

# New Housing Development Supplementary Planning Document

Revised 2013





<b>1 Revised 2013</b> .....	<b>3</b>
Contact Information .....	3
Update Requirements .....	4
Structure of the SPD .....	5
<b>2 Purpose and Policy Background</b> .....	<b>7</b>
Purpose of the SPD .....	7
Policy Support for the Design Led Approach .....	8
Local Policy Context .....	10
<b>3 Character, Local Distinctiveness and Density</b> .....	<b>13</b>
Existing Character of the Borough .....	13
Generic Locations, Distinctiveness and Design .....	16
Measuring Density .....	20
<b>4 Detailed Guidance for New Development - Design Response</b> .....	<b>23</b>
Assessing Context, Local Character and Density - a Methodology ....	23
Development Proposals: What the Developer must provide .....	36
Understanding Historic Character and Local Distinctiveness .....	39
<b>5 New Housing Development on Private Residential Garden Land</b> .....	<b>41</b>
Policy Context .....	41
Interpreting "Garden Grabbing" in Practice .....	42
<b>Appendix A - Technical Guidance</b> .....	<b>47</b>
<b>Appendix B - Policy HOU2 of the Black Country Core Strategy</b> .....	<b>53</b>
<b>Appendix C - Context and Characteristics - Development Guidance</b> ....	<b>55</b>
<b>Appendix D - Glossary</b> .....	<b>57</b>
<b>Appendix E - Other Guidance and Good Practice</b> .....	<b>63</b>





## 1 Revised 2013

This Supplementary Planning Document 'New Housing Development - a Guide to establishing Urban Context' was originally prepared by David Lock Associates on behalf of Dudley Council in 2007 and has now been updated by Planning Policy, Dudley Council.

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Produced in association with the Council's Urban Design, Development Control and Historic Environment teams.

### Consultation

Public consultation took place on the draft SPD update between Monday 10th September and Monday 22nd October 2012, in accordance with the statement of community involvement (2006). A summary of the responses received and the authority's responses to these representations can be found in the [Consultation Statement](#), available to view by following the web link.

## Update Requirements

**The aim of this update is to reflect changes in both national and local planning policy, to ensure this Supplementary Planning Document (SPD) provides a basis for making localised planning decisions.**

National policy has now removed the national indicative minimum density of 30 dwellings per hectare, putting emphasis on local authorities to establish localised density ranges. In addition, the previously developed land (pdl) definition has been amended to exclude private residential gardens, in order to prevent over development of neighbourhoods and “garden grabbing”.

### **National Planning Policy Framework (2012)**

The National Planning Policy Framework (NPPF) has taken forward these changes indicating that local authorities should set their own approach to housing density to reflect local circumstances (paragraph 47). The pdl definition is also included in the NPPF glossary which excludes private residential gardens from the definition. Paragraph 53 of the NPPF states that "Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area."

Together, these changes put emphasis on local authorities to take localised decisions and protect the local distinctiveness of their area. This update therefore removes any reference to the national indicative density, placing emphasis on character appraisals ahead of determining density, and provides detailed guidance on how the Council now assesses development proposed on garden land (chapter 5).

### **Black Country Core Strategy**

The update makes reference to the Black Country Core Strategy (February 2011) and its relevant policies, namely HOU2: Housing Density, Type and Accessibility, to ensure the necessary “policy hooks” are in place to provide significant weight in the determination of planning applications.

### **Technical guidance**

The update has provided an opportunity to combine the SPD with guidance contained within the Council's Planning Guidance Note 3 which provides technical detail relating to minimum standards relating to the design and layout of new housing development. This guidance is provided in Appendix A.

Where possible, as part of the update, the SPD has been streamlined to provide a concise and accessible document.

## Structure of the SPD

This document introduces a design – led approach to new housing development expanding on national policy and Black Country Core Strategy Policy HOU2: Housing Density, Type and Accessibility. This guidance will also support policies within the emerging Development Strategy for the Dudley Borough.

This SPD provides detailed information on implementation of housing policy in respect of design and density, so that local character and distinctiveness are paramount and poor design is rejected. Advocating a design led approach for decision making is supported by the National Planning Policy Framework (2012)

Chapter 2 sets out the purpose and policy background to the document.

Chapter 3 provides guidance on determining character within the Borough, recognising that distinctiveness and context are the drivers for successful developments. Density is analysed in relation to local distinctiveness as being a further factor in determining the prevailing character of an area.

Chapter 4 establishes a methodology for assessing context, local character and density with the aim of ensuring that the development or redevelopment of a site maintains the local distinctiveness and character of that area.

Chapter 5 (a new section as part of the update) provides guidance in relation to dwellings proposed within private residential gardens since the exclusion of garden land from the definition of previously developed land (pdl).

Technical guidance is provided in Appendix A which provides detail and minimum standards in relation to the design and layout of new housing development.

Please note that guidance in relation to Green Belt policy, agricultural workers dwellings and barn conversions will be detailed within the emerging Green Belt SPD.





## 2 Purpose and Policy Background

### Purpose of the SPD

- 2.1 This SPD is intended to provide localised guidance to ensure that new residential development respects the local character and identity of the Borough.
- 2.2 The SPD translates broad policy guidance at national level and within the Black Country Core Strategy, to draw out and build on the diversity of character across the Borough, through individual planning applications.
- 2.3 The updated SPD will be a material consideration in determining planning applications. It forms part of the Local Plan and supports the relevant policies in the adopted Black Country Core Strategy.
- 2.4 This guidance is relevant for potential developers, designers, officials and local people who will be involved in the development of a wide range of sites across the Borough. It is not site specific but is intended to provide guidance as to how to distinguish local character and use it as a basis for appropriate development.
- 2.5 The preparation of this SPD has been done in accordance with the [Statement of Community Involvement \(SCI\)](#). A copy of the SCI for this document can be made available on request or can be found on Dudley Council's website by following the above link.

### The Design – led Approach

- 2.6 Density alone does not equate directly with the quality of building design or necessarily respond to local character, it is just one element of achieving high quality design.
- 2.7 New residential development should be appropriate and sympathetic in terms of scale, appearance, materials, form, siting and layout and should not impact amenity. The scale and siting of a proposal should relate to adjoining development, the character of the area and the wider landscape. Consideration should therefore be given to height, massing, density and the built form in relation to any historic features. **This does not mean that a development has to be a copy of adjacent existing development, this guidance does not intend to preclude innovative design, but it requires the developer to understand the context of the development and the character of the surrounding area.**
- 2.8 The density figure which should accompany a planning application is one of net dwellings per hectare. This is important for indicating how many dwellings can be accommodated on a site, and can be used as a tool in the assessment

of character and local distinctiveness, as well as the considerations indicated above. The indicative minimum density of 30 dwellings per hectare has now been removed from national policy, putting emphasis on local authorities to make localised decisions, ensuring local character and distinctiveness are taken into consideration.

- 2.9** Density is determined on the number of dwellings per hectare. The relevant measurement of density is net dwelling density which is calculated by including only those site areas which will be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas, where these are provided.

### Policy Support for the Design Led Approach

#### National Planning Policy

- 2.10** The importance of recognising 'character' as integral to the development process is supported through national and local policies. By considering character early on in the design process means it becomes part of the equation in maximising the possibilities that a site offers in terms of the most efficient use of that land whilst enabling high quality design.
- 2.11** Emphasis on increasing density should not be understood to be at the expense of local character and quality design. Recent government guidance establishes a clear design context for the delivery of housing growth.
- 2.12** The policy support that exists for the design led approach within the National Planning Policy Framework (2012) is set out below:

#### National Planning Policy Framework (NPPF) (2012)

- 2.13** At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a "golden thread" running through both plan-making and decision taking.
- 2.14** The following form part of the 12 core planning principles that should underpin both plan making and decision-taking, within paragraph 17 of the NPPF:

- "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;



- Take account of the different roles and character of different areas...;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value"

### Requiring good design

- 2.15** Section 7 of the NPPF attaches great importance to the design of the built environment and its response to local character and identity:

"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." (Paragraph 56)

- 2.16** Paragraphs 60, 61 and 64 highlight the need for policies and decisions to promote or reinforce local distinctiveness by addressing connections between people and places and the integration of new development into the natural, built and historic environment.

- 2.17** Paragraph 58 indicates that planning policies and decisions should aim to ensure that developments "respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation." Paragraph 60 also highlights that policies and decisions should not stifle innovation, originality or initiative, whilst still promoting local distinctiveness.

### Conserving and Enhancing the Historic Environment

- 2.18** Section 12 of the NPPF highlights the central and positive role planning has in the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. The NPPF indicates under paragraph 126, that Local planning authorities should take into account the desirability of



**Brettell Lane, Amblecote**

new development making a positive contribution to the character and local distinctiveness of the historic environment, ensuring the value of heritage assets in contributing to sense of place is recognised.

- 2.19** This policy reinforces the need for policies and decisions to promote local distinctiveness, which is particularly important in our Borough. The Dudley Borough, in particular, has a rich and diverse character which has been shaped by the activities of people of the area over a long period of time. As a result the individual townships of the Borough have their own distinctive character that make Dudley a very special place in which to live and work. Please follow this link for further information regarding the [Borough's Historic Environment](#).

### **Creating safe, inclusive communities**

Both sections 7 and 8 of the NPPF highlight the role planning and design have in creating safe and accessible developments, to design out crime.

"Planning policies and decisions, in turn, should aim to achieve places which promote:

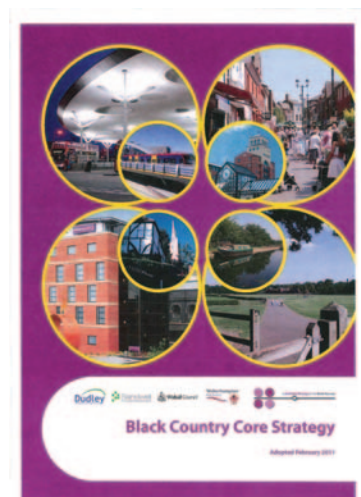
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas." (Paragraph 69).

### **Local Policy Context**

#### **Black Country Core Strategy (2011)**

- 2.20** The Core Strategy is a spatial planning document that sets out the vision, objectives and strategy for future development in the Black Country to 2026.

- 2.21** Policy HOU1 'Delivering Sustainable Housing Growth' of the Core Strategy provides the housing supply targets for the Black Country. The policy states that at least 95% of new housing (gross) will be built on previously developed land. This housing will be delivered through the Development Strategy Development Plan Document (DPD) and Area Action Plans.



- 2.22** More specifically to this SPD, **Policy HOU2 'Housing Density, Type and Accessibility'** (Appendix B) addresses delivering a range of types and sizes of accommodation to meet identified local needs, while at the same time protecting local distinctiveness and ensuring an attractive environment for residents, business and investors.
- 2.23** Policy HOU2 does establish a Black Country minimum net density of 35 dwellings per hectare, however this is only where this level of density would not prejudice historic character and local distinctiveness as defined by Core Strategy Policy ENV2 'Historic Character and Local Distinctiveness'.
- 2.24** As detailed in Policy HOU2, higher densities would be considered inappropriate where the development would prejudice historic character and local distinctiveness as defined by Policy ENV2. This policy highlights that all development should aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country in order to help maintain its cultural identity and strong sense of place.
- 2.25** At a Dudley Borough level, the Council is aware that in promoting new development through high quality urban design there is also need for the Borough's historic character to be properly understood and appreciated for its conservation to be taken fully into account. Such an approach towards understanding of local character and distinctiveness is currently being progressed through Historic Landscape Characterisation (HLC) techniques. This process has and will identify locally significant areas of high historic townscape and landscape value and a wide range of heritage assets.

### **The Black Country Study (2006)**

- 2.26** The [Black Country Study](#) outlines the priorities for regenerating the Black Country's physical, environmental, social and economic fabric. The Study is the Urban Renaissance Strategy for the Black Country and therefore forms part of the evidence base for the Core Strategy.
- 2.27** The study recognises that to improve the quality and widen the choice of housing is one of the key components for future prosperity to emerge from the study. Currently much of the housing stock in the Black Country does not meet aspirations of population in socio-economic groups A/B who have been choosing to move away to areas beyond the Black Country.
- 2.28** In terms of the location for new housing the study sees a significant proportion of the housing growth taking place in public transport corridors with concentration around interchanges – bus stops, metro and train stations.





## 3 Character, Local Distinctiveness and Density

### Existing Character of the Borough

- 3.1** Across the Borough, Dudley demonstrates diverse character from historic town centres, to rural edges, from the Black Country conurbation to the Shire Counties.



**Figure 1 Location of Dudley Borough as part of the West Midlands Conurbation**

- 3.2** The location of the Borough as part of the West Midlands conurbation is shown in Figure 1. The local character of the Borough is intrinsically linked with its historic growth. The individual market towns such as Dudley, Halesowen and Stourbridge grew in the industrial era with Victorian and Edwardian villa developments adjacent to the town centres with suburban growth dominating the Borough since 1945 leading to an integration of the urban areas, but resulting in distinct areas of individual character.
- 3.3** The intention therefore is to establish a character led approach to new development, based on identifiable context and characteristics, and detailed features.
- 3.4** In order to guide the design of the built form in Dudley, this document analyses local character by:
1. a visual analysis of 'local distinctiveness' by providing a snapshot photographic survey, across the Borough,

2. considering density and typology - typical built form and indicative densities across the Borough,
3. exploring the concept of generic locations or simple zones as an early indication of character.

### 3.5 The aims of the analysis are to:

- Inspire developers and designers of individual schemes to create new environments of a quality which reflects their location so that development is appropriate to place,
- Guide developers and designers of contemporary schemes to recognise that the drivers to successful developments are appropriateness, distinctiveness, context and character, and
- Inform developers and designers of intrinsic urban design elements which reflect the existing character of individual areas within the Borough.

A snapshot of the diverse residential built form across Dudley Borough



Picture 1 Different dwelling types within Dudley Borough

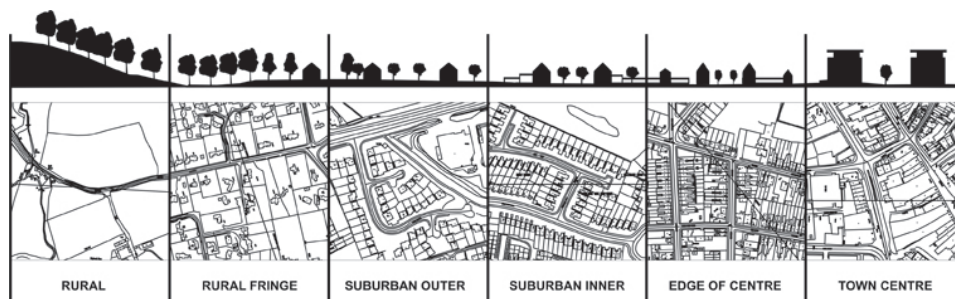
### Understanding the characteristics of an area

- 3.6** Dudley's residential character derives from distinct housing typologies that developed at certain times in the growth of the Borough. In chapter 3 we distinguish urban design and architectural features which determine local distinctiveness. It is these that characterise particular residential areas and become the guiding features for future development.
- 3.7** In line with the environmental transformation vision of the Black Country Core Strategy, redundant industrial areas now provide significant opportunities for reversing decline, repairing environmental damage and creating more healthy and sustainable communities. These sites are often near or adjacent to established residential communities, many of which display a typology which needs to be acknowledged and responded to in the design solution.
- 3.8** The redevelopment of existing buildings and the development of land in residential areas should provide a unique opportunity to contribute to the overall urban design qualities of an area in a seamless fashion. At a strategic level responding to pressure for housing may suggest an intense form of development but may result in a scheme that is discordant and offends the unity and character of a street or neighbourhood with distinct and valuable character. Within the remit of the National Planning Policy Framework this is not acceptable; design considerations and the characteristics of an area must be properly considered.
- 3.9** Local distinctiveness arises from the cumulative contribution made by many and varied features, often ordinary and commonplace, which may be as simple as a specific building material and often based on an intensity of development. It is not the intention of this guidance to give a detailed appraisal, but to ensure that where a prevailing character of a more intimate area or local neighbourhood is valued in urban design terms, that it is given appropriate weight in the determination of planning applications. If the immediate locality is not distinctive, the broader character area should be the guide for new development.
- 3.10** Whilst the same principles apply, this guidance is not intended to address development within Conservation Areas or development which impacts upon listed buildings, where an even more stringent approach to design and development must be adopted in accordance with national, regional and local policy.

### Generic Locations, Distinctiveness and Design

- 3.11** Within an urban area such as Dudley Borough there are areas characterised by development patterns which provide a broad indicator of character and density. Illustrated below is a cross section through the Borough, which identifies these broad locations.

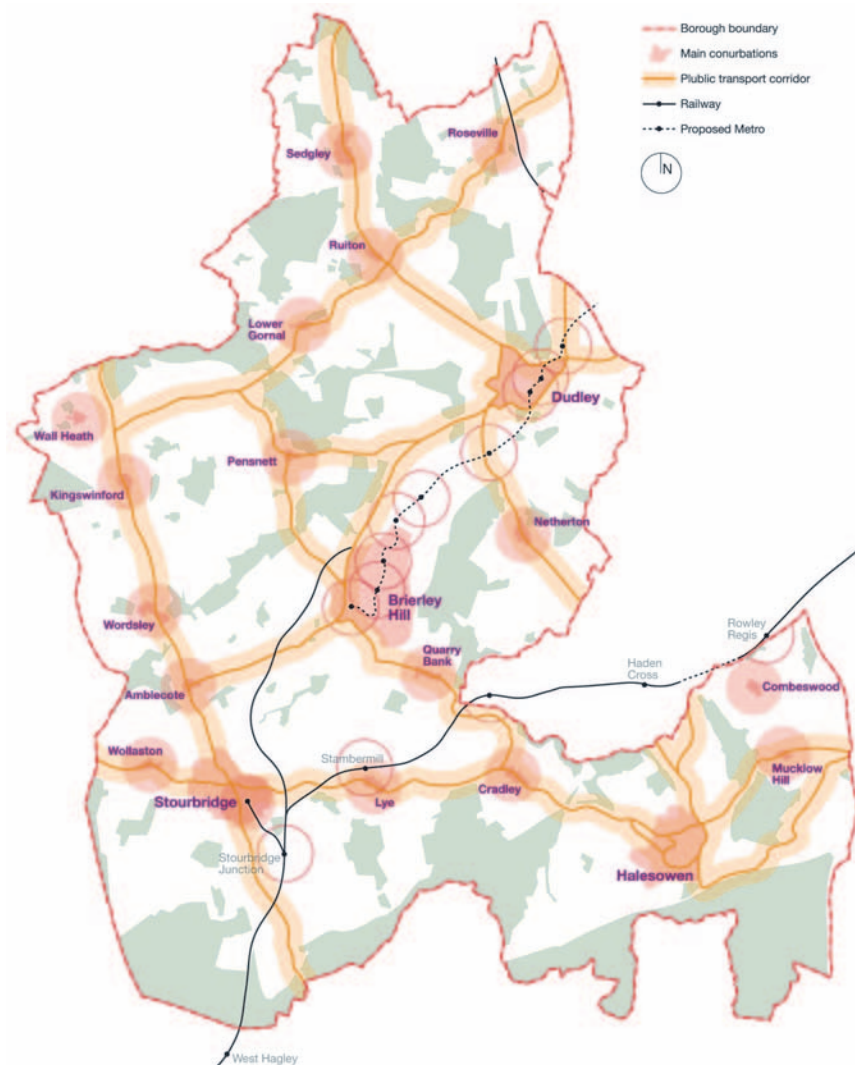




CROSS SECTION REPRESENTING THE CHARACTERISTICS OF THE METROPOLITAN BOROUGH OF DUDLEY

**Figure 2 Cross Section - Borough Characteristics**

- 3.12** These locations reflect historic character and how places have evolved, density of development, movement patterns, appearance and how places function and fit together. Within each of those broad areas there is a general consistency and intensity of development.
- 3.13** The cross section in Figure 2 is a guide to determining which area or location applies to a development site. It characterises the Borough from its rural edges, Green Belt/Green Wedges landscape through varying intensities of urbanisation to the town centres. This is considered in detail in chapter 4 of this document.
- 3.14** There are important development locations which cut across the generic development patterns. These are **transport corridors (Figure 3)** along which development has intensified. These tend to radiate out from the historic town centres. These corridors are recognised today in planning policy terms as areas where higher densities of development could be supported by improved public transport.



**Figure 3 Transport Corridors within the Borough**

**3.15** Table 1 assesses the relationship between density, development pattern and type of residential development including building height, within a range of characteristic areas. This is considered again in Appendix C to show indicative guidance for new development. In determining appropriate density ranges, it is important to appreciate the relationship between urban, suburban and rural locations, the relationship between buildings and spaces, the nature of the public realm, the definition of public and private space and the character of the local townscape.

**3.16** It is acknowledged that the above is not always achievable or appropriate, as there may be other issues that conflict with this design approach. For example, in some instances it may be required that a new development is located further away from the kerbside than the existing building line, due to poor air quality as a result of road traffic. The Council’s Planning and Air Quality Guidance should be followed on this basis.

CONTEXT AND CHARACTERISTICS						
Area	Distinguishing characteristics	Building Line	Frontage Type	Typical Building Height	Open Space / Landscape	Typical Density
<b>A</b> Town Centre	mixed use – residential is predominantly apartments and terraced housing	Back-edge of footway; continuous short wall of building	frontage to street	3/4 storey	squares and urban public spaces	50+
<b>B</b> Edge of Centre	predominantly terraced houses with small villas, some apartments and mixed access especially on PT route	building predominantly to back of footway	Front step or small paving area	2 and 3 storey	Town parks, squares, avenues	40-50
<b>C</b> Suburban Inner	predominantly semi-detached house types with some terraces and few civic activities	small setback buildings amended to the street character development with street section	Low wall, small front area	2 storey	parks	35-45
<b>D</b> Suburban Outer	predominantly detached properties with a balance between buildings and landscape	shallow to medium setback	lawns, fences, hedges, garages, setback.	2 storey	parks landscaping	25-40
<b>E</b> Rural Fringe	predominantly single family residential properties within the landscape	varying front and side setbacks	Lawns Hedges	1/2 storey	parks and green wedges	15-30
<b>F</b> Rural	agricultural and farmland	-			Green Belt - farmland, country park	-
<b>G</b> Public Transport Corridors	associated with main roads and existing local centres	back edge of footway	frontage to street	3/4 storey	Urban public spaces	40-45

Table 1 Context and Characteristics – Residential Development

### Measuring Density

#### Measuring density and understanding the removal of the national indicative minimum density from national policy

- 3.17** A significant influence on character and distinctiveness is the prevailing density of development, but it is misleading to consider density alone. This is recognised in national policy, which highlights that local planning authorities should set out their own approach to housing density to reflect local circumstances.
- 3.18** Taking the above into account, local planning authorities should also continue to make efficient use of land by re using land that has been previously developed, in line with the National Planning Policy Framework.
- 3.19** For example higher densities beyond 50 dwellings per hectare in the right urban location using a variety of building types in response to local character and context, is achievable and can provide much needed accommodation which suits the population profile of many areas and also responds to a particular demand. In comparison, within suburban and rural fringe areas, where the character is one of less intensive development, lower densities are usually more appropriate and meet a different market demand.
- 3.20** Black Country Core Strategy Policy HOU2 Housing Density, Type and Accessibility establishes to a minimum net density for the Black Country authorities:
- "All developments will aim to achieve a minimum net density of 35 dwellings per hectare, except where higher densities would prejudice historic character and local distinctiveness as defined by Policy ENV2 Historic Character and Local Distinctiveness"
- 3.21** This policy establishes a minimum density to ensure the Black Country Local Authorities continue to make efficient use of land but only where this would not prejudice the local distinctiveness and character of an area.
- 3.22** This SPD provides further detail on understanding density and provides indicative characteristics of the Dudley Borough to reflect the variation in urban growth patterns.

- 3.23** The relevant measurement of density is net dwelling density which is calculated by including only those site areas which will be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas, where these are provided.
- 3.24** Density is determined on the number of dwellings per hectare.

***Number of Dwellings per Hectare (dph) =***

$$\frac{\text{Number of Dwellings}}{\text{Site Area (Hectares)}}$$





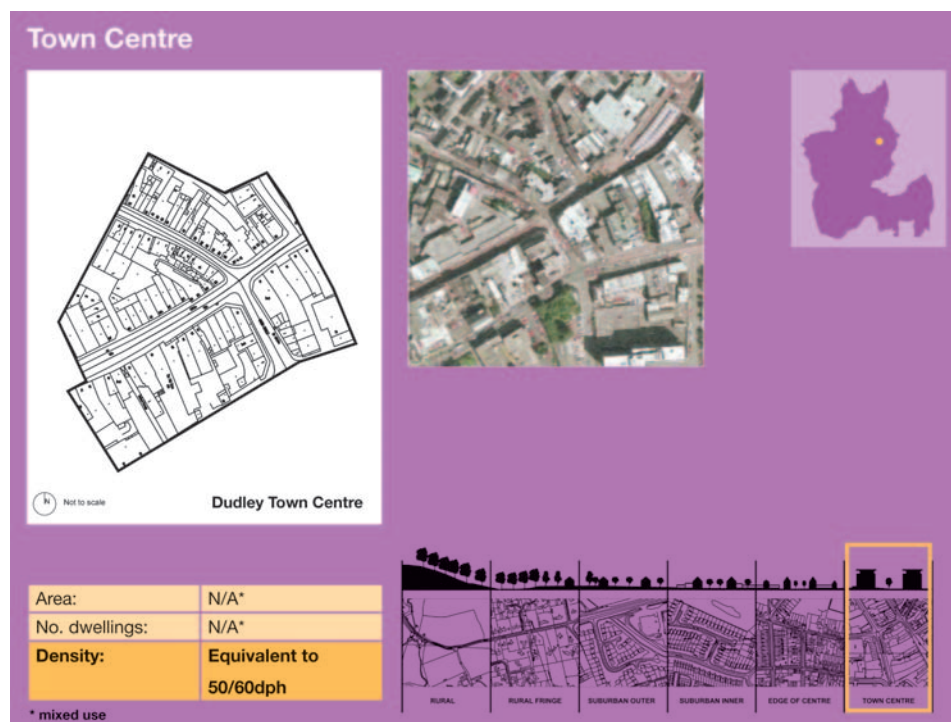
### 4 Detailed Guidance for New Development - Design Response

#### Assessing Context, Local Character and Density - a Methodology

##### Detailed analysis and establishing Local Distinctiveness

- 4.1** Where a potential development site is located in the context of the broad character areas identified in chapter 3, the Council will require developers to consider the appropriate design response to the defining characteristics of that area.
- 4.2** This will require a detailed assessment of the proposal considering the impact of proposed housing on the existing residential / mixed use area. The aim is to ensure that local distinctiveness and character is maintained and to make the most efficient use of land, whilst allowing for high quality contemporary and innovative design.
- 4.3** To be able to carry this out in a consistent and transparent manner it is necessary to:
- 1. establish the qualities** that define the differing character areas within the Borough building upon the seven broad generic locations that have been identified within this guidance, as identified in chapter 3.
  - 2. to assess how those qualities might be affected** by the development proposal and how the proposed development could respond to those qualities in the final design. Developers are required to demonstrate an understanding of the context and character of the area in which they propose to develop, through in a design led approach to development.
- 4.4** The seven areas identified are:
- **A** Urban Town Centres
  - **B** Edge of centre
  - **C** Inner Suburban
  - **D** Outer Suburban
  - **E** Rural Fringe
  - **F** Rural (Green Belt)
  - **G** Public Transport Corridors
- 4.5** Figures 4 to 15 provide a number of worked examples considering the distinguishing features of a number of typical locations that fall within each of the generic character areas and indicate development criteria that would guide the design response. Applicants should adopt a similar analysis in preparing residential planning applications.

- 4.6** 'Rural location' has not been addressed in this guidance as in most instances Green Belt policy will apply. Saved Policy SO1 relating to the Green Belt is available within the Council's Unitary Development Plan ([Saved UDP Policies document February 2011](#)).
- 4.7** Where a site is identified as located in one generic location but a detailed appraisal of the immediate locality reveals characteristics more typical of another, a design led approach which focuses on the immediate environs and characteristics of the site will prevail.



**Figure 4 Urban Town Centre**

**Distinguishing Characteristics:**

- mixed use
- tight urban grain
- diversity of residential types - terraced houses, flats above shops, town houses, flat conversions, apartment blocks and mews
- minimum rear garden space / yards, often communal in use, minimum or no front gardens, building line predominantly at back-edge of footpath
- building height – 2-4 storey
- open space very limited some urban squares and small parks
- well served by public transport
- density likely to be 50/60 dwellings per hectare.

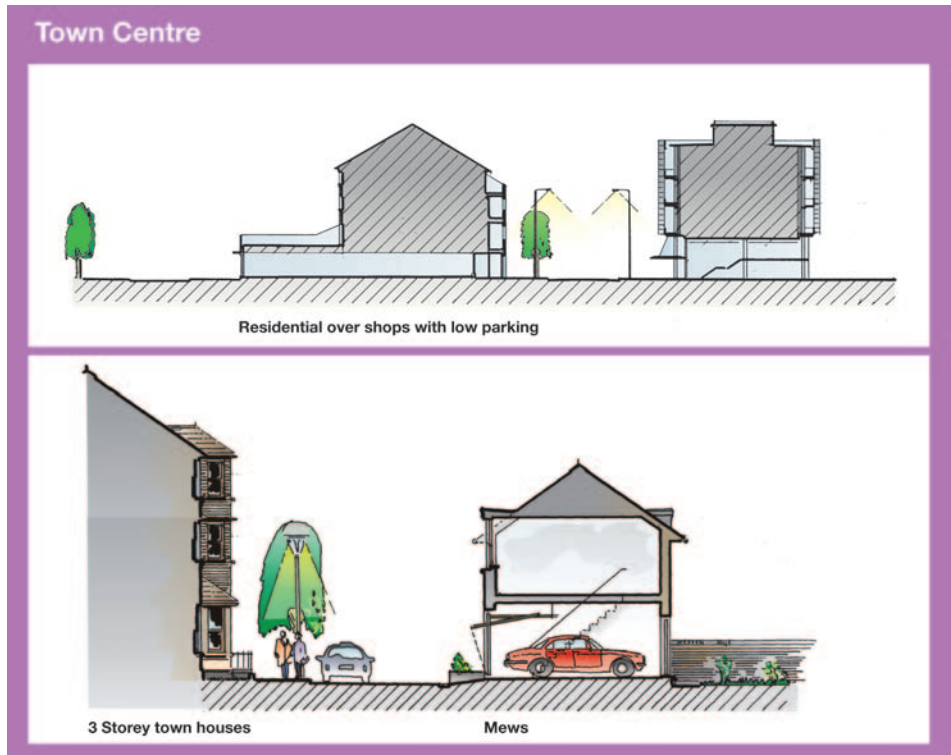
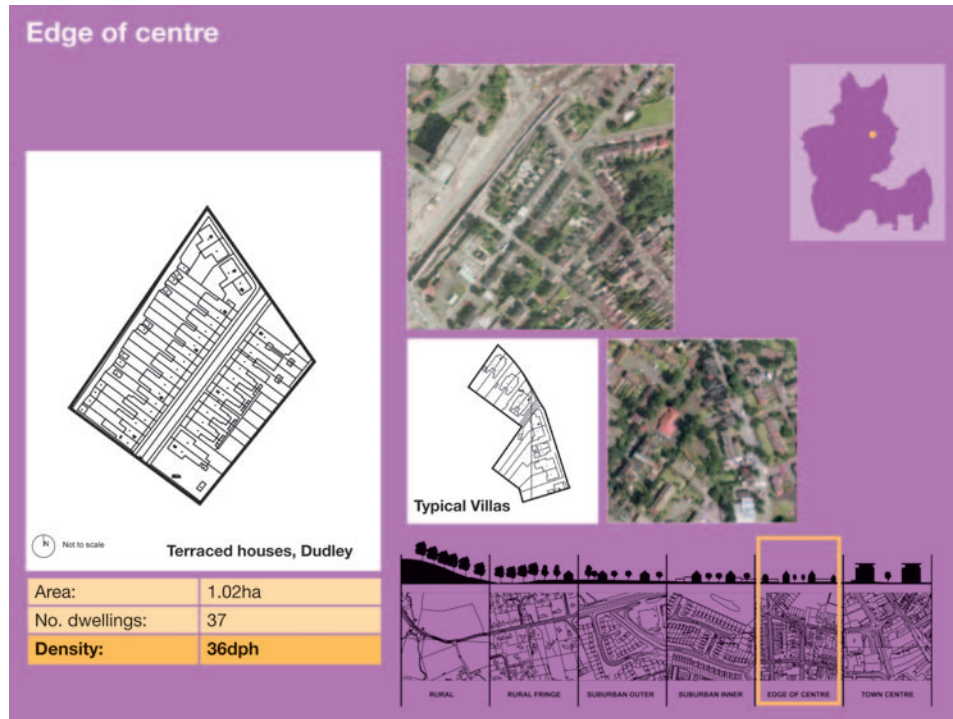


Figure 5 Development Criteria- Urban Town Centre

**4.8 Development criteria:**

- terraces of houses, flats above shops and apartment schemes encouraged, predominantly 3-4 storey preferred
- rear sites developed as mews housing
- minimum or no front gardens; back gardens, or communal garden for apartments
- street enclosure to be maintained by retaining the building
- respect local character - height and mass
- use of local traditional materials when appropriate
- front entrances to major streets where possible
- Indicative density of 50 dwellings per hectare

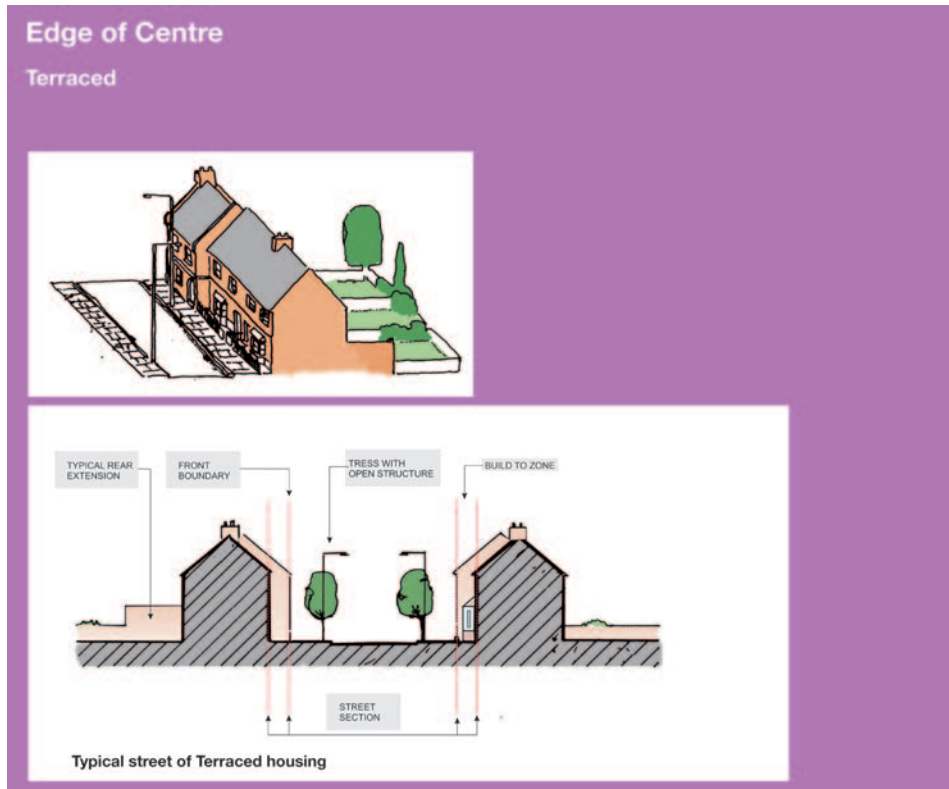


**Figure 6 Edge of Centre**

**Distinguishing Characteristics:**

- mixed use
- generally tight urban grain
- urban villas small 3 bed on average, 3/4 bed semis, or large 4 bed detached or semi detached
- predominantly 2 storey although some 3 storey with rooms at roof level, regular spacing of properties
- private back gardens small to medium sized front gardens
- small urban parks and squares
- hedges and low fences to street, some street trees
- frequent and accessible public transport, walking distance to the town centre

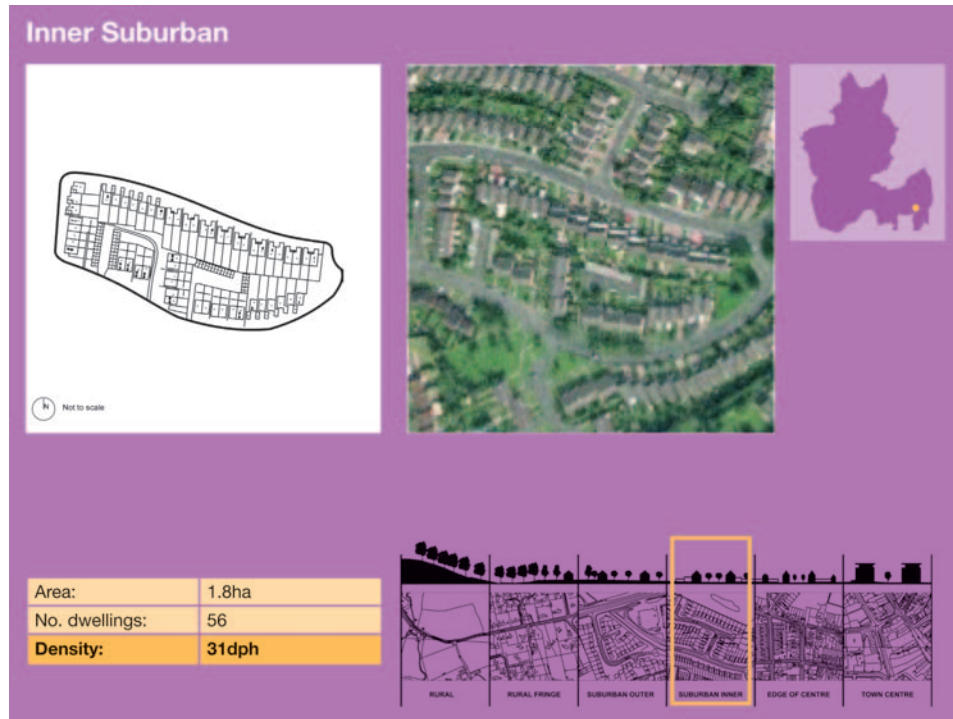




**Figure 7 Development criteria: Edge of Centre**

### Development criteria:

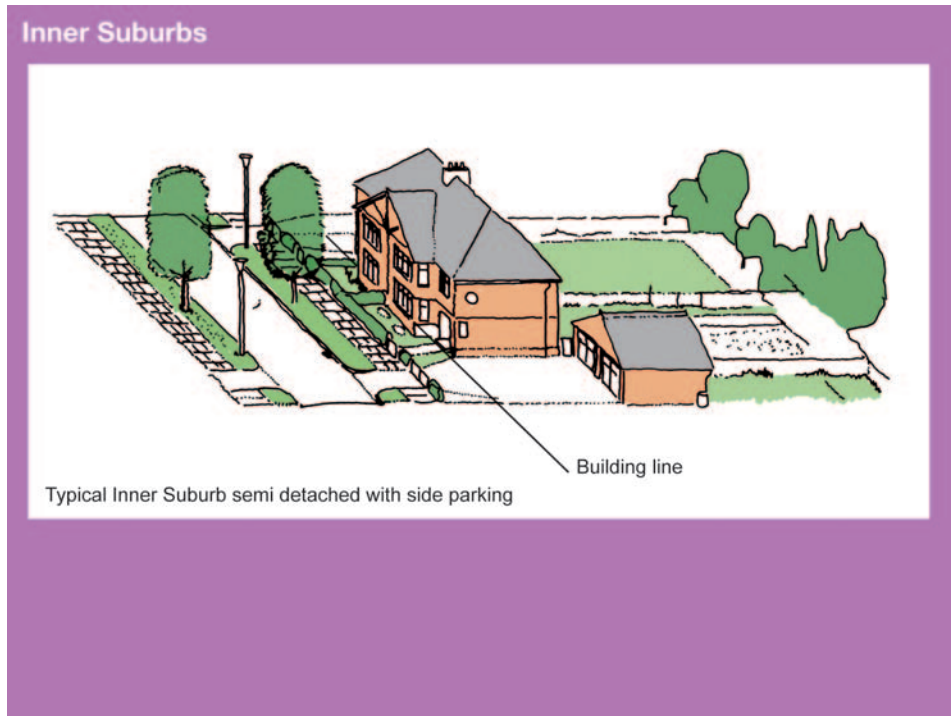
- villas or terraces of houses, predominantly 2-3 storey
  - small front gardens; provision of back gardens, or communal garden
  - maintain street enclosure with attention to front boundary treatment
  - introduce street trees
  - building line – retain front and rear gardens and set back if any
  - respect local character of height and mass proportions
  - use of local traditional materials when appropriate
  - density of 40-50 dwellings per hectare would be appropriate.
-



**Figure 8 Inner Suburban**

**Distinguishing characteristics:**

- Primarily residential
- semi-detached, small 3 bed / 4 bed; predominantly 2 storey, occasional larger property;
- regular spacing of properties
- regular building line
- private back gardens;
- small to medium sized semi private front gardens
- low fence/ wall to street



**Figure 9 Development criteria: Inner suburban**

**Development criteria:**

- 2 storey semi detached with front and rear gardens
  - building line established by buildings either side where possible
  - retain front and rear gardens and set back
  - development should respect local character of height and massing proportions
  - retain front boundary wall treatment, in local traditional materials where appropriate
  - density of approximately 35-45 dwellings per hectare is appropriate
-

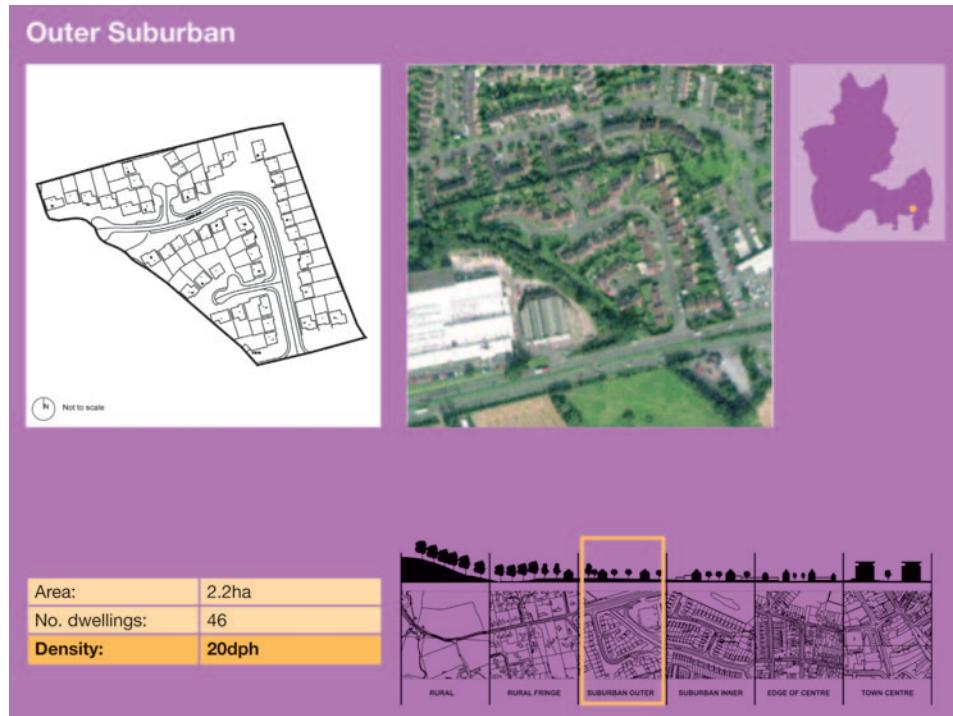


Figure 10 Outer suburban

### Characteristics:

- winding roads and cul de sac; lacking in strong townscape quality
- post 1960's and '70's
- detached houses, predominantly 2 storey
- space around the buildings and incidental space as a consequence of informal layout
- often open plan front gardens
- low boundary treatment
- often variable or staggered building line
- front gardens
- spacious back gardens
- regular plot width

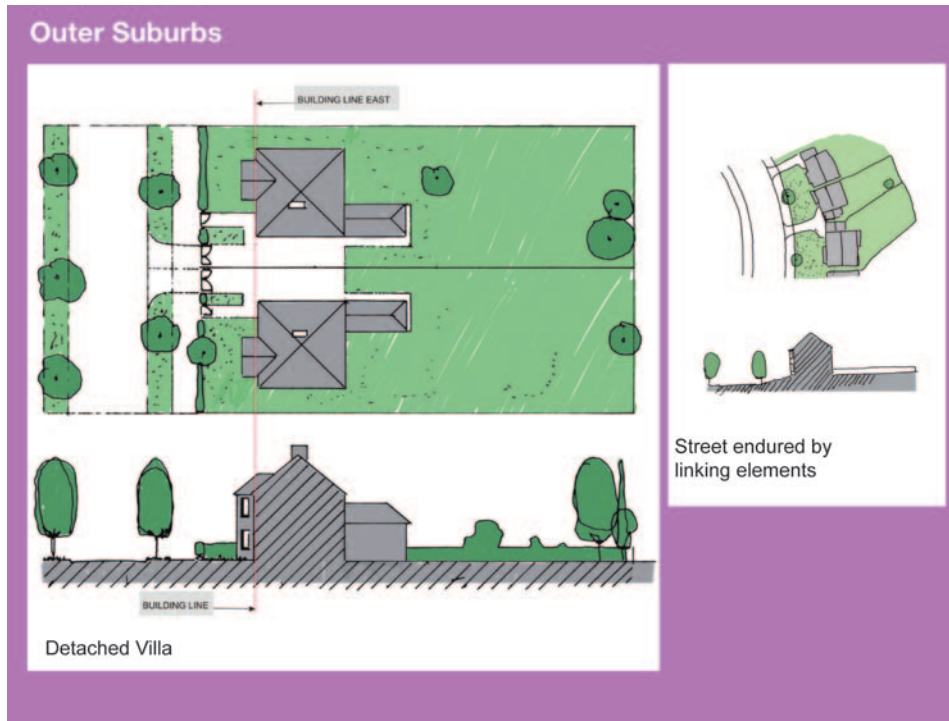


Figure 11 Development criteria: Outer suburban

**Development criteria:**

- retain space around the building
- detached dwellings – 2 storey, 4-5 bedroom
- respect local character of height and mass
- maintain the existing building line and set back of houses from the road
- retain back gardens
- more efficient use of land should deliver densities above the prevailing density, where appropriate, without having a detrimental impact on the character of the area.

