse, attractive and successful places to live and work and contribute to the regeneration of local communities;
- encouraging provision in the most sustainable locations;
- managing flood risk in a sustainable manner;
- reducing crime, noise and pollution thereby increasing community safety, improving health and creating an atmosphere of well being: and
- monitoring of planned housing requirements against the rate of supply and factors influencing changes in need.

Regional Housing Provision

3.1.3 Taking account of PPS3, the following factors have then been considered:

- market conditions within each Housing Market Area grouping;
- regional economic growth forecasts developed by *emda* and consistent with the Regional Economic Strategy;
- housing land supply and the availability of previously developed land and underused buildings;
- the environmental, social and economic implications of development;
- the impact of development on existing and planned infrastructure;
- emerging 'New Growth Point' designations; and
- emerging planning policy in adjacent regions.

3.1.4 This analysis has been used to inform the strategic context for housing provision for each Housing Market Area grouping summarised below, and the district based provision figures given in Policy 13. Housing provision for Northamptonshire is dealt with in Section 4.1 as part of the Milton Keynes and South Midlands (MKSM) Sub-Regional Strategy. Further policy guidance on the distribution of housing provision within districts is contained in Section 4.

3.1.5 Housing provision will be monitored annually and reviewed at least every five years. As well as information relating to the demand and supply of housing and other socio-economic and environmental factors, future reviews of housing provision will need to give particular attention to:

- current and projected levels of stress on the core and regional trunk road network;
- current and projected public water supply and sewage treatment capacity 'headroom';
- the likely impact on targets to reduce CO_2 emissions; and
- the results of Strategic Flood Risk Assessments across the Region.

Sub-Regional Strategic Context

3.1.6 The following priorities provide the strategic context for determining housing provision at district level.

Eastern Sub-area

Central Lincolnshire HMA

- significantly strengthening the role of Lincoln as a Principal Urban Area through urban intensification and planned and sustainable urban extensions;
- supporting the regeneration of Gainsborough;
- strengthening the roles of Sleaford, Caistor and Market Rasen;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

Coastal Lincolnshire HMA

- housing provision in Boston, Skegness, Mablethorpe and in other coastal settlements will need to be limited to existing commitments until a coastal strategy has been agreed;
- supporting regeneration on the Lincolnshire Coast, in particular Skegness and Mablethorpe;
- strengthening the roles of Louth and Horncastle;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

Peterborough Partial HMA

- supporting the regional role of Peterborough;
- significantly strengthening the sub-regional role of Grantham;
- housing provision in Spalding and other settlements in South Holland will need to be limited to existing commitments until a coastal strategy has been agreed;
- consolidating the local roles of Oakham and Stamford;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

Northern Sub-area

Nottingham Outer HMA

- significantly strengthening the sub-regional roles of Newark and Mansfield-Ashfield;
- promoting the regeneration of smaller settlements in a way that promotes a more sustainable pattern of development;
- improving the long term economic prospects of the HMA.

Northern (Sheffield/Rotherham) HMA

- strengthening the sub-regional roles of Chesterfield and Worksop;
- promoting the regeneration of smaller settlements in a way that promotes a more sustainable pattern of development;
- improving the long term economic prospects of the HMA.

Peak Sub-area/Peak, Dales & Park HMA

- complying with the statutory purposes of the Peak District National Park;
- consolidating the roles of the market towns of Buxton, Matlock and Glossop;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

Southern Sub-area

West Northamptonshire HMA

- significantly strengthening the role of Northampton as a Principal Urban Area through urban intensification and planned and sustainable urban extensions;
- strengthening the sub-regional role of Daventry;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

North Northamptonshire HMA

- significantly strengthening the roles of Corby, Kettering and Wellingborough as Growth Towns through urban intensification and planned and sustainable urban extensions, whilst maintaining the separate identity of each town;
- meeting affordable housing in a way that promotes a more sustainable pattern of development.

