

DCFW Press Release – No embargo

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The Design Commission for Wales champions high standards of architecture, landscape and urban design in Wales, by promoting wider understanding of the importance of good quality in the built environment, supporting skill building, encouraging social inclusion and sustainable development.

We believe that good architecture and high quality in our built environment is crucial to our quality of life.

Design Commission welcomes rejection of Abergavenny development but urges local planners to cooperate more effectively on any future plans

DCFW has welcomed the decision by developer Henry Boot not to appeal the refusal of planning for the proposed redevelopment of the Abergavenny cattle market. In light of the decision, the Commission now urges the Local Planning Authority and the main landowner Monmouthshire County Council, to fundamentally review its strategy for the redevelopment of this important site close to the heart of this historic market town.

Carole-Anne Davies, Chief Executive, Design Commission for Wales, said, “I am pleased this deeply flawed proposal will not now be built and the decision to refuse stands.

“If it were based on sound and sustainable design principles, this site has enormous potential for redevelopment. It has the potential to create a vibrant new quarter that will enhance the quality of life for existing residents of the town; create new opportunities for local business and provide much needed new homes.

“We ask the local authority to now take advantage of this opportunity to work with the developer to secure a first class mixed use scheme that meets good urban design standards and includes an appropriate retail element supported by appropriate transport and parking provision.”

According to the Design Commission, any new proposals for development should be based on well established urban design principles. These should include:

- A rich mix of uses including homes, workplaces, shops and cultural facilities

- A well conceived public realm offering clear, legible pedestrian and vehicle circulation well integrated with the existing network of streets and public spaces
- Buildings of a scale and character appropriate to their setting that incorporate best practice in low carbon, environmentally responsible design, meeting the requirements of policy in Wales.

Carole-Anne Davies, added, "I want to make it clear the Design Commission is not opposed in principle to the inclusion of supermarkets in town centre redevelopment proposals, but it cannot support proposals that are dominated by large retail sheds and extensive surface car parking. Such dominance was a major characteristic of the original proposal.

"The recent history of proposals for this site is highly unsatisfactory. The planning authority seems uninterested in realising the best long-term value from this site for the town and its community. To date there has been no evidence of a clear vision for the town's development and little appetite to engage in meaningful discussions with either the local community or the Commission.

"We hope Monmouthshire will not now engage in further protracted and closed discussions with a developer to produce a modified scheme which might be accepted, but only reluctantly, by the planning committee.

"This is a golden opportunity to start afresh. A positive first step would be to engage in a broad, open but expeditious process to establish a strategic vision for the site. The Design Commission would welcome the opportunity to play a key role in helping facilitating this."

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Notes for editors

Background to DCFW's involvement in the project:

The Abergavenny Cattle Market planning application seeks:
'Proposed Redevelopment Of Site To Accommodate The Following: Food Store, Library, 34 Residential Units, 2 X Non-food Retail Units, Cinema, Associated Landscaping, Car Parking and Public Art.'

At the meeting of the MDC Planning Committee on Tuesday 9th January 2007 at 2pm, planning permission was refused on the basis of five reasons for refusal proposed at the previous Planning Committee meeting of 12th December 2006.

The Design Commission for Wales (DCFW LTD) was established in 2002 by the Welsh Assembly Government (WAG) as the nation's champion for architecture, landscape and urban design. Its establishment and aims resulted from a wide Assembly consultation on how best to promote good design in Wales and was supported by environmental bodies, local government and business.

The Commission carries out a Design Review service through which it comments on schemes throughout Wales. Design review is the process whereby a development proposal is assessed by a multidisciplinary team of design built environment experts.

Through its design review process, DCFW acts as a non-statutory consultee within the planning system, commenting on projects throughout Wales. DCFW's comments can be treated as material considerations in the planning process by local planning authorities, other stakeholders and the National Assembly for Wales.

Design Review is delivered via monthly meetings of the Design Review Panel, a peripatetic group comprising some 26 design experts from a cross section of built environment professions drawn from Wales and England.

The Panel has its own co-chairs, both of whom are Commissioners of DCFW, and a Head of Design Review on the staff team dedicated to management and development of the service, herself an expert in sustainable construction, supported in turn by urban design and planning trained staff. At each review the Panel seeks to have architectural, urban design, landscape, transport, planning and sustainability expertise at its disposal, and other specialist skills as necessary.

This text outlines the history of DCFW's involvement in the Abergavenny Cattle Market planning application; catalogues its consistent concerns with the application through the Design Review process; and specifies why it believes the MCC Planning Committee decision should be upheld at appeal.

DCFW's comments in respect of the 'Reasons for Refusal' are made on the basis of the DCFW Design Review meetings (the reports for which are in Appendices), and national planning policy. In particular, reference is made to *Technical Advice Note 12: Design*, the Welsh Assembly Government's statutory obligation to design quality and the strategic foundation to the DCFW Design Review process (see Preamble).

2. DCFW's Involvement in the application

The Abergavenny Cattle Market planning application was reviewed by the DCFW Design Review Panel on four occasions between the first point of contact on 1st December 2003 and the LPA's refusal of permission on 9th January 2007. First, on 5th January 2004 as an emerging LPA brief; secondly as a post-outline planning permission application on 2nd September 2005; and thirdly and fourthly as a revised full planning application on 1st March 2006 and thence on 6th December 2006.

Detailed correspondence was exchanged between the LPA and the Commission expressing DCFW's desire to encourage greater dialogue with the authority. This correspondence details the Commission's disappointment with the LPA's approach to working with DCFW and is in direct response to correspondence from the LPA chief executive

Following the refusal of planning permission of this application on 9th January 2007 and the applicant's subsequent lodging of an appeal to HM Planning Inspectorate, DCFW advised MCC of its wish to be included as an independent witness in the inquiry.

3. DCFW Design Review

The four DCFW Design Review Panel meetings highlighted a number of consistent themes. Copies of the official reports are found in Appendices 3, 4, 5 and 6. Key points are summarised below. The panel has maintained a consistent position throughout the evolution of the scheme. The concerns expressed at the start remain unresolved.

Design Review 15th January 2004

On the 15th January 2004 DCFW's Design Review Panel considered the emerging brief and prospective land disposal for the Abergavenny Cattle Market.

The Design Review panel felt that the accompanying presentation fully explained the aspirations for the site. However, the panel proposed that:

- there should be greater quantity of residential provision; and that
- a dense and intricate development would best serve the town's regeneration objectives and restore more coherence to the north side of the town;

Design Review 2nd September 2004

Prior to the Design Review, outline planning permission was granted and a preferred developer selected.

The panel expressed a number of continuing concerns.

- The panel did not feel there was any evidence that a 'new urban square' had been created, as suggested by the presenting team
- The scheme was dominated by car parking and this was regrettable
- The panel strongly believed it was inappropriate to provide a public car park at ground level. With the housing on pilotis above the car park this failed to create both a positive residential environment, and a safe and attractive public realm.
- The Panel's greatest concern related to the proposed housing along the north side of Lion Street and the superfluous open space at the south western corner of the site

Design Review 1st March 2006

In light of the latest presentation there were now serious reservations regarding the scale, layout and design of the scheme. The proposed intensification of use on the site would place an even greater emphasis on the need for ingenious urban design, careful handling of the mix of uses and their scale, and the reduction in conflict between pedestrian and vehicular movement. The revised submission gave no indication of its appreciation of these matters nor of a coherent design approach that would enable such matters to be resolved.

Design Review 6th December 2006

The panel felt that none of the points raised at the previous design review had been resolved and it was the unanimous consensus of the panel that a complete re-design was needed on this site.

In summary the Panel report of 11th December 2006 provided a concise and specific list of concerns that the proposal had failed to address.

- There is no architectural coherence or consistency
- Lion Street remains devoid of active uses on its northern side
- The relocation of, or alternatives to, the basement parking have not been investigated

- The treatment of the northwest corner of the site, and the interface between pedestrian and traffic needs to be considered
- The north/south route should be strengthened and landscaped
- The design of the housing should be of a higher quality. In particular, DCFW expects to see reference to the Welsh Assembly Government's Sustainable Development Scheme and Action Plan

It has been the consistent opinion of DCFW that this proposal is counter to its understanding of good design as set out in a range of adopted policy guidance and articulated through the comments and discussion at the four Design Review sessions convened in relation to this planning application.

4. Reasons for Refusal

The MCC planning committee provided five 'Reasons for Refusal' in respect of this planning application, published on the 10th January 2007. In respect to those matters directly related to its responsibilities, DCFW supports and endorses the concerns expressed in those Refusal Reasons.

Reason for Refusal 1

The proposed development, by virtue of its poor layout and design will create a visually intrusive, and discordant element in the town centre, that fails to respect the character and appearance of the area, contrary to Policy ENV1 (b, e and f) and DES1 (b, c and e) of the Monmouthshire Unitary Development Plan

DCFW remains extremely concerned with the layout and design of the scheme, in particular relating to pedestrian circulation. As raised at both the March and December 2006 meetings, the panel considers that 'the reinforcement and attractive treatment of the north/south pedestrian route is fundamental. Detailed concerns will be set out in the evidence.

Reason for Refusal 2

The site is adjacent to the Abergavenny Conservation Area. The low quality design of the proposed development fails to respect the character and appearance of the Conservation Area, contrary to Policy DES1 (b, c, and e) of the Monmouthshire Unitary Development Plan, and fails to retain the abattoir buildings, contrary to Policy DES1 (g) which requires "the incorporation of existing features that are of historic value"

The DCfW Design Review Panel in its reports of March 2006 and again in December 2006 commented that 'Since the south side of the street is a conservation area, a more sympathetic architectural treatment is imperative'. DCFW continues to believe that 'a greater coherence in terms of architectural treatment is necessary'. The evidence will affirm the specific criteria which DCFW regard as essential.

At both the March and December 2006 meetings, the panel expressed concern over the loss of existing buildings. DCFW has seen no evidence of an acceptable alternative strategy that justifies the removal of these buildings, as required by policy and guidance.

Reason for Refusal 3

The proposed 30% of net retail floorspace devoted to non-food sales in the superstore will damage the viability and vitality of Abergavenny town centre contrary to policy S1 of the Monmouthshire Unitary Development Plan.

The proceedings of the DCFW Design Review Panel do not respond or make reference to this Reason for Refusal.

Reason for Refusal 4

The applicant has failed to show evidence that the proposal is acceptable in traffic impact terms and have not offered satisfaction proposals for mitigation measures. The proposal is therefore contrary to Policy ENV1 (e) and MV10 of the Monmouthshire Unitary Development Plan. In failing to provide bus stops linked to the development the proposals are contrary to Policy MV2 of the Monmouthshire Unitary Development Plan.

The DCFW Design Review Panel in its report of 9th March 2006 raised concern as to the possibility of congestion on the A40 as a result of the development. Although the developer intends to make financial contributions towards public transport, the Panel felt that 'the designs should show the bus stops and lay-bys'.

Reason for Refusal 5

The concept, form and design of the residential block, located in a Retail Park, is inappropriate. The low amenity design and setting adjoining the access ramps to the underground car park fails to provide adequate 'defensible space' or a safe, pleasant and hygienic environment for living. The overall design is of a poor standard which fails to meet the requirements of Policies ENV1 (b and f) and DES1 (a,b,e and g).

The DCFW evidence will refer to the Design Review Panel reports of March 2006 and December 2006, and in particular to concerns regarding restricted access to housing from the street and the unacceptable character of the development.

5. Grounds for Appeal

The Grounds of Appeal set out by the developer include a number of issues that fall within the concerns and responsibilities of the DCFW. These matters are dealt with briefly below.

Grounds for Appeal 1

The appeal proposal provides a new superstore to address an identified quantitative and qualitative need for improved food shopping facilities within Abergavenny Town Centre, specifically a new food store that will be capable of competing against existing large stores outside Abergavenny to claw back expenditure currently leaking out of the town, as well as two non-food retail units that address a quantitative and qualitative need for additional comparison good floorspace in Abergavenny, including demand for larger units expressed by both existing traders who wish to move to larger premises and new retailers not already present in the town. In terms of the sequential approach required by national and local planning policies, the appeal site is within the defined town centre. The planning officers and their retail consultants agreed that there is an identified need for the proposed retail floorspace and that overall the impact on the town centre would be positive.