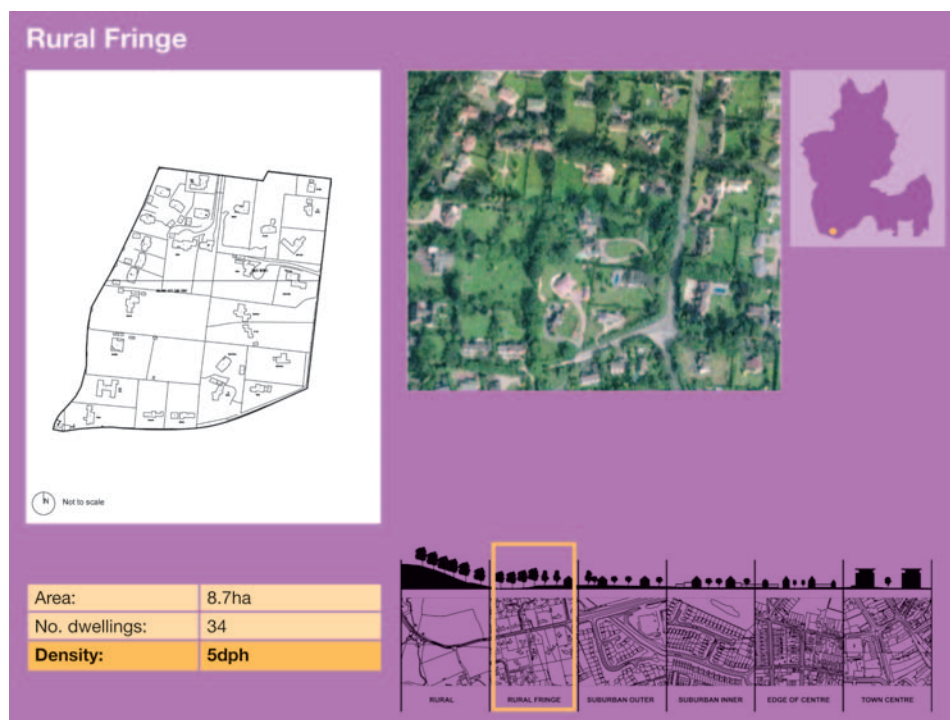


Figure 12 Rural fringe

**Characteristics:**

- primarily residential
- generally 2 storey dwellings, some single storey dwellings
- no overall characteristic road pattern
- spacious plots with space about dwellings, no predominant style of architecture
- plot widths irregular and spacing of houses within the plot irregular
- road edge or back fence to open countryside; looking over open countryside
- lack of access to clear public transport, predominantly car travel;
- buildings do not necessarily face the street
- possible views of countryside
- pressure for sub-division of plots
- plots defined by mature planting

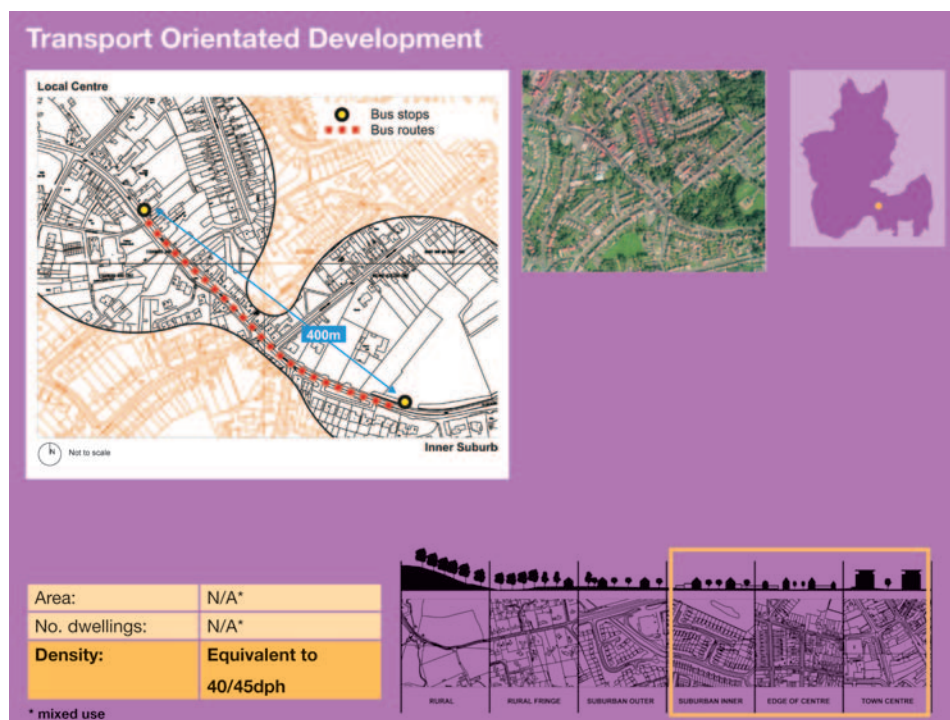




**Figure 13 Development criteria: Rural Fringe**

**Development criteria:**

- respect local character of space around the dwellings
- spacious gardens in width and length
- maximum of 2 storey dwellings
- individual designs encouraged
- development should respect the predominant style of architecture
- development should respect the landscape character of the area (identified by a landscape assessment)
- redevelopment of existing plots to reflect the dispersed arrangement of dwellings in the vicinity



**Figure 14 Public Transport Corridors**

### Characteristics:

- available and frequent public transport with bus stops every 900m
- linear areas of mixed use, including residential, commercial / industrial sites, ancillary services, (eg doctors surgery) and small parades of shops
- associated with main roads, existing town and local centres, and anticipated metro routes and stations
- no overall typology
- building line could be back edge of footway, most likely in existing town centres and local centres, or varying depths of front garden in inner suburbs
- often tree lined



**Figure 15 Development criteria: Public Transport Corridors**

### Development criteria:

- development is likely to be in the three general locations of town centre, edge of centre and inner suburbs, routes with more frequent services support development at a higher density.
- development should respect local character of plot width, massing and building height typically 3/4 storeys in town centre locations and 2 storeys in inner suburbs.

### Development Proposals: What the Developer must provide

- 4.9** When making planning applications developers / designers must demonstrate that proposals have been formulated with regard to context, adopting a thorough design led approach. This information must accompany a planning application as part of a Design and Access Statement.
- 4.10** In August 2006 provisions of the Planning and Compulsory Purchase Act 2004 came into effect requiring that a design and access statement must accompany planning applications for both outline and full planning permissions, other than in the circumstances set out by Article 4C of the General Development Procedure Order. For example householder developments (works to existing residential units) do not require design and access statements.
- 4.11** "Guidance on information requirements and validation' (CLG, 2010) provides detail on what information is required within design and access statements and states that "a design and access statement should explain the design principles and concepts that have been applied in respect of the following aspects of development:
1. Amount
  2. Layout
  3. Scale
  4. Landscaping
  5. Appearance"
- 4.12** Further guidance will be available within the emerging Black Country Checklist which will indicate what information is required at a sub regional level when submitting a planning application and guidance regarding the pre application process.
- 4.13** It should also demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account in relation to its proposed use and each of the aspects specified above.
- 4.14** The Design and Access Statement provides the appropriate opportunity to demonstrate that the guidance in this document has been adopted in formulating development proposals. Further guidance on producing Design and Access Statements is contained in [CABE \(June 2006\) Design and Access Statements - how to write, read and use them](#).
- 4.15** In seeking to satisfy the requirements in relation to the design and context components of this SPD, the following considerations may be relevant. It is important to recognise that some of these key characteristics may adopt

more significance, depending on location and overall size of the site. Appendix A will also assist, which provides technical guidance and minimum standards relating to the design and layout of new housing development.

1. **TOPOGRAPHY, ASPECT AND MICRO CLIMATE** - Consider the geographical location such as whether the site is naturally contained, is sloping, south or north facing, on top of a hill or subject to a prevailing wind.
2. **LAND USE, LANDSCAPE FEATURES, ECOLOGY & HISTORIC ANALYSIS** - Consider the urban structure, including historical changes in the urban fabric, (morphology), open space and landscape including specimen trees, boundary treatment, ecological habitats and water environments. Consider making links to the wider green infrastructure network, providing access to natural and semi natural green space.
3. **URBAN FORM, PREVAILING HEIGHT AND BUILDING MASS** - Establish density and intensity of surrounding development, prevailing plot widths together with building heights and mass to recognise the overall 'envelope' of the surrounding development.
4. **MOVEMENT ACCESS TO LOCAL FACILITIES, PEDESTRIAN MOVEMENT, PUBLIC TRANSPORT STOPS AND PERMEABILITY** - Incorporation of design measures which improve accessibility, providing safe and direct routes and enhance amenity to promote activity in communities. Identify the existing vehicle access and routes; the existing network of pedestrian and cycle routes, the distances to local shops, parks, town centre and access to and location of bus stops and train / metro stations.
5. **SAFE AND SECURE DESIGN** - Consideration of Secured By Design principles, for example through the promotion of safe and accessible development, containing clear and legible pedestrian routes which encourage the active and continual use of public areas.
6. **ADJOINING AND RELATED LAND USES** - Consider different land uses and inter relationships to ensure a coherent and co-ordinated development is achieved at a neighbourhood scale.
7. **TOWNSCAPE - LANDMARKS AND GATEWAYS, VIEWS AND VISTAS** - Consider the quality of the townscape including the relationship between public and private space, the containment of streets and public spaces, views into and out of the development and the way in which corners and entrance points are distinguished.

8. BUILT FORM AND MASSING – RANGE OF BUILDING TYPOLOGIES AND DEVELOPMENT INTENSITY INCLUDING:
- **Plot Width** – the typical width of each plot
  - **Building Line** – this is established by the plane of the building, ignoring bays, garages and other projections which may lie forward of this plane
  - **Building Set Back** – the depth of the front garden plus the width of footway and grass verge, if present, to the edge of the highway
  - **Front Boundary Treatment** – description of the form of the boundary treatment (eg hedge, includes species, type of fence and height of fence). Where no enclosure exists this should be noted.
  - **Landscape Setting and Features** – identify key features such as street trees, hedges, lawns, parks, play areas, shared spaces or features.
  - **Plot Formation** – pattern of hard standing and/or garages, use of front garden area and the location of vehicular / pedestrian access points to the street from the plot and buildings.
  - **Building Mass, Key Features and Materials** - including roof features including prevailing ridge height, eaves height and roof pitch, parapets and chimneys; and type of window – sliding sash, top hung, casement. Any features particular to the area should be noted. These might include features such as a predominant brick, door surrounds, gable ends to roads.