Three Cities Sub-area

Derby HMA

- strengthening the role of Derby as a Principal Urban Area through urban intensification and planned and sustainable urban extensions;
- avoiding unsustainable levels of development in smaller towns in Amber Valley and South Derbyshire;
- supporting the regeneration of Swadlincote, Alfreton, Belper, Heanor and Ripley in a way that is consistent with the role and function of these towns;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

Leicester and Leicestershire HMA

- strengthening the role of Leicester as a Principal Urban Area through urban intensification and planned and sustainable urban extensions;
- strengthening the sub-regional roles of Coalville, Melton Mowbray, Loughborough, Hinckley and Market Harborough;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

Nottingham Core HMA

- strengthening the role of Nottingham as a Principal Urban Area through urban intensification and planned and sustainable urban extensions;
- strengthening the Sub-regional roles of Hucknall and Ilkeston;
- meeting affordable housing needs in a way that promotes a more sustainable pattern of development.

3.1.7 Advice from the Highways Agency indicates that over the longer term, the strategic road network will not be capable of accommodating satisfactorily traffic generated by the proposed level of housing growth across the Region as a whole, should current trends in traffic growth continue. The Regional Transport Strategy in Section 3.4 sets out policies and proposals to address traffic growth through behavioural change and demand management measures. The effectiveness of these policies and proposals will be monitored closely and reinforced if appropriate.

3.1.8 In addition, reductions in greenhouse gas emissions and water usage compared with current trends will be required to ensure that development is sustainable in line with Policies 1 and 2. Flood risk will also need to be addressed in a number of areas before development can take place. Further detail on these issues can be found under Section 3.3: Regional Priorities for Natural and Cultural Resources.

Policy 13a

Regional Housing Provision (excluding Northamptonshire)

The total housing provision figures below are the figures that local planning authorities should plan for over the plan period. Local authorities can test higher numbers through their development plan documents provided that they are consistent with the principles of sustainable development set out in PPS1 and tested through sustainability appraisal.

	Annual Apportionment From 2006	Total Housing Provision 2006-2026
Central Lincolnshire HMA	**2,030**	**40,600**
Lincoln PUA[1]	990	19,800
N Kesteven[2]	560	11,200
West Lindsey[2]	480	9,600
Coastal Lincolnshire HMA	**870**	**8,700**
Boston[3]	270	2,700
East Lindsey[3]	600	6,000
Peterborough Partial HMA	**1,370**	**24,000**
Rutland	150	3,000
S Holland[3]	540	7,400
S Kesteven	680	13,600
Nottingham Outer HMA	**1,830**	**36,600**
Ashfield	560	11,200
Mansfield	530	10,600
Newark & Sherwood	740	14,800
Northern (Sheffield/Rotherham) HMA	**1,510**	**30,200**
Bolsover	400	8,000
Chesterfield	380	7,600
NE Derbyshire	380	7,600
Bassetlaw	350	7,000
Peak, Dales & Park HMA	**500**	**10,000**
Derbyshire Dales[4]	200	4,000
High Peak[4]	300	6,000
PDNPA	-	-
Derby HMA	**1,830**	**36,600**
Derby	720	14,400
AmberValley	510	10,200

	Annual Apportionment From 2006	Total Housing Provision 2006-2026
S Derbyshire	600	12,000
Leicester & Leicestershire HMA	**4,020**	**80,400**
Leicester	1,280	25,600
Blaby	380	7,600
Charnwood	790	15,800
Harborough	350	7,000
Hinckley & Bosworth	450	9,000
Melton	170	3,400
NW Leics	510	10,200
Oadby & Wigston	90	1,800
Nottingham Core HMA	**2,850**	**57,000**
Erewash	360	7,200
Nottingham	1,000	20,000
Broxtowe	340	6,800
Gedling	400	8,000
Rushcliffe	750	15,000
East Midlands Total (excluding Northamptonshire)	**16,810**	**324,100**

[1] The figure for Lincoln is for the whole Lincoln PUA. Completions, commitments, urban capacity and potential urban extensions in those parts of the Lincoln PUA that lie in North Kesteven and West Lindsey will contribute to the Lincoln figure.

