

*The whittling away of wonderful ideas: post-consent and the diminution
of design quality*

*Improving the post-decision planning process to deliver better places in
the West of England*

FINAL REPORT - CASE STUDY APPENDIX

APRIL 2021



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Case Study 1 - Charlton Hayes

Summary and key findings

Charlton Hayes is a large, complex scheme, originally permitted through outline permission in 2008. It is divided into 4 distinct phases, each with its own separate Design Code. This has allowed reflection on what has worked, and what has not, and for Design Codes to be drafted accordingly.

The use of a dedicated Delivery and Liaison Officer and developer's agent, combined with representatives of the community sitting on a regular Steering Group, has helped to increase communication between parties, improve trust and highlight delivery issues resulting in positive action on the ground. However, the use of social media to disseminate information, whilst potentially far-reaching, can present challenges of exclusion and scheme comprehension.

Suggestions for improvements to the post-consent process include:

- greater continuity of understanding from all parties to improve the coherence of delivery through use of developer teams with identifiable leads, so that continuity can be maintained should staff leave (through use of planning conditions or legal agreements);
- providing opportunity to review and amend design coding through subsequent phases to reflect experience from earlier stages of build-out;
- greater use of community "eyes and ears on the ground" to alert the LPA (and developer who may not be aware of specific implementation matters), which could be formalised through s.106; and
- raising awareness between parties as to the demands and pressures on their respective sides of the operations, including planning/development processes, implementation factors and wider contextual influences.

Project description

Charlton Hayes is a large housing development within the South Gloucestershire Council area (see **Image CH1**).

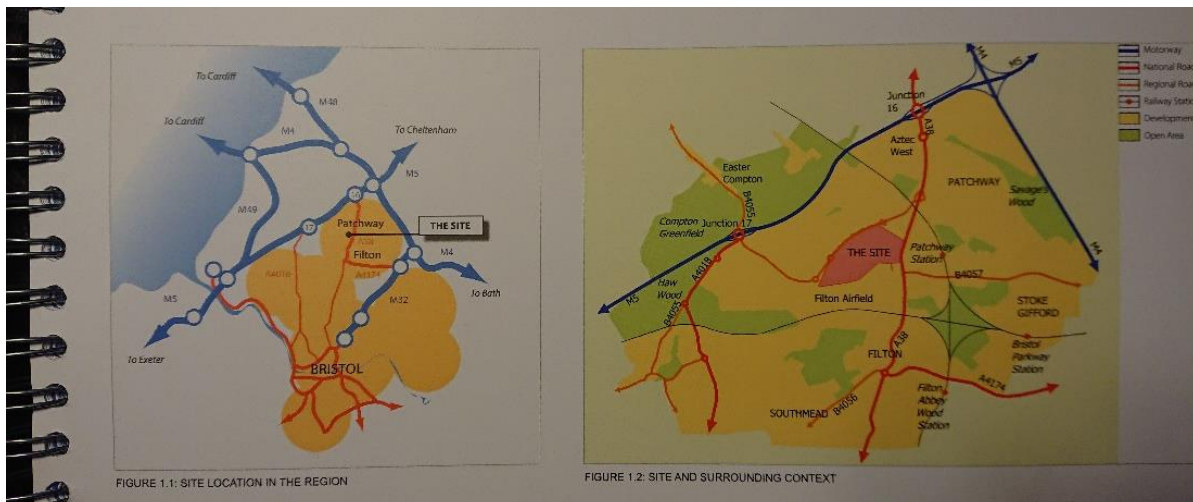


Image CH1: Site location map (taken from DAS, December 2007)

Charlton Hayes was initially granted outline planning permission in 2008 for 2,200 new dwellings, 66,000sq m employment floorspace and 1,500 sqm retail floorspace. The final development, as delivered, largely reflects the original outline consent in terms of road and plot layout set out in the original Masterplan (see **Image CH2**). The scheme was divided into 4 'phases', which have been implemented by a number of different developers. A Design and Access Statement set the parameters for a subsequent masterplan, and there was a requirement for Design Codes to be approved for each Phase (see **Image CH3**).

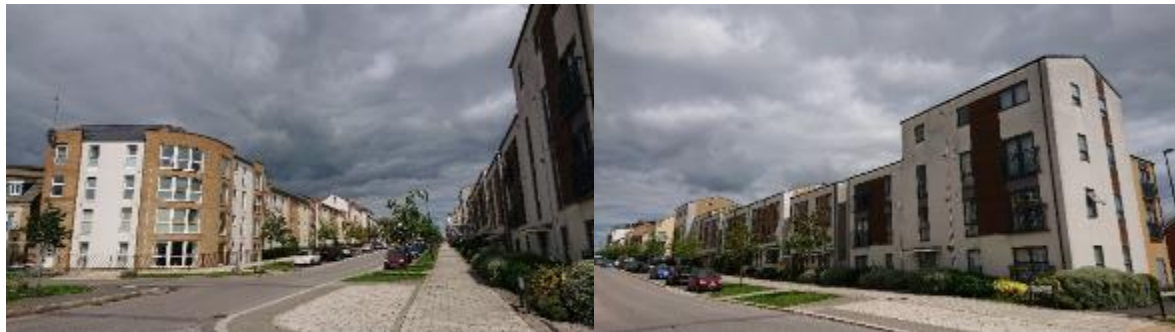
A 'contemporised' urban living design approach was sought by the local authority in Phase 1, although this was perceived to have had "limited success" due to a range of external influencing factors alongside on-site challenges (see **Images CH4 and CH5**). The latter phases suggest lessons were learnt by all parties and the design quality of the overall scheme increases significantly in the parts of the site that were completed most recently.



Image CH2: Masterplan plot layout approved as part of the 2008 Outline consent PT03/3143/O



Image CH3: Initial concept designs from the approved Design Code Phase 1, noting the contemporary design style



Images CH4 and CH5: Different design styles on Charlton Hayes Boulevard, photos taken from opposite sides of the street looking north, note the white window detailing of the prominent corner building compared with the grey windows and timber cladding on the east (right) of the street.

Planning history

The Charlton Hayes housing development comprises four distinct phases (although these were not delivered sequentially):

- **Phase 1** – reserved matters approved 2009
- **Woodlands Phase (parcels H50-H55)** – Parcels H50 and H51 reserved matters approved November 2011¹
- **Phase 2**– reserved matters approved 2013
- **Phase 3** – reserved matters approved 2013

¹ Permission Ref. No: PT11/2687/RM Erection of 53no. dwellings. (Approval of reserved matters to be read in conjunction with outline planning permission PT03/3143/O).

Year	Selected planning history
2003	PT03/3143/O - Two concurrent outline planning applications for Charlton Hayes were originally submitted in 2003 by Bovis Homes and BASystems Ltd, one of which was referred to the Secretary of State (3 October 2003).
2005	The South Gloucestershire Local Plan (adopted Nov 2005) allocated the land at 'North Field' for mixed use in Policy M1.
2007	Following dismissal of the appeal (SoS decision June 2007) the scheme was further amended and the second of the two applications was taken forward following 'extensive discussions with the local authority' (DAS, para 1.3.2). The application was formally amended four times up to September 2007 (DAS, para 1.3.4).
2008	PT03/3143/O - The principle of the scheme was approved ² in 2008 for 2,200 new dwellings, 66,000sq m employment floorspace and 1,500 sqm retail floorspace. The application was accompanied by a Design and Access Statement ³ (DAS) that incorporates the Inspector's recommendations, as set out in the SoS decision (June 2007), which included a requirement for more formalised primary and secondary streets (IR para 10.21) and design 'sketches' to provide exemplars of good design (IR para 10.22). The subsequent DAS accordingly contains ' <i>sample layouts and elevations to indicate the design principles and to fix the design quality of the scheme</i> ' (DAS, para 1.4.7). The intention was that subsequent design codes (alongside the masterplan) would be prepared for each phase of the scheme to ' <i>discharge the conditions of the outline consent prior to the submission of the relevant reserved submissions</i> ' (DAS para 1.4.7).
2009	PT09/0099/RM - Phase 1 reserved matters application was submitted for infrastructure, including highway works, landscaping, street furniture, paving materials and lighting.
2010	PT10/2029/RM - August 2010 - reserved matters application for Charlton Square. Around the same time there was a reserved matters application for parcel LC1, comprising flats and retail space, however only a small quantum of retail space has been delivered due to 'lack of demand', something that was particularly lamented by residents at the time, although this has now been addressed. Plans for the linear park along Highwood Road were also simplified due to concerns around maintenance costs (see below).
2010	The east to west direction of the phasing was overtaken in 2011/12 due the availability of government Local Infrastructure Funding grant money, which was used to implement the Hayes Way access road. In doing so this enabled the 'Woodlands' part of the scheme (parcels H50-H55 to the extreme west of the site) to come forward earlier than anticipated. It offered family homes at a lower density with a more 'traditional' finish than the housing in Phase 1.
2011	In November 2011 the reserved matters for the first two parcels (H50 and H51) in the Woodlands Phase were approved. This area contained an avenue of around 14 mature lime trees that were identified in the supporting material for the reserved matters application to be saved. The SGC case officer noted in the delegated report that ' <i>tree retention has</i>

² Outline Permission reference PT03/3143/O Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pe...

³ DAS 'North Field' December 2007 Final Edition (available as a paper copy only, courtesy of SGC).

	<p><i>informed the overall layout for this scheme</i>', with the reserved matters permission⁴ requiring these trees to be protected during construction by delineating 'no-dig areas' preventing road construction from harming the tree roots. In implementing the scheme the opposite of this occurred. Two were accidentally lost through constructor error, and subsequently a decision was taken to remove and replace the remaining trees in the avenue. Therefore, even with a strong, clearly worded planning condition, mistakes can be made on-site. This is different, however, to a willful dilution of a scheme's design content.</p>
2013	<p>The Phase 2 detailed masterplan for Charlton Hayes was approved in Oct 2013. The Design Codes for phases 2 and 3 were prepared simultaneously based on the learning taken from Phase 1. The main housebuilder's design approach moved away from the limited success of the contemporised approach and instead, supported by SGC, introduced "<i>simple design features</i>" such as pilasters, deeper window reveal, grey window frames, higher gables and better quality materials resulting in a more robust architectural appearance within a standard housebuilder product type.</p> <p>In November 2013 Approval of detailed master plans for Phase 2 (Rev I) and Phase 3 (Rev G) under PT03/3143/O were deemed acceptable and therefore formally discharged the respective aspect of condition 5. Phases 2 and 3 were delivered concurrently, with Phase 3 being completed before Phase 2.</p>
2014	<p>PT14/5028/O - In December 2014 a planning application for land to the west of the main Charlton Hayes development (a triangular-shaped parcel originally for employment use but agreed through the South Gloucestershire Core Strategy to be re-allocated for 120 dwellings) was submitted by Arlington Business Parks GP Ltd for up to 120 new dwellings, up to 8000 sqm of office development and up to 400sqm of ancillary retail use.</p>
2015	<p>PT15/0174/F - In January 2015 a retrospective application needed to be submitted for land Parcel H39 in Phase 3. This came about due to an on-site construction error in which an earlier version of plans was implemented that lacked some of the key external design features. The pilasters and paneling were subsequently amended along with grey window frames being installed into the houses, but in lieu of retaining the windows in the corner flats a deal was negotiated with the developer to secure a footpath link adjacent to Lloyds bank instead.</p>
2016	<p>PT15/5353/RM - In January 2016 a reserved matters application was submitted for laying out of the open space of The Crescent including enclosures and hard and soft landscaping. This was related to the Masterplan and Design Code for Phase 3 linked to the original outline permission and also the reserved matters permission for Phase 2 and 3 infrastructure highway corridor including public realm design, landscaping, street furniture and highway engineering design. A pedestrian bridge over the landscaped swale adjacent to Hayes Way was provided to link Charlton Hayes with the Lidl supermarket and YTL new housing scheme (to be constructed on the Filton airfield site to the south).</p>

⁴ Condition 2 of permission PT11/2687/RM stated 'The internal roads hereby approved shall be constructed using a 'no-dig' construction as set out in the Bosky trees Arboricultural Implications Assessment, Arboricultural Method statement, and Tree Protection Plan lodged at the Council on 23 August 2011. In accordance with Policy L1 of the adopted Local Plan.

	The delivery of part of Phase 3 involved a sub-developer using their company standard floor plan with elevated designs for the frontages, eaves, roof materials, fenestration, bricks, projections and other “layers of details” the apartment blocks “were bespoke” for the site.
2020	The last parcels of Phase 2 are under construction in the north west part of the site are unlikely to be completed before 2022.

Key players

Although a single national housebuilder has been, and continues to be, the main developer, other developers have been involved due to the need to spread the cost/risk of developing in an uncertain financial climate. The Key Players include:

Councils	Developers	Community
Patchway Town Council South Gloucestershire Council	Barratt Homes Bellway Wain Homes Bovis David Wilson Homes Goodman (employment land) Linden Homes	Charlton Hayes/Patchway Steering Group ReACH - Charlton Hayes residents' group Residential care home providers

Treatment of design in the original consent

The outline application’s Design and Access Statement (DAS) set out an intention to follow a “contemporised design” approach, which was to be applied to the main housebuilder’s standard products in order to “elevate them”. It was focused on the notions of perimeter blocks and mixed uses, vertical emphasis of three storey buildings, and with design details such as rendered finishes and timber cladding panels. The contemporary ‘apartment’ style design direction was supported by the Inspector at appeal resulting in the developer needing to amend their standard approach to fit this contemporised urban living concept for Phase 1.

The design approach in the DAS, and subsequently in Phase 1, was driven by the council’s Urban Design officer at the time. Unfortunately, that officer subsequently left the council before the scheme’s implementation requiring “people who had not previously been involved in that process to try to interpret it” resulting in both parties “having a go” at interpreting what contemporary meant. According to interviewees, the “limited success” in achieving a successful contemporary design was due to a range of factors, including: the developer using an in-house team with “limited” familiarity at delivering such an approach rather than retaining the consultants originally employed to negotiate the design detailing; the authority’s inability to “describe what they meant by contemporary design”; and challenging economic conditions prevailing at the time.

The national recession in 2008 necessitated a viability review, which resulted in reduced amounts of affordable housing and a scaling back of the infrastructure on site. These changes were seen as essential by the developer in order to make the delivery of much needed housing viable in the face of external financial pressure, not least due to the cost of the land. It also prompted the sale of some plots to other developers (e.g. the southern part of Charlton Boulevard was sold to multiple other developers), each with their own interpretations of the design code, who entered into their own negotiations with SGC on design details. The local authority’s view is that it seems developers stuck to the Design Code “in spirit if not quite in execution”. The developers by contrast consider that the design aspects were “a battle, and

... on reflection SGC officers may think that 'perhaps they had got it wrong' in terms of dictating a particular design style".

It was believed by one interviewee that *"SGC didn't do a good job at ensuring consistency of design across Charlton Hayes where other developers came on board... SGC should've applied the design codes more consistently. Some elements were complied with but one developer in particular veered away from it in a number of places quite radically along Charlton Boulevard where there are a mix of styles, which was never the intention. It is clear where the different developers have contributed particular blocks".*

The main developer considers that *"the original design concept in terms of layout and greenspaces has stayed incredibly consistent and true to the original DAS. But the buildings along the Boulevard does not, which is a real shame".* On reflection, the developer would like to have built the entire scheme out as a coherent whole, and not sold any of the site to other developers but economic circumstances at the time dictated a different viability approach. The situation was further complicated by SGC at the time not having a 5 year housing land supply, thus weakening the LPA's hand during design-related negotiations. Consequently, SGC needed to *"soften their approach to design"* at Charlton Hayes in order to get the housing delivered causing an *"erosion of design through value engineering costly aspects out of their design"*. A combination of all of these factors led to the different styles and approaches to design along Charlton Boulevard that were allowed subsequent to the approved Design Code.

The Phase 1 deliverables have changed on a number of occasions due to the developer having viability issues with previously permitted schemes. For example, mixed-use parcels have been reduced in terms of employment/retail uses and increased in house numbers. Landscaping has been similarly revised. Phase 1 has also been acknowledged by all parties as having *"some design issues"*, partly it seems these have been caused by issues with communication (as set out below) but there is also the opinion that these are a result of a mis-intentioned attempt to *"contemporarise"* the development in a way that is out of context with the local character. This approach can be traced back to a Design Workshop (2005) in which a *'contemporary vernacular architectural style for apartment blocks'* was recommended, although with use of *'traditional materials'* (DAS, para 6.6.22). Whilst this approach was substantiated through the appeal outcome it seems that all parties now agree that the contemporary 'urban living' style was poorly implemented in Phase 1, particularly along the Charlton Boulevard part of the scheme. It is noticeable that the road frontages in Phase 1 are of a markedly different quality to the rear elevations.

There are some significant differences in design from one end of Charlton Boulevard to the other. A number of different developers have contributed blocks of buildings to this part of the site, each with their own take on the design code to be applied. It was noted by one interviewee that *"lessons have been learnt from the earlier phase 1 buildings, where the Design Code prescribed timber paneling. There was recognition in later phases and Design Codes that this aspect should be dropped as the end product hasn't really worked"*.

To this end one developer commented that *"the Patchway end of scheme design was 'strongly persuaded' or 'forced' by SGC Urban Design Officer at reserved matters stage to follow a vertical design to the architectural style (e.g. windows tall reaching the floor, cedar cladding) very urbanized style. Our customers are not particularly thrilled with this. We tried to change this through the woodlands phase and are extremely proud of that part of the scheme, which reflects more of a Regency Clifton style."*

Developers note that it is *"very efficient to deliver a standard product"* in terms of achieving build quality. This though is different to 'design' quality, where value engineering can water-down the ambition of the design intent over time. Where bespoke designs are required these are effectively

“prototypes” and it is therefore trialing something new, both in terms of design and materials. That was a key reason why the developer considered that design quality suffered in this Phase .

Improvements in design were instigated for subsequent phases building on the lessons learnt previously. The developer is particularly “proud” of their later scheme in the Woodlands phase of the development where they employed external architects (rather than using an inhouse team) to devise different front elevations to create what they consider to be a more ‘Georgian’ style feel (see **Images CH6** and **CH7**). Average house prices⁵ in the eastern part of Charlton Hayes compared to the northern/western part appear to reflect the differences in, for example: design quality; wide avenues with woodlands/trees (see **Image CH8**).



Image CH6: The ‘Georgian style’ of the woodlands phase. A three storey detached town house with flat dormer roof windows, capped parapet gables, symmetrical fenestration (white plastic double-glazing with reconstituted stone lintels), cream render finish, central front door (traditional design) with pillar-surround and canopy, front garden metal railings with side access to brick-built pitched roof garage.



Image CH7: A pedestrian green route through the Woodlands phase.

Image CH8: Woodlands phase has a wide avenue at the entrance to the area, with trees and render/brick frontages

In contrast, the north western part of the site (Phase 2) comprises a fairly consistent style as the main housebuilder had influence over design throughout, although another sub-developer is also now

⁵ Average house prices per street postcode as taken from Zoopla website July 2020.

constructing some of this Phase. Phase 2 also provides greater detailing of homes and surfacing materials and finish quality. For example, the houses fronting onto Highwood Road demonstrate the difference in quality. See **Image CH9** (Phase 1) and **Image CH10** (Phase 2).



Image CH9: Highwood Road Phase 1 (looking East)

Image CH10: Highwood Road Phase 2 (looking West)

In retrospect, gaining an understanding of what a developer is “*capable of delivering*” was considered important, not only for the local authority but also for the agent/architect working on behalf of that developer, so that their standard product range can be most effectively “*tweaked*” to fit the needs and circumstances of the site. Having “*experience*” of what is realistically going to be incorporated into the design is valuable.

Design Codes

Design Codes were seen as “*very useful documents*” by developers, in that they allow specific costs to be allocated to particular houses and the scheme as a whole. The local planning authority considered that they are “*good, if done well*”. For SGC this means that they should be “*precise*”, there shouldn’t be too much flexibility within them to downgrade the design as it doesn’t provide a strong position for the LPA to argue for inclusion of particular features. A flexible design code can hinder speed of decision-making as where there’s flexibility there’s scope to have long-running discussions between parties as to the most appropriate way to proceed⁶. In contrast, a developer view is that there does need to be flexibility in a Design Code to allow for circumstances on the ground during delivery to be taken into account. Interestingly, the Inspector’s appeal report took a middle line in stating that the “*important factors [for design codes] are its quality, clarity and the right balance between prescription and flexibility*” (IR para 10.32).

In Phase 3 developers and SGC agreed that render was not an appropriate finish for all buildings – it doesn’t weather well – this view was supported by current residents who spoke with researchers during site visits. The Design Code allowed for the render to be scaled back and more brick finishes to be introduced. Overall, there was a “*consortium effort on design between [one of the sub-developers] and SGC*” but also talking with local members and residents on adjacent sites. For one of the sub-developers involved in part of Phase 3, the Design Code was used extensively “*during negotiations with SGC*” thus it “*allowed the reserved matters process to be a bit smoother*”. It helped to prescribe street hierarchy, perimeter block layout, creates character areas and allows these to be “*well defined*” creating a sense of place, so in that sense the developer considers the scheme works well.

⁶ An example of where the Design Code has been approved across the whole site is at Lyde Green. And East of Harry Stoke one has been approved as part of full application for 700+ houses, but this was “challenging to determine” due to the level of detail.

The greatest influence over the final build quality for one of the sub-developers in Phase 3 was the palette of materials, as required by the design code – in particular the reduction in amount of render finish and more use of brick finishes. Sample panels were provided as part of reserved matters discussions with SGC officers so that they were aware what was being proposed and developers could cost it into the scheme.

In contrast to Phase 1, the Woodlands phase was undertaken using a more consultative approach *“Whilst it took the same time and effort a much more positive process and outcome was achieved. If we are able to work together then it has a more positive result”*. All interviewees agree that Phases 2 and 3 Design Codes are clearer in their requirements and the results are improved (see **Image CH11**).



Image CH11: Phase 2 Wood Street (from west end looking east back to phase 1 brick fronted houses in distance). Wide primary street with parking bays, wide kerbed pavements and ‘through’ access to parking at rear. Two and three storey semis and terraces. Mainly rendered finish with some blue/grey brick detailing at first floor, plastic wood effect paneling over the rear access tunnel. Note the stone sill with deeper reveal grey fenestration, parapet gabled ends and railed front gardens.

In terms of Phase 3, one developer believes that the *“overall appearance is a success as there’s a clear hierarchy and sense of place”*. (see **Image CH12**).



Image CH12: A tertiary street in Phase 3 with narrowed shared space carriageway access, predominantly brick finish, open front gardens and side (rather than frontage) parking. This creates an intimate street character.

The use of multiple Design Codes across a large site, introduced in a phased way, has allowed for changes and improvements to be made between phases. If there were to only be a single Code across the whole scheme then a *“review mechanism”* needs to be inbuilt into the Design Code so that any issues

and necessary amendments can be inserted following 'on-the-ground' implementation – it was suggested that such a review should be considered after 200-300 houses are completed in a large scheme.

The use of separately written Design Codes for each of the Phases was seen as the “*saving grace*” by SGC for latter Phases in that it has provided an opportunity to review the content of the code, compared with onsite implementation, to see where improvements can be made. The benefit of using codes was echoed by a developer, who stated in respect of Phase 3 that it was used “*extensively*” and that it “*allowed the reserved matters process to be a bit smoother*”.

Recycling/residual container storage

The design of waste/recycling storage facilities varies between plots and even between houses within the same parcel. Minutes from a community group meeting (ReACH, 29/11/16, pg.3, related to Phase 1) noted that there were “*rubbish bags hanging on railings*”. This was witnessed on the streets in all Phases of Charlton Hayes that were visited. It is clearly a bigger issue in some places with waste piled into front ‘gardens’/amenity spaces. It appeared worse in Phase 2 on the day of the first site visit (a Wednesday morning).

Some units do not appear to have any storage space to the front elevation and limited access to the rear of the property. Others (in Phases 2 and 3) have individual ‘L-shaped brick ‘shelters’ for bins (see **Image CH13**), which residents see as being “*better than nothing*”. Also, other properties have a communal wood faced storage shed, which from viewing during the site visit are well used in some cases and abused in others.



Image CH13: An 'L' shaped brickbin storage area helps to maintain a tidy appearance at the front of dwellings in Phases 2 and 3.

It is understood that SGC have recently acquired new vehicles for collecting recyclable materials and/or refuse whose length dictates housing road layouts and thus plot design. The size/weight of vehicles is also impacting upon the road surface materials with tarmac having to be used instead of block paving in particular key areas due to turning/weight issues.

The ReACH "*getting things done*" campaign involved publicity of actions through a series of posters. One of which relates to: Clean up the streets – working with the developer to mend fences and broken paving – this is a key post-consent design issue that has worked in seeing action on the ground. Another relates to the inclusion of 30 streetlights into the scheme (see **Image CH14**).



Image CH14: Street lighting installation - “ReACH enabled 30 to be installed” (ReACH Promotional Report 16 May 2019, 1st page last para) (image courtesy of ReACH)

Treatment of design post-consent

The scheme’s narrative can be viewed through both ‘chronological’ and ‘thematic’ lenses. The former illustrates transitions between phases, as detailed in the previous section, whereas the latter is derived from reflecting on the issues apparent around the area. Four broad themes were identified:

1. **Design details** – this is in effect the chronological narrative of the site’s architectural journey as already documented above. In summary, the transition was from the developers ‘having a go’ at attempting to meet the LPA vision of ‘contemporised’ design in Phase 1, to all parties adopting a more collaborative approach to design in later Phases building on lessons learnt as the scheme’s implementation progressed.
2. **Planning processes** – For this scheme there have been challenges inherent within the planning process, most notably the difficulty of having an outline permission that is then subject to numerous Reserved Matters applications and subsequent revisions, many of which contain within them further variations and non-material amendments to plans.

Monitoring and enforcement, until more recently, has been piecemeal “*reactive due to resource constraints*”, and “*ad hoc and not done well*”. Two particular breaches were: Parcel H39 (the first part of Phase 3), where a retrospective application was required for incorrect plans having been used in construction; and the second for the removal of Lime trees in the Woodlands phase contrary to a planning condition (brought about by contractor method error).

More eyes and ears are needed on the ground and the residents’ group ReACH has made a difference in informing of changes. The Council’s Delivery and Liaison Officer’s role is significant here, acting as a bridge between the council and contractors, so as to potentially avoid the need for enforcement. In Charlton Hayes it is now a “*team effort*” to monitor proactively, involving: the delivery and liaison officer; case officer; developer; and local residents.

3. **Landscaping and Public Open Space** - Charlton Hayes is perceived as being a “*clean, airy and green*” place in which to live. The DAS (2007) states that ‘a network of accessible, memorable and distinctive open spaces... will be designed to be safe and secure with overlooking properties that provide surveillance’ (DAS, paras 6.76/5). This has largely been achieved across the site, albeit that some places still require further works/planting – for example in Skinners Croft Square (Phase 1) there is a lack of planting overall and the wrong types of plants have been used in some places.

The creation of a ‘linear parkway’ along Highwood Road, forming the northern boundary of Charlton Hayes, was a key feature of SGC’s objective of integrating the new Charlton Hayes development with the existing town of Patchway. It initially involved a ‘wavy hedge’ design detail (see **Image CH15**) but this was eventually simplified through a second application. Delivery was “*slow and poor*” as plans were revised to exclude the ‘wavy hedge’ following concerns from SGC Highways, Parks and Recreation Dept about ongoing maintenance costs. Initial objections have been overcome and it now appears to be a pleasant place to be. Before and after images capture the change (see **Images CH16 and CH17**).

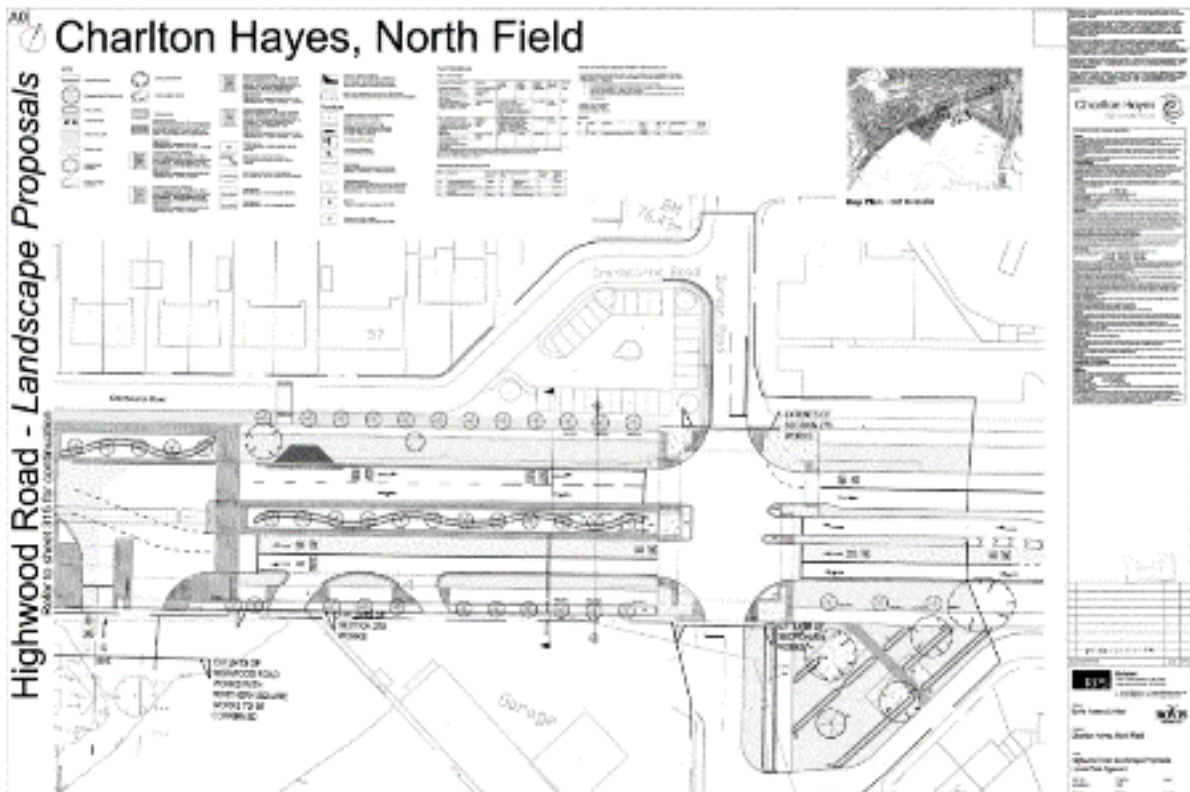


Image CH15: Linear Parkplan showing ‘wavy hedge’ detail in the centre.



Image CH16: Highwood Road before hedge removal (Source: Google Streetscene)



Image CH17: Highwood Road after hedge removal (Source: Google Streetscene)

The southern boundary of Charlton Hayes with Filton airfield is formed by the Hayes Way link road. It was presented as part of the public open space requirements for the site however *“it doesn’t function as such”* and is still awaiting tree planting. The road and its associated landscaping forms a significant impediment visually and physically between the current Charlton Hayes site and the future housing on the airfield, albeit the later provision of a footbridge over the swale provides some linkage (see **Image CH18**). This infrastructure was engineering and cost led. There are junction clutter issues, including a *“forest of lighting columns”*. A particular problem with the final implementation is that the houses were constructed at the incorrect level – built 1m too high above approved ground levels. This results in a steeper slope down to the swale than would otherwise have occurred thus reducing the potential for recreation activities to take place on the grassed area.



Image CH18: The Hayes Way landscaping scheme with footbridge crossing the swale in the distance

- 4. Communication between parties** – The relationships between actants was considered by all parties to be very important to a scheme’s successful implementation. As a key element of this, the continuity of personnel involved was crucial. It was acknowledged that changes in staff at both the local authority and the various developers (plus their agents) over the long running delivery of Charlton Hayes potentially affected the coherence of the development on the ground, particularly the early phase of the scheme.

This also relates to the formation of a local residents’ group, called Residents Association of Charlton Hayes (known locally by the acronym ReACH, see Section 5.2.6 of this case study). The group conducted a public consultation (May 2017) to find out residents’ priority issues (ReACH Blueprint for the Future, 1st page 1st paragraph). Responses were received from 91 residents. Of these a number relate to post-consent design issues, such as open space/landscaping (56 mentioned), road design (78 mentioned) and waste/litter (26 mentioned). The key priorities are set out in the outcomes report (ReACH, July 2017).

The community perceives the relationship between developers, builders, local authority and themselves to be one of “unequal power”. Changes in developer team “absolutely” improved the communication between developer and residents and, from 2018 onwards, has resulted in “things getting done”. The relationship between parties has similarly improved as a consequence.

In May 2020 ReACH had organised a physical community ‘get-together’, called the ‘Big Day’ (see **Image CH19**) involving the unveiling of a 16ft community-created mural (see **Image CH20**). The Covid lockdown during 2020 resulted in the Big Day event necessarily being replaced by an interactive event, providing “a more digitally focused approach with the use of video recordings to celebrate the past and linking it to the future”. Notwithstanding these wider contextual issues, the event had been difficult to arrange as there are no large communal facilities within the Charlton Hayes development. This lack of public facilities is seen as a detractor by local residents. For example, whilst retail units were constructed around 2010 it wasn’t until late in 2018 that a Premier store moved into one of these, and a vacant unit still remains within this block. This is possibly due to a “lack of market appetite” to bring forward the shops that were originally planned for the development. However, some of these are now coming forward, for example, Sainsbury’s are taking up the larger retail unit to the north east of the site (under construction in 2021), which will also include a nursery. Units to the north west of the site are similarly under construction but, at the time of preparing this case study, it is understood that a tenant had not been secured.



Image CH19: Poster for the Charlton Hayes 'Big Day' event (postponed from May 2020) (image courtesy of ReACH)



Image CH20: 16ft mural to be unveiled by the community at the Big Day event (image courtesy of ReACH)

Elected councilors have been involved through the community liaison group meetings. It has helped to build relationships between the members and developers by, for example, having the lead developer take members on a tour of the early phase. This built greater understanding between different parties as to the situation.

Views from residents on design quality

The Charlton Hayes development has experienced a *"multitude of problems... the more one digs down the more it snowballs"*. There was *"definitely an issue with communication between parties"*. But this is not only between organisations but also within organisations, including within the local authority between departments. Examples given include: the cost of landscaping maintenance leading to reduced schemes to reduce ongoing liabilities; the waste collection service procuring large refuse vehicles whose size will dictate future site layouts (with road widths needing to be greater, turning circles increased and road surface materials more resilient in specific places); the proactive monitoring of sites; the need for delivery and liaison officer (compliance officer) to increasingly dilute time between numerous large schemes with ongoing liaison issues.

In terms of the relationship between developers and the LPA, it was felt that different officers at the council (for example transport/ and education) have different goals with each wanting *"their own pot of money"* and therefore developers believe it needs someone *"further up the tree"* to take a wider view and overall responsibility for getting things delivered. It had been generally difficult to deal with the senior person in the authority. The communication situation between the main housebuilder and LPA (SGC) has improved considerably since early 2018 following two key appointments that were coincidentally created around the same time: for the former an external liaison consultant (3 days p/w) to manage on-site infrastructure provision, such as landscaping, road closures, public space, trees etc.);

for the latter a Delivery and Liaison Officer provides a link role between the residents, the LPA officers and the developer. The purpose of these two roles is to “*manage the expectations*” of residents and to personalise accountability for getting things done, with the latter also having a compliance function. The link liaison “*bridges the gap*” between parties. Both appointments have increased the transparency of both organisations to the local residents and have been welcomed.

Additionally, the creation post 2018 of a new delivery liaison team from the developer “*absolutely resulted in a change of power differential*”. This view is echoed by another developer who considers that the relationship with SGC on post-consent design issues changed over time, gaining loyalty and understanding of the pressures on each other over time. It was stated by one developer that “*they have a good skills set in SGC officers*” and that there is “*good team working between parties*”. In particular it was noted that “*stability helps*” having the same individuals in jobs and organisations helps to build those relations and understanding between parties. SGC officers have a good understanding of what they’ll be able to get developers to do and what they won’t do so officers know what they’ll be able to achieve realistically. However, all parties noted that turnover of staff at both the local authority (there have been around 5 different LPA case officers over the 10 year ‘life’ of the Charlton Hayes scheme) and the developers (and their agents) can cause difficulties as subsequent employees often do not know the site history, or crucially which plans are the most current. This lack of continuity in a very large and complex scheme with lots of amendments and variations has mean that almost inevitably “*things have fallen between the cracks*”.