DCFW does not in principle object to a retail development, provided that development is of the highest possible quality reflecting its context, and enables a good mixed use, accessible scheme

Grounds for Appeal 2

The design of the appeal scheme was finalised following close liaison with Council officers and the appellants consider it is acceptable both in general terms and in relation to the impact on the adjoining Conservation Area. The layout of the development was considered acceptable by planning officers

DCFW's expert design review panel consistently highlighted significant concerns with the layout of the scheme.

Grounds for Appeal 3

The development would be accessible by a choice of means of transport and in impact terms; that it would be beneficial to the vitality and viability of Abergavenny Town Centre and that planning permission should therefore be granted. This accords with the view of the Council's planning officer, who recommended to the planning committee that planning permission be granted subject to the conditions

It is the opinion of DCFW that pursuant with the concerns of the local planning authority the appellant has not provided sufficient evidence in determining the development links to sustainable transport. Furthermore, the quality of the development's pedestrian connectivity to the town centre has remained consistently poor in design terms since the first Design Review Panel meeting. Little effort has been made to address these concerns.

6. DCFW design concerns

DCFW has had a continued interest in the Abergavenny Cattle Market planning application. DCFW has consistently expressed its concerns with this development and through its Design Review Panel Meetings and Reports, has set out its deep reservations with the design and layout of the scheme and the failure of the appellant and the local authority to adequately respond to the panel's expert advice. DCFW has been disappointed by the approach taken by MCC, who have shown themselves reluctant to take up DCFW's repeated invitations for dialogue, through review, with them and the development team.

In summary, DCfW highlights the following key aspects of the proposal

- The scheme does not make a positive contribution to the town and its regeneration aims.
- The proposal fails to address its context in the historic market town of Abergavenny, in particular not resolving the important role and character of adjacent Lion Street.
- The proposal site function and integration of use remain unresolved and are compromised by the scale and location of parking.
- The architectural expression of the retail element of the scheme is incoherent, no effort has been made to reduce the impact of big-box retail

units adjacent to the conservation area which negatively impact upon the historic market town.

- The architectural quality and internal layouts of the proposed housing on Priory Lane was considered to be very poor and severely compromised the potential for desirable living accommodation
- The proposals do not adhere to national planning policy that seeks high quality, sustainable design. In particular, the scheme is not capable of meeting the Welsh Assembly Government's standards on sustainability, as defined in the MIPPS 01/2005 Planning for Renewable Energy.
- The quality of the key pedestrian route through the site is very poor and the central public space has not been resolved. As a result, the very real opportunity provided by the mix of uses to create a vibrant and vital place is lost.

Relevant Policy and Guidance:

1. Planning Policy Wales 2002
2. Technical Advice Notes (TAN) 12 and 4 .
3. Welsh Assembly Government MIPPS 02/2005 Planning for retailing and Town Centres
4. Welsh Assembly Government MIPPS 01/2005 Planning for Renewable Energy.
5. Welsh Assembly Government Sustainable Development Scheme and Action Plan
6. Manual for Streets 2007
7. By Design – Urban Design and the Planning System: Towards better Practice DETR/CABE May 2000 (as referenced in TAN 12)

General:

The Commission was established by the Welsh Assembly Government and charged with four strategic aims:

- To champion high standards of design and architecture to the public and private sector in Wales by promoting wider understanding of design issues and the importance of good standards in enhancing the built environment across all sectors.
- To promote design practice that is compatible with the National Assembly Sustainable Development Scheme, promoting best practice in energy efficiency, waste disposal and public transport.
- To promote design practice compatible with the highest standards in relation to equal opportunity and promoting social inclusion.
- Give due regard to promoting excellence in day to day developments, like housing estates and industrial units, as well as promoting excellence in prestige projects.

DCFW is concerned with the quality of the built environment in Wales.

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