[2] The figures for North Kesteven and West Lindsey do not include contributions from those parts of the Lincoln PUA that lie in these districts, including completions, commitments, urban capacity or potential urban extensions.

[3] The total provision figures for East Lindsey, Boston and South Holland are ceilings, pending the agreement of a Lincolnshire Coastal Strategy.

[4] Housing provision in those parts of the Peak Park Planning Authority Area that fall within the Derbyshire Dales and High Peak Housing Authority areas will count towards the housing provision of those districts as set out in this policy.

A redistribution of housing provision within a HMA through the adoption of sound joint core strategies will be acceptable provided that the HMA total provision is met and the policy of urban concentration for the following HMAs is adhered to over 2006-2026 as follows:

- *Central Lincolnshire: at least 19,800 dwellings within or adjoining the Lincoln PUA.*
- *Derby HMA: at least 21,400 dwellings within or adjoining the Derby PUA.*
- *Leicester & Leics HMA: at least 39,800 dwellings within or adjoining the Leicester PUA.*
- *Nottingham Core HMA: at least 40,800 dwellings within or adjoining the Nottingham PUA.*

Policy 13b

Housing Provision (Northamptonshire)

The housing provision figures below are the figures that local planning authorities should plan for over the indicated periods. Local authorities can test higher numbers through their development plan documents provided that they are consistent with the principles of sustainable development set out in PPS1 and tested through sustainability appraisal.

Total 2001-2026 Provision for North Northamptonshire: 66,075

Total 2001-2026 Provision for West Northamptonshire: 62,125

Regional Priorities for Meeting the Housing Needs of the Community

3.1.9 PPS3 emphasises that an adequate supply of affordable housing is important for the performance of the regional economy and to promote social inclusion. The planning system plays a role in increasing the supply of affordable housing, creating a greater choice of housing types and balanced communities. Other Government policies have reaffirmed this approach through additional funding and greater partnership with employer and public and private sector landlords.

3.1.10 Indicative targets for monitoring purposes are set out in Policy 14. These are a guide to the level of affordable housing required for each Housing Market Area grouping. They have been defined using Holman's 'net stock' approach. Further detail is available in the Regional Affordable Housing Study at: http://www.emra.gov.uk. Within the overall housing provision figures in Policy 13, targets should be reviewed by Local Development Frameworks when full Housing Market Area Assessments have been completed by the relevant local partnerships.

3.1.11 The housing market is dynamic so it is not possible to establish static targets on the mix of dwelling size and type that should be provided. However, Local Authorities should have a strategic vision of the kinds of communities they wish to foster in particular neighbourhoods which takes into account:
For the market sector:

- a reasonable mix of housing is available, addressing any identified imbalance;
- certain dwelling types will not attract some types of household;
- it may not be essential for every neighbourhood to be fully mixed.

For the social sector:

- the allocation system enables dwellings to be more readily matched to households;
- sufficient larger dwellings should be provided to allow households to grow.

3.1.12 The level of available public subsidy (principally that administered by the Housing and Communities Agency's National Affordable Housing Programme) is currently only able to deliver under half of the identified affordable housing need, unless subsidy is significantly increased. The planning system will need to deliver the balance. Measures that reduce the relative long term cost of affordable housing should be supported over the longer term. Special approaches may be necessary in protected landscapes.

Policy 14

Regional Priorities for Affordable Housing

Local Development Frameworks, housing strategies and investment plans should have regard to the priorities identified in the Regional Housing Strategy, and include policies seeking the provision of a mix of dwellings in terms of size, type, affordability and location, having regard to the existing local stock, in order to help create inclusive communities which provide wider housing opportunity and choice. As part of their Local Development Frameworks local planning authorities should adopt affordable housing targets in line with the conclusions of the most up to date Housing Market Area Assessments for their area. For monitoring purposes indicative affordable housing targets are set out below, representing the total amount of affordable housing for each HMA for the period 2006-26. These targets do not represent a maximum for each HMA.

Central Lincolnshire HMA: 11,800

Coastal Lincolnshire HMA: 3,600

Peterborough Partial HMA: 8,400

Nottingham Outer HMA: 9,200

Northern (Sheffield/Rotherham) HMA: 10,000

Peak, Dales & Park HMA: 6,100

Derby HMA: 12,100

Leicester & Leicestershire HMA: 26,500

Nottingham Core HMA: 17,100

North Northamptonshire HMA: 14,300

West Northamptonshire HMA: 17,900

East Midlands Region: 137,000

3.1.13 Recent studies have highlighted the particular challenges in providing affordable housing in rural areas. These are summarised in the Regional Affordable Housing Study at: http://www.emra.gov.uk. This strategy seeks to address the particular issues that the region's rural areas are experiencing, ranging from deprivation and social exclusion, for example in the Meden Valley area or acute affordability pressures in remote areas such as, amongst others, the Derbyshire Dales. Providing appropriate levels of new housing in suitable locations is key to achieving the overall aim of creating sustainable rural communities. Whilst the focus should be on new housing to meet local needs, particularly by providing affordable housing, most rural areas will also require some market housing if they are to prosper. New homes must be of a high quality which enhances the character and biodiversity of rural areas whilst respecting the regions particular rural features.

3.1.14 For affordable housing in rural areas, local authorities and housing providers should make use of a wide range of policy mechanisms to provide new homes, for example by:

- setting separate targets for rural affordable housing within Local Development Frameworks
- setting an appropriate threshold site size, above which affordable housing may be sought;
- allocating sites solely for affordable housing in LDFs;
- using rural exception site policies where appropriate;
- use of Section 106 agreements to ensure delivery and/or retention of affordable housing in perpetuity;
- considering shared ownership without grant as well as social renting;
- considering housing associations borrowing potential;
- purchasing within the existing stock, particularly former council housing;
- re-using suitable redundant farm buildings for affordable housing;
- creating Community Land Trusts to retain affordable housing in perpetuity; and
- coordinating delivery across boundaries to ensure an effective approach to affordable housing having regard to changing housing market conditions and land supply.

3.1.15 There are particular priorities in rural areas where considerable amounts of deprivation and disadvantage still exist. In such areas it is very important to create sustainable rural communities, ensuring appropriate levels of new growth to allow rural communities to flourish and thrive. It is important that young people and families are able to choose to remain in or near the rural villages and towns they were brought up in, through access to local jobs and affordable homes. Allied to this, the development of the rural economy also needs to be encouraged in line with the principles expressed in PPS7 *Sustainable Development in Rural Areas*. Achieving these objectives should be set against the need to avoid unsustainable patterns of new development which could lead to more and longer journeys, particularly in areas close to major urban centres where growth in unsuitable locations could encourage increased levels of commuting.

Policy 15

Regional Priorities for Affordable Housing in Rural Areas

New housing in rural areas should contribute to :

- *addressing affordability issues by providing appropriate levels of housing in suitable locations;*
- *creating sustainable rural communities through a choice of well designed homes.*

Local authorities and housing providers should use all available policy mechanisms to provide affordable homes in rural areas, including those listed in paragraph 3.1.14.

Regional Priorities for Provision for Gypsies, Travellers and Travelling Showpeople

3.1.16 The Housing Act 2004 requires Local Housing Authorities to include gypsies and travellers in their accommodation assessments and to take a strategic approach to demonstrating how their accommodation needs will be met. Circular 01/2006 requires that the Regional Plan specifies pitch numbers for each Local Planning Authority.

3.1.17 There is a serious shortage of authorised sites for gypsies and travellers in the East Midlands. In the official January 2008 Caravan Count there were estimated to be 1,571 gypsy caravans in the Region, of which 427 were on unauthorised sites. The problem of unauthorised sites can only be addressed by the provision of more authorised public and private sites.