Local Residents’ Involvement

Ongoing engagement with the community, particularly where there are residents in situ of earlier phases, is important. If the developer is required (by s.106 agreement) to create and attend a stakeholder group this helps to ensure that the developer “*fronts-up to the community*” to explain why something has happened (or not) and what will be happening on the site next. This localised pressure being placed on the developer helps to “*personalise*” the issues so that individual people have a sense of ownership and responsibility for ensuring that something is done.

ReACH was formed in 2016, with its own website <https://www.charltonhayes.org.uk/>. ReACH’s role is “*meeting and talking with key stakeholders and local service providers on a regular basis*” (ReACH Promotional Report, 16 May 2019, 2nd page). One of the stated reasons for the group’s conception was due to the ‘*untidy and dangerous*’ site.

A ReACH representative sits on the Charlton Hayes Steering Group, set up initially by Patchway Town Council, which meets quarterly to discuss various issues in the area. It is comprised of a wide variety of members, with attendance reflecting the issues to be discussed at any given meeting. The group has “*worked really well*” and is “*key to making things happen*”, so much so that ReACH have been approached by communities in other developments (for example at Lyde Green) asking how they can create something similar.

“Something that I feel is happening a little bit more but would definitely like to see more of would-be housebuilders seeing the added value in taking more of a proactive role in helping to build the community side of their developments not just the bricks and mortar. I think a lot is done in the initial stages of buying the house for obvious reasons, but that ongoing relationship could help improve the way in which people feel about the place they live increasing their sense of pride and investment in their area. I think if developers viewed their importance as builders of communities they would perhaps strive to implement greater quality and engage more proactively throughout the build through perhaps a development-specific Facebook page or

newsletter. This would also be a good idea when a new development adjoins an existing community.”

Key lessons to support design quality post-consent

The Developers and LPA consider the DAS and Design Codes to be “*useful*” elements in speeding up the negotiating process at RM stage. There is, however, a difference of opinion as to the extent to which the design code should be prescriptive (with little room for maneuver) or contain a degree of flexibility to address circumstances at the time. All parties, though, acknowledged it being useful to have multiple design codes across a large site so that that improvements can be made where necessary over time.

There is potential for greater awareness between parties as to the demands and pressures on their operations. For example, one interviewee suggested that it would be useful for LPA officers to have training and knowledge relating to on-site delivery and implementation practicalities of the design related things they are asking of builders/contractors. And for developers it would be helpful to gain a better understanding of the processes undertaken for deciding planning applications and thus why statutory determination timescales are not always met.

The tools SGC currently have for ensuring compliance are not necessarily the most effective in achieving results on the ground. It is seen as more useful to have community “*eyes and ears on the ground*” to pick up on delivery issues and to alert the LPA (and developer who may not be aware of specific implementation matters – this could be formalised through s.106 requiring the convening and attendance at regular stakeholder liaison meetings and at a pre-consent Design Review Panel). For this to work effectively there needs to be “*mutual respect*” between parties. A high level of community spirit and engagement at Charlton Hayes has in recent years helped to foster good relations between parties, although all acknowledged that communication between those involved could be further improved. A number of interviewees stated that elected councilors could play a greater and more proactive role in this regard.

The delivery issues apparent over the duration of this site’s development has “*increased the need for greater communication and transparency between the parties*”, in particular the “*outward communication during the delivery stages*” with residents and other interested groups as opposed to just between the council and the developer. It is noted by one interviewee that to date this has been “*more reactive than proactive*”, hampered by “*miss-communication and hierarchy*”. This has been compounded by some “*generalised miss-conceptions*” about the failure to provide community facilities, some of which have been market / viability led with others, such as public open spaces, a matter of timing. These are complex matters and failures in communicating this effectively “*can put barriers in the way when it comes to positive liaison*”. Social media allows people to engage, but it also creates challenges for those that aren’t connected, or in instances where only part of a situation is presented. There remains the need for “*a consistent and non-biased approach for communicating with all residents*” so that people are not excluded or left with unanswered questions.

Case Study 2 - Former Cheltenham Road Library Case Study

Summary and key findings

This redevelopment scheme of the former Cheltenham Road library, is a development of 36 flats. Submitted as a full planning application in 2008, on site implementation did not take place until 2017 with the build-out developer seeking a number of amendments to the design contained in the original consent. Key findings from this case study derived from the consented participant interviews and wider research are:

- The need for effective management of cumulative change post-consent to ensure ultimate delivery of desired intent. In this instance different views of the extent of impact of the post-consent changes were evident, but there was agreement from all participants that the management of post-consent is crucial;
- Changes to original design may be inevitable and there is some need for acceptance of this and a focus upon how to enable change whilst still preserving the original design intentions. In this instance views diverged as to the extent to which the original design intent was retained in the delivered scheme;
- The importance of continuity and retention of key design principles is a critical point of emphasis within the context of change identified above. This is a matter beyond continuity of personnel, and concerns information/document/project management, communication, and techniques to establish and maintain the key design principles throughout the project (end to end);
- An inadequacy of local authority resources generally, and particularly in the post-consent arena, was identified by some participants as a potential dynamic in scheme delivery and;
- The interrelationship/dependency of different regulatory frameworks impacts upon what can, and is, delivered. Awareness of this throughout all stages of the project is important.

Project description

This case study concerns the former Cheltenham Road Library site, Cheltenham Road, Bristol, BS6 5QX. The site is located within the administrative boundary of Bristol City Council. The development sought demolition of the former local library and erection of 36 self-contained flats over an underground parking area. The site development was undertaken as part of a wider local authority strategy to relocate the local library facility into a mixed-use redevelopment of the former North Bristol Baths located further to the north on Cheltenham Road. Notwithstanding their association, these developments were not directly connected as redevelopment projects.

The site is located on the western side of Cheltenham Road, opposite a school, with a mixture of residential and commercial uses surrounding. The site is north of Bristol city centre, on a key north-south road served by a number of primary bus routes, and is characterised by a mixture of uses and built forms. The development proposed replacement of the former library building with a new 'L' shaped structure. The principle elevation of the property fronts Cheltenham Road. The replacement building consists of a sub-level area principally devoted to car parking, with 4 floors of residential flats above, the uppermost floor part-occupying the roofspace, utilising dormer windows within the roofplane. A courtyard shared garden space is located in the north west corner of the redeveloped

site. The building consists of 36 flats, of which none are affordable.

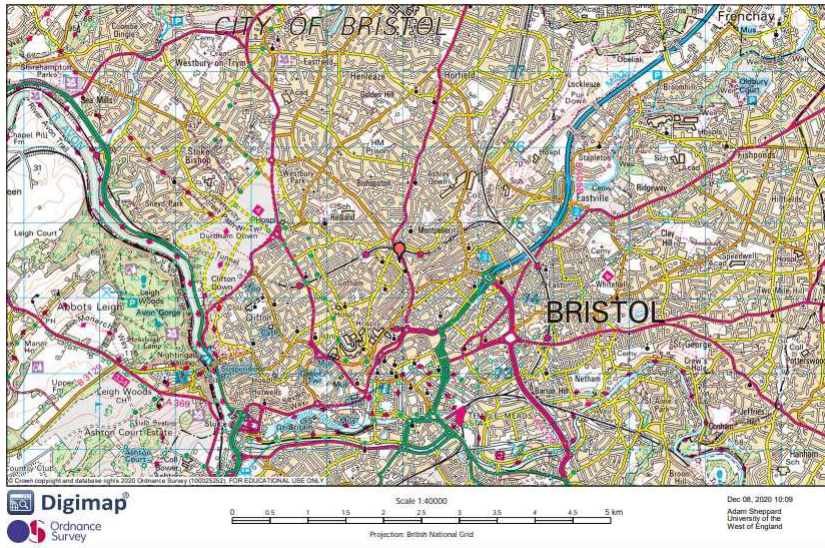


Image CRL1: site location in context

The original application site was presented as follows:

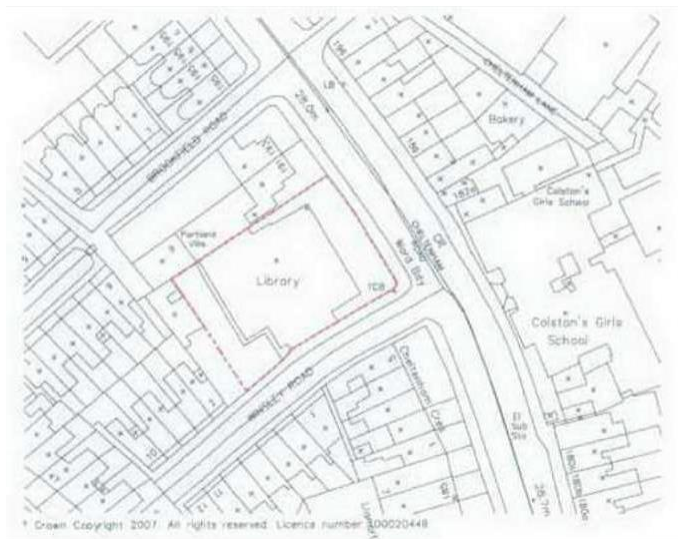


Image CRL2: Site location plan

The 2008 planning application submission block plan presented the redevelopment in the following manner:

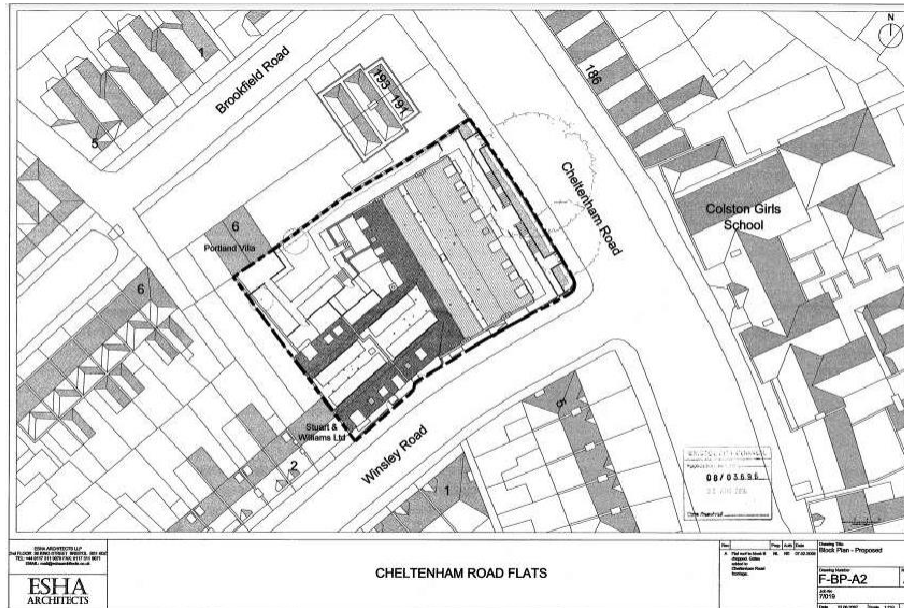


Image: CRL3 (Block plan)

Planning history

The implemented permission for this site comprises applications 07/05632/F, 07/05634/LC, and 08/03696/F which sought permission to demolish the former library buildings on site and the erection of 36 self-contained flats over an underground parking area. Due to external economic factors the site did not then move towards implementation until 2017 when a series of applications were submitted to discharge conditions and seek approval for amendments to the scheme, particularly:

- 17/00856/NMA – Agreed repositioning of some windows
- 17/02803/COND – Approval for the discharging of conditions relating to drawing and materials
- 17/03342/NMA – Agreement to raise east/front block by 500mm to accommodate 'accessible parking'
- 17/04002/COND – Approval for works to wall fronting Cheltenham Road and construction/site management method. Agent: 3Sixty Real Estate. Applicant: MD Homes
- 17/04355/NMA - Non-Material Amendment NOT agreed for chimney reduction in height by approximately 1120mm. Considered to go beyond a non-material amendment and as such a variation of condition was required (17/05967/X – Approved)
- 17/04748/COND - Approval for the discharging of conditions relating to drawing and materials.

Notably, the variations included changes to the building heights, chimney heights, windows, and materials, all matters highlighted as key design features by the key players.

Key players

Councils	Developers	Community
Bristol City Council	Chatsworth Homes (South West) Ltd MD Homes Autograph Homes	Building residents Local community (including local residents, businesses, and a school)

The original development proposition was submitted by Chatsworth Homes (South West) Ltd. The original planning permission secured for the development was via ESHA Architects, who also acted as agent. Following grant of planning permission, progress on site was limited due to Chatsworth Homes having entered into administration. The subsequent implementation of the development (2017), included a series of variations, led by MD Homes, later Autograph Homes. Although MD Homes held conversations with the previous agent (ESHA Architects) concerning post-consent changes, from 2017 Sixty acted as agent on applications associated with the pursuit of variations on the site.

The Local Authority Case Officer for this proposal changed between the initial seeking of planning permission (2008) and implementation (2017), with one officer dealing with the original permission, and a different officer managing subsequent applications.

In total there were 6 participant interviews undertaken in association with this case study. 5 participants consented for their views to be included in this report, with the commentary reflecting their views only.

Treatment of design in the original consent

Permission for the original form of development was secured via an application for full planning permission. The original site was presented as follows:

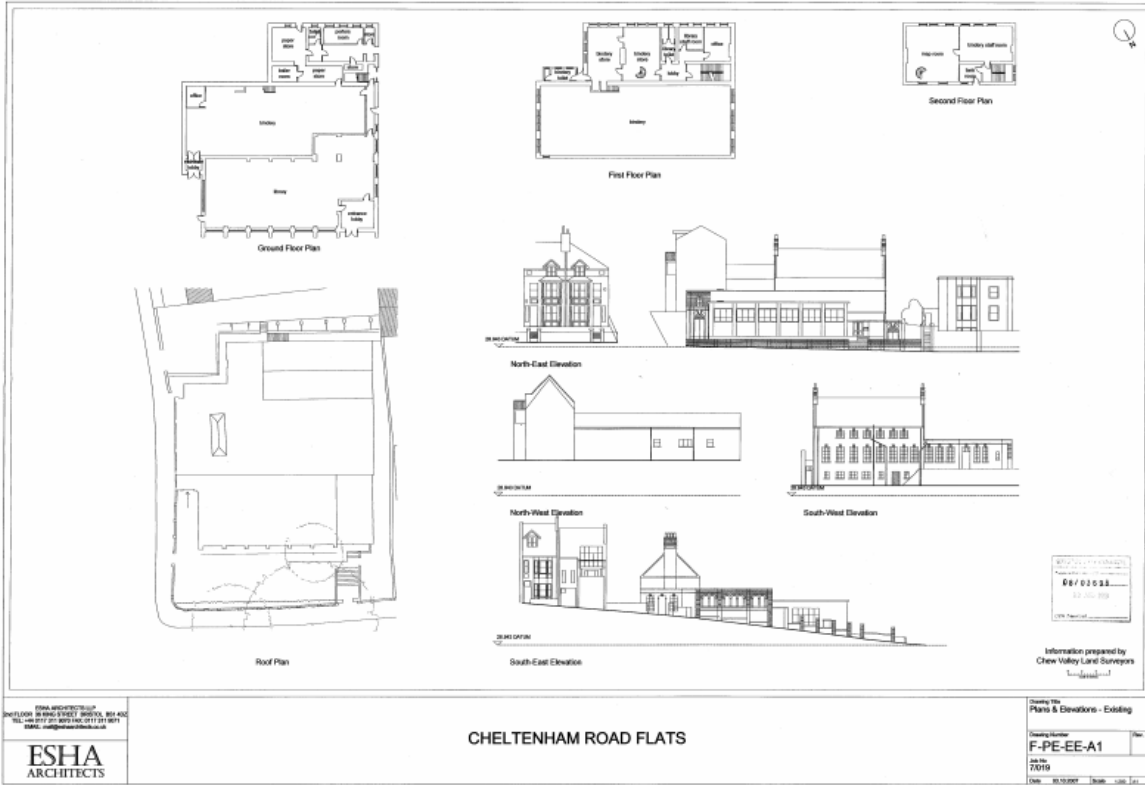


Image: CRL4

The development proposition which secured the original permission via 08/03696/F presented a scheme as follows:



Image: CRL5 (North East and North West Elevations)

Image: CRL6 (South East and South West Elevations)



Certain elements of the scheme were identified by the key players as being critical to the design qualities of the scheme. These included:

1. A building design concept which responded to the context of the locality, most notably the school opposite but also wider matters of scale, rhythm, materials, fenestration, and design detailing;
2. Retention of a boundary wall fronting Cheltenham Road, characteristic of the school and a feature commonplace in the immediate vicinity;
3. Prominent chimney features, characteristic of the area and, in particular, found on the school opposite; and
4. Materials reflective and characteristic of the area.

The original design, as represented in the images above, appeared to reflect broadly unified aims, intentions, and aspirations for the Architects and local authority. Between these two key players the scheme does not appear, therefore, to have been challenging conceptually. There was, however, some wider sensitivity surrounding the redevelopment associated with the library relocation and associated redevelopment of the former North Bristol Baths.

Treatment of design post-consent

Subsequent to the 2008 permission, the site essentially remained undeveloped for almost a decade. From 2017 a series of changes to the scheme were pursued, principally via the discharge of Conditions and through 'Material and Non-Material Amendments' (NMA/MA). These included changes to materials, the chimneys, fenestration, the boundary wall, and building height.

The resultant variations can be seen most clearly via a comparison between the original provided Perspective image (08/03696/F) and the scheme actually delivered on site:

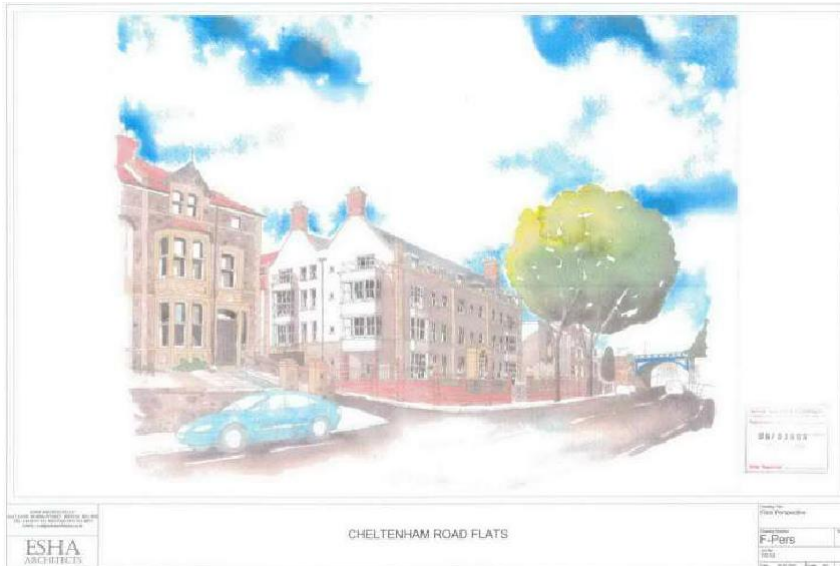


Image CRL6: Original 'Perspective' plan



Image CRL7L Scheme as built out. (Source, Google Map, Streetview, A38, Bristol. 2020)

The changes to the original scheme pursued by variation were identified by consenting participant interviewees as relating to key design attributes/characteristics of the original scheme. It is notable however, that views on the acceptability of the delivered scheme diverged significantly:

"The post planning changes seemed to get no consideration at all"

"His concept [the Architect's] for that site, which was a fabulous building, was diluted to an unacceptable degree in his eyes, and I have some sympathy with that"

"I think the building does fit in really well, the brick is nice and ties in with the girl's school opposite. It looks good"

“When it was actually built, ultimately in bright red modern brick work, I’m afraid that rather destroyed the concept.”

The need for change in this case study was, to a certain extent, accepted by consenting interviewees. But the need for greater local authority resourcing for post-consent to ensure that the ultimate outcome is acceptable and in line with initial intentions and aspirations, was, however, highlighted by some consenting participants in the context of the effective management of the post-consent process:

“This is a real obstacle to delivery, on design; [is] resourcing and having enough staff”

An expressed view linked to this was that the post-consent space is critical to outcomes delivered on site, and that currently it is not considered to be effectively resourced/managed. It was noted by one participant that the current post-consent performance/resourcing/management impacted in some way upon either upon design quality or the efficiency/effectiveness of the process:

“The post planning changes are almost like the bread and butter donkey work of the planning department, it’s not considered to be the important stage. This crucial stage is seen as being the original planning permission, and all the emphasis is put there.”

In this case study, the elapsed time between the grant of permission and build out, and the change of players involved was perhaps particularly significant.

A further stated view was that clear local policy on design is important, along with the importance of adhering to this policy by *all* decision makers in both the application decision and also any subsequent applications seeking variation. It was not considered that recent and planned national design policy/guidance/approaches have particular significance, rather the local scale was given particular emphasis from the perspective of policy/guidance and decision making.

Views from residents on design quality

With regards the design qualities of the building, it is notable that the residents interviewed spoke generally highly of the appearance, materials, detailing, layout, and practicalities of the property. It is also interesting to note that some aspects highlighted as significant changes, including the chimneys, were not given the same importance by the residents (either as original or as built out).

The choice of materials in the delivered scheme, including brick choice, was referenced positively. The residents interviewed were not aware of the design changes undertaken post-consent in terms of the appearance of the building, and when asked didn’t view the changes made as problematic or controversial. The building was generally considered to sit well in its context, and although the courtyard was identified as an area that could be larger, it was spoken about positively for its role as a shared space for interactions and experiences.

The most significant challenge identified through the resident interviews related to construction standards. Issues were identified with the finishing, detailing, and construction techniques employed, as well as the challenge in resolving some of the identified issues. Though not a planning matter, this is pertinent here because it references the wider point of the relationship between different regulatory regimes and the practical realities of successful project implementation:

“The snagging has just continued for so long”

Key lessons to support design quality post-consent

Key points raised by this case study via both documentary/site analysis and the primary research can be summarised as:

1. Continuity of the design narrative and key principles in the post-consent space is critical to the delivery of the original design aims. This is more than maintaining the same people, it is maintenance of intent;
2. Effective project management of the scheme, from idea to delivery, is necessary for/between all stakeholders to enable satisfactory outcomes;
3. Effective resourcing and management of the post-consent process is important to ensuring its efficiency and effectiveness, and the delivery of satisfactory outcomes; and
4. Robust design policy and guidance, where applied and used effectively/consistently, can support successful management and delivery of design quality in the post-consent arena as well as during the initial permission.

Case study 3 - Haywood Village

Summary and key findings

Haywood Village is a large-scale development scheme located near Weston-super-Mare on the former Weston Airfield (WAF). The WAF re-development included a business quarter and an industrial quarter, both currently in use. The construction of Haywood Village is still ongoing. Two outline planning applications granted permission for two phases of the residential part of the development: phase 1, comprising 900 dwellings and relevant mixed uses; and phase 2, comprising 1,650 dwellings and relevant mixed uses. This case study mainly focuses on the first phase of Haywood Village as it is being built out. Key findings of this study are:

- There are different, and opposing, perceptions about the level of quality delivered by this scheme;
- The design quality is being mainly managed via design codes that were required as a condition of the outline planning permission for both phases. They were reported to be helpful in managing and achieving quality, particularly for phase 1, sub area 1;
- Some variations from the original outline appear to have impacted the scheme negatively (e.g. materials and massing), but some variations do not appear to have had any specific negative impacts (e.g. access);
- Some amendments that could have had a negative impact on the scheme were rejected (e.g. materials, number of units, housing types, access, and design details). Most of these applications were made post-consent and were refused based on the basis of the design codes;
- In some phases of the development, residents have played an important role in the scheme, mainly through complaints; and
- A consistent approach, or better communication between different parts of the local authority, might have helped avoid some issues.

Project description

This case study (Haywood Village) is a residential area located within the site known as the former Weston Airfield (WAF), which was one of the largest brownfield sites in the local authority (Image HV1). WAF is located east of Weston-Super-Mare town centre, bordered by the A370, A371 and Winterstoke Road. A rail line runs to the north of the area between the town centre and Weston Milton Station. WAF is a strategic site and local authority comprehensive thinking behind managing the development of this site is evident.



