

Urban Design Summary Proof of Evidence.

Evidence of Michael Carr (BA HONS LA DIP UD RUDP).

Land east of Warwick Road, Banbury.

Outline application for up to 170 dwellings (Use Class C3) with associated open space and vehicular access off Warwick Road, Banbury. All matters reserved except for access.

On behalf of Vistry Homes Ltd

Date: May 2024 | Pegasus Ref: P24-0645| CD 9.6

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Author: Michael Carr



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1. Witness Background and Particulars

- 1.1. My name is Michael Carr, and I am the Director in charge of Design and Masterplanning at Pegasus Group. I have over 25 years' experience of designing the built environment.
- 1.2. I hold a First-Class Bachelor of Arts Honours Degree and received a distinction for a subsequent Graduate Diploma in Landscape Architecture. Following this I studied for a Graduate Diploma in Urban Design. I am an affiliate member of the Royal Institute of British Architects and an approved Urban Design Group Recognised Practitioner. I am also a member of the Gloucestershire Design Review Panel.
- 1.3. Pegasus provides design consultancy services for a variety of developments including residential, commercial, leisure, education, and retail projects throughout the United Kingdom. I am regularly asked to present evidence and this is informed by my project work, which involves design from concept to implementation.
- 1.4. A number of projects I have worked on have won RTPI awards and Building for Life accreditations. The housing minister has in the past commended two developments I have been involved with, the redevelopment of the former airbase at Heyford Park and Spirit Quarters Coventry, in his speech to a Design Quality Conference.
- 1.5. The evidence that I have prepared, and provide in the Proof of Evidence, is true and is given in accordance with the relevant guidance. I confirm that the opinions expressed are my true and professional opinions.

2. Design Analysis of Reasons for Refusal

- 2.1. It is important to reiterate that the RfRs raised no specific urban design related RfRs. However, wording within RfR1 and RfR2 have raised two urban design areas to address for the Inspector. It is noted that RfR1 and RfR2 are primarily concerned with Landscape and Heritage respectively. The urban design related areas to be addressed by this section are:
- I. RfR1 – “prominent built form, inconsistent with the local character.....the identity and individuality of Hanwell village”; and
 - II. RfR2 – the urban design threads contained within cited policy ESD15.

Policy ESD15

- 2.2. In respect of Policy ESD15 and the urban design related strands, I set out below how the proposals satisfy the requirements at outline stage and/or they can be dealt with via detailed design/condition. For the avoidance of doubt, I use my own bullet numbering from my section 4 to reference the policy strands.
- 2.3. Strand I. requires development to be of high quality and of a scale that improves the quality and appearance of an area. As mentioned previously, the appellant is committed to achieving a high quality of design for the development through the preparation of a site specific Design Code, which as aforementioned is likely to be required by condition.
- 2.4. The scale proposed is consistent with its surrounding recent residential context. The general principles established through the outline are reflective of those newer developments, taking design cues from the context including architectural form and materiality. A modern day Banbury town development with contemporary requirements, including a need to make efficient use of land, will inevitably make the development different to Hanwell Village and this will help the legibility, experientially people will know they are in two very different places.
- 2.5. It is also important to note, that much of what drives and creates a high quality design are still to be agreed during the production of Design Codes and/or reserved matters applications. Simply put, they are still within the gift of Cherwell planning officers.
- 2.6. Strand II. requires adaptable buildings, places and spaces. These are detailed design matters to be addressed through the production of the of Design Code and/or reserved matters application.
- 2.7. Strand III. supports the efficient use of land and infrastructure. A significant proportion (56%) of the site is retained as green infrastructure/open space, the remaining land will be developed at an approximate net density of 35dph, which represents an efficient use of land in this edge of town context.
- 2.8. Strand IV. is read to be primarily concerned with landscape character and will be dealt with via separate Landscape evidence.
- 2.9. Strand V. and VI. are read to be primarily concerned with heritage assets and will be addressed through separate Heritage evidence.