3.1.18 Appendix 2 sets out minimum net additional pitch requirements by local planning authority area, derived from up to date Gypsy and Traveller Accommodation Assessments (GTAAs). In order to clarify and ensure consistency between GTAAs, benchmarked figures covering the period up to 2012 have been specifically identified. GTAAs will need to be updated regularly to provide evidence for subsequent reviews of this policy and inform Local Development Frameworks beyond 2012. As outlined in '*Preparing Regional Spatial Strategy Reviews on Gypsies and Travellers by Regional Planning Bodies*', an ongoing increase of 3% compound growth per year for household formation beyond 2012 should be assumed. Evidence from the Showmen's Guild suggests a growth rate of 1.5% should be assumed for travelling showpeople.

Policy 16

Regional Priorities for Provision for Gypsies, Travellers and Travelling Showpeople

Local Authorities and other relevant public bodies should identify land for additional pitch provision based on clearly evidenced assessments of need, working together across administrative boundaries where appropriate.

Local Development Frameworks should make provision for the minimum additional pitch requirements set out in Appendix 2, taking account of the need arising from future growth beyond 2012 as set out in paragraph 3.1.18. Allowance for redistribution of provision, where identified as appropriate by the relevant GTAA, could be enabled by the preparation of joint or co-ordinated LDFs.

A Regional Target for the Efficient Use of Land and Buildings for Housing

3.1.19 PPS11 advises that Regional Spatial Strategies should include targets for the proportion of new dwellings to be built on previously developed land or through conversions. Achievement in the East Midlands has been improving and in recent years has exceeded 60%, but with wide variations across the Region. This is lower than the national average and may reflect the character of the Region, which is substantially rural, with no major metropolitan area.

3.1.20 It is recognised that there will continue to be wide variations of brownfield land available at a local level, but that there is often scope for improvement from past performance. As a result, the national target of 60% of new housing development on previously developed land should also apply at the regional level in the East Midlands.

3.1.21 In addition to using land for new housing and buildings for conversion, better use of the existing dwelling stock can contribute to meeting housing requirements. Local authorities are encouraged to address the under use of housing stock in a co-ordinated and rigorous manner. Vacant and underused properties should be identified in Strategic Housing Land Availability Assessments and Empty Property Strategies to bring buildings back into use should be put in place.

3.1.22 PPS3 indicates that a density of 30 dwellings per hectare (net) should be used as a national indicative minimum to guide policy development and decision-making until local density policies are in place. Much higher densities are achievable within the central areas of cities and large towns, which are well served by public transport and accessible to a wide range of services.

Regional Priorities for Managing the Release of Land for Housing

3.1.23 The district level housing figures set out in Policy 13 have taken account of the level of urban capacity across Housing Market Areas. Within this context the management of housing supply is principally a matter for Local Development Frameworks. In order to assess the scope for maximising urban capacity Local Planning Authorities, working with partners, should carry out Strategic Housing Land Availability Assessments in line with Government guidance. It is important to ensure there is a regionally consistent approach to the development and review of these assessments.

3.1.24 Sub-regional Housing Market Areas are relevant for the management of the release of housing and the application of phasing mechanisms. Phasing policies in Local Development Frameworks in the HMAs listed in Policy 17 should contain reference to the monitoring of housing delivery across the Housing Market Area and to the release of later phases of development in that context. Co-operation and joint working will be necessary to ensure that the release of sites is managed to achieve a sustainable pattern of development. In particular, through phasing of development, infrastructure should be in place that would avoid pressures and discharges to the environment that would potentially harm designated sites of international nature conservation importance. The delivery of housing in Housing Market Areas centred on urban areas outside the Region, in particular Peterborough, South Yorkshire, and Greater Manchester will also need to be considered.

Policy 17

Regional Priorities for Managing the Release of Land for Housing

Local Authorities, developers and relevant public bodies should work across administrative boundaries in all of the Region's Housing Market Areas to ensure that the release of sites is managed to achieve a sustainable pattern of development.

In the following Housing Market Areas there will need to be cross-regional working to achieve this:

- *Northern (Sheffield/Rotherham) HMA - with the Yorkshire and Humber region.*
- *Peak, Dales and Park HMA - with the North West and West Midlands regions.*
- *Peterborough (Partial) HMA - with the East of England region*

Local Development Frameworks should contain policies to manage the release of housing across both local planning authority areas and the wider HMA area.

To achieve this, in the following HMAs joint development plan documents will be expected, with the development of joint Core Strategies across HMAs particularly encouraged:

- *Derby HMA and the West Midlands*
- *Central Lincolnshire HMA*
- *Leicester and Leicestershire HMA*
- *North Northamptonshire HMA*
- *Nottingham Core HMA and Hucknall*
- *West Northamptonshire HMA*

3.2 Regional Priorities for the Economy and Regeneration

National and Regional Policy Context

3.2.1 The East Midlands Development Agency (*emda*) produced the region's third Regional Economic Strategy (RES), *A Flourishing Region* in 2006, available at www.emda.org.uk

3.2.2 Although the East Midlands is performing relatively well compared to other UK regions, the research underpinning the RES highlights a number of structural weaknesses which need to be overcome if the Region is to prosper in the longer term. In particular:

- the low pay-low skill equilibrium means there is a need to improve the skills of the Region's workforce and to develop a 'knowledge intensive' economy in order to address the productivity gap;
- the development of the service sector, high value added manufacturing activities and the creation and growth of innovative businesses will be required to maintain regional competitiveness;
- there remain significant disparities in terms of employment, earnings and wealth within the East Midlands;
- urban areas in the East Midlands are not achieving their full potential and contain areas of economic and social exclusion; and
- the changing age structure of the population will present a number of challenges and could constrain the supply of skills and labour in some areas.

3.2.3 The RES sets out a range of actions and proposals to close the 'productivity gap' with the national average and to promote a more competitive regional economy. Independent economic forecasts developed for the RES evidence base projects that economic growth in the East Midlands will be in line with the national average over the medium term. However, these forecasts do not take into account the full impact of the RES or the Regional Plan, nor do they reflect the aspirations of local and sub-regional partners.

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Regional Priorities for the Economy

Local authorities in all parts of the region should work together with emda and other organisations with relevant responsibilities to encourage and foster the regional economy through implementing the Regional Economic Strategy. It will be especially important to raise skill levels, develop the service sector and high value manufacturing and create innovative businesses, so that the region is better placed to maintain economic competitiveness.

Regional Priority Areas for Regeneration

3.2.4 Economic, social and environmental regeneration is a key priority for both the Regional Plan and the RES. Regeneration priorities should be compatible with RES objectives and the Spatial Strategy outlined in Section 2 (also see paragraph 2.4.8 and Policy 5 in connection with the regeneration of settlements along the Lincolnshire Coast). There are several European and national funding programmes that can assist implementation of regeneration initiatives in the East Midlands.

Policy Three Cities SRS 3

Housing Provision

Within the context set by Policy 13a, provision for new housing will be made at the following levels over 2006-2026:

DERBY HMA TOTAL:

1,830 dwellings per annum (dpa), of which at least 1,070 dpa should be within or adjoining the Derby PUA

Derby City: *720 dpa, all within Derby PUA*

South Derbyshire: *600 dpa, of which at least 320 dpa should be within or adjoining the Derby PUA, including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Swadlincote, including sustainable urban extensions as necessary.*

Amber Valley: *510 dpa, of which at least 30 dpa should be within or adjoining the Derby PUA, including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Alfreton, Belper, Heanor and Ripley, including sustainable urban extensions as necessary.*

LEICESTER AND LEICESTERSHIRE HMA TOTAL:

4,020 dpa, of which at least 1,990 dpa should be within or adjoining the Leicester PUA

Leicester City: *1,280 dpa, all within Leicester PUA*

Blaby: *380 dpa, of which at least 250 dpa should be within or adjoining the Leicester PUA, including sustainable urban extensions as necessary.*

Charnwood: *790 dpa, of which at least 330 dpa should be within or adjoining the Leicester PUA, including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Loughborough, including sustainable urban extensions as necessary.*

Harborough: *350 dpa, of which at least 40 dpa should be within or adjoining Leicester PUA, including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Market Harborough, including sustainable urban extensions as necessary.*

Hinckley & Bosworth: *450 dpa located mainly at Hinckley, including sustainable urban extensions as necessary.*

Melton: *170 dpa located mainly at Melton Mowbray, including sustainable urban extensions as necessary.*

North West Leicestershire: *510 dpa located mainly at Coalville, including sustainable urban extensions as necessary.*

Oadby and Wigston: *90 dpa within or adjoining the Leicester PUA*

NOTTINGHAM CORE HMA AND HUCKNALL TOTAL:

3,030 dpa, of which at least 2,040 dpa should be within or adjoining the Nottingham PUA

Nottingham City: *1,000 dpa, all within Nottingham PUA*

Broxtowe: *340 dpa, of which at least 180 dpa should be within or adjoining Nottingham PUA, including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Kimberley and Eastwood, including sustainable urban extensions as necessary.*

Erewash: *360 dpa, of which at least 100 dpa should be within or adjoining Nottingham PUA, including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Ilkeston, including sustainable urban extensions as necessary.*

Gedling: *400 dpa, of which at least 230 dpa should be within or adjoining Nottingham PUA, including sustainable urban extensions as necessary.*

Rushcliffe: *750 dpa, of which at least 530 dpa should be within or adjoining Nottingham PUA, including sustainable urban extensions as necessary.*

Ashfield (Hucknall): *180 dpa, within or adjoining Hucknall, including sustainable urban extensions as necessary.*

Sub-Regional Employment Priorities

4.2.33 The Sub-area is well placed to drive the economic growth of the Region. It already makes up half the region's economy and the Gross Value Added per head of all Three Cities is above the national average. The city centres provide the focus of flourishing business, retail and cultural activity. The Sub-area is also is home to 6 Universities, and East Midlands Airport sits centrally between the Three Cities.

4.2.34 However, labour market indicators suggest significant challenges relating to acute deprivation in all 3 conurbations. The Sub-area has the highest unemployment of the five economic Sub-areas of the region, and both employment and economic activity rates are below the regional average. Some areas of the PUAs exhibit very high and concentrated levels of deprivation, and Policy 19 prioritises these areas for regeneration.

4.2.35 Earnings in the Sub-area are higher than the regional average, but unlike other Sub-areas in the East Midlands, the average for those working in the Sub-area is higher than the average for residents, implying that a significant proportion of higher paid individuals commute to the Sub-area from elsewhere.

4.2.36 There is a relatively higher proportion employed in office based sectors, and slightly fewer in industrial and primary industries, reflecting the administrative and business centre roles of the Three Cities, and it is office based sectors together with other sectors such as leisure and retailing where employment prospects are greatest. In contrast, the projected decline in manufacturing employment is greater than regionally, reflecting the significant contractions in traditional sectors which are based in the cities, such as textiles and clothing in Leicester. Derby nevertheless continues to be one of the most important concentrations of high value manufacturing in the UK, whilst it performs less well than the other two cities in the financial, business and professional services sectors.

4.2.37 Over the Sub-area as a whole, there is a recognition that economic success needs to be underpinned by developing higher value, knowledge based employment, and each city has targeted relevant economic sectors and clusters for intervention to achieve this aim.

4.2.38 The Sub-area has particular strengths in respect of science-based high technology industries with potential for significant growth, based both on the Higher Education sector and a track record of existing initiatives, such as Loughborough Science Park and BioCity in Nottingham. Additionally Nottingham has been nominated a 'Science City'. The Regional Economic Strategy includes actions to increase Research and Development activity, and to develop and apply new technologies. Given the importance of these sectors for the future prosperity of the Sub-area, the spatial needs of high technology industries should be explicitly allowed for in Local Development Documents.

4.2.39 EMA is strategically located between the Three Cities. It is an important employment generator in its own right, as well as being essential infrastructure to support the rest of the Sub-Regional and wider economy. It has a national freight hub facility, and has the potential to generate a wide range of associated jobs outside the airport itself. Significant growth is proposed in freight and passenger traffic over the plan period.

