

Agenda Item No:

Report to: Cabinet

Date of Meeting: 5 March 2012

Report Title: Ore Valley Urban Design Codes

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Borough Planning Officer

Purpose of Report

To outline the problems experienced with the operation of the Ore Valley Urban Design Codes, report on the public consultation undertaken between 23rd December 2011 and 3rd February 2012 and to recommend that the Codes are rescinded.

Recommendation(s)

- 1. That the Cabinet rescind the Ore Valley Hastings Millennium Community Urban Design Codes and that the document will no longer be used for development control purposes and as a basis for consideration of planning applications.**
- 2. That the green space within the Ore Valley Urban Design Codes area will continue to be protected by planning policies contained in the existing Local Plan and similar policies in the emerging Local Plan.**
- 3. That a review of the policies contained in the Ore Valley Urban Design Codes will be undertaken to determine the extent to which they should be incorporated in the policies of the new Development Management Plan.**

Reasons for Recommendations

It is considered that there is a strong case for withdrawing the Ore Valley Urban Design Codes for the reasons set out in this report

Introduction

1. In 2004 English Partnerships selected the Ore Valley Millennium Community as one of a small number of Urban Design Coding exercises. Design Coding was a Government initiative at the time, aimed at achieving a higher quality of development. English Partnerships saw the codes as a tool for achieving the excellence required in a Millennium Community development and appointed urban planning consultants, Urban Initiatives, to prepare a set of codes for the Ore Valley. Following public consultation, the Ore Valley Hastings Millennium Community Urban Design Codes (referred to as “the Codes”) were adopted by Cabinet at its April 2005 meeting, for development control purposes and as a basis for the consideration of planning applications within the Millennium Community area.
2. The area covered by the Codes extends in a north easterly direction through the Ore Valley from Parker Road/Hughenden Road in the south west to Malvern Way/Frederick Road in the north east. Five specific areas were proposed for development – the area around Ore Station, the former Stills and Power Station sites, Farley Bank area, the former Mount Pleasant Hospital site and housing association land at Pennine Rise/The Cheviots – together with the creation of an extensive parkland area at the bottom of the Valley. Work is nearing completion on a first phase of development at the eastern end of the site by Bellway Homes.
3. The Codes comprise a Regulatory Plan, a spatial plan which sets out the arrangement of streets and specifies land uses within the area, and a set of more detailed standards (the “Codes”) which developments are required to comply with. These include a large number of standards for areas such as density, height of buildings, plot widths, the interface between buildings, roofscapes, parking, street types and widths, public realm and materials.

The Design Codes in use

4. The Codes have been used as a basis for considering detailed planning applications at the eastern end of the site around Ore Station, at Farley Bank, at The Cheviots, Pennine Rise and most recently at the Ore Business Park. In every case it has proved difficult to secure close compliance with the Codes. There are a number of reasons for this.
5. The Codes were prepared at a time in 2004/5 when the property market was strong nationally and the Government was encouraging higher density levels in new developments in order to meet demand. Thus the Codes, particularly in the area around Ore Station, prescribed development of 3/4 storey apartment blocks rising to 6 storeys in key locations. By the time that Bellway Homes came forward with proposals to develop Phase 1A around the Station in 2009, the situation had radically altered. The housing market was in a depressed state following the credit crunch and there was considered to be an oversupply of smaller flatted apartments, possibly in part due to a significant slowdown of sales in the ‘buy to let’ market. The perception was that what little demand remained in the market was for larger family sized accommodation. Bellway therefore came forward with a scheme for predominantly two storey family housing at a greatly reduced density than prescribed in the Codes, 51 dwellings compared with the original 219 proposed.

The commercial element was also scaled back. There is little doubt that had the Planning Committee not agreed to this quite significant divergence from the Codes, it is unlikely that development would have got underway in the Ore Valley at all. The reduction in density also had the effect of reducing the impact of the scheme on neighbouring dwellings and local residents were generally in favour.

6. The Codes also contain a number of aims against which their success can be judged:

- **To ensure that development responds to place through codes that respond to local conditions** - It is apparent that in some cases the Codes did not take full account of the challenging contours in the Ore Valley and the cost of re-aligning and re-routing roads to comply with the Regulatory Plan. This has led, for example, to the deletion of a link between Parker Road and the new spine road. The discovery of underground services, not known about at the time of the preparation of the Codes, has also meant that some roads, including the main spine road, have had to be re-aligned.
- **Higher quality of development** - The Council continues to press developers to provide housing of the highest quality. There is no evidence that the application of the Codes has resulted in a higher quality of development. Indeed where as once the codes might have been regarded as setting a benchmark in terms of quality and sustainability, in many respects they have been overtaken by a general raising of standards in the construction sector. In particular, developