



ARCHITECTURAL DESIGN PROOF OF EVIDENCE

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**EDWINA MOUNTBATTEN HOUSE, BROADWATER ROAD, ROMSEY, HANTS
S051 8GH**

CHURCHILL RETIREMENT LIVING LTD.
CHURCHILL HOUSE
PARKSIDE
RINGWOOD
BH24 3SG

JULY 2024

TOWN & COUNTRY PLANNING ACT 1990

APPEAL BY CHURCHILL RETIREMENT LIVING LIMITED AGAINST THE REFUSAL OF AN APPLICATION FOR THE ERECTION OF 47 RETIREMENT APARTMENTS INCLUDING COMMUNAL FACILITIES, ACCESS, CAR PARKING AND LANDSCAPING AT EDWINA MOUNTBATTEN HOUSE, BROADWATER ROAD, ROMSEY, HANTS S051 8GH.

SITE AT:

EDWINA MOUNTBATTEN HOUSE, BROADWATER ROAD, ROMSEY, HANTS S051 8GH

LPA REF:

23/01700/FULLS

PLANNING INSPECTORATE REF:

APP/C1760/W/24/3342514

PLANNING INQUIRY DATE:

13th AUGUST 2024

PROOF OF EVIDENCE AUTHOR:

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Design Director, Southwest Design

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1.0 INTRODUCTION

1.1 Qualifications and Experience

- 1.1.1 I am Rob Jackson, Design Director of the Southwest Design Department of Planning Issues Ltd; Churchill House, Parkside, Ringwood, Hampshire, BH24 3SG.
- 1.1.2 I am a Chartered Architect, being a chartered member of the Royal Institute of British Architects (83360) and registered with the Architects Registration Board (070660D). I hold a master's in architecture (MArch) having qualified with distinction in 2005 and a bachelor's degree in architecture (BArch) from the University of Nottingham, voted in the top 3 architecture schools in the UK by the top 100 architecture practices in the Architect's Journal¹.
- 1.1.3 I have worked for Planning Issues since November 2019. Planning Issues is a subsidiary company of Churchill Retirement Living (Group) Limited (Appellant) and I have been engaged to provide professional evidence in respect of this Appeal.
- 1.1.4 In 2002 I graduated with a Diploma in Architecture (DipArch) from the University of Nottingham, England, having completed my Degree in Architecture (BArch) at the same University 3 years earlier. Following completion of my Diploma, I spent 3 years working in the office of Perkins Ogden Architects, an award winning private architectural practice specialising in education buildings.
- 1.1.5 In 2005 I qualified as a professional architect with a distinction in Professional Practice in Architecture (MArch).
- 1.1.6 In 2007, I commenced working at Design Engine Architects, another award winning private architectural practice. I remained there for 11 years, rising from Architect, via Site Architect and Associate roles to a Senior Associate position. Design work covered a number of typologies; education projects, private houses, flatted developments and pavilions. During my time at Design Engine the practice won a number of awards including shortlisting for BD Architect of the Year three times and my projects won a number of design awards.
- 1.1.7 Key projects included the £83 million / 24,000sqm John Henry Brookes Building for Oxford Brookes University which won an RIBA National Award, RIBA South Building of the Year, RIBA South Regional Award, RIBA South Sustainability Award, AJ Retrofit Award, Oxford Preservation Trust Award and the Education Estates Student Experience Award. It was also 'mid-listed' for the Stirling Prize, the highest

¹ **AJ100 practices vote best architecture schools, Richard Waite, 19th June 2020**

architectural award for the best building of the year, alongside the Shard by Renzo Piano and the London Aquatics Centre by Zaha Hadid.

- 1.1.8 Key retirement projects included design concept architect for a £15million extra care development at Chesil Lodge, Winchester (LABC South Awards: Best Inclusive Building and 2019 SPACES Civic Building of the Year award Highly Commended) described by the leader of Winchester City Council Cllr Caroline Horrill as “... a top quality building that will benefit present and future generations...”.
- 1.1.9 Other design projects included the £40 million, 7,500sqm West Downs Centre Building for University of Winchester which was designed to add state-of-the-art facilities to the University and be the first University building in the UK to be designed to the WELL standard and also to achieve Building Research Establishment Environmental Assessment Method (BREEAM) ‘Excellent’ rating. This won both a Civic Trust and RIBA South award in 2022 and scooped the Gold award in the global World Architecture News WAN Awards 2021 Education category, beating six other shortlisted international projects in the sector.
- 1.1.10 In 2017 I was elected to sit on the Winchester and Eastleigh District Design Review Panel. As part of this body, I regularly review schemes at pre-planning and planning stages to advise the local authorities on the quality of design, providing an independent, expert assessment of significant proposals. The importance of the Design Review Panel is emphasised through the NPPF in Paragraph 138.
- 1.1.11 In 2019 I commenced working for Planning Issues on Churchill Retirement Living retirement housing schemes, providing in-house professional design services. I review and prepare feasibility studies for in excess of 70 sites per year and am responsible for developing detailed designs for approximately nine planning applications per year. My education and previous experience in designing and delivering award-winning projects, as well as reviewing schemes by others, have informed my ability to assess what achieves high design quality and success.
- 1.1.12 In June 2022 I started a feasibility study for the Site. The application was developed based on a review of the character of the local context and Churchill Retirement requirements. Comments received from the Design Review Panel, Conservation Officer, Town Council and public consultation have informed the proposals. The proposal has been developed by me and my team to planning application stage and I have reviewed the scheme design at gateway stages during the design evolution. The explanation of the application design rationale and justification was provided to the local planning authority in the accompanying Design and Access Statement. I was responsible for checking and sign-off of architectural drawings

and the Design and Access Statement. A further design update beyond the DAS during the application forms the final development proposal subject of this appeal.

- 1.1.13 The final design was supported by both the council's Conservation Officer and the Case Officer. The proposal was recommended for approval at committee. The Case Officer's report noted that the design was "*substantially revised in the amended plans and has sought to address the specific concerns of the Conservation Officer.*" The Conservation Officer advised that the proposal subject of this appeal would not have an adverse impact on the setting of the nearby listed buildings or the setting of the Conservation Area. (para 8.19 of Officer's Report to Committee).
- 1.1.14 In the Case Officer's conclusion on design, para 8.21, he found that "*the approach proposed, informed by the comments of the Conservation Officer, and reflected in the revised proposals, is appropriate and would broadly **enhance** the character of this site situated adjacent the Conservation Area and make a **positive** contribution to sustaining the significance of the surrounding heritage assets. The revised designs have taken account of the character, appearance and setting or (sic) heritage assets and those assets have informed the design of the proposals. As a result, the development is considered to comply with Policies E1 and E9 of the TVBRLP.*" (My emphasis in bold).
- 1.1.15 The professional opinion of the council's officers supported the design as being acceptable, causing no harm to heritage assets and therefore no need for a planning balance exercise as the proposal was in accordance with the development plan. It is the council's own Southern Region Planning Committee who voted, with no demonstrable evidence, that the proposal was not in accordance with the development plan. Furthermore, having come to this conclusion, there is no evidence that the required planning balance exercise was then carried out by the committee. No evidence has been provided by the council with the Statement of Case to support this position.

1.2 Scope of Evidence

1.2.1 This Proof of Evidence is submitted on behalf of Churchill Retirement Living Limited (the Appellant) in support of its appeal against the Refusal of Planning Permission at Edwina Mountbatten House, Broadwater Road, Romsey, Hants S051 8GH ref: 23/01700/FULLS for the:

ERECTION OF 47 RETIREMENT APARTMENTS INCLUDING COMMUNAL FACILITIES, ACCESS, CAR PARKING AND LANDSCAPING.

1.2.2 This Proof of Evidence has been prepared to respond to Test Valley Borough Council's criticism of the design contained within their Reason for Refusal. No detailed additional explanation as to the reasons for refusal are included in either the LPA's 'Statement of Case'² or the officer's report (which supported the scheme).

1.2.3 My evidence deals solely with design issues, specifically those raised by Reasons for Refusal 01 and 02, although these inevitably cross over with other issues, particularly Reason for Refusal 01 which is framed as a Heritage Reason for Refusal. I defer to Mr. P. White on Heritage issues and Mr. M. Shellum on Policy issues. I do not deal with any issues relating to Reasons for Refusal 03, 04, 05, 06 and 07.

1.2.4 I have reviewed the existing Site and local context from an architectural and townscape point of view. The client has further commissioned Stantec to independently review the townscape and provide an assessment of the proposal's appropriateness for the Site. Their evidence is provided separately, and I defer to Mr. D. Scott on townscape matters.

1.2.5 I have assessed the proposed scheme and considered whether in my opinion the scheme is of a high quality in terms of design and local distinctiveness and would respect the key characteristics and special qualities of the area in which the development is proposed, as sought in planning policy E1³ and E9⁴. I have considered whether the proposal is in keeping with local character including scale, massing, bulk, appearance and materials of buildings. I have assessed the design against the intentions of the NPPF, particularly Chapter 11 Making effective use of land and Chapter 12 Achieving well-designed places.

² Test Valley Borough Council's Statement of Case, CD7.1

³ Test Valley Borough Council Adopted Local Plan (2011-2029), Policy E1, Page 111, CD3.1

⁴ Test Valley Borough Council Adopted Local Plan (2011-2029), Policy E9, Page 128, CD3.1

1.2.6 I have reviewed whether the proposed development would provide sufficient privacy and amenity to neighbouring dwellings in accordance with policy LHW4⁵.

1.3 Professional Endorsement

1.3.1 The evidence which I have prepared and provided for this appeal in this proof of evidence is true and has been prepared and is given in accordance with guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

⁵ Test Valley Borough Council Adopted Local Plan (2011-2029), Policy LHW4, page 139, CD3.1

1.4 The Appellant

- 1.4.1 The appellant is a national specialist purpose-built retirement developer founded in 1994 and operating continuously for the last 30 years.
- 1.4.2 The appellant had completed over 200 developments and over 8,300 units as of June 2024. Churchill Retirement Living manages over 240 retirement developments across the UK and serves around 10,000 apartment Owners.
- 1.4.3 The appellant was the first ever retirement specialist to win the coveted *WhatHouse? 'Housebuilder of the Year'* award in 2016.
- 1.4.4 The appellant continues to regularly win awards for their developments, recently including Gold for *'Best Retirement Home Developer'* at the 2023 *WhatHouse?* awards. The judge's citation noted "*The Churchill schemes, with a network of outstanding lodge managers front of house, promote independence alongside friendship in safe, secure environments, and 97% of its customers would recommend the housebuilder.*".
- 1.4.5 Of completed developments, which are necessarily near to the centre of towns, approximately 50% have heritage considerations as part of their design and planning approval process.
- 1.4.6 The appellant's development at Tavistock, in a prominent position within a UNESCO World Heritage Site, a Conservation Area and the setting of Listed Buildings won Bronze for the *'Best Retirement Development'* at the 2020 *WhatHouse?* awards.
- 1.4.7 Notable completed Churchill Retirement Living developments which either affected heritage assets or are within conservation areas and were approved through the planning process include developments in Salisbury, Farnham, Leamington Spa, Cheltenham, Bridport, Abingdon, Chippenham, Shaftesbury, Hythe, Malmsbury, Ringwood and Wells.
- 1.4.8 The appellant takes the responsibility of designing developments within historic built environments very seriously and carefully considers the local context to inform the proposed design. This particularly focuses on the appropriate scale, mass, design and materials. Each proposed development design is unique and bespoke to the location.
- 1.4.9 The appellant has some specific operational requirements which form a brief for the design. These are discussed in detail in Section 4.0 The Proposal and 5.3 Utilities and described in the Design and Access Statement Sections 1.6 and Section 6.

1.4.10 The appellant, through a sister company 'Churchill Estates Management', continues to maintain developments through their lifetime. The average length of apartment ownership is 8 years. Apartment resales are part of the business, and it is therefore in the appellant's interest to build developments of high quality that will continue to look good and be well maintained. This is embedded within the company's 'DNA'.

2.0 THE APPEAL SITE AND SURROUNDINGS

2.1 The Appeal Site

- 2.1.1 The appellant owns the Site.
- 2.1.2 The Site location is in Romsey, a market town in the Test Valley borough of Hampshire. The Site is located on Broadwater Road, just to the south of the historic core of Romsey and just to the north of the town bypass.
- 2.1.3 The Site is a broadly rectangular shaped plot of land, 0.305 hectares in size, and measures approximately 60.5m in length north to south and 55m in length east to west. The Site is largely level, and sits at a higher level than Palmerston Street.
- 2.1.4 The Site contains Edwina Mountbatten House, a pentagonal plan single footprint vacant building until recently occupied by a care home run by the Countess Mountbatten Romsey Memorial Trust. The building dates to the latter part of the twentieth century and is of no special architectural or aesthetic value. The Site constitutes brownfield land.
- 2.1.5 The Site is bounded by Broadwater Road to the north, Palmerston Street to the east, a masonry wall separating it with the car park to Crosfield Hall to the west and a small stream, Tadburn Lake, to the south adjacent to the A27 bypass.
- 2.1.6 The Site is outside of the Conservation Area. It was previously within the Conservation Area but removed following a review of the Conservation Area boundaries in 2020. The reason given was “*This building dates to the later 20th century and is of no heritage value. Its larger footprint means it does not reflect the historic character of the area*”⁶.
- 2.1.7 Vehicle and pedestrian access to the Site is from Broadwater Road.
- 2.1.8 The Site currently provides limited landscaping, soft planting and biodiversity.
- 2.1.9 The junction between Broadwater Road and Palmerston Street at the north-east corner of the Site has been identified in the South of Romsey Town Centre Masterplan as a ‘Gateway’ to the town. Romsey and District Society in their 3rd Party submission note at para 6 that the Site is an important gateway to the centre of the town.

⁶ Romsey Conservation Area: Boundary Amendment Report, Purcell, November 2020, CD4.11

2.2 The Site Context

- 2.2.1 Romsey is a small market town with a population of about 14,500⁷. The Site is to the south of the town centre.
- 2.2.2 The Site is within the south-east corner of 'Area 8 Romsey Old Town' as defined within the Romsey Town Design Statement.
- 2.2.3 The immediate locality comprises residential, retail, and commercial office uses.
- 2.2.4 The site is within the setting of the Romsey Conservation Area⁸. The Site is adjacent to the character areas 'Area 4: The Hundred and Palmerston Street' and 'Area 3 Market Place'.
- 2.2.5 Area 3, primarily commercial, notes that plots follow a medieval burgage plot pattern, and the street pattern is very narrow; some plot amalgamation has taken place allowing a variety of frontage widths. The general scale is two to three storeys; the urban grain is very fine with few gaps between buildings. Buildings are generally red brick or painted or rendered. Roofs are pitched and use clay or slate tiles. Decorative features, where present, are modest. The majority of buildings are positioned hard against the pavement giving the area a comparatively urban feel.
- 2.2.6 Area 4, primarily residential, notes that street development occurred in a piecemeal fashion, and that consequently plot size varies. Until the Victorian period, significant gaps remained in the street frontage which were subsequently infilled with terraced rows. The general scale is two-to-three storeys; there is a significant variation to plot width, roof form and height. Buildings are generally red brick or rendered or painted in pale tones. Decorative features, where present, are modest. The many humble terraces have simple banding or no applied decoration at all. Roofs are in clay tile or slate.
- 2.2.7 The key relevant characteristics and special qualities of the area in which the development is proposed, as identified within the Romsey Town Design Statement for Area 8 Romsey Old Town are;
- i. Building line is fairly continuous in most of the streets, with occasional small gaps or alleyways between buildings (page 5)
 - ii. In the oldest streets. Front gardens are rare, and houses abut the pavements. However, some houses have small front gardens (page 5)
 - iii. Scale is typically two-to-three stories (page 12)
 - iv. Houses are typically small, with small rooms and low ceilings (page 12)

⁷ 2021 Census, UK Office for National Statistics - www.ons.gov.uk/visualisations/customprofiles/build/#E04004634

⁸ Romsey Conservation Area Appraisal (December 2020), CD4.10

- v. There are many terraces of houses, which are mostly short (page 12)
- vi. Balconies are not usual (page 13)
- vii. The normal material is red brick, but there are exceptions (page 16)
- viii. Many houses have small examples of decoration often at the intersection of ground and first floor or below the eaves (page 16)
- ix. Roofs were traditionally clay and latterly slate (page 19)

2.2.8 The key relevant characteristics and special qualities of the area in which the development is proposed, as identified within the DAS⁹, are;

- i. A Site immediately south of the Town Centre.
- ii. The character of the area immediately to the east (Palmerston Road) is that of terraces, cottages and townhouses sat at the back edge of pavement with properties occupying narrow plots. There are a number of listed buildings in proximity to the Site, particularly along Palmerston Street.
- iii. To the south the small stream known as Tadburn Lake is largely surrounded by trees giving it a sylvan character and providing screening to the busy A27 bypass road.
- iv. To the west the character is more open, across a carpark to Crosfield Hall, a larger footprint pavilion building. Further to the west between Middle Bridge Street and the Bypass sit modern apartment buildings.
- v. To the north-east sits a newer commercial building, also with a larger footprint. To the north is the Manor House, a medieval building that faces Palmerston Street.
- vi. Two storey buildings sat adjacent to three stories, or two-and-a-half stories are common.
- vii. Materials in the vicinity of the Site are varied.
 - Brick: Typically red brick, sometimes painted brick
 - Windows: White framed casement or sliding sash traditionally in timber and more recently in uPVC.
 - Roofs: Largely clay tiles, but some slate roofs.

2.2.9 Following the issue of the Reasons for Refusal by TVBC, the client has commissioned Stantec to review and confirm the Site context and the critique the proposed design response. Their evidence supports the analysis carried out in developing the design, providing specific examples of the character described. Key points are;

- i. Fine grained historic town centre with coarser modern additions

⁹ Churchill Retirement Living Ltd. & Planning Issues, Design and Access Statement, September 2022, CD1.13

- ii. Town centre buildings largely arranged to form a continuous frontage
- iii. Buildings tend to face the adjacent public streets usually at the back edge of pavement
- iv. Principally 2, 2.5 and 3 storey buildings
- v. No consistent eaves line by area or street
- vi. There is a great deal of variation in height, building-to-building and across the street
- vii. There are many occurrences where a 2 storey building shares a party wall with a 3 storey building
- viii. Roof, eaves and ridge lines are usually parallel to the streetscape
- ix. Occasional dormers of various forms
- x. Materials are typically red brick with some rendered, white painted or slate hung elevations
- xi. Many buildings have chimneys
- xii. Many buildings have subtle detailing at eaves, corners or around fenestration

2.2.10 Overall there is a consistent reading of the character of the local area identified in the Conservation Area Appraisal, the Romsey Town Design Statement, the DAS and the Stantec Townscape Analysis as seen in paragraphs above. Key points can be summarised as follows:

- i. **Urban Grain** – Fine grained to the Conservation Area with Victorian infill terraces within the historic fabric. The area to the west, coarser grain with larger footprint buildings.
- ii. **Typology** – typically residential
- iii. **Layout** – typically back edge of pavement with continuous building frontages
- iv. **Scale** – typically 2, 2.5 and 3 storeys
- v. **Mass** – variation in building sizes alongside each other
- vi. **Roof form** – pitched, parallel to street, with varying eaves and ridge heights
- vii. **Roof material** – traditionally clay, latterly slate
- viii. **Wall materials** – typically red brick, with some painted brick and render
- ix. **Fenestration** – White framed casement or sliding sash traditionally in timber and more recently in uPVC.
- xiii. **Detailing** – modest, subtle detailing at eaves, corners or around fenestration

3.0 THE POLICY CONTEXT RELATING TO DESIGN

3.1 The Development Plan

3.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and National Planning Policy Framework (NPPF) paras. 2 and 47 require that the appeal must be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

3.1.2 The development plan for the appeal Site comprises:

- i. **Test Valley Borough Council Adopted Local Plan (2011-2029)**

3.1.3 The following development plan policies are most relevant to the design:

- i. E1 High Quality Development
- ii. LHW4 Amenity

3.1.4 The following planning documents are most relevant to the design:

- i. **The Romsey Conservation Area Appraisal**

This supplementary planning document was reviewed in 2020 and the Site removed.

- ii. **The Romsey Town Design Statement**

This supplementary planning document was presented to the council in 2006 and adopted as an SPD in January 2008. It is therefore over 18 years since it was written.

- iii. **The South of Romsey Town Centre Masterplan Report**

This document was approved and published by Romsey Future and TVBC in September 2020 but is not a Supplementary Planning Document. The area covered by the document does not include the Site. However it does show that intensification of use of surrounding sites, including Crosfield Hall, is the intended direction of travel for design of this part of Romsey. This includes modern large footprint buildings and an increase in scale and density.

3.2 Material Considerations

3.2.1 Paragraph 2 of the **National Planning Policy Framework** (NPPF) states that the NPPF is a material consideration in planning decisions.

3.2.2 The NPPF makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. Section 12 is about 'Achieving Well-Designed Places' and includes paragraphs 131 to 141.

- 3.2.3 Particularly relevant paragraphs to the proposed design are 131, 135, 137, 138 and 139.
- 3.2.4 It is important to note that the NPPF was updated in December 2023. A much bigger focus is now placed on making 'beautiful' and 'sustainable' places, and the use of plans, design policy, guidance and codes is hugely encouraged. For example, Paragraph 133 sets out that *"all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences."*
- 3.2.5 This is consistent with previous Government announcements and the 'Building Better, Building Beautiful' Commission. The Government convened the Building Better, Building Beautiful Commission with the aim of championing beauty in the built environment, as an integral part of the drive to build the homes that our communities need.
- 3.2.6 The commission was an independent body that advised government on how to promote and increase the use of high-quality design for new build homes and neighbourhoods. The Commission published its final report – Living with Beauty – on 30 January 2020. This sets out the Commission's recommendations to government. Its three principal aims: to ask for beauty, to refuse ugliness and to promote stewardship.
- 3.2.7 In response to this, the government have made beauty, design quality and placemaking a strategic theme in revisions to the National Planning Policy Framework, highlighting design quality as a key issue in consenting schemes.
- 3.2.8 Overall, this could be termed the government's 'beauty agenda', with an increased emphasis on high quality design.
- 3.2.9 Other material considerations relating to design include:
- i. Planning Practice Guidance (PPG)**
 - ii. National Design Guide (NDG, October 2014)**
 - iii. Building for a Healthy Life (BfHL, June 2020)**

4.0 **THE PROPOSAL**

4.1 **Design Development**

- 4.1.1 A pre-application¹⁰ was submitted to Test Valley Borough Council on 2nd February 2023. This formed the basis of conversations with the Local Planning Authority (LPA), the Town Council and the first Design Review Panel (DRP) as well as the information presented at an online Public Consultation. Written responses from the LPA and DRP were received as well as online responses from the public and verbal feedback from the Town Council. The design was developed in line with comments received. This is set out in sections 3.8 to 3.11 of the DAS.
- 4.1.2 The principle of development was agreed by almost all stakeholders, with only three public comments opposing development of the Site.
- 4.1.3 In my opinion either a traditional or contemporary approach to the design could be successful. Whilst the feedback from the first design review panel was that the design intent of creating a street scene was laudable, the second design review panel and town council verbally favoured a more contemporary style, with a design pulling away from the street.
- 4.1.4 The layout developed from a U-shaped building with 90 degree internal corners presented at pre-application stage, to a canted plan which follows the line of Palmerston Street as well as Broadwater Road and Tadburn Lake. This specifically responded to comments from the first DRP¹¹ that the scheme needed to give *“greater consideration ... to the orientation of the building and its alignment with Palmerston Street”*, and our context analysis that buildings typically follow the line of the streets. The combination of a hedgeline in Highways ownership and the level difference precludes the design to be back-edge of pavement at Palmerston Street, and the fact that the building is set back also provides greater separation to buildings opposite and some small garden amenity space to ground floor apartments. The new layout is closer to both Palmerston Street and Broadwater Road than Edwina Mountbatten House, which follows the direction set by our context analysis.
- 4.1.5 It may be noted that the second DRP¹² suggested a layout that didn't address Palmerston Street (*“Does the scheme have to present a frontage to Palmerston Street, as this is where much of the problems of scale stem from?”*). This was

¹⁰ **Appendix B, Churchill Retirement Living Pre-Application Statement, January 2023**

¹¹ **Appendix C, Test Valley DRP Comments 7th March 2023, sixth paragraph**

¹² **Appendix D, Test Valley DRP Comments 7th August 2023, paragraph 2 first bullet point**

directly contrary to the previous panel's advice that the layout should align with, and address, Palmerston Street.

- 4.1.6 Whilst DRP comments that the building needs to have a plan form that has "*greater individuality and interest*" or blocks "*which would be better to appear separate*", designing separate buildings is neither practical for the client brief or contextual when viewed against the surrounding continuous building lines and prevalence of terraces.
- 4.1.7 The concept of developing a 'street scene' where the proposal appears as separate buildings was consistent throughout the design development, with the detail and massing adjusting as the design developed.
- 4.1.8 The bulk, mass and scale of the building changed considerably in relation to the key sensitive elevation of Palmerston Street. The initial design response was for a building which stepped up to the corners and had a greater mix of heights. The Palmerston Street elevation evolved from what at pre-application stage consisted of 6 half-dormers and a full dormer window plus a cupola to the corner, to four dormers in two pairs plus a single half-dormer for the full application. This was further reduced during the application process conversations with the Conservation Officer to a final design with the half-dormer removed in lieu of a roof ('Velux' type) window and the south-east corner gable reduced from three to two-and-a-half storeys; see Appendix E comparison drawing of PA06B east elevation. The bulk, scale and mass of this sensitive elevation has considerably developed through the project's life.
- 4.1.9 The facades have also developed significantly through the process. Key changes include moving chimneys so that they do not sit above windows, the inclusion of separate 'front doors' to echo the pattern of separate dwellings facing the street, the addition of window bars of different styles to create more variety and the change of dormers from flat to pitched roofs. We have also added tile hanging to the west gable elevation at first floor, as well as fascia detailing and foundation stone to the west facing elevation; see Appendix E comparison drawing of PA09B west elevation.

4.2 Appeal Scheme Design

- 4.2.1 The appeal seeks full planning permission for the development of 47 Retirement Apartments including Communal Facilities, Access, Car Parking and Landscaping at Edwina Mountbatten House, Broadwater Road, Romsey, Hants S051 8GH.
- 4.2.2 As retirement apartments, owners must be at least 60 years of age or 55 years of age with a spouse over 60 years. The average age of Churchill Retirement apartment owners on first occupation is 79-80 years old.
- 4.2.3 The Site is just to the south of the town centre. Churchill Retirement Living developments need to be within 0.5 miles of a town centre with a level walk to allow owners easy pedestrian access to local facilities.
- 4.2.4 The proposed development consists of 31no. one-bedroom apartments and 16no. two-bedroom apartments. These are supported by communal facilities including a one-bedroom guest suite, secure entrance lobby and Owners' Lounge. The development will be within Use Class C3 (Dwellinghouses).
- 4.2.5 A lodge manager will be employed during working hours, but there is no staff accommodation, and no specialist medical facilities are proposed. The development is for independent living and does not contain any 'extra care' facilities.
- 4.2.6 The proposed development consists of a two, two-and-a-half and three storey building. A single building is required so owners can all access the shared communal facilities without leaving the building. A single building with limited entry points provides a secure form of development, which is an important consideration for owners.
- 4.2.7 The ground finished floor level is +16.75AOD (above Ordnance Datum), set up from Palmerston Street (circa +14.80AOD) at a level commensurate with the Broadwater Road vehicular access. The final FFL was set by analysis of potential future flood levels plus a freeboard allowance.
- 4.2.8 The main building entrance is from the central amenity area to allow level access for owners and accord with the client's entrance sequence brief requirements as set out in section 1.6 of the DAS. Entrances need to be secure and to provide safe level access. The entrance sequence promotes security and socialisation for residents and leads directly to the 'Owners Lounge', a shared communal private amenity space within the building, with an associated patio.
- 4.2.9 Materials have been carefully selected to draw from the materials identified in the local context and also materials used by other buildings of a similar typology. The

proposed design uses red and painted brick for the external wall finishes. The bricks are similar to those used locally. There is also a section of red tile hanging on the west elevation.

- 4.2.10 The roof is proposed to be a mix of slate and clay tiles, with a crowned roof.
- 4.2.11 Windows are proposed to be white uPVC casement windows. Rainwater goods are proposed to be black uPVC.
- 4.2.12 Other design features include a brick banding pattern between the ground floor and first storey, taller windows at ground floor, curved window heads, window bars in various configurations, chimneys, entrance doors of varying colours, a cast stone entrance portico to the main entrance, tax windows, fascia detailing and finials and dark grey steel juliet and full balconies.
- 4.2.13 Vehicular access position is at the north-west corner of the site from Broadwater Road. The proposal provides 16no. car parking spaces, at a ratio of 0.34 spaces per apartment. The amount of parking proposed is based on extensive experience of similar development types where a usual required ratio is 0.28 spaces per apartment.
- 4.2.14 The proposal includes on site renewable power generation in the form of PV panels which will be situated on the crowned roof, largely hidden from view from surrounding ground level. The exact number and design of these will be subject to detailed design – panels are shown indicatively on the roof plan.
- 4.2.15 The proposal includes a design intent for the landscape scheme around the building including the boundaries of the Site. The main external amenity space for owners includes a patio area outside the Owners' Lounge and landscaped garden within a central 'courtyard'. Ground floor flats have direct access via patio areas into the garden which is available for the use of all owners.
- 4.2.16 The design includes provision of a buggy store and refuse store. The sizes of the amenity space and stores are based on extensive client experience of operating retirement developments of this type with a specific end user demographic, as described in the DAS (CD1.13).

5.0 **RESPONSE TO THE REASONS FOR REFUSAL**

5.1 **Overview**

5.1.1 Test Valley Borough Council have identified in their refusal the specific policies they contend the design does not accord with.

5.1.2 Reasons for Refusal 1 and 2 to which my evidence relates are as follows:

01. By virtue of the scale, bulk and design of the proposal the development would be detrimental to the special architectural and historic importance of the setting of the Romsey Conservation Area and the setting of heritage assets. This harm is compounded further when the proposal is viewed from the roundabout junction of the A27 and Palmerston Street. It is acknowledged that the development would result in less than substantial harm to the significance of these designated heritage assets and the conservation area. However, the public benefits arising from the development would not outweigh this real and identified harm. As such, the proposal is considered to be contrary to Policies E1 and E9 of the Test Valley Borough Revised Local Plan (2016).

02. The proposed development by virtue of the size, scale, mass and proximity to dwellings on Palmerston Street will result in a sense of enclosure and overbearing impact on 38-48 Palmerston Street & 30-36 Palmerston Street to the detriment of the residential amenities of these dwellings, contrary to policy LHW4 of the Test Valley Borough Revised Local Plan (2016)

5.1.3 The Reasons for Refusal are not expanded upon within the Test Valley Borough Council Statement of Case, (June 2024). I have identified the following two design and one amenity themes from the Reasons for Refusal:

Theme 1: Size, scale, mass and bulk (two, two-and-a-half and three storey building)

Theme 2: Appearance

Theme 3: Amenity (Proximity results in sense of enclosure and overbearing)

5.1.4 I will review these identified issues in turn comparing the proposed design against the relevant policies. In order to assess the proposal, I will first consider what constitutes 'high quality design'.

5.2 High Quality Design

- 5.2.1 The NPPF states that “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.” (para. 126)
- 5.2.2 Local Plan Policy E1 High Quality Development in the Borough states that “Development will be permitted if it is of a high quality in terms of design and local distinctiveness.”
- 5.2.3 In order to assess the quality of the proposed design we need to consider what constitutes ‘*high quality design*’ before we consider whether the proposed design meets these criteria.
- 5.2.4 The often quoted three pillars of design quality identified by first century Roman architect Vitruvius in his book ‘*De architectura*’¹³ are ‘*firmitas*’, ‘*utilitas*’, and ‘*venustas*’. These terms can be translated in a number of different ways and have been variously described as;
- ‘Firmness’, ‘Commodity’, and ‘Delight’ or
‘Strength’, ‘Usefulness’ and ‘Beauty’ or
‘Durability’, ‘Fit for Purpose’ and ‘Delight’.
- These identify durability, being fit for purpose and delight as being the essential components of good design.
- 5.2.5 The National Design Guide¹⁴ at paragraph 4 refers to the three Vitruvian principles of Fit for Purpose, Durable and Delight as being “*The long-standing, fundamental principles for good design*”.
- 5.2.6 The NPPF¹⁵ sets out in paragraph 135 six criteria that developments should meet. Criteria (a) relates to ‘*firmitas*’ and ‘*utilitas*’ and (b) to ‘*venustas*’:
- (a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- (b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

¹³ **Vitruvius. Ten Books on Architecture, Ed. Ingrid Rowland with illustrations by Thomas Noble Howe (Cambridge, Cambridge University Press: 1999)**

¹⁴ **National Design Guide (Ministry of Housing, Communities & Local Government, 2021)**

¹⁵ **National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2023)**

- 5.2.7 The NPPF¹⁶ sets out in paragraph 139 that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. However, conversely, **significant weight** should be given to proposals which reflect local and national design guidance.
- 5.2.8 Local design guidance is limited to the documents identified in 3.1.4, the Conservation Area Appraisal, Romsey Town Design Statement and South of Romsey Town Centre Masterplan Report. National design guidance is provided by the National Design Guide and National Model Design Code.
- 5.2.9 In my professional opinion the proposal is in accordance with this guidance. This concurs with the professional opinion of both Paul Goodman, the Case Officer and Margaret Bennett, the Conservation Officer, as set out in the case officer's report to the planning committee.
- 5.2.10 Local Plan Policy E1 says "Development will not be permitted if it is of poor design and fails to improve the character, function and quality of the area."¹⁷ Quality could be read as 'firmitas', function as 'utilitas' and character as 'venustas'.

¹⁶ National Planning Policy Framework (Ministry of Housing, Communities & Local Government, 2023)

¹⁷ Test Valley Borough Council Adopted Local Plan (2011-2029), E1, page 111, CD3.1

5.3 'Utilitas'

5.3.1 The client has a business model that requires a number of functional criteria (*'utilitas'*) to be met by the design of each development. These are outlined in sections 1.6 and 6 of the Design and Access Statement and include, for example:

5.3.1.1 Level access and thresholds; the apartments are designed for an older demographic and whilst all buildings should have level access and thresholds, this is particularly important for older people. A key motivation for the move to this type of accommodation is to have a safe environment appropriate for the age and leave what may be inappropriate homes with stairs, stepped thresholds etc., Level access and thresholds design out potential trip hazards.

5.3.1.2 Appropriately sized car parks; relocation to a development specifically designed for older persons is sometimes necessitated by the need to give up car ownership. A location close to shops and amenities is therefore key. As a result of this and the low occupancy rates of apartments (typically 1.3 persons per apartment), this type of accommodation requires much lower parking allowances than open market housing.

5.3.1.3 Refuse stores and buggy stores of an appropriate size; due to the lower occupancy rates the waste generated is lower than for an open market development. There is also a requirement for a buggy store to charge and securely store motorised buggies. These are designed to allow for one buggy per 7 apartments.

5.3.1.4 A specific mix of one- and two-bedroom apartments; the schemes are designed to have one third of apartments as two beds with all other apartments one bed one person. This is a lower mix than typical open market developments as our occupancy ratio is lower. Another reason for moving to this type of accommodation is the death of a partner. Therefore smaller properties are desirable.

5.3.1.5 Accommodation in a single building; easy access to the Owners' Lounge and lodge manager without leaving the building is key for both the perceived feeling of safety and security and the creation of a community of residents. This is different to open market developments.

5.3.1.6 Specific flat, corridor, stair and lift designs; as described in the DAS section 6.1 flats are designed to Part M4(2) of the building regulations to

be accessible and adaptable. Corridors are designed to be a maximum of 30m long and lifts are designed centrally to the development.

- 5.3.1.7 Specific Owners' Lounge sizes based on the number of units; a minimum of 120sqm owners lounge with enough space to seat 2/3 of the residents based on typical 1.3 persons per apartment. Open market housing doesn't provide a shared communal private amenity space like the Owners' Lounge provided in retirement accommodation.
 - 5.3.1.8 Specific arrangement of the entrance sequence from main entrance past lodge manager's office and reception through Owners' Lounge in order to promote 'chance encounters' with other owners.
 - 5.3.1.9 A choice of apartments with and without balconies and juliet balconies; providing choice allows apartments to be marketed to a range of people with different desires.
 - 5.3.1.10 A mix of apartment sizes on each frontage; to provide choice and variety of aspects.
- 5.3.2 Key functional criteria for the client were set out in the DAS¹⁸ on page 8 to aid the LPA in understanding the functional requirements of the design, with examples illustrated on page 9.

¹⁸Churchill Retirement Living Ltd. & Planning Issues, Design and Access Statement, June 2023, CD1.13

5.4 'Venustas'

- 5.4.1 The current government drive to make 'beauty' central to the planning process is clear from recent updates to the NPPF as discussed in section 3.2.4 to 3.2.8. There is no clear definition provided in either the NPPF or National Design Guide for 'beauty'. A definition of beauty is '*a combination of qualities, such as shape, colour, or form, that pleases the aesthetic senses, especially the sight.*'¹⁹
- 5.4.2 The context led design has been developed from a detailed review and understanding of the local context and therefore character in order to develop an appropriate design response.
- 5.4.3 The design takes the opportunity to define this gateway site to Romsey with a strong building line and add to the street scene with a design which draws on the local context, improves the character and both responds to and contributes to local distinctiveness.
- 5.4.4 The character of the context of the Site was summarised in paragraph 2.2.10. Key points of the proposed design can be summarised as follows:
- i. Typology - residential
 - ii. Layout - aligned with streets and moved closer to public realm, but with some defensible space. Continuous building frontages
 - iii. Scale - typically 2, 2.5 and 3 storeys
 - iv. Mass - elevations modelled to provide variation in building size
 - v. Roof form - pitched, parallel to street, with varying eaves and ridge heights. Crowned roof to keep overall height low.
 - vi. Roof material - clay and slate
 - vii. Wall materials - typically red brick, with some painted brick and render
 - viii. Fenestration - White framed casement uPVC windows
 - ix. Detailing - modest, subtle detailing at window heads, between ground floor and first floor, at fascia boards and to tile hanging.
- 5.4.5 The breaking up of the building into distinct 'terraces' and 'houses' creates a pleasing traditional shape and form. The colours of the proposed materials are drawn from the local context.
- 5.4.6 The accompanying Verified Visual Montages²⁰ demonstrate that the proposed development will be attractive and please the aesthetic senses.

¹⁹ Oxford Languages definition

²⁰ Verified Visual Montages prepared by Nicholas Pearson Associates, Appendix I

- 5.4.7 It is notable the contrast between the current vacant site and the high-quality proposed design which enhances the street scene. Once completed the design will fit comfortably into the context. For example Verified Visual Montage Fig.7 View 3 shows how well the proposal sits in the overall composition of Palmerston Street, where buildings on the right hand side are set up from the road, composed of red and white painted brick, have a mix of slate and clay tile pitched roofs with occasional dormers, and have varying eaves lines. The relationship to the character of the area means that the design will be beautiful.
- 5.4.8 Furthermore, the design is beautiful in its own right. The design has a combination of forms, materials, textures and colours that are traditional to the area, combined in an architecture that uses reassuring, traditional forms. This combination provides a pleasing composition and satisfies the definition of beauty discussed in para 5.4.1.

5.5 'Firmitas'

- 5.5.1 The saleability of apartments relies on prospective owners' desire to live in the development. Low quality construction is not attractive to prospective purchasers who are looking to make an investment in a new property, and therefore it is in the appellant's interest, in order to be able to sell the apartments, that they be of high quality in construction.
- 5.5.2 In addition, unlike mainstream house builders, Churchill Retirement Living maintains an interest in the long-term success of projects through its sister company, Churchill Estate Management. This company maintains the development and is responsible for the long-term upkeep of the building and landscape. This is funded by a service charge. It is therefore important that the proposed building is of good quality to minimise the maintenance requirements, thus keeping the service charge affordable. Ensuring developments are fit for purpose and built for longevity is therefore in the appellant's interest. Both buildings and landscape are designed from the outset to minimise future maintenance requirements and continue to look good and work well in the long term. As and when maintenance is required this is promptly carried out by the management company.
- 5.5.3 Churchill Retirement retains control of the build quality by having an in-house construction team who directly manage the on-site construction of all developments. By acting as specifier, designer, constructor and client in one, quality can be closely set and controlled.
- 5.5.4 Materials are selected for their value and appropriateness. See section 5.8. Value is the balance between their longevity, periods of maintenance, initial cost, sustainability and aesthetic qualities. Construction is proposed to be traditional load bearing cavity wall with concrete slabs which have proven to be tried and tested robust forms of construction. Bricks have been selected to be appropriate for the local area. Painted brick is proposed where appropriate and accessible for future maintenance. Windows are typically uPVC because of their durability, low maintenance and high 'Green Guide' rating. At the end of their life most of the materials will be able to be reused or recycled.
- 5.5.5 Developments are owner-occupied. Owners contribute towards an annual service charge which ensures communal areas, the building fabric and the landscape are all well maintained. By contributing to the communal upkeep both apartment owners and the freeholder have an interest in maintaining the development to as high a standard as possible.

5.6 Theme 1: Size, Scale, Mass and Bulk

- 5.6.1 I will now take in turn the three themes I have identified in 5.1.3 as concerns with the proposal raised by the LPA.
- 5.6.2 An understanding of the Site context, its surroundings and local character is key to a high-quality design response, including understanding the appropriate size, scale, mass and bulk.
- 5.6.3 The National Design Guide states at para 14 *“At an early stage of the design process, the relative priority for different characteristics may be discussed and agreed. The most relevant characteristics will be determined by a number of considerations: locally identified priorities and concerns; the strategic priorities of the local authority; the priorities of a particular user group; the scale of proposal; its site and location; and/or the design process, including whether it is at a strategic or detailed stage.”*
- 5.6.4 Local priorities include the South of Romsey Town Centre Masterplan Report and the Conservation Area. The Site is excluded from both of these areas but is within the setting of both. No design guidance in terms of a masterplan or design code has been published by the LPA in relation to the Site, beyond the identification of Broadwater Road as a ‘gateway’ to the town in the SORTCMR Figure 4.1 (page 32).
- 5.6.5 The early stage of the design process for this site was the pre-app. This set the scale of building as two, two-and-a-half and three storeys and the form as pitched roof. The feedback was that the mass needed to be reduced along the Palmerston Street elevation but could be increased to full three storeys along the Bypass Road southern elevation.
- 5.6.6 The National Design Guide deals with Scale in para 26: *“Scale is the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions.”*
- 5.6.7 The Local Plan Policy E1 deals with Scale in para 7.10 and 7.11.
- 5.6.8 Para 7.10: *“All new buildings should be carefully designed to respect and enhance their surroundings. Buildings that are out of scale can detract from the character and amenity of an area. The scale, including its height and massing (the combined*

effect of its footprint, volume and shape), of a building determines its impact on views, skylines and its relationship with surrounding buildings and spaces.”

- 5.6.9 Para 7.11: *“New buildings should be of a similar scale to other buildings in the surrounding area, unless they are necessary to reflect a development’s function or to create a landmark in an appropriate location. In such cases larger scale buildings may be appropriate provided that important views, especially of landmark features, from public places, including transport corridors and rights of way, are retained.*
- 5.6.10 The surroundings of the Site have been identified as a mix of two, two-and-a-half and three storeys. The terraced cottages on the opposite side of Palmerston Road are small scale two storey buildings, known locally as ‘the Dolls Houses’. These are set alongside two-and-a-half storey cottages.
- 5.6.11 The townscape analysis provided by Stantec shows at Section “4.3.4 The Hundred” the street scale of The Hundred, which along with Palmerston Road forms the character area in the CAA, is typically an 11.3m distance façade to façade with buildings of 2 storeys (6m to eaves) facing buildings of 3 storeys (9m to eaves).
- 5.6.12 The definition of Scale we have already seen is *‘in relation to its surroundings’*. The character areas of the surroundings have identified the local scale as two to three stories. Overall the proposal is therefore in line with the scale of the context.
- 5.6.13 In terms of the micro-context, the proposed design finished floor level is set approximately 2m above Palmerston Street. The building currently on the site is single storey with a clay tile pitched roof. The proposed design is for a two storey building facing Palmerston Street, with some limited dormer windows in the roof. The footprint of the proposed building is set back from the street. The proposal is an increase in scale from the existing condition, but entirely appropriate for the Site, particularly as an important gateway site into Romsey.
- 5.6.14 The existing separation distance between Edwina Mountbatten House and no.48 Palmerston Street (the closest neighbour) is approximately 14.8m. The separation distance between the proposed design and no.48 Palmerston Street is approximately 14.2m. We therefore need to consider if the scale of buildings either side of a street at this separation is appropriate in terms of scale.
- 5.6.15 The eaves of no.48 is at +19.75 m AOD and the ridge at +21.72m AOD. The eaves of the proposed design is +21.96m AOD and the ridge is +27.03m AOD. Taking a typical level for Palmerston Street as +14.8m AOD, we can see that the height to the eaves of no.48 is 4.95m and for the proposed is 7.16m.

- 5.6.16 The question therefore is, is a 5m and 7m tall façade either side of a 14.2m separation an appropriate scale? The height to width ratio is 5m height to 14.8m width or 1:3 for the existing condition. The proposed building at 7.16m height to 14.2m width is a ratio of 1:2. See Appendix F showing comparison elevations between the existing and proposed.
- 5.6.17 The Urban Design Compendium²¹, (see Appendix G) at section 5.1.3, recommends a height to width ratio for streets of between 1:1.5 and 1:3 where height is provided by buildings (generally measured to the eaves line) and width is the distance between building frontages across the street. These proportions create streets which are pleasing to the eye, feel comfortably enclosed and are not dominated by the carriageway.
- 5.6.18 The UDC became an internationally renowned text²². It was withdrawn in March 2021 as part of the government preference for local design codes. However, while no longer updated, as a piece of analysis it still provides a useful resource for built environment professionals. The guidance within the UDC has not been replaced by any local guidance from TVBC and I am not aware of any draft guidance.
- 5.6.19 The Manual for Streets²³, para 5.4.3 (page 54) (see Appendix H) concurs with the above and is still current guidance for those involved in the design, construction, adoption and maintenance of residential streets, including planners, highway authorities and developers. It aims to increase the quality of life through good design which creates more people-oriented streets. Although the detailed guidance in the document applies mainly to residential streets, the overall design principles apply to all streets within urban areas.
- 5.6.20 The scale of the proposed building is therefore within the range recommended and provides a better sense of enclosure than the existing condition which, at 1:3, is at the extreme end of the height-to-width recommendation.
- 5.6.21 Independent analysis of the enclosure ratios has been carried out by Mr. Scott and comparison of the design with best practice urban design guidance provided in his proof section 5.12 to 5.22. This evidence concludes that there is no excessive sense of enclosure or overbearing caused by the proposal.
- 5.6.22 The National Design Guide at para 24 notes that bulk is the volume of a building, massing is how the bulk is shaped into a form. Form is the three-dimensional shape and modelling of buildings and the spaces they define.

²¹ **Urban Design Compendium, English Partnerships, August 2000 (Withdrawn 15 March 2021), CD4.14**

²² **<https://www.gov.uk/guidance/urban-design-compendium>**

²³ **Manual for Streets, Dept for Transport and Communities and Local Government, 2007, CD4.13**

- 5.6.23 It is my understanding that there is no allegation that the scale, size, mass or bulk of any other part of the building, other than the Palmerston Street elevation is unacceptable.
- 5.6.24 The proposal is carefully modelled to shape the bulk into an appropriate form. The proposed design has been developed to set back the majority of the mass away from the Palmerston Street elevation. The perceived bulk from the Palmerston Street street scene will be two storeys set up from the road.
- 5.6.25 NPPF Paragraph 135 states that decisions should ensure that developments: “(c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);* “
- 5.6.26 This explicitly states that appropriate increased density should not be discouraged or prevented. Increased density implies increased bulk and mass.
- 5.6.27 NPPF Paragraph 135 states that decisions should ensure that developments: “(e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development....;* “
- 5.6.28 The National Design Guide at paragraph 66 says “*Well-designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context*”.
- 5.6.29 NPPF paragraph 135 states that decisions should ensure that developments: “(d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;* “
- 5.6.30 The townscape analysis within Section 4 of Mr. Scott’s evidence reviews from first principles the prevailing character and context of Romsey analysing the arrangement of streets, spaces, building types and materials and also the typical sense of enclosure. Mr. Scott then compares the proposed design to the prevailing character and concludes that the proposal accords with these characteristics.
- 5.6.31 Considering the drive to optimise brownfield land in the NPPF and National Design Guide, the proposal accords with the prevailing policy direction of ‘gentle densification’.
- 5.6.32 Local policy E1 says at d) development should make “*efficient use of the land whilst respecting the character of the surrounding area and neighbouring uses.*” Supporting para 7.16 says “*In some parts of the Borough the over development of*

land is not always appropriate because of the impact on the existing character. In certain places where schemes are in a sustainable location, are well designed and are not out of character the efficient use of land can make a positive contribution and is supported.”

- 5.6.33 This is an efficient design making best use of a brownfield site in a sustainable location with a well-designed proposal that corresponds with the townscape character. Not only does the proposal fit in with the character of the town, when compared with the existing building, it is a positive contribution which will improve the setting of neighbouring buildings and the Conservation Area.
- 5.6.34 The identification of the Site as a ‘gateway’ suggests that a building that announces the transition from one character area to another is a positive. Therefore both in terms of best use of land, and in terms of being a gateway, the Site is an appropriate location for an increase in scale. The transition from the bypass road to progress towards the centre of town will be marked by the proposal with a building of suitable scale. The modest gable facing the Palmerston Street to Bypass Road roundabout also acknowledges this.

5.7 Theme 2: Appearance

- 5.7.1 The National Design Guide²⁴ defines appearance in para 28 *“Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. In the case of a space, its landscape also influences its appearance.”*
- 5.7.2 Architectural designs can, at one end of the spectrum, be developed to replicate or mimic existing buildings in the nearby context. At the other end of the spectrum architectural designs can be developed to completely contrast with what exists. Between these two extremes, designs can draw inspiration from their context, referencing local buildings, and interpret these references in a new way. The appearance and materials proposed are an important part of the overall design.
- 5.7.3 The National Design Guide confirms this at para 44; *“However, well-designed places do not need to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems.”*
- 5.7.4 Test Valley Borough Council Adopted Local Plan: Policy E1 High Quality Development in the Borough states *“Development will be permitted if it is of a high quality in terms of design and local distinctiveness. To achieve this development: a) should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;”*
- 5.7.5 NPPF Paragraph 135 states that decisions should ensure that developments: *“(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; “*
- 5.7.6 The Reason for Refusal 01 says that by virtue of the design of the proposal the development would be detrimental to the special architectural and historic importance of the setting of the Romsey Conservation Area and the setting of heritage assets.
- 5.7.7 The proposed design does reflect the character of the adjacent buildings as referenced in the Site Context section 2.2 of this proof. The design does not

²⁴ **National Design Guide (Ministry of Housing, Communities & Local Government, 2021)**

replicate buildings locally but draws on different prevalent local features to ensure it can be read as both responsive to local context and adding to the local context.

- 5.7.8 The DAS²⁵ shows a number of precedent buildings which have informed the design, appearance and material choice. In form and appearance the proposed design largely follows the appearance set by precedents locally. It builds on this by drawing more references to the local historic context to be a high-quality design in its own right.
- 5.7.9 Our proposed design draws on these details.²⁶ This includes red brick facades, brick banding at the junction between ground and first floors, brick heads and cills, brick chimneys, separate 'front doors' to echo the rhythm of separate dwellings facing the street, a variety of window sizes and styles to create variety and dormers in pitched roofs. We also have tile hanging, fascia detailing and a foundation stone to the west facing elevation.
- 5.7.10 Balconies of grey painted steel on the south and internal elevations provide both external private amenity space, help shade windows to prevent overheating and add contemporary detail to the elevations.
- 5.7.11 The choice of materials is a red brick, similar to the prevalent material in the local context. This is proposed to be complemented by a white painted brick, breaking up the façade into distinct sections. Brick detail banding accentuates the junction of the ground and first floors to some elements. Clay tiles and slate are used to define different 'buildings' within the overall composition. These are conventional material choices chosen both for their longevity and relationship with the local context.
- 5.7.12 The variety of material helps articulate the different elements of the building, so that the proposed design is not read as a single mass.
- 5.7.13 The independently prepared Visually Verified Montages²⁷ show the proposed materials sit comfortably within the townscape.
- 5.7.14 The final material selection and colours could if necessary be controlled by condition.

²⁵ Churchill Retirement Living Ltd. & Planning Issues, Design & Access Statement, September 2022, sect. 2.9, CD1.13

²⁶ Churchill Retirement Living Ltd. & Planning Issues, Design & Access Statement, September 2022 sect. 4.4, CD1.13

²⁷ Nicholas Pearson Associates, Visually Verified Montages, Appendix I

5.8 **Theme 3: Amenity**

- 5.8.1 Appropriate provision of amenity is important for future owners of the apartments and neighbouring residents.
- 5.8.2 NPPF at para 135 f) says; *“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 5.8.3 Policy LHW4 notes that development will be permitted provided that: *“a) it provides for the privacy and amenity of its occupants and those of neighbouring properties.”*
- 5.8.4 The supporting text para 8.19 notes *“Residential amenity is of considerable importance to the wellbeing of the public in terms of enjoying their private open space without being overlooked or experiencing overbearing effect on their living conditions.”*
- 5.8.5 Reason for Refusal 2 alleges the proposal will result in a sense of enclosure and overbearing impact on 38-48 and 30-36 Palmerston Street to the detriment of the residential amenities of these dwellings.
- 5.8.6 The proposed design as already discussed comes closer to both Broadwater Road and Palmerston Street than the existing Edwina Mountbatten House. It is also of a greater scale than the single and part two storey existing building.
- 5.8.7 30-36 Palmerston Street faces directly down Broadwater Road. It is hard to see how an unacceptable sense of enclosure or overbearing could be perceived from these properties when the proposal does not face them. This can be assessed as part of the Site visit.
- 5.8.8 In a quantitative analysis, whilst the proposal will give 38-48 Palmerston Street a greater sense of enclosure than the existing condition, the height-to-width ratio of the street changing from 1:3 to 1:2, as we have already seen in Theme 1, is not an unacceptable ratio. In fact, both the Manual for Streets²⁸ and the Urban Design Compendium²⁹ suggest in Tables 5.1 and 5.2 respectively this is a ‘mid-range’ for streets, rather than the maximum of 1:3 of the existing condition. In design terms, a street needs a sense of enclosure. Removing the existing building entirely and leaving an open space would be under development and not provide a sense of enclosure. The character of the area is of enclosed streets which funnel views

²⁸ **Manual for Streets, Dept for Transport and Communities and Local Government, 2007, CD4.13**

²⁹ **Urban Design Compendium, English Partnerships, August 2000 (Withdrawn 15 March 2021), CD4.14**

towards buildings. The proposal will enclose the street, mark the gateway to the town and funnel views towards the Manor House looking north and the Broadlands Gatehouse looking south. As demonstrated by Mr, Scott in Section 4 of his proof, the proposed enclosure ratio is more in line with the character area of The Hundred and Palmerston Road than the existing condition. The proposal is therefore better at responding to the character of the local area than the existing building. It follows that in terms of sense of enclosure the proposed design is an improvement, and in my view should be considered a benefit to the public realm or streetscape in the planning balance.

- 5.8.9 Could it be argued that the increase in enclosure from 1:3 to 1:2 leads to unacceptable living conditions for the dwellings opposite? The fact that this ratio is recommended within national guidance for the design of streets suggests that it cannot sensibly be said to lead to an overbearing impact resulting from the scale and proximity of the development to the detriment of the amenity of these dwellings.
- 5.8.10 We have seen that quantitatively the proposed design accords with best practice urban design guidance for sense of enclosure. Overbearing and sense of enclosure are not easily definable in qualitative terms of what is acceptable or unacceptable. The Verified Visual Montages³⁰ prepared looking along Palmerston Street in either direction show how the proposed design differs to the existing condition.
- 5.8.11 View V04 is from within the Conservation Area looking south along Palmerston Street. The existing condition (Fig 08: view 4) shows the existing buildings on the east side of Palmerston Street on the left hand side of the image. This demonstrates the lack of enclosure to the street provided by Edwina Mountbatten House on the right hand side of the image. The proposed design (Fig 09: view 4) demonstrates that the proposed design sits comfortably in the street scene, providing a better sense of enclosure. Whilst higher than the existing terrace on the east side of Palmerston Street, there is no sense of overbearing. When compared to the existing it is in my opinion an improvement to the existing condition.
- 5.8.12 View V05 is from the roundabout junction of the A27 and Palmerston Street referenced in Reason for Refusal 01. The RfR identifies specifically this viewpoint as 'compounding' the harm caused by the proposal to the Conservation Area and setting of other heritage assets. The image from the roundabout (Fig. 11: View 5) is taken in the summer and therefore there are trees in the foreground which obscure some of the proposed design. A further image (Fig 12: View 5) with the outline of the proposal edge in a white dashed line is provided to show the extent of the

³⁰ **Nicholas Pearson Associates, Verified Visual Montages, Appendix I**

mass/bulk. In my professional opinion there is no way of viewing this image and concluding that there would be an unacceptable sense of overbearing to the dwellings opposite. The scale of the proposed design works perfectly at creating a better sense of enclosure to Palmerston Street, marking the gateway transition to the town centre and funnelling views towards the heritage assets to the north. For these reasons the proposed design improves the setting of the heritage assets when compared to the existing (Fig. 10: View 5).

- 5.8.13 Views 1, 2, and 3 show how the proposal will be perceived in the wider context. “Fig. 7: View 3 – The Hundred Proposed” from the corner of Palmerston Street and The Hundred shows how comfortably the proposed design will be read in the context of the wider Conservation Area in terms of scale, mass, bulk and materials.
- 5.8.14 Whilst views within the townscape are kinetic, in my professional opinion these images are representative of how the proposal will be perceived. I believe these demonstrate visually that the proposals are neither overbearing nor generate an unacceptable sense of enclosure to the detriment of the residential amenities of these dwellings.
- 5.8.15 Furthermore, the existing residential amenity of these dwellings in the current condition should be understood.
- 5.8.16 This consists of dwellings directly abutting the back edge of pavement. Privacy of dwellings from the public realm is therefore an issue. From a review of available Google Streetview images of dates Nov 2008, Mar 2009, Sept 2011, July 2015, May 2016, May 2018, Jan 2021, July 2021 and observations of the present day one can see that almost all of the windows have net curtains or curtains for privacy. This suggests that the outlook for these rooms is not a particularly important aspect of their amenity in any event.
- 5.8.17 Whilst larger than the existing, in my opinion following both a quantitative and qualitative analysis the proposal will not create overbearing or a sense of enclosure that is detrimental to the living conditions within the existing dwellings. The increased element of enclosure should be seen as a townscape positive, and at a ratio of 1:2 would not materially affect the residential amenity of the rooms of either 30-36 Palmerston Street facing Broadwater Road or 38-48 Palmerston Street facing the proposed development.
- 5.8.18 In my opinion the Palmerston Street-facing outlook of 30-36 and 38-48 is already of limited utility due to privacy issues and the proposed design does not further compromise this amenity in any way by an excessive sense of enclosure or overbearing.

6.0 POLICY REVIEW

6.1 Review of proposed design compared to NPPF paragraph 135

- 6.1.1 *(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;* The design is based on the appellant's 30 years of experience of similar developments and the location and arrangement proposed in the appellant's experience will function well over the lifetime of the development. The existing Site offers little to the area, hence being removed from the Conservation Area, and the proposed design will add to the overall quality. The proposed highly insulated apartments and high-quality external landscaping will add to both the overall quality and biodiversity of the context. The careful selection of appropriate durable materials which will weather well and require minimal maintenance means that this quality will be appreciated for the long term. The proposed service charge also covers ongoing maintenance of the landscaping.
- 6.1.2 *(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;* High quality design of the architecture and landscaping responds to the criteria identified in 5.2, responding to site and brief constraints and opportunities. The landscaping will be effective for both owners' needs and contribute to biodiversity and visual amenity to passers-by. The architecture is visually attractive as demonstrated in the elevations and Visually Verifiable Montages prepared for this appeal. The architecture is in keeping with the character areas within which it sits and is adjacent to. The proposal is an enhancement compared to the current state of the Site.
- 6.1.3 *(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);* The proposal increases the density of the Site by taking the opportunity to efficiently use a brownfield site to provide much needed specialist retirement housing. The design responds to the detailed context analysis as set out in the DAS. The design is entirely appropriate to the character of the context. In my opinion the design is sympathetic to the local character.
- 6.1.4 *(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;* The appellant's contextual analysis identified this site as being between the characters of the fine grained Conservation Area to the north and east, the open urban grain of apartments to the west and the bypass to the south. The area of the Site is currently occupied by a large footprint building

standing centrally in the plot. The high quality design looks to respond particularly to Broadwater Road and Palmerston Street with elevations that are broken up into distinct 'houses' and 'terraces'. The materials proposed are entirely appropriate in the Site context and interpret the local character enhancing the sense of place.

- 6.1.5 *(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;* The density of the Site has been increased by the proposed accommodation which is optimised to fit in with the context in scale, whilst maximising the efficient use of this brownfield site. The single use mix is necessary for this type of accommodation and a contribution to offsite affordable housing will be made. The proposal will provide a number of new owners to support local facilities and businesses, and the location close to town means it is inherently close to local transport networks.
- 6.1.6 *(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience;* The proposal is designed to be safe for owners and minimise the opportunity for crime and disorder. The proposed development building access will be limited via a secure main entrance for owners and visitors. The provision of apartments with multiple windows provides passive surveillance in all directions which is a deterrent to crime. The access to the building is controlled by security systems and passively monitored by the lodge manager with their office and reception close to the main entrance. The proposed design provides a high standard of appropriate amenity space for future end users including a patio and communal garden. The design is for an older demographic and inclusive and accessible design is therefore at the heart of all design decisions. All access is level, and a central lift is provided for circulation. Apartments are designed with generous circulation spaces, and all have a central communication system for getting help if required. Churchill Lodges offer significant opportunities to enable owners to be as independent as possible in a safe and warm environment. Retirement housing helps to reduce anxieties and worries experienced by many older people living in housing which does not best suit their needs by providing safety, security and reducing management and maintenance concerns. The 'Healthier and Happier' Report³¹ shows that on a selection of wellbeing criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing into housing

³¹ **Healthier and Happier, an analysis of the fiscal and wellbeing benefits of building more homes for later living, Homes for Later Living, Sept 2019**

specifically designed for Retirement Living³². Each person living in a home for Retirement Living enjoys a reduced risk of health challenges, contributing fiscal savings to the NHS and social care services of approximately £3,500 per year³³. With 47 units proposed, at a ratio of 1.3 people per apartment, there will be around 61 occupants. At a saving of £3,500 each per year, this equates to a saving of £213,500 per year in local NHS and social care costs, in comparison to mainstream housing.

6.1.7 The proposed design therefore positively responds to all aspects of paragraph 135 of the NPPF.

6.2 Review of proposed design compared to NPPF paragraph 137

6.2.1 The NPPF says that *“Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot”* (paragraph 137).

6.2.2 Letters were issued on 03/05/2023 to circa. 246 residential and business addresses bordering and within close proximity to the site promoting the public consultation, in addition to newspaper advert in the Romsey Advertiser. The public exhibition was held online. Between 9th May 2023 and 15th May 2023, the project website received 715 views from 155 users.

6.2.3 There were 14 public respondents. Eight opposed and three supported the design³⁴.

6.2.4 Romsey and District Society (RDS) objected to the application in its response of 4th August 2023.

6.2.5 RDS summarise these objections at paragraph 17 of their submission to this appeal (June 2024):

6.2.5.1 Compromises future development of the town centre.

6.2.5.2 Overdevelopment of the site and adverse impact on the Conservation Area and listed buildings.

6.2.5.3 Generic pastiche design with no relationship to local character. Repetitive fenestration.

6.2.5.4 Support Conservation Officer's objections to original submission.

³² **Ibid, page 6**

³³ **Ibid, page 6**

³⁴ **Statement of Community Involvement, Sept 2022, CD1.20**

- 6.2.5.5 Overpower small scale properties in Palmerston Street resulting in overbearing composition.
- 6.2.5.6 Adverse impact on entrance to the town.
- 6.2.5.7 Entire concept is flawed.
- 6.2.5.8 Any decision should be withheld until the Borough has endorsed the South of the Town Centre Development Plan.
- 6.2.6 The appellant met the Romsey and District Society (RDS) on 4th March 2024 to present the revised proposed design. The Society's Planning Committee maintained objections to the design which have subsequently been set out in submission to this appeal³⁵, noting at paragraph 18 that "*The RDS maintains its objections in respect of the revised scheme.*".
- 6.2.7 Taking the RDS objections in turn:
- 6.2.7.1 "*Compromises future development of the town centre*" and "*Any decision should be withheld until the Borough has endorsed the South of the Town Centre Development Plan*" - there is no evidence provided for these assertions. Indeed, in their own submission the RDS at para. 49 say that in their opinion "*the relevance of the Masterplan to the appeal is of limited, if any, significance.*" The Site is excluded from the Masterplan area in any case. The proposal subject to this appeal would not compromise the current or any future iteration of the Masterplan for development on the Crosfield Hall site or any other site. It is clear that the Site is not within the town centre, and it therefore cannot compromise future development of the town centre. Indeed, by provision of a beautiful gateway building responding to the best of the local character, the proposal will set a high standard for any future development.
- 6.2.7.2 "*Overdevelopment of the site and adverse impact on the CA and listed buildings*" - The proposal makes efficient use of a valuable brownfield site. The scale is appropriate. I refer to Mr. P. White's evidence for an assessment of the impact on the heritage assets. From an architectural perspective, the proposal is of a higher quality than the existing building and therefore in my opinion is an architectural enhancement.
- 6.2.7.3 "*Generic pastiche design with no relationship to local character.*" - The design is drawn from a thorough analysis of the best of local character and interprets

³⁵ **Submission of Romsey & District Society, to Planning Appeal, APP/C1760/W/24/3342514, June 2024**

this with the design. The entire composition is predicated on responding to the immediate character area.

- 6.2.7.4 “*Support Conservation Officer’s objections to original submission*” – Margaret Bennett, the Conservation Officer, withdrew her objection to the application following the submission of the amended elevation drawings which addressed her concerns. Her professional opinion was ‘No Objection (subject to conditions)’ and she noted that “*The amendments to the design of the proposed scheme have sufficiently overcome the concerns previously raised that it is now considered the proposed replacement retirement accommodation should not have an adverse impact on the settings of the nearby listed buildings or the setting of the conservation area.*”. It is disappointing that the RDS have not acknowledged any of the amendments addressing their concerns.
- 6.2.7.5 “*Overpower small scale properties in Palmerston Street resulting in overbearing composition.*” – I have demonstrated that both quantitatively, in relation to the Manual for Streets and the Urban Design Compendium’s height-to-width ratios, and qualitatively by demonstration of the Verified Views from the locations at either end of Palmerston Street that there is no overbearing to the existing properties on Palmerston Street.
- 6.2.7.6 “*Adverse impact on entrance to the town.*” – The RDS identify at para. 6 of their submission that this is a gateway site. A building with some scale and features would be expected in this location. As a gateway building, the appeal scheme is a modest proposal, addressing the roundabout at the SE corner of the Site with a 2.5 storey gable that echoes the gable of number 58 Palmerston Street to the east. The majority of the elevation to Palmerston Street is two storey scale, with some discreet dormers in the roof. This echoes the terraces found within the conservation area. The form then steps down to a two storey corner feature at the junction of Broadwater Road and Palmerston Street. The proposal is clearly designed with reference to the context, clearly of a modest scale and clearly an improvement on the existing. It is therefore hard to comprehend how this could have an adverse impact on the entrance to the town.
- 6.2.7.7 “*Entire concept is flawed.*” – The concept of a building creating a street scene was supported by the distinguished architect Robert Adam, chair of the first Design Review Panel, and described in the DRP response as a “*laudable aim*”. I acknowledge that other design concepts could be equally valid. This does not mean that the entire concept of this proposal is flawed. In his officer’s

report to committee, Paull Goodman acknowledged that “*Whilst an alternative design could be successful no specific approach is advocated*” (para 8.20). He accepted “*that there are likely numerous suitable designs that could be accommodated on the site. However, it is considered that the approach proposed, informed by the comments of the C.O., and reflected in the revised proposals, is **appropriate**...*” (para. 8.21, my emphasis in bold)

6.2.7.8 RDS note at para 19 of their submission that “*The revised plans retained the height and bulk of the proposed building on its elevated site in relation, not least, to the small listed dwellings facing the appeal site in Palmerston Street.*” Appendix E shows the comparison of the original application and the revised design the subject of this appeal. The eaves and ridge of the left hand side have been reduced, the half dormer removed and the gable size at the left hand side reduced.

6.3 Review of proposed design compared to TVBC ALP 2011-2029 Policy E1 High Quality Development in the Borough

6.3.1 Policy E1 contains four points, with an introductory and closing paragraph. Points b) and c) are not directly relevant to the proposal.

6.3.2 *Development will be permitted if it is of a high quality in terms of design and local distinctiveness. To achieve this development: a) should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles;* The proposed design uses elements drawn from the local context to inform the design of a high quality and attractive building. The reason for refusal 1 identifies scale, bulk and design as contrary to E1. It is not clear what ‘design’ refers to and the Statement of Case does not clarify this any further. The proposal follows the character of the immediate area as set out in para. 5.4.4: a row of linked ‘buildings’ aligned with the road. The increase in density is appropriate for a brownfield gateway Site. The context elevations show the proposal is a similar height to nearby buildings, the comparison sections show an appropriate sense of enclosure, and the Verified Visual Montages show it sitting comfortably and appropriately in the street scene. The palette of materials proposed are drawn directly from an analysis of the local context.

6.3.3 *d) makes efficient use of the land whilst respecting the character of the surrounding area and neighbouring uses;* The proposed design makes efficient use of the land whilst responding to the scale of surrounding development. The design steps down to two storeys with a limited number of dormers on Palmerston Street.

6.4 Review of proposed design compared to Test Valley Borough Council Local Plan LHW4 - Amenity

6.4.1 *Development will be permitted provided that:*

a) it provides for the privacy and amenity of its occupants and those of neighbouring properties;

b) in the case of residential developments it provides for open space in the form of gardens or communal open space which are appropriate for the needs of residents; and

c) it does not reduce the levels of daylight and sunlight reaching new and existing properties or private open spaces to below acceptable levels.

6.4.2 No concerns with points b, or c have been identified in the reasons for refusal.

6.4.3 Reason for Refusal 2 identifies “*The proposed development by virtue of the size, scale, mass and proximity to dwellings on Palmerston Street will result in a sense of enclosure and overbearing impact on 38-48 Palmerston Street and 30-36 Palmerston Street to the detriment of the residential amenities of these dwellings.*”. This would presumably be to the rooms of properties facing Palmerston Street. However, 30-36 do not face the proposed scheme, rather they face down Broadwater Road. Furthermore, the Verified Visual Montages demonstrate that the proposal maintains a good sense of separation between 38-48 Palmerston Street and the proposed development when viewed from both the north and the roundabout to the south.

6.4.4 There is no allegation of loss of privacy or overlooking to the residential amenity of these dwellings.

6.4.5 The sense of enclosure I have shown is appropriate within best practice urban design guidance, for example the guidance of the Urban Design Compendium.

6.4.6 The VVMs demonstrate no sense of overbearing.

7.0 CONCLUSION

- 7.1.1 Paragraph 131 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.
- 7.1.2 Paragraph 139 of the NPPF states that permission should be refused for development that is not well designed, especially where it fails to reflect local design policies and government guidance on design (National Design Guide).
- 7.1.3 The existing site is of a low quality and does not contribute favourably to the context. It is for this reason it was removed from the Conservation Area.
- 7.1.4 The Site has been identified as appropriate for redevelopment.
- 7.1.5 A careful site analysis has identified the character of the Site context in terms of style, age and use and identified local themes of building layout, scale, mass, materials and landscape. It has also identified opportunities for the Site.
- 7.1.6 The proposed design has taken the character of the local context and site as its starting point for developing the design. This has then been assessed against the site constraints and opportunities. The NPPF emphasis on optimising sites has been considered. The proposal responds to this with an appropriate design to meet the requirements of the appellant's brief and sit comfortably in the locality with a simple, durable design.
- 7.1.7 In terms of scale, mass, bulk and design the proposed development is a densification of the Site which represents an efficient use of brownfield land as required by National Design Guide paragraph 65 and NPPF section 11. The scale, mass, bulk and design have all been carefully considered in relation to the context and the proposed design is in accordance with the characteristics of the area.
- 7.1.8 The proposal's scale can be accommodated on the Site without harm as demonstrated by the Verified Visual Montages.
- 7.1.9 The proposal's mass is in line with the context as demonstrated by the street scene elevations. It sits well on Palmerston Street. A key requirement for Churchill's owners is that the Site be developed as a single building - it provides security and easy socialisation for owners. The massing is broken up by intelligent and careful design, using a variety of different elevation treatments and materials.
- 7.1.10 The design has been developed in accordance with what constitutes 'High Quality Design' in terms of policy and guidance.

- 7.1.11 The building layout and form follow the function of the proposed building. This has been honed over a period of 30 years by the appellant's experience in developments of this type. The general knowledge gained in what works and does not work for the end user for these types of developments has fed into The Site-specific design of the appeal proposal. This is the 'functional' or '*utilitas*' part of a high-quality design.
- 7.1.12 The proposed scheme takes the opportunity to follow the pattern of development in this area and, with the use of appropriate materials, form and scale to strengthen and improve the character and quality of the area. The carefully considered traditional architecture would add delight; '*venustas*'.
- 7.1.13 The materials chosen for the building and the landscape are both appropriate for the context and also durable for the future. The appellant continues to have an interest in the development in the long term and therefore it is important that materials last and are easy to maintain. The design is durable or '*fimitas*'.
- 7.1.14 In terms of views of the development, the two, two-and-a-half and three storeys are not out of the ordinary given similar scale building variety in the local context. No key views are affected by the proposal. There is no verifiable loss of amenity to any neighbours – the criticism of the proposal being overbearing and creating an unacceptable sense of enclosure are not borne out when analysed. In fact, as demonstrated in the VVMs, the street scene is enhanced by the development of a new high-quality building.
- 7.1.15 Taking into consideration the detailed assessment in Section 5 of this document, in my opinion the proposed design of building and landscaping would make a positive contribution to the townscape, enhancing positive qualities and improving existing negative ones. The National Design Guide defines the three pillars of high-quality design as Fit for Purpose, Durable and Delight (para. 4). In my opinion the proposal is a high-quality design that meets these criteria, sits well within and positively contributes towards its context and meets the needs of its future occupiers.
- 7.1.16 Taking into consideration the relevant design policy documentation reviewed in Section 3, it is my opinion that the proposal complies with the intent of these to ensure high quality building and place design that would enhance the character of the area. This applies to local policies, the NPPF and National Design Guide.
- 7.1.17 When compared with the existing site condition, I cannot conclude that the proposal can be judged to harm the townscape or materially harm the amenity and outlook of 30-36 and 38-48 Palmerston Street.

7.1.18 For all of the above reasons I believe the proposal is a 'high quality design' and would not adversely affect the residential amenity of 30-36 or 38-48 Palmerston Street. I would therefore respectfully ask the Inspector to dismiss Reason for Refusal 2 and give appropriate weight to the quality of the design if, in the opinion of the inspector, a planning balance exercise is required.

8.0 BIBLIOGRAPHY

National Policy and Guidance

1. National Planning Policy Framework, February 2019 (NPPF)
2. National Design Guide (NDG, October 2014) **(CD4.16)**
3. Building for a Healthy Life (BfHL, June 2020) **(CD4.15)**
4. Manual for Streets **(CD4.13)**
5. Urban Design Compendium **(CD4.14)**

Local Policy and Guidance

6. Test Valley Borough Council Adopted Local Plan (2011-2029) **(CD3.1)**
7. Romsey Town Design Statement **(CD4.9)**
8. Romsey Conservation Area Appraisal **(CD4.10)**
9. South of Romsey Town Centre Masterplan Report **(CD4.8)**

Project Documents

10. Test Valley Borough Council Statement of Case, 14th June 2024 **(CD7.1)**
11. Churchill Retirement Living Ltd. & Planning Issues, Design and Access Statement, June 2023 **(CD1.13)**
12. Nicholas Pearson Assoc., Visually Verified Montages, 11267-025-NPA-XX-XX-RP-Y-0001, July 2024 **(see Appendix I)**