4.2.40 In the past there has been pressure for development in the vicinity of the airport. However, urbanisation of the area around EMA would not lead to a sustainable pattern of development, would not assist in regenerating the PUAs, would be environmentally unacceptable, and could in the long term undermine the airport's operational viability. Policy 12 therefore seeks to focus commercial development associated with the airport (apart from airport related activities) in surrounding urban areas, especially in the 3 PUAs and Loughborough.

4.2.41 The city centres of Derby, Leicester and Nottingham serve a catchment extending well beyond the Sub-area boundaries, for both shopping and service functions. All three have significant regeneration and development proposals which will enhance the range of facilities offered, and extend the city centres. New roles for the city centres have emerged in recent years, particularly as a place to live, and this has contributed to their renaissance. In order to make best use of existing facilities and their high levels of accessibility, the enhancement of the regional role of these centres will be encouraged.

4.2.42 The Sub-Regional Centres also serve a wide catchment, and their vitality and viability should be promoted. However some smaller town centres are suffering decline, and in these cases Policy 22 encourages the use of design led initiatives and the development of town centre strategies.

4.2.43 Policy 20 sets out the regional approach to employment land. Studies indicate that in general terms, employment land lost to other uses should be replaced, to allow for expansion, economic restructuring and relocation. However, studies also acknowledge that the Sub-area currently has an excess of land for employment purposes, but much of this land is of poor quality, poorly located and unattractive to the market. In ensuring that Policy 20 is implemented, Local Planning Authorities should ensure that the needs of deprived communities are addressed, that the needs identified above in terms of high technology uses and EMA are addressed, that the site has relevance to the market it is seeking to serve. The needs of storage and distribution uses in terms of accessibility to the strategic transport network and sources of labour supply should also be considered.

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Employment Land

In reviewing employment land allocations in the Sub-area, Local Planning Authorities should have regard to Policy 20 and to the following factors:

- *the housing distribution set out in Three Cities SRS Policy 3, in particular the sustainable urban extensions;*
- *supporting the regeneration of the city centres, including large scale office developments, leisure and retail;*
- *the need to provide for the regeneration of deprived communities;*
- *the needs of high technology sectors, and to support Science City proposals;*
- *the need to serve the airport related development requirements of East Midlands Airport;*
- *the need to promote local employment opportunities that will reduce out commuting; and*
- *opportunities to address the green infrastructure deficit in the Sub-area.*

Sub-Regional Priorities for Natural & Cultural Resources

4.2.44 There are a wide range of natural and cultural assets in the Sub-area, including the National Forest (which extends into the West Midlands) a proposed Charnwood Forest Regional Park, and historic assets such as Derwent Valley Mills World Heritage Site, as well as many theatres and sporting venues. The Sherwood Forest Regional Park proposals impinge on the northern edge of the Sub-area and Northern SRS Policy 5 relates to this. All these assets require protection and enhancement, to further develop the distinctiveness of the Sub-area, and to offer public benefit in terms of improved quality of life, increased biodiversity, and supporting the Sub-Regional economy.

4.2.45 However, there are also areas of degraded and derelict land, often a result of past economic activity. The regeneration and environmental enhancement of these areas has a role to play in the regeneration of the Sub-area, and can have a role in increasing the Sub-area's stock of environmental assets and in increasing biodiversity.

4.2.46 The scale of development proposed in the Sub-area requires that its environmental impact should be considered from the outset, with a coordinated approach to providing new and enhancing existing green infrastructure across local authority boundaries. The approach will be to integrate the growth proposals with the broader objective of achieving linked, enhanced green networks, integrated with other strategies. This will particularly be the case for new urban extensions, where development can assist in delivering and enhancing green infrastructure initiatives such as the proposed Trent River Park near Nottingham. Policies in Section 3.3 will be important in this regard.

4.2.47 The siting of major development should also have regard to the environmental capacity of its location, and include measures to minimise and mitigate any negative impacts. Flooding is a potentially serious issue for the Sub-area, given that the 3 PUAs all have rivers flowing through them and have a history of flooding in the past. Nottingham and Derby are priority areas for Strategic Flood Risk Assessment identified in Policy 35, and these should be progressed as soon as practical to inform decisions about development which may be at risk of flooding.