**4.16** This guidance does not require a development to be a copy of adjacent existing development. It requires the developer to understand the context of the development and the prevailing character of the immediate neighbourhood and respond to it. Appendix C provides a table which draws on context, characteristics and intensity to guide this process. This will establish a harmony between new and existing development. It allows scope for new styles and materials but only those that complement their surroundings. It would further enable exceptional bespoke or outstanding individual design to be considered on its merits.

**4.17** Even where the urban form displays notable features, such as a strong building line the architecture may vary considerably. If there is no dominant residential style upon which to draw in formulating new design the designer may look to the wider area or consider the opportunity to create a new quality of contemporary architecture.



### Understanding Historic Character and Local Distinctiveness

**4.18** At a Dudley Borough level, the Council is aware that in promoting new development through high quality urban design there is also need for the Borough's historic character to be properly understood and appreciated for its conservation to be taken fully into account, in line with Policy ENV2 of the Core Strategy.

**4.19** Such an approach towards understanding of local character and distinctiveness is currently being progressed through

Historic Landscape Characterisation (HLC) techniques. This process has and will identify locally significant areas of high historic townscape and landscape value and a wide range of heritage assets.

**4.20** The HLC evidence base will therefore enable developers to design proposals that respect and reinforce local distinctiveness. Equally, it will enable them to properly assess the impact of new development upon any affected heritage assets and their setting and avoid harm. This should be reflected within the content of Design and Access Statements in support of planning applications as required by Policy ENV2 of the Black Country Core Strategy (February 2011)

**4.21** In this context Dudley Council believes that where physical evidence of local historic character persists in the form of assets that make a positive contribution to local distinctiveness, such assets should be conserved and wherever possible enhanced. New development should respect and respond to the positive characteristics of the locality such that local distinctiveness is reinforced in a complementary manner.





## 5 New Housing Development on Private Residential Garden Land

### Policy Context

**5.1** The amended previously developed land (pdl) definition which now excludes private residential gardens has been carried forward into the National Planning Policy Framework (NPPF) (2012) and is provided below:

**5.2** **Previously-developed land (often referred to as brownfield land) definition:**

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes:

- land that is or has been occupied by agricultural or forestry buildings;
- land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures;
- land in built-up areas such as private residential gardens, parks, recreation grounds and allotments;
- and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."

**5.3** The above amendment is aimed at preventing "garden grabbing". "Garden grabbing" is the term coined by the media to describe the activity of acquiring garden land and subsequently building housing on the plot"<sup>(1)</sup>. This development often results in the subdivision of existing dwelling plots. This can have a detrimental impact both on the character and distinctiveness of an area, as well as residential amenity.

**5.4** This objective, in preventing garden grabbing, also needs to be looked at in the context of making the most efficient use of land in the urban environment and the promotion of sustainable development in general.

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1 CLG, 2010, '[Garden developments: understanding the issues.](#)'

## Local Policy Context

- 5.5** A key objective of the Black Country Core Strategy is to continue making the effective use of re-using land that has been previously developed.
- 5.6** The Core Strategy sets a target under Policy HOU1 – Delivering Sustainable Housing Growth where there is a requirement that 'at least 95% of new housing (gross) be built on pdl'.
- 5.7** In light of the amended pdl definition, where new housing is now proposed in domestic gardens, the principle of new housing will not be immediately accepted, as private gardens are now essentially classed as 'Greenfield Land'. Priority will always be made to housing development on pdl, particularly due to the urban nature of the borough, which has an ample supply of pdl.
- 5.8** In short, the principle to support new housing development in a private garden has been removed.

## **Interpreting "Garden Grabbing" in Practice**

- 5.9** Proposed dwellings on residential garden land are usually associated with infill, back land and tandem development, defined below:

(i) Infill - development between existing properties.

(ii) Backland - development to the rear of existing properties and generally having no direct road frontage.

(iii) Tandem - One property directly at the rear of another on a similar orientation and served by one access alongside an existing property. Tandem development will not normally be acceptable on access and amenity grounds. It is not usually possible to form satisfactory access or servicing for such development and there is usually a loss of privacy to occupiers of adjacent properties.

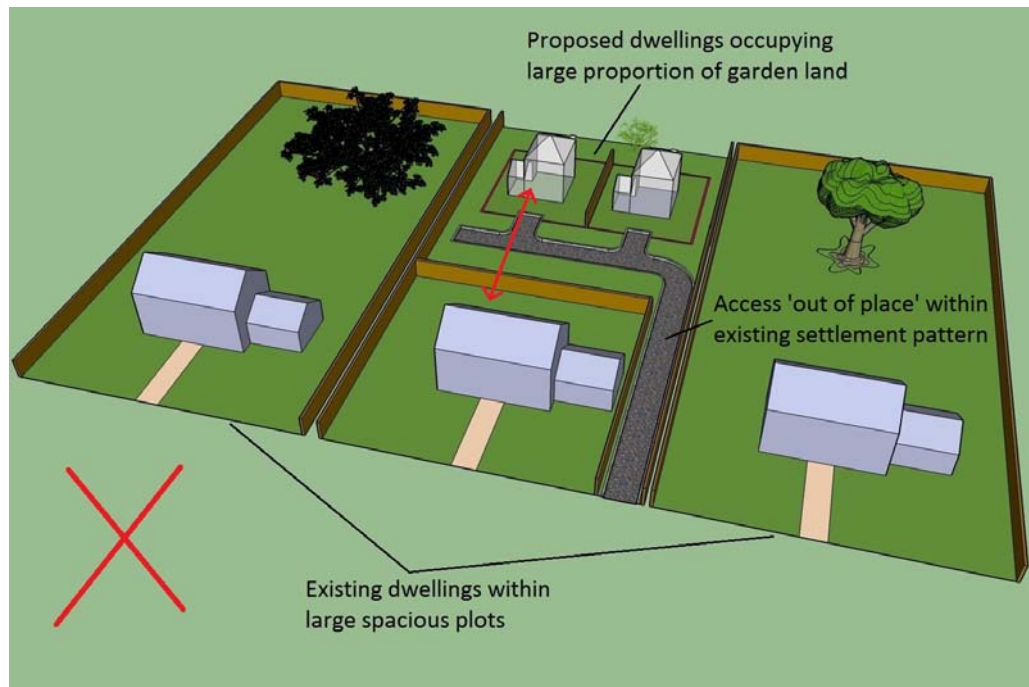
- 5.10** As with other residential proposals, in seeking to promote local distinctiveness through high quality design, the following considerations will be relevant in assessing proposals for housing on garden land. The significance of these considerations may vary depending on the location and size of the site:

- Development pattern of the surrounding area - establishing dwelling types, frontages building lines, heights and mass to determine the characteristics and density of surrounding development.
- Plot formation - taking account of proposed access points and the mass of the proposal within the existing settlement pattern
- Existing and proposed boundary treatment

- Neighbour amenity - privacy and visual amenities enjoyed by existing occupiers taking account of separation distances between existing and proposed dwellings, security and surveillance.
- Loss of mature gardens - determining the size, landscape features and ecological habitats of gardens in the area.
- Topography - taking account the physical context of the site.

### **An example of inappropriate garden land development**

- 5.11** In clear-cut back garden sub-division cases, the assessment of residential garden land development should be quite simple. The example below (Figure 16) illustrates this:
- 5.12** The example proposes the erection of two detached dwellings in the rear private residential garden of a large dwelling, with an access proposed at the side of the host property. The proposed development is located within an outer suburban area (see Chapter 3- Table 1) characterised by large detached dwellings, following an established building line, within spacious plots.
- 5.13** The development would be inappropriate for the following reasons:
- This is a clear example of "garden grabbing", with the majority of the dwelling's garden area now being redeveloped for additional dwellings having a detrimental impact on the spacious residential character of the area.
  - The proposal represents back land development, resulting in the subdivision of plots and an incongruous access road would not be in keeping with settlement pattern of the area.
  - The separation distances between the proposed and existing habitable room windows would be under 22 metres (see Appendix A), creating the potential for overlooking, having a detrimental impact on the amenity of existing occupiers.
- 5.14** The development would not be supported on the basis that it is not proposed on pdl, would be detrimental to the character of the area and impact on neighbour amenity.



**Figure 16 Inappropriate residential garden land development**

## An example of appropriate garden land development

**5.15** In exceptional circumstances, it may be possible to build new housing on garden land, where the following can be justified:

- Only a small proportion of the garden area would be built on, leaving a sufficient amount for residential amenity whilst still maintaining the character and layout of the area.
- The proposal would be within close proximity to local services, for example being located close to a town centre or a main public transport hub, meeting sustainability objectives.
- The proposal would be in keeping with the character of the area by reflecting the existing settlement pattern and the resulting plot sizes and ratio of built form to garden are similar to that in the existing area.

**5.16** For example, the scenario below (figures 17 and 18) indicates a proposed dwelling within the side garden of an existing dwelling, located close to a local shopping centre. Here, only a small proportion of the garden area is proposed to be built on and the character of the area and the building layout is still maintained, by following the existing building line. On balance, the sustainable location of the proposal, the maintenance of the areas character, and retention of sufficient garden land can be considered to outweigh the fact that the proposed development is not on pdl, weighing in favour of the proposal.



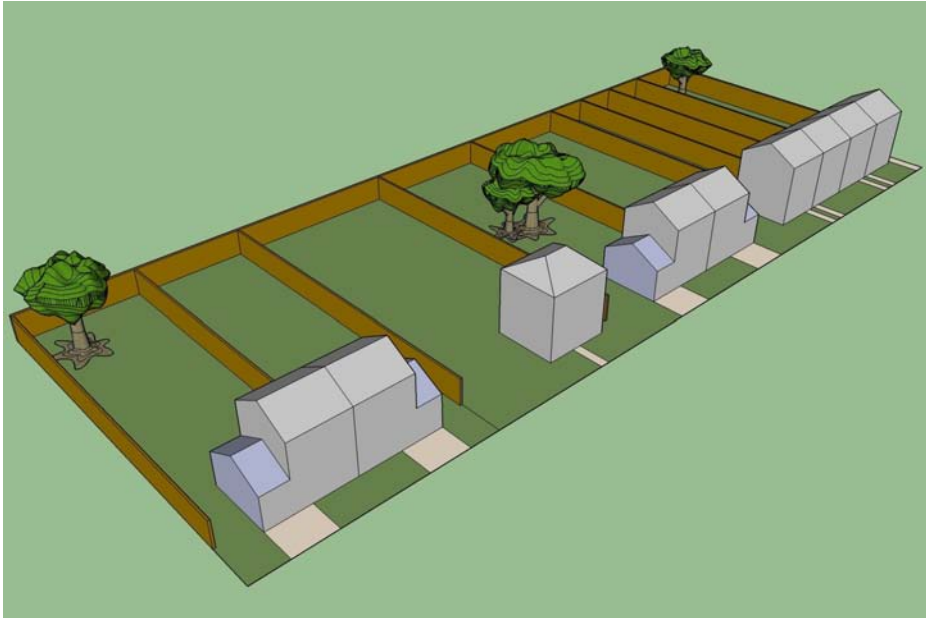


Figure 17 Before - existing street scene

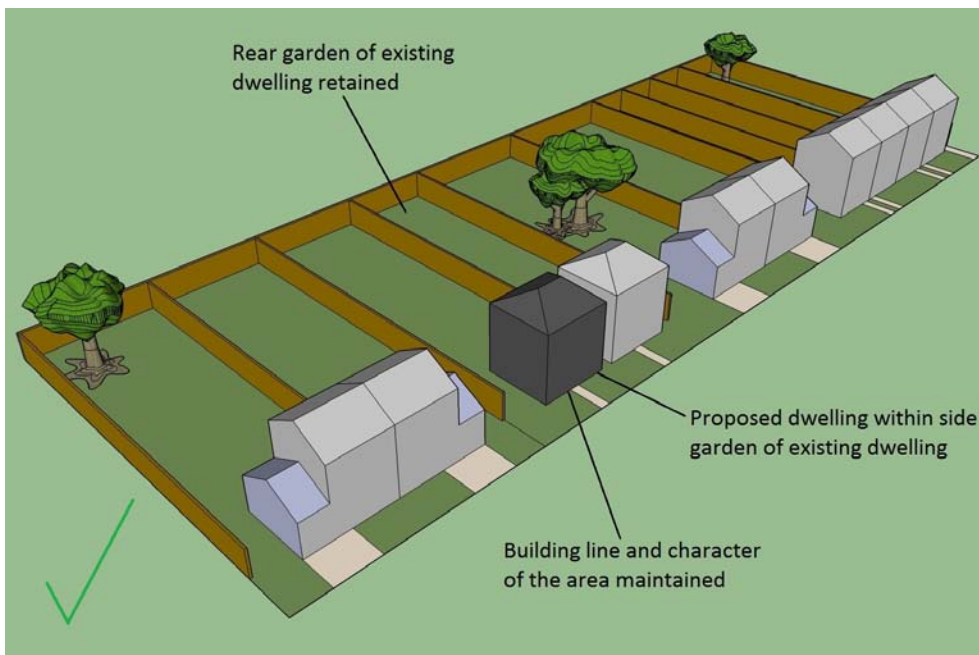


Figure 18 Appropriate infill dwelling proposed in side garden of existing dwelling

### **Summary**

**5.17** As private residential gardens are no longer classed as pdl, but regarded as Greenfield Land, planning applications for new housing development in gardens should, in principle, no longer be considered appropriate, as there is significant preference for developing housing on pdl (brownfield) sites.

**5.18** Notwithstanding this, a judgement as to whether development within residential garden land is acceptable will need to consider, amongst other factors:

- The loss of private residential garden land, including the residential garden area left over;
- The impact on the character of the area, the layout of the buildings and residential amenity;
- The efficient use of land within sustainable locations

## Appendix A - Technical Guidance

These technical guidelines are intended to assist developers in the design and layout of new housing development, providing minimum standards to ensure the amenity of existing occupiers remains unaffected and that the design of the buildings are appropriate in the context of the character of the area. This guidance does not cover sheltered accommodation and other specialised development, other than in general terms.

### 1 SPACE WITHIN THE DWELLING

Internal layouts and room sizes are usually a matter for the developer and the client. However, the Local Planning Authority views with concern applications for smaller house types and it is therefore expected that reasonable and functional living accommodation is provided. In this regard, developers may be required to demonstrate that the accommodation proposed performs the functions intended: for example, by the submission of furniture layouts. Particularly small rooms may be in contravention of housing legislation and the Local Planning Authority considers that it has a duty to inform developers of potential problems in this respect.

### 2 SPACE OUTSIDE THE DWELLING

#### i) Rear Garden:

The table below indicates the private rear amenity or garden area that the Local Planning Authority will be seeking for new properties. This area does not include garage space. Occasionally there may be cases where garden/amenity space can be provided at the side rather than at the rear of a property.

House Type	Min. Area	Min. Length
One/two bedroom terrace or semi- detached "starter home" with plot width of up to 4 metres.	40-44m <sup>2</sup> depending on plot width	11m
Two and three bedroom terraced, semi-detached or detached homes with plot width over 4 metres.	65m <sup>2</sup>	11m
Four bedroom or more homes.	80m <sup>2</sup>	11m
Five bedroom or more homes.	100m <sup>2</sup>	13m
Flats with private gardens or amenity areas.	30m <sup>2</sup> (per flat)	-
Flats with communal gardens or amenity areas.	30m <sup>2</sup> (per flat)	-

**Minimum standards for private rear amenity/ garden areas for new housing development.**

**ii) Distance between Dwellings:**

- minimum distance between front and rear facing windows to habitable rooms: **22 metres.**

- minimum distance between front/rear facing windows of one property and gable of another: **14 metres.**

- in the case of flats or properties where the main living room is at first floor level, or where a change in levels results in a similar situation, the minimum distance between front and rear facing windows to habitable rooms : 28 metres. This distance should be a minimum of 31 metres between 3 storey buildings.

### iii) Space at side of Dwellings

- minimum width of 1 metre on at least one side for access to the rear of front main entrance house types.
- minimum width of 1.5 metres for access to the side of main entrance house types.
- minimum shared access of 1.5 metres between facing gable walls of new houses.

It may be necessary to provide standards in excess of those normally required above in order to reduce the impact of such development.

## 3 TERRACED PROPERTIES

Terraced property should vary in size from 3 to 6 units per terrace to avoid visual monotony and should have convenient individual access to the rear of each property. Parking provision will depend upon layout, but will be in accordance with the provisions below.

## 4 VISUAL AMENITY

The term “visual amenities” relates to such matters as outlook, lack of over-shadowing, reasonable protection from overlooking, etc. Outlook can be defined as the immediate environment enjoyed by an individual property. New development on or adjacent to the boundary can affect outlook and development will only be permitted where it can be demonstrated that the privacy and visual amenities enjoyed by existing occupiers remains unaffected. The loss of a view is not normally a planning consideration.

## 5 SUNLIGHTING AND DAYLIGHTING

When considering new housing layouts, the Council will take into account the effect of future extensions in order that the Council’s 45 Degree Code is not prejudiced.

## 6 ACCESS AND PARKING

The Council’s car parking standards for new housing development are contained within the Council’s [Parking Standards Supplementary Planning Document](#).

## 7 LANDSCAPING

Landscaping is an integral part of most development proposals and therefore, where appropriate, applicants will be expected to discuss with Council Officers, landscaping requirements at the earliest opportunity prior to submission of detailed plans. A landscape evaluation will normally be required. This should include consideration of at least the following factors:-

- Prominence of site.
- Existing vegetation incorporating a tree survey.

- Topography.
- Site Surroundings.
- Nature Conservation-further detail is contained within the Council's Nature Conservation Supplementary Planning Document.

The landscape evaluation should then be analysed and developed into a design which will include consideration of at least the following factors:-

- Access.
- Circulation.
- Density of buildings.
- Land-Use.
- Nature Conservation.
- Safety.

In the case of a detailed planning application, planning permission will not normally be granted unless the application includes an acceptable landscaping scheme in accordance with the above principles.

## **8 SAFETY AND SECURITY**

New development will be required to consider the safety and design implications of the scheme in respect of those people who live there, who are visiting the site or members of the public in the vicinity of the site in line with Policy ENV3 'Design Quality' of the Black Country Strategy. Further guidance in relation to providing a design and layout which creates a safe and secure environment is available within the Council's [Design for Community Safety Supplementary Planning Guidance](#).

## **9 DRAINAGE AND SURFACE WATER**

In conjunction with the Environment Agency and the Water Authorities, the Council will seek to ensure that all development has satisfactory arrangements for foul sewage disposal and drainage.

## **10 PLANNING OBLIGATIONS**

There may be a requirement for developers proposing new housing development to enter into a legal agreement to provide infrastructure and/or services on or off the development site, through planning obligations. The Council's [Planning Obligations](#)



[Supplementary Planning Document](#) (SPD) sets out detailed guidance on the Council's requirements for planning obligations. The SPD contains an 'Obligations Grid' which sets out the types of obligations required for a range of developments.

## 11 OTHER CONSIDERATIONS

Although many of the qualitative aspects of new housing development are matters for developers to consider with a view to customers' requirements, the Local Authority has a role to play in protecting the existing environment where new development is proposed and in encouraging a high standard of design in new buildings.

The above guidelines are intended:

1. To ensure that the fundamental principles of good design are incorporated into new housing developments.
2. To ensure that the privacy and amenities of adjacent properties are protected.
3. To ensure that new developments are of good quality design, as well as being functional.

These standards are the minimum necessary to protect these basic principles.

There may be exceptional circumstances where minimum standards may be difficult to achieve but where it can be demonstrated that high quality design overcomes the performance aims of the minimum criteria, standards may be relaxed.

However, there may be instances where the minimum criteria have been met in full but the design of the functional performance of the layout is unsatisfactory; the fulfilment of the minimum standards will not take precedence over quality of design.

The Local Planning Authority view with concern applications involving proposals for small and narrow fronted house types. Where smaller dwellings are proposed, the Local Planning Authority will deal with such applications particularly critically, in respect of the external environment (garden/amenity space, parking, proximity to neighbouring property). Applicants will also be expected to show that the accommodation proposed will function successfully.

It may be appropriate to restrict permitted development rights in developments involving smaller dwellings because of the potential impact of uncontrolled extensions.

It is suggested that developers consider the following in an effort to achieve a satisfactory layout:

- (a) House designs which harmonise with one another and with existing development within the vicinity.
- (b) Suitable external facing/cladding materials.

- (c) The provision of fencing/walls. Normally where side or rear boundaries abut or adjoin the highway or public footpath, brick walls should be built or hedges planted to mark boundaries.
- (d) Hard and soft landscaping.
- (e) Topography of sites.
- (f) Use of varied building lines to add vitality and interest.

## Appendix B - Policy HOU2 of the Black Country Core Strategy

### Policy HOU2

#### HOUSING DENSITY, TYPE AND ACCESSIBILITY

The density and type of new housing provided on each site will be informed by:

The need for a range of types and sizes of accommodation to meet identified subregional and local needs;

The level of accessibility by sustainable transport to residential services, including any improvements to be secured through development;

The need to achieve high quality design and minimise amenity impacts, taking into account the characteristics and mix of uses in the area where the proposal is located.

Each authority will aim to provide an overall mix of house types over the plan period, tailored to best meet local and sub-regional needs.

Developments of 15 dwellings or more should provide a range of house types and sizes that will meet the accommodation needs of both existing and future residents, in line with information available from the Strategic Housing Market Assessment and Housing Needs Surveys and with reference to the targets above.

All developments will aim to achieve a minimum net density of 35 dwellings per hectare, except where higher densities would prejudice historic character and local distinctiveness as defined in Policy ENV2.

All site allocations made in Local Development Documents will indicate the density and house type mix to be sought. Detailed guidance on the application of this policy in local areas will be provided in Site Allocation Documents and Area Action Plans, and through individual local authority Supplementary Planning Documents.

Other relevant policies:

Black Country Core Strategy Policies

Policy ENV2 – Historic Character and Local Distinctiveness

Policy TRAN5 – Influencing the Demand for Travel and Travel Choices

Saved Unitary Development Plan Policies

Policy DD1 – Urban Design, establishes broad principles and requires development consciously to address the basic components of movement, public realm, adaptability, scale and enclosure, aesthetics, use of resources and mix of uses. It requires a design led approach in delivering appropriate density while protecting local distinctiveness.

Policy DD4 - Development in Residential Areas

## Appendix C - Context and Characteristics - Development Guidance

Area	CONTEXT AND CHARACTER				GENERAL DEVELOPMENT AND GUIDANCE			
	Distinguishing characteristics	BUILDING LINE	FRONTAGE TREATMENT	TYPICAL BUILDING	OPEN SPACE	FRONTAGE TREATMENT	HEIGHT	BUILDING LINE
Rural	agricultural and farmland	-	-	-		Green Belt Policy applies	Green Belt Policy applies	Green Belt Policy applies
Rural Fringe	predominantly single family residential properties within the landscape	varying front and side set back	Lawns Hedges	2 storey	parks, green belt and green wedges	Private. Gated large front garden	no higher than surrounding development	No development forward of Building Line
Suburban Outer	predominantly detached properties with a balance between buildings and landscape	shallow to medium set back	Lawns, fences, hedges, garages, set back	2 storey	parks landscaping	Semi private open-plan front gardens	no higher than surrounding development	existing Building Line to be retained.
Suburban Inner	predominantly semi-detached house types with some terraces and few civic activities	small setback buildings amended to street character with development with street section	Low wall small front area	2 storey	Parks, corner greens	Semi-private front garden, boundary wall or fence to 1m high	height maintained as surrounding area except corner development allow additional storey where appropriate	building to existing Building line
Edge of Centre	predominantly terraced houses with small villas,	building predominantly to back of footway	Front step or small paving area	2 and 3 storey	parks squares, avenues	Front elevation abuts onto edge of footway.	Height maintained except in main thoroughfare	Build to existing Building Line but discretion on Public

Area	CONTEXT AND CHARACTER				GENERAL DEVELOPMENT AND GUIDANCE			
	Distinguishing characteristics	BUILDING LINE	FRONTAGE TREATMENT	TYPICAL BUILDING	OPEN SPACE	FRONTAGE TREATMENT	HEIGHT	BUILDING LINE
	apartments and mixed access especially on PT route					Building marginally higher than footway	where additional storeys are allowed so long as the massing steps down to blend with adjacent property	Transport routes subject to relationship to PT stops
Town Centre	mixed use residential is predominantly apartments and terraced housing	continuous short wall of building to back edge of footway	frontage to street	2/3/4/5 storey	squares and urban public spaces	Public - front elevation onto the street. Building marginally higher than footway	unlimited subject to LP policies	Building line to be retained at back edge of footway
Public Transport Corridors	associated with main roads, local centres and mixed use developments	Back edge of footway	frontage to street	3/4 storey	urban public spaces	Public	height maintains local characteristics	building line to be retained at back edge of footway

**Table 2 Context and Characteristics - Development Guidance**



## Appendix D - Glossary

Accessibility	The ease with which people can move around an area and reach facilities.
Amenity Green Space	Small grassed areas typically within housing estates. Amenity green space provides opportunities for informal recreational activities close to home such as well-observed informal children's play, exercising dogs, and an area for walking and to relax. Amenity green space also enhances the visual appearance of residential areas and other parts of the urban environment. It consists of a publicly accessible, well maintained, closely mown natural turf area with reasonably level site land gradients within a part of the development site which is well overlooked with good levels of natural surveillance to improve personal safety. The new on-site amenity green space would need to be laid out and designed in accordance with the Council's Landscape Department guidelines.
Area Action Plan (AAP)	A type of Development Plan Document focused upon a specific location or an area subject to conservation or significant change.
Backland development	Development on land that lies to the rear of an existing property that often, but not in all cases, fronts a road.
Biodiversity	The variety of life on earth or in a specified region or area
Black Country Core Strategy	Spatial Plan for the Black Country, comprising the Boroughs of Dudley, Sandwell, Walsall and the City of Wolverhampton. The Core Strategy sets out a detailed spatial strategy and the policies needed for delivery across the Black Country.
Building Line	The line formed by the frontages of buildings along a street.
Character	The individual features or appearance that give an identity to an area or landscape

Conservation Area	An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance
Context	The physical and social setting of a site or area, including factors such as traffic, activities and land uses as well as landscape and built form.
Core Strategy	The over-arching strategic planning policy document which sets out the key elements of the planning framework for the Borough. Once adopted all other Local Development Documents must be in conformity with it.
Density	Number of dwellings per unit area of land, generally hectares
Design and Access Statement	A statement covering design concepts, principles and access issues that supports a planning application.
Development Strategy for the Dudley Borough	The emerging Development Plan Document (DPD) that will set out the strategic land-use allocations across the Borough and Development Management policies.
Development Plan Document (DPD)	Prepared by local planning authorities as part the Local Plan. They can include a core strategy, site specific allocations of land, area action plans (where needed) and other documents deemed necessary by the council to deliver the spatial strategy in a justified and effective manner.
Development pattern	The arrangement and size of buildings and their plots in a settlement.
Garden Grabbing	A term coined by the media to describe the activity of developers acquiring garden land and subsequently building several new homes on the plot.
Gateway	The design of a building, site or landscape to symbolise an entrance or arrival to a special district.
Green Infrastructure	A network of multi functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Habitable Room	A room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating and cooking, but not including bathrooms, water closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended periods.
Heritage Asset	A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include designated heritage assets and assets identified by the local planning authority during the process of decision making or through the plan-making process (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic Landscape Characterisation	A powerful tool that provides a framework for broadening our understanding of the whole landscape and contributes to decisions affecting tomorrow's landscape.
Inclusive design	Designing the built environment, including buildings and their surrounding spaces, to ensure that they can be accessed and used by everyone.
Landmarks	Buildings, structures and spaces which create distinct visual orientation points that provide a sense of location to the observer within the neighbourhood or district, such as that created by a significant natural feature or by an architectural form which is highly distinctive relative to its surrounding environment.
Landscape	The character and appearance of land, including its shape, form, ecology, natural features, colours and elements and the way these components combine. Landscape character can be expressed through landscape appraisal, and maps or plans. In towns 'townscape' describes the same concept.

Listed Building	A building or structure of special architectural or historic interest which is registered on a national list, and cannot be demolished or altered without government permission.
Local Plan	The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.
Local Development Scheme	The Local Planning Authority's time-scaled programme for the preparation of Local Development Documents that is reviewed annually
Local Distinctiveness	Local distinctiveness is the physical, environmental, economic or social factors that characterise an area (and most likely a combination of all four), as well as how an area interacts with others
Locally Listed Building	Locally important building valued for contribution to local scene or for local historical situations but not meriting listed building status.
Localism Act	The Act devolves more powers to councils and neighbourhoods and gives local communities greater control over local decisions like housing and planning.
Local Planning Authority	The Local Authority or Council that is empowered by law to exercise planning functions.
Local Transport Plan	A five-year integrated transport strategy, prepared by Local Authorities in partnership with the community, seeking funding to help provide local transport projects.
Massing	The combined effect of the height, bulk and silhouette of a building or group of buildings.
National Planning Policy Framework	Sets out the Government's planning policies for England and how these are expected to be applied.

Natural and semi natural green space	One of the typologies of Open Space, including woodlands, urban forestry, scrub, grasslands (e.g. downlands, commons and meadows), wetlands, open and running water, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits).
Natural surveillance	The ability of people to be seen from surrounding buildings or spaces.
Nature Conservation	The protection, preservation, management or enhancement and the improvement of understanding and appreciation of flora, fauna and geological and geomorphological features.
Permeability	The extent to which an environment allows people a choice of access routes through it from place to place.
Previously developed land (often referred to as Brownfield land)	<p>Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes:</p> <ul style="list-style-type: none"> <li>• land that is or has been occupied by agricultural or forestry buildings;</li> <li>• land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures;</li> <li>• land in built-up areas such as private residential gardens, parks, recreation grounds and allotments;</li> <li>• and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.</li> </ul>
Public Open Space (POS)	Any land laid out as public garden or used for the purposes of public recreation.

Public Realm	Urban Spaces to which the public predominantly have access.
Scale	The impression of a building, or parts of a building when seen in relation to its surroundings.
Secured By Design	Secured by Design is a police initiative to encourage the building industry to adopt crime prevention measures in the design of developments to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment. The Secured By Design principles can be found at:  <a href="http://www.securedbydesign.com/professionals/guides.aspx">http://www.securedbydesign.com/professionals/guides.aspx</a>
Statement of Community Involvement	The statement of community involvement sets out the standards which authorities must achieve in involving local communities in the preparation of local development documents and development management decisions.
Supplementary Planning Document	A Local Development Document that may cover a range of issues, thematic or site specific, and provide further detail of policies and proposals in a 'parent' Development Plan Document
Sustainable Development	Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
Tandem development	A form of backland development where a new dwelling is placed immediately behind an existing dwelling and served by the same vehicular access.
Unitary Development Plan (UDP)	An old-style development plan prepared by District, Borough and Unitary Authorities. The policies within UDPs are gradually being replaced by those within Local Development Frameworks
Vistas	A line of vision, contained by buildings of landscaping, to a building or other feature which terminates the view.



## Appendix E - Other Guidance and Good Practice

### *Urban Design Compendium (first published 2000)*

- 1 ***The [Urban Design Compendium](#) was published by English Partnerships in partnership with The Housing Corporation and examines the factors that make neighbourhoods stimulating and active places in which residents feel comfortable and safe. It aims to provide accessible advice to developers, funding agencies and partners on the achievement and assessment of the quality of urban design for the development and regeneration of urban areas.***
- 2 ***The advice relates to the need to consider local distinctiveness when determining density and states "developments driven by average densities and shaped by blanket standards.....stultify design and tend to produce lowest common- denominator blandness.....The recommended approach is design led, concentrating on sustainable urban quality"***

### **CABE – Key Advice on Design and Density**

- 3 The Commission for Architecture and the Built Environment, 'CABE' provides impartial expert and practical advice, on behalf of the Government.
- 4 *The [CABE Design Review](#) 2006 states that:*

"One of the keys to a successful project is to achieve an understanding of its physical context through an urban design analysis and a historic analysis; it is unwise to try to change a place without first understanding it." (Page 10)
- 5 *The 2003 CABE publication [The Value of Housing Design and Layout](#) also identifies the importance of the built form in contributing to a sense of local character:*

*'..there is a series of factors, including the built form, which creates a sense of place.'* (page 10)
- 6 This report also emphasises the critical importance of balancing good design with commercial considerations by encouraging developers to take a broader view of their activities.
- 7 The report also comments on the balance to be sought between density and local design quality.
- 8 ***'[Building in Context - New Development in Historic Areas](#)' was produced by both CABE and English Heritage in 2001. Its purpose is to stimulate a high standard of design when development takes place in historically sensitive contexts.***

***"the right approach is to be found in examining the context for any proposed development in great detail and relating the new building to its surroundings through an informed character appraisal" (page 5)***

- 9 ***The [Building in Context Toolkit](#) and [Guidance on Tall Buildings](#) both produced by CABE and English Heritage are also useful resources when establishing how a proposal can relate to its surroundings.***
- 10 ***'[Better Neighbourhoods: Making higher densities work](#)' 2005 - The report analyses key issues and the challenges associated with building at higher densities and shows how housing intensification can be part of creating better, more sustainable neighbourhoods, without prejudicing quality. It highlights that historic market towns and urban villages are often high density.***
- 11 ***[Design at Appeal](#) - Advice on dealing with design issues within planning appeals was issued by CABE in 2006. The guidance advocates that design is more than just aesthetics and states that design is about how places work, fit together, and the quality of life they support. The function of the development is also to be considered together with a clear response to the existing character of the area. It states that a Design and Access Statement should demonstrate a rigorous design approach. It further advocates the need for clear positive policies and the use of expert design advice.***
- 12 ***CABE has also issued guidance on the preparation of Design and Access Statements (CABE (June 2006) [Design and Access Statements - how to write, read and use them](#), which is referred to in more detail in Part 3 of this document.***
- 13 ***[Good Design: the fundamentals](#) issued by CABE in 2008 sets out why urban design is such an important asset and why good design can only be reached only if it has users in mind. The document highlighted that one of the key principles of well designed development is if "[they relate well to the place where they are built.](#)"***