Image HV1: Site location from the Design and Access statement (p6)

WAF gained outline planning permission (07/P/1950/O) for an office business quarter (17.5 ha) with associated uses, an industrial quarter (12 ha), and sustainable drainage in the form of rhynes, swales and wetlands. At the strategic level, it was agreed that this part of the site was to be started before developing the residential phases.

Pegasus Planning Group, on behalf of Persimmon, gained planning permission for the industrial quarter and the business quarter of the site on Dec 2009 (Image HV2). The construction for this phase is now finished. Weston Business Quarter (WBQ) is formed from the 89 Acre commercial element of the Haywood Village development. It is a partnership development between Persimmon Homes, Express Parks (KMW Properties Ltd), North Somerset Council and St Modwen.

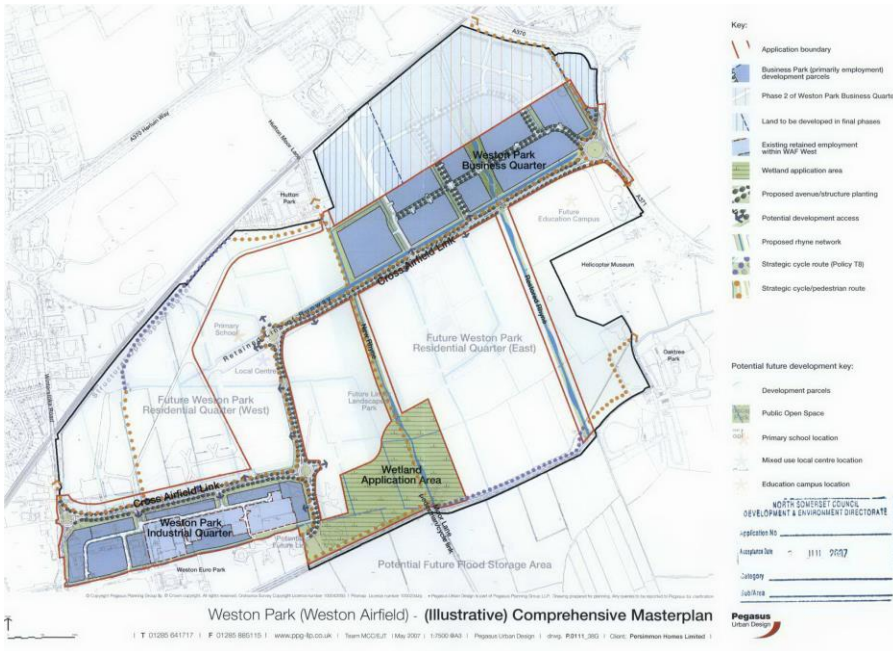


Image HV2: Masterplan for industrial and business quarter

Planning history

The first outline application (phase one) for the residential part of this site (Haywood Village), covering 27.4 hectares, was granted in August 2010 and was for a large-scale mixed-use development comprising up to 900 dwellings including affordable housing, mixed use Local/District Centre to include a supermarket and complimentary uses, a primary school, engineering works including a Cross Airfield Link Road with associated landscaping, open space and ancillary related works including flood management, earthworks and services following demolition of existing airfield buildings. All other matters (including access, appearance, material, landscaping and layout for the construction of tarmac roads and underground sewer services and pumping stations, swales and open watercourses and associated grass landscaping) were reserved for subsequent approval. The outline permission required the developer to divide the development into phases and to submit design codes and masterplans to guide the reserved matters applications for each sub area, of which there were 11.

An outline application for the second phase of the development was approved in 2018 (12/P/1510/OT2) for a mixed use development to include demolition of the existing development, site clearance, raising land levels and re-contouring of site, erection of up to 1,650 dwellings including affordable housing, 3.8ha of class B1, B2 and B8 employment development, a primary school, a link road with associated roundabouts, works associated with drainage/flood management, landscaping, public open space, wetlands area, linear lake and allotments. In this application all matters other than access were reserved for subsequent approval. Submission of the outline application in 2014, was accompanied by a separate DAS for this second phase, also done by Pegasus on behalf of Persimmon.

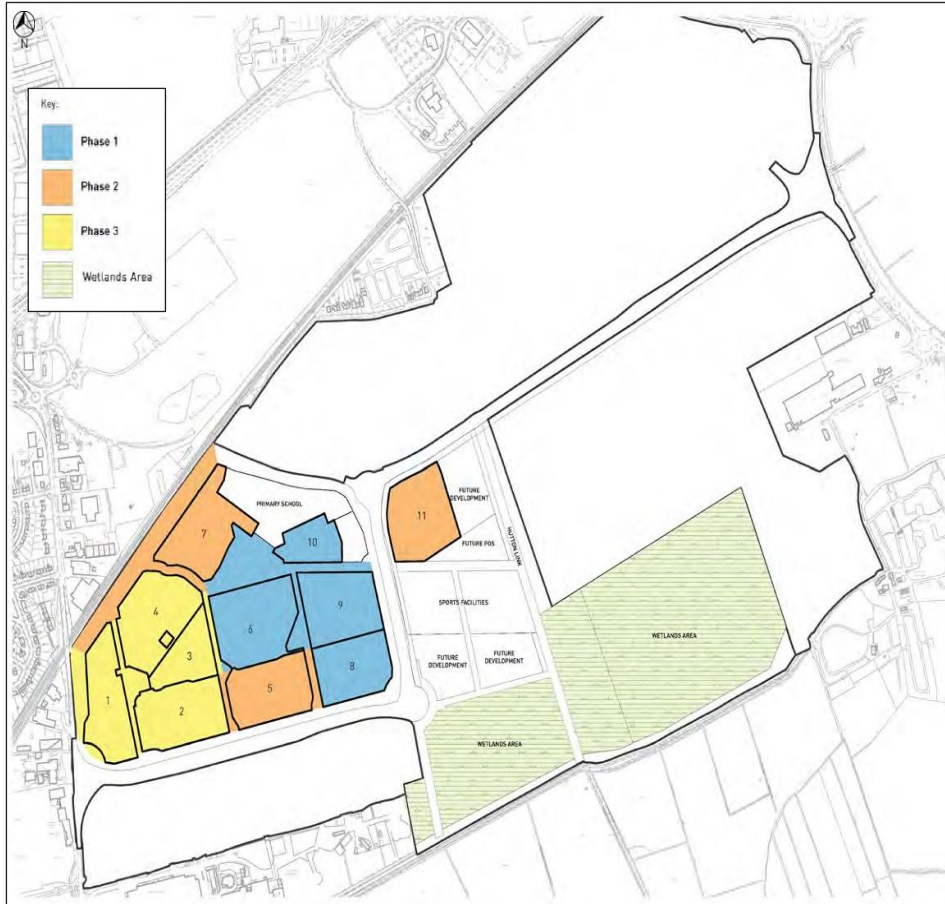


Image HV3: Map of sub-areas of phase 1 (Phase 1, Sub-Area 3 'Haywood Village' Design Code 2014 p10)



Image HV4: Sub areas of phase 2 (phase 2 sub area 2 design code 2020)

In August 2020 Persimmon submitted their Reserved Matters application for phase 2 sub area 3 (20/P/2026/RM) (Image HV4). This is the latest application on this site.

Key players

Councils	Developer/designer	Community
North Somerset Council	Persimmon Charles Church Pegasus Planning Group	Local residents

Phase one of this scheme is being delivered principally by a single developer (Persimmon), with Charles Church (its subsidiary) involved in some sub-areas of both phase one and phase two. Pegasus Planning Group submitted the outline applications for both phase one and phase two, but planning matters and design codes were dealt with 'in-house' by Persimmon from phase one - sub area two onwards.

A number of different departments and officers from the Local authority have been involved, befitting of the scale and complexity of this scheme. One principal planning officer has been involved as the case officer since day one of this scheme.

Residents, once on site, proactively formed a residents' groups and have played an important role in post-consent events of this development as discussed below.

For this case study a total of 5 interviews were carried out, two with Persimmon, one with an urban designer at Pegasus Planning, one with the local authority case officer, and one with a local resident representing the local community.

Treatment of design in the original consent

The online planning application (10/P/0756/OT2) included a Design and Access Statement (DAS). In the DAS, the vision for the Haywood Village was stated as *“To produce a high quality living environment with a clear and recognisable identity reflecting its position within a distinctive rhyme landscape. A distinctive place to live, interact, relax, play, shop and work”*. The DAS appeared ambitious and clear about design principles. But the aspirations are not always easy to follow in the realized urban form (Image HV5). It attempted to create a design specific to this scheme that would *“create character, define access promote diversity, be green, and achieve legibility”*. This reads as an ambitious vision for the site.



Image HV5: Some aspirations from the DAS are hard to identify in the actual built form

The main mechanism for delivering this ambition was seen as the use of design codes and masterplans for each sub area⁷ and as such both planning permissions for phase one (10/P/0756/OT2) and two (12/P/1510/OT2) required the developer, by condition, to submit design codes and masterplans for every sub area of each phase (Image HV6).

⁷ It should be noted that the urban design at Pegasus suggested that this scheme had been to a design review panel (done by CABE Design Council), discussion at which had focused on both street layout and design details. However, there are not publicly available records of this review, and it was raised by neither the local authority or the main developer.

Stage	Role, scope and content		Status
Stage 1	Parameter Plans and Development Framework Plan Establish design parameters such as: <ul style="list-style-type: none"> - Land use; - Urban design; - Density; - Scale; - Access; - Movement; - Green Infrastructure. 	Principles in Design and Access Statement Establish design parameters such as: <ul style="list-style-type: none"> - Use and amount; - Layout and access; - Street hierarchy; - Parking; - Development Edges; - Character Areas; - Scale; - Landscape Design; - Appearance. 	Approved and granted in Outline Planning Permission
Stage 2	Detailed Masterplan Regulates and guides the Reserved Matters Application (RMA) RMA should be in conformity with the character, design principles and form expressed in this Detail Layout. Amendments to the Detailed Masterplan will require a mutual agreement between the applicant and the LPA and may only occur if it will enhance the standard of the design already illustrated in the Detailed Masterplan.	Design Code <ul style="list-style-type: none"> - Ensure that the masterplan is robust and provides design solutions to complex technical issues; - Deliver the design aspirations contained within the Design and Access Statement (November 2010); - Give a clear steer to future Sub-Areas and to what is expected in terms of urban form and design quality; - Accelerate the Reserved Matters Application process by providing a sound basis upon which Reserved Matters Applications can be reviewed and approved by Development Control within North Somerset District Council and Somerset County Council. 	Discharging Conditions 5 of the Outline Consent which requires a Sub-Area Masterplan and a Sub-Area Design Code
Stage 3	Reserved Matters Application Generally requires a conformity with the Detailed Masterplan and the Design code produced for the Sub-Area		Discharging all other conditions of the Outline Consent

Image HV6: the design code process stated in all design codes of this scheme (phase 1 sub-area 2 p7)

So far, a number of sub areas have had design codes approved by the Local Authority. These are aimed at providing greater certainty and consistency in “achieving a high level of quality in the final product” (DAS, p113). The design codes included the following matters all of which were reserved in the first outline permission: Movement and Street Hierarchy; Parks and Open Spaces; Block Principles; Environmental Sustainability Standards; Building Materials and Features; Boundary Treatments; Building Types and Uses; Landscaping; Building Height and Massing; Building Elevations; Safety and Security; Character Areas; Parking; and Servicing.

The first design code was written by Urban Design & Masterplanning - Pegasus Group (Pegasus Planning Group) on behalf of Persimmon. The design codes for phase one sub-area two onwards have been written by Persimmon. The Local Authority saw it as disappointing, that external specialist urban design expertise has not been continually engaged in this project, reporting that an in-house sales person had become in charge of design.

Interviews with key players identified differences of opinion in the initial vision for the scheme. The local authority had expectations and hopes for a high quality outcome from the beginning. The developer, on the other hand, reported that *“From the beginning, there was a perception/understanding that the price of the houses here would be capped”*. Persimmon explained they were not aiming for the highest quality product because of the market segment it intended to reach. These houses were *“built to provide a mix of housing which provides for a range of incomes including first time buyers”* whereas in fact, the prices currently being achieved at Haywood Village were reported by the developer to be much higher than they had anticipated.

It is of note that both the urban designer from Pegasus and the local authority referenced a neighbouring scheme by Homes-England, perceived to be of high quality. This proximity, they felt, put pressure on the developer to raise the housing quality *“at least the appearance”* at Haywood Village, but it is difficult to evidence how meaningful this impact was in practical terms.