- 2.10. Strand VII. Requires new development to be “*respectful*” of traditional development patterns, including routes, spaces, blocks etc and to be designed to integrate within existing areas and configured to create active public frontages. Much of this will be guided by detailed design stages, however the outline submission established high level principles in respect of development block arrangement, general street pattern and hierarchy and density, scale and massing strategies that will enable the delivery of development that is reflective and respectful of its context.
- 2.11. Strand VIII. expects detailed design of dwellings to be reflective of local distinctiveness. This will be satisfied during detailed design stages.
- 2.12. A permeable network of streets and spaces is established through the outline scheme submitted and the high-level principles set out. The movement strategy will cater for pedestrians, cyclists and vehicles alike, connecting with existing routes, PRoW and creating new. Away from the Primary Street, the lower category street typologies will prioritise the pedestrian over the vehicular user as established by the DAS. Nodal points, key spaces and landmark buildings will be incorporated within the detailed design of the scheme to further add to its legibility. These will satisfy strand IX.
- 2.13. Strand X is read to be a detailed design matter that will be progressed through the production of a Design Code and/or reserved matter application. General high-level principles for GI, street/movement hierarchy are established.
- 2.14. Strands XI and XII are primarily read as a detailed design matter concerned with existing and future resident amenity, privacy and outlook and lighting respectively.
- 2.15. Strand XIII requires development proposals to be up to date with urban design principles, including Building for Life (BfL) and Secured by Design. An informal BfL assessment is included within the submitted DAS and the development will incorporate Secured by Design principles at the detailed design stages. To my knowledge, concerns have not been raised in respect of the BfL assessment contained within the DAS.
- 2.16. Consideration of high level sustainable design and layout principles (strand XIV) has been included, details of which are contained within the DAS. This incorporates sustainable construction techniques and energy efficiency (strand XV). The precise details of both are to be fully addressed through detailed design stages.
- 2.17. The parameter plans and indicative masterplan submitted have been landscape led, resulting in development proposals which fully integrate GI and biodiversity enhancements as stipulated by strand XVI. The majority of the site is retained as green space, that is not only located around the edges of built form but creates routes through it. The precise design and detailing will be addressed through the later design stages.
- 2.18. The final strand encourages the use of locally sourced materials, this is a detailed design matter.
- 2.19. In light of the above, and my previous sections summarising the design approach, I can see an outline scheme that will be able to deliver an appropriately designed development to fully satisfy the urban design strands of policy ESD15. High level design strategies that will ensure its satisfaction are established as set out, and these will be reinforced through the likely requirement for a Design Code and subsequent reserved matters application.

Delivering High Quality Design

- 2.20. Noteworthy in their absence, are any specific urban design related concerns within the LPA's RfRs or SoC. As such it is impossible to predetermine design components and details that are not decided at outline stage. The concept masterplan provided represents just one way in which the development could be brought forward.
- 2.21. There are a wide range of design components that will establish a character 'fit' and the preparation of a Design Code at the appropriate stage will allow these to be brought forward in a way that will deliver a successful development. This is proven to be positive within the immediate context of the site.
- 2.22. No concerns have been raised in relation to the following principles outlined above and contained within submitted application documents:
- I. Land use disposition and placement;
 - I. General placemaking principles;
 - II. General landscape strategy;
 - III. Movement hierarchy;
 - IV. Parking strategy;
 - V. Density strategy;
 - VI. Scale and Massing strategy;
 - VII. Key spaces and frontages;
 - VIII. Street types and frontages; and
 - IX. Edge principles.
- 2.23. The extent of detailed Design Code elements is likely to be established through negotiations with officers, however they are likely to address the following:
- I. Block Structure;
 - I. Conceptual landscape plans for open space;
 - II. Character Areas;
 - III. Key spaces and frontages;
 - IV. Street types and frontages;
 - V. Building typology;
 - VI. Architectural detailing;
 - VII. Boundary treatment strategy;



- VIII. Detailed parking strategy (including cycle provision);
- IX. Feature spaces (including public realm and principles);
- X. Building materials and palette; and
- XI. Edge principles and relationships between green infrastructure and built form.

2.24. The following are matters that can be resolved at reserved matters stage and/or during the production of a Design Code:

- I. The appearance of individual buildings;
- I. The internal layout of buildings;
- II. The detailed siting of buildings;
- III. Detailed design of streets, including street materials;
- IV. Boundary treatments
- V. Detailed landscape design;
- VI. Sustainable construction (approach and principles); and
- VII. Detailed building materials and palette.

2.25. In this context, it is difficult to see what the concerns surrounding character are, when the Council simply do not know what the quality of the final design will be when so few design components that drive character are being decided at this outline stage.

3. Third Party Representations

- 3.1. This section seeks to address any additional urban design related comments made specifically via third party representations with a number of key themes/comments being raised. With respect to Urban Design related comments only, the principal design themes raised include:
- I. Proposed materials and in particular the inclusion of more local stone as a facing material;
 - II. Fear of anti-social behaviour;
 - III. Village identity of Hanwell to be retained. It is noted this comment is made primarily in relation to Heritage and Archaeology, but the Village character of Hanwell is pertinent to Urban Design also; and
 - IV. Sustainability, and particularly the energy efficiency measures included within individual dwellings.
- 3.2. As covered within the main body of this evidence, materials and particularly the application of particular facing materials is a detailed design matter. The production of a site specific Design Code is likely to cover the inclusion of local stone.
- 3.3. At the relevant detailed design stages, the detailed site layout will incorporate Secured By Design principles. The site will also be subject to detailed consultation with Police Liaison Officers at the relevant juncture.
- 3.4. The high level character of the outline proposals and individual character of Hanwell is addressed through the main body of this evidence.
- 3.5. Energy efficiency measures are a detailed matter to be resolved at future Design Code and/or RM application stages. Suffice to say, all proposed buildings will need to comply with the modern building regulations at the time of technical approval (this is a separate approval process to planning stages).
- 3.6. It has been noted within the Appeal Statement prepared by Keep Hanwell Village Rural Action Group (KHVRAG, CD3.25) a conflict with Saved Policy C33 of the Cherwell Local Plan (1996, CD5.3). Policy C33 relates to the Protection of Important Gaps of Undeveloped Land, stating:
- “The Council will seek to retain any undeveloped gap of land which is important in preserving the character of loose-knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.”***
- 3.7. It should be noted that Saved Policy C33 is not cited within the Councils RfR and is primarily concerned with Heritage matters. However, from an Urban Design perspective it is necessary to respond to the retention of ***“any undeveloped gap of land which is important in preserving the character of loose-knit settlement structure”***. The satisfaction of the remainder of Saved Policy C33 is addressed within Heritage evidence.