Treatment of design post-consent

Since the granting of outline permission, numerous discharge of conditions and non-material amendment applications have been made. The post-consent planning history for phase 1 appears more complicated (and players have reported more tension in the delivery of this phase) as compared to phase 2 (although this is not yet complete).

The developer appears to have frequently asked to include more housing units, and relax requirements seen as costly. A review of non-material amendments reveals applications, by way of example, to: 'revise street scene and elevation plans to reflect as built chimneys' (13/P/0834/RM); 'revision of details of layout, materials, scale, street scene and landscape' (plot specific, 14/P/2723/RM); 'removal of windows on side elevations' (15/P/2437/RM); 'to allow an alternative brick to be used in parcels H6 and H8 in lieu of approved brick' (10/P/0756); and 'substitution of house types for some plots and relocation of affordable plots' (13/P/0834/RM). One example of an application to vary a condition included an application to amend house types and increase the number of units (13/P/0834/RM).

Not all applications for amendments have, however, been approved. Application 14/P/0828/RM to amend house types and increase numbers from 36 to 42 units in area H6 was refused. In the decision letter, it stated that;

"The proposed development and amendments to the design and appearance of this phase of the new village conflict with the approved high quality principles of design as incorporated into the Design and Access Statement approved under 10/P/0756/OT2 and the Design Codes approved under 13/P/0834/RM. The proposed amendments result in an unacceptably reduced and poor quality design which fails to enforce the strong sense of place created by the initial phase of development and fails to take the opportunity to respond to local character and local distinctiveness. They also result in a reduction in the number of key design features and the variety within neighbourhoods thus harming the village's distinctiveness and legibility."

This example shows how the planning officer used the design code and established ideas about design quality to reject what was not deemed acceptable. It also should be noted however, that it was also reported that not every planning officer would be prepared, or have the confidence, to refuse developer amendments, as a result of pressure from more senior levels not to hold back delivery.

From the case study interviews, three key issues appear to have arisen relevant to managing quality post-consent. The first, relates to the use of design codes. As mentioned above, design codes have been used as the main tool for managing design quality. It is not easy to evaluate effectiveness in this case, but overall, there appeared to be agreement between interviewees, about the usefulness of design codes, with codes consistently reported by all players to be *"have been helpful"*. Nevertheless, codes have presented some challenges. Issues appear to have arisen regarding the re-use of design codes for different phases/sub-areas. The local authority wanted original ideas and new design codes for each sub-area, whereas the developer wanted to replicate codes for the different sub-areas, stating that *"we are not reinventing the wheel for each design code"* and *"we find it frustrating when the local authorities disapprove something they had approved for an earlier phase"*. The developer was also unhappy with the time-consuming process of approval of design codes for each sub-area (although, it should be noted that in practice the design codes for sub-areas do appear very similar). The local authority reported disappointment with the design codes so far submitted for some of the phase two sub areas, suggesting

that they had lost elements of design quality as compared to phase one with less diversity of house types, less defined urban form, and lower density. The developer, however, reported that “In effect the styles and design were set at the outline stage, to be detailed in the reserved matter applications but not to be re-designed every time. Therefore this is not an attempt by ourselves to reduce quality.”

Secondly, despite both the local authority and the externally appointed urban designer (employed by Persimmon) reporting their attempts to limit the use of off-the-shelf house types, during later sub-areas the developer has largely used its standard house types. From the local authority’s perspective, the pressure to deliver houses and the lack of competition was perceived to have limited their negotiation power post outline permission. The developer, perhaps unsurprisingly, did not agree with this, and argued that the local authority had not been clear enough about its own vision and aspiration for the development, stating that “*if we knew what was expected to be done we would have done our calculations accordingly*”. Interviewees reported that this has resulted in “*less defined urban form*”, whereas the developer reported being “*proud of the character areas*” (particularly in the first phase). In the second phase in particular, it is clear that a more monotonous urban form is resulting from the use of standard house types.

Thirdly, there appears to have been some inconsistency between different sections of the local authority. Highways standards relating to street width, street materials, and street lighting, caused some disagreement within the local authority in discussion of design codes. The developer reported that highway officers and planning officers “*didn’t agree on what should be done*”, and the local authority acknowledged that these “*could have been managed better*”. Local authority participants also raised the time-management and communication challenges arising out of the need to work collaboratively across disciplines, and that these might be improved. More broadly, all players raised the lack of local authority resource for managing post-consent changes that has resulted in delay, and a lack of any capacity for on-site monitoring and compliance.

Other elements relevant to understanding the post-consent experience of this case study include:

- “*The developer was not keen on delivering taller buildings at higher density*” reporting at interview that three-bedroom two-story buildings make the most economic profit (Image HV7). Higher densities have been achieved in phase one, sub area one, the result – it seems of – negotiation between the externally appointed design consultant at Pegasus. With no involvement of Pegasus after sub-area 1, subsequent negotiations on density have been between the local authority and the developer direct. The realized urban form, and the definition of streets, could have been improved in subsequent sub-areas. In response to this statement, the developer reported “*While we are now employing an updated house type range Phase 2 of this development still has a wide variety of house types and densities in keeping with Phase 1 and the architectural styles as approved in the DAS are utilised throughout the site.*”



Image HV7: certain housing typology was preferred by the developer

- It was also observed by one planning officer that, “*developers know they can get away with cutting corners*”, referring in this case to landscaping where there were delivery issues in relation to the planting scheme. This was rebutted by the developer who stated, “*we only build what we have permission for*”, “*our landscaping scheme is delivered on site as approved and there is no occasion where we have cut corners*” and cited technical issues such as subcontracting (in the case of landscaping) or delayed planning decisions (when construction was ready to start) as the causes of “*misunderstanding*”.
- The developer mentioned that “*our submission of NMA’s is generally due to request by our purchasers to include windows/changes of materials/addition of chimneys not a desire on our behalf to reduce quality.*” This should also be seen in relation to another statement by the same player that “*An NMA is by definition minor and will in no way substantially degrade the quality of the planning approval.*” The important issue of residents’ taste and choice and potential disparities with professionals and its impact of the quality of the final product stays out of the scope of this case but requires further work.

From a more positive perspective, all interviewees remarked that having one principle developer in charge of delivering the scheme had a positive impact on managing post-consent changes, mainly because of familiarity of the scheme and continuity over time. This was substantially assisted by having an experienced and senior local authority case officer overseeing the scheme. However, the positive impact of having one main developer needs to be understood in line with potential limitations, particularly the lack of competition in the local market, that can help enhance quality. Lack of competition was an issue from the beginning of this scheme and could be seen as a result of the lack of a 5-year land supply.

Views from residents on design quality

The residents’ views on the quality of the scheme rarely specifically related to matters relevant to post-consent planning processes, but do relate to post-consent change management more generally. In particular, two major post-consent changes reported by residents were: changes in school access and changes to security around the rhynes (Image HV7). One resident also reported a mismatch between the first image of the village and the actual experience of the environment “*The first impression was a dream sold to us*”. This was specifically the case for the first group of the residents suggesting that a more realistic presentation of the scheme might have helped managed expectations better.



Image HV7: It was reported in the interviews that rhynes have cause safety concerns

Residents have been active in reporting defects and complaints, and have formed an active community group assisted by the use of the school as a community space. Residents have made complaints about aspects of internal build quality, including plumbing and materials, observing that *“in some cases the problem has been reported several times”*, and that *“the developer keeps it to the minimum and only sorts out the problems, if there are complaints”*. Issue with materials and flooding were only reportedly solved after a resident followed this up repeatedly. Residents also reported that, *“there used to be a delivery manager from the developer’s site who has been very responsive but he has been replaced by a less responsive one”*.

Residents clearly held different views about the quality of the scheme: some reflected on their own role in placemaking, *“it’s up to people and residents... those who will make this a village”*; others reflected on the build quality, *“we like our houses but they should have been much better”*; and some raised specific issues such as the safety of the pedestrian route to school and lighting concerns, and inadequate bin storage (Image HV8).

The developer stated emphatically that *“the fact that people buy our products and live in our houses proves that they like them”*: a view that is only valid if the residents have a range of affordable choices in the desired location.



Image HV8: detailed designs of parking and bin storage could have been of higher quality

Key lessons to support design quality post-consent

Haywood Village is a highly complex, large scale scheme, the narrative of which is still unfolding as further phases and sub-areas are developed.

Design codes have clearly been a particularly important element of seeking to manage design quality (Image HV9). The two images below show firstly imagery from one of the design codes and secondly a photograph of a built-out element of the village from a site visit. The close consistency between the two could be interpreted in two ways: firstly as a success - the built form closely resembles the detail of the code, the code has thereby been important in maintaining the quality; or secondly, and in contrast, perhaps the original code was not in itself particularly imaginative, and has limited what might have been achieved. This reflects wider literature on the use of design codes (referred to in chapter 2) suggesting that their effectiveness in managing design is highly context specific: rarely does a built out scheme improve on its code, and a code must be seen as a creative process in the first place in order to deliver a high quality outcome. Other factors, however, particularly the lack of competition in the market, and the lack of a five year land supply, seem to have been of more fundamental importance in determining the quality of this scheme overall, resulting in the local authority appearing to have less leverage than it might have liked. This is reflected in varied perceptions of the quality of the development so far: the developer appears proud of this scheme (particularly phase one, sub area one, the only sub-area where the external consultant was engaged post-consent), whereas the local authority believes elements could be better.





Image HV9: the illustration from the design code is comparable to the built urban facades

In terms of the wider post-consent experience more specifically, this scheme points to:

- The need to consider carefully the impact of multiple minor-material amendments. Whilst the case officer was prepared to reject amendments that contravened the design, multiple amendments were nevertheless allowed, the cumulative impact of which is hard to assess;
- The importance of understanding the inter-relationship between cost, speed and quality, so that different players agree that any post-consent change sought are for legitimate and logical reasons. The external urban designer, for example, suggested the local authority demand a *“feasibility study of the design code”*. However, a clear shared vision of a development right from project inception, can help ensure that key elements of quality or costed early in the process;
- The merit of continued involvement by key players from inception to delivery. In this case study the continued involvement of one experienced local authority case officer was seen as important in managing the process effectively;
- The importance of joined-up working within local authority departments, particularly in respect of highways and planning matters, to avoid inconsistency and provide clarity to developers;
- The potential use of 3D modelling to represent to a wider audience the vision for strategic and larger sites: *“don’t underestimate the power of a visualization of development”* stated the external designer. Models can help build mutual understanding of developments and avoid later disappointment;
- Greater use of local design guidance to reflect and endorse the character of the area (Image HV 10), including design and materials. In this case, there was more opportunity to create a village character in line with the name and overall vision of the scheme. The rhynes did contribute to the character, despite the safety concerns of some residents.



Image HV10: rhynes have contributed to the character of the area

- Communities and residents – once on site - can help monitoring and enforcement, but they are concerned first with their own houses, then schools, car parks, bins, and green spaces. This points to the need for active monitoring and compliance by the local authority itself, to ensure that key elements of quality – for example of public space delivery – are not overlooked.

Case study 4 - Maynard Terrace / Highbury Fields

Summary and key findings

This case study is a development of 36 homes on the edge of the village of Clutton in Bath and North East Somerset. Outline permission was originally granted on appeal and the development has seen support over its provision of affordable housing in a rural setting but objection over its location. The key findings of this study are:

- The lack of 5 year land supply has limited local decision making: this has allowed a site which would not have been chosen by the LA to achieve planning permission for housing: all other issues appear secondary to this in this case;
- Changes of personnel across developers and the LA leads to inconsistency. The application has been overseen by three different planning officers at the local authority, and different parts of the developers team have been involved at different stages- with those focused on delivery not being involved until later.
- Lack of certain relevant details in outline consent - in this case the sloping nature of the site - leads to permission given for something which cannot actual be delivered in a way which relates to the original idea. This issue is secondary to the suitability of the site for housing in this case, but relates more to issues of post-consent design quality.
- The case has raised some interesting yet inconclusive questions about outline permission/RM and changes in land ownership. There is a negative view from both developers and LA planners about parties who buy land (or the option to develop) to achieve outline permission on, then sell on something which cannot be built out without many changes. These parties are not very visible in most discussion of planning and could be brought to the fore more.

Project description

This development is of 36 houses in the village of Clutton in Bath and North East Somerset. The site is on the edge of the village of Clutton, over 1km from the main road (with bus stops and some limited services). It is adjacent to the historic Maynard Terrace; a row of houses built for miners by the Earl of Warwick, and although not listed, considered a local heritage asset. The site is on the edge of the village, and was beyond the housing development boundary when given planning permission.



Image MT1: The site in detail, alongside the historic Maynard Terrace (source Digimap)



Image MT2: The site in relation to Clutton as a whole (source Digimap)

Clutton has a range of property types in it as a village as a whole, but the development site is only adjacent to/visible from Maynard Terrace. The final development was of 21 of these being ‘affordable’⁸ but these numbers changed frequently throughout the site’s history. These are now fully occupied and the market units are sold.



Image MT3: the site, partially developed (Source <https://www.curo-group.co.uk/house-building/schemes/highbury-fields-clutton/>)

⁸ Tenure and unit mix: **Social Rent:** 6 x 2bed, 4 person houses, 2 x 3bed, 5 person houses, 1 x 4bed, 7 person house, **Affordable Rent:** 3 x 2bed, 4 person houses, 4 x 3bed, 5 person houses, 1 x 4bed, 6 person house **Shared Ownership:** 1 x 2bed, 4 person house, 3 x 3bed, 5 person houses

As can be seen in the above photo (Image MT3), the site is predominantly terraced housing, with some semi-detached and detached properties. Properties are similar in height to neighbouring houses, with some hints at following the design of the adjacent Maynard Terrace, such as a central door with rooms on either side. The housing types across Clutton as a whole vary hugely, and some elements (such as stone) seen here loosely echo other parts of the village. The development is on the edge of the village, linking only-visually and physically- to Maynard Terrace. There is a clear pavement around all the new houses, and this links to walkways into the village.

Planning history

For a small development, the planning history is quite complex and has been inconsistently reported across the interviews. The first application on the site was in 2011 (11/04300/OUT)- outline permission for 43 dwellings with access and layout considered for approval at this time (i.e. not reserved). This application was withdrawn with the officer's report recommending refusal and giving 8 reasons for this. The withdrawal was justified largely by the applicant on highways grounds as the application had not met the required technical standards. This however, was only one of the eight reasons given by the planning officer for refusal.

A revised scheme was submitted the following year (12/01882/OUT), refused by the council at committee but granted on appeal, largely because BANES did not have a 5 year housing land supply at this time- this was considered the main issue for the appeal. Access was to be considered in this application, but layout was no longer- this was now reserved. The inspector deemed that these were issues which could be dealt with adequately at the RM stage, stating: 'should the details submitted at Reserved Matters stage fail to demonstrate adequate regard for and sensitivity to the site's surroundings, the Council would be entitled to refuse permission' (Graham, 2013, page 6, paragraph 28).

Following granting of the appeal, there was the application for reserved matters (14/05692/RES) and thirty-two applications for discharge of/and variations to conditions and non-material amendments. Within the correspondence on the conditions applications, most attention was focused on land remediation/contamination works and protection of trees rather the layout of the housing or the materials and design. Issues of remediation took several iterations to achieve sign-off by the local authority as initial attempts did not meet the set standards. Changes to housing types and road layout were done by NMA. These involved swapping some affordable and market plots, which changed the housing types in certain site locations because affordable housing has higher build standards. Also, the line of a pavement was altered, sheds were removed from some gardens and some trees were removed. These were all deemed to be non-material changes by the case officer and hence signed off. Between the appeal and the RM application, two modification of planning obligation applications were submitted to lower the social housing provision from 50% to 33% (still within the local plan guidelines, but the higher level of affordable housing on offer was a material consideration in the planning appeal)⁹.

⁹ Indirectly related, there have been two further applications, each for 36 further houses on two parcels of land adjacent to this case study site. These are 1) 14/00039/OUT which was refused by delegated decision, and 2) 15/01644/OUT which was withdrawn. The issues on which these were decided relate to the Maynard Terrace application outlined in this case study as access for part of the development needed to be secured through the site of this case study development, and this had not been proved in the application, and moreover, the proposed development in these subsequent applications would damage the ecology mitigation for the current case. These applications were both submitted by Edward Ware homes, an outfit which appears to buy land to secure outline permission on, then sell off to a developer. This was not the case in the Maynard terrace

Key players

Councils	Developers	Community
Bath and North East Somerset Council Clutton Parish Council	Curo G L Hearn (agents for Curo)	Friends of Clutton

Throughout the journey from outline permission to build-out, the key organisations remained the same, but the individuals working for them did not. Within the council, the officer dealing with the original (refused) outline was the same person to deal with the reserved matters, but not the application which went to appeal or the appeal itself. A third officer dealt with the majority of the work around signing off conditions. No interview was secured with the appeal officer.

The initial (refused) outline permission applied for on this site in October 2011 was applied for by Somer Community Housing Trust- the former name of the Curo. This was the appellant at appeal (named party in the statement of common ground), and the developer of the now built scheme. However, in interview with representatives of Curo, they stated that they bought the site once outline permission was secured and that they did not take it to appeal and were not aware of the negative public feelings there were about the development of the site. At appeal, the owner of the site is listed as Wedco; a small local company who have since dissolved.

For this case study a total of seven people were interviewed. No-one was available from the planning consultant team (GL Hearn, as the relevant staff member has left). The representatives from Curo who participated in the research had only been involved post-appeal, so had limited oversight of the aims of the proposal before this time.

Treatment of design in the original 'consent'

The successfully appealed outline application reserved all matters apart from housing numbers. It was accompanied by drawings of indicative designs and layout for the houses. Although the neighbouring properties on Maynard Terrace are considered a local heritage asset, the *design* of the housing proposed at outline was not seen as an issue in terms of harming them; it was more the principle of development which would change their open and linear nature that was seen as problematic.

Because of this, design was not an issue in the 'original' consent - the issue was the a priori one of whether this was a suitable site for *any* development. Two further issues stem from this. First, the fact that the council deemed this plot unsuitable for development meant that any design would be considered unsuitable, and the arguments at this stage focused on the principle of housing development not the design of it. Second, outline permission gives permission to the principle of development, but main respondents felt that it was not possible to make a judgement on this without knowing the detail of the application as is summed up well in the following quote:

development as the site's developer, Curo, were the named applicant on the outline permission and on the appeal decision, however in conversation with the representatives of Curo they indicated that at this stage the land was not theirs. A main difference in their (in)ability to secure planning permission does appear to be that BANES now have an established five year land supply again.

“Everything needs to be right for it to work or it does not work”

At the outline stage, much is not worked up, and both planning officers and developers saw the need for some level of flexibility here:

“We never really know what the truth is...after planning is approved, they work up the fine details, with building regs, quantity surveyors, and they find some particular material or way of doing things doesn't quite work”

There was a sense from the developer that because the site was granted at appeal, the planning authority were coming back on every issue at the conditions stage, supported by very vocal and unhappy local residents. They felt that the LA was being pressured to look like they were being very firm and thorough, partially because of the site history but also because of the (positive) reputation of Curo, with one interviewee wondering *“would you be asking the same of Persimmon”*?

On the other hand, the local authority felt they had less power to regulate for the quality of the development once outline permission was granted, that many things which were ‘hoped for’ at outline (such as a large SUDS pond which was also intended to serve as an amenity space) were lost because of viability or practical/physical constraints. The number of NMAs and applications to vary a condition partially demonstrate both these points. These were also seen by the developer as the only way of making the project viable because of the time constraints on getting RM application in, with an interviewee stating that they didn’t want to end up with a *“very expensive paddock”* (by missing deadlines, and then losing permission).

A difficulty in this case study has been the reluctance of many key players to participate in the research therefore it is hard to do more than extrapolate meaning from these documents. This lack of participation, and views from both developer and local authority on how post-consent mechanisms were being used demonstrates a lack of trust between parties. The post-consent mechanisms here seem to be poor proxies for a way of getting a more widely beneficial development in this context. The developers agreed with this view, feeling that pre-app conversations (especially if they could be made binding) would be a better way of securing some certainty than outline permission (especially if this permission is bought from a third party and lacks some of the necessary details such as site access). However, pre-apps have the potential of being lost by change in personnel too.

Treatment of design post consent

In this case study, issues of design changes did not appear to be central. The overall sense from both developers and the local authority was what was at issue here was the principle of whether this site was suitable for housing or not. Once this was established via the appeal, the later questions of design, layout, materials, landscaping etc. were felt as very minor by all interviewees, despite the local authority appearing to take quite tight over-sight over conditions as indicated above. There was not the sense that something great had been promised at outline, that wasn’t reflected in the final outcome. It was more that there remained an underlying feeling between the local authority and much of the local population that the site was not suitable for development, and therefore whatever was proposed or delivered was not wanted. Support, such that there was, for the development centred around housing need, and in particular the delivery of affordable housing in a rural setting. Again, this centred on a principal rather than a set of details which were later disappointing. In promotional material available of Curo’s website,

there is a short film of a resident of one of the new affordable houses saying how glad she is to be able to live there, but this too focuses on affordability and access to rural housing rather than design quality of the development itself.

Nevertheless, as can be seen in the images below (MT4 & 5), there were notable changes between the indicative outline sketches and the build-out. The main issue is that the outline sketched imagined the site as flat (and hence able to provide courtyard parking behind the houses), whereas the site is actually sloping, which made this impossible. This has changed the visual appearance of the houses and streets. Further, the outline sketches imagine the terrace in multi-coloured render whereas the finished houses are predominantly brick. In interview with Curo officers they stated this was their preference as an RSP because of the maintenance issues and costs associated with render; how it discolours quickly and then either looks bad or needs expensive maintenance.



Image MT4: Photograph from site visit (source: authors)



Images MT5: Sketch from outline permission documentation (obtained via BANES planning application portal)

Whilst there was a sense of a dip in design quality, overall this was considered a minor factor compared to the issue of housing on this site in principal. There remain two contrary viewpoints on this: that either the houses were not wanted there in the first place - or that they served social purpose regardless of what they looked like because of the high percentage of affordable homes delivered on this site.

Views from residents on design quality

Similar to the points made above, there is a split public reception of this case study- positive about affordable housing (Curo have an interview with a resident of the scheme on their website, available at <https://www.youtube.com/watch?v=xbHxUHoFwQo>) but prior to development, local opposition groups raised their concerns about development clearly.

The officer's report demonstrates that public opinion on the development was very split; 255 letters of support were received from 250 individuals, and 320 letters of objection were received from 270 individuals.

Key lessons to support design quality post-consent

The problematic areas relating to design quality in this case study begin pre-consent, and develop in how this plays out in the post-consent landscape. The two key issues are the requirement for a five-year land supply and problems created by lack of detail at outline. The five-year land supply requirement can force local authorities to accept substandard or poorly located development because this requirement is given more weight at appeal. If this is the case, post-consent issues are largely irrelevant because of the poor pre-consent quality of schemes. However, it does indicate that LAs need to be aware of this possibility and have strategies to deal with post-consent design even in cases where they thought planning permission should not have been granted (be this high-quality conditions, consistent monitoring etc.).

Secondly, this case study reveals some of the issues around outline permission. In this case, the developer has little to do with the application at the outline stage, and was left feeling they have acquired a problematic scheme, both in the context of public annoyance: "*We walked in and everyone's back was up*", and lack of implementability of the permission. There is a question about when issues such as access and layout need to be given attention. If this happens after outline permission has been granted, this can cause problems for a developer who has paid for land on the basis of it being able to hold a certain number of units (because planning permission has been granted for this number) but being unable to deliver this given the constraints of topology and its relation to layout and access. There needs to be a clearer place in the process for what the developer described as "*due diligence*" to be assured- so that sites are only given permission for something that is actually possible. This is compounded by the issue of five-year land supply mentioned above, and the process of appeals.

Finally, from the point of view of a researcher, this case study really highlights the difficulties of the fragmentation of planning decisions- fragmented between land owners, applicants and agents, as well as changes of personnel in the council and developer. The pressure on local planners because of the cuts in LA budgets mean it is hard for anyone to know what anyone else is working on:

"unless you overhear things, or are involved in some way, you wouldn't really get involved in somebody else's application"

This is within a system of limited trust on both sides- or more precisely limited trust beyond personal and individual relationships, limited trust that third parties will do what they should and that there are agreed up on goals in the development process.