- 3.8. Hanwell is identified within the adopted Cherwell Residential Design Guide as being located within the Ironstone Downs District Character Area. The Guide, at page 24 describes the Settlement Patterns within Ironstone Downs as:

“Numerous small, closely spaced settlements of agricultural origin, with larger villages located to the south.

Villages are positioned in valley locations either on the valley sides, at the head of the valley or on the brow of the hill. Villages are generally only visually prominent where the valleys are open and wide.

Villages have linear or nucleated forms or enclose areas of open land.”

- 3.9. In light of the Council's own adopted assessment, which is more recently adopted in relation to Saved Policy C33, the first part of policy is not considered relevant to the application site from an urban design perspective.
- 3.10. Further key themes unrelated to Urban Design are addressed within the Appellant's evidence.

4. Conclusions and Summary

4.1. Having reviewed the proposed layout against the urban design related principles set out in Policy ESD15 of the Local Plan I can see a design that is well related to the existing settlement in terms of location and development form. Furthermore, and related to the corresponding policy parts, I can see a design that:

- I. Establishes high-level, site-specific design principles, which in the fullness of time can deliver a high quality, safe, attractive, durable and healthy place to live in;
- II. Will be able to deliver buildings, places and spaces that are adaptable to change;
- III. Supports an efficient use of land and infrastructure through an appropriate mix of proposed land uses and application of appropriate development density;
- IV. Establishes high level design principles that can contribute positively to the characters areas when developed further at the appropriate Design Code/RM application stages. Furthermore, the outline proposals have responded positively to the sites existing features such as views and setting;
- V. Respects traditional patterns of movement and in particular retains PRow in situ within appropriate landscape settings;
- VI. Promotes a permeable, accessible and legible pace through the principle of frontage development parcels and connected streets and spaces that will be reinforced with a legible street hierarchy;
- VII. Incorporates a high-level street hierarchy that can be developed at detailed design stages to promote pedestrian movement and integrate different modes of transport, parking and servicing thereby balancing design aspirations with technical highways requirements;
- VIII. Can provide suitable levels of amenity and privacy space at the appropriate detailed design stage;
- IX. Will be developed through the production of Design Code and/or RM application to ultimately provide a layout that is compatible with BfL and Secured By Design principles;
- X. Will incorporate energy efficiency measures within individual house types proposed at detailed design; and
- XI. Integrates green infrastructure with built development whilst also increasing opportunities for Biodiversity.

4.2. Furthermore, having reviewed the outline proposals against the urban design related principles inferred by the RfRs, I can see a design that is in accordance with the relevant urban design requirements.

4.3. The proposals will maintain a significant legible gap between Banbury and the village of Hanwell.



- 4.4. Hanwell is a historic village character; the largely unplanned nature of growth that has taken place incrementally over time is part of its evident charm.
- 4.5. Banbury is a town character, with planned growth, the proposals will be a logical next step in that growth with its delivery typically, supported by Design Codes, which ensure that high quality design is provided.
- 4.6. There is a very clear legible difference in character between the Hanwell Village and the proposals, the proposals will in my view will be obviously read as part of Banbury.
- 4.7. The proposals will relate well to the existing settlement of Banbury, whilst respecting the distinctive village of Hanwell, there will be a very clear legible separation and a clear arrival and departure from each settlement.
- 4.8. The outline principles enable the creation of attractive new streets, places and significant open space for existing and new residents to enjoy. The open spaces include areas of woodland planting for the benefit of all. In many ways the routes, spaces and open space areas will be a positive contribution to the area.
- 4.9. In conclusion, there is, in my view, no reason in design terms to refuse planning permission for this appeal.

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

Cirencester

33 Sheep Street, Cirencester,
Gloucestershire, GL7 1RQ
T 01285 641717
E Cirencester@pegasusgroup.co.uk
Offices throughout the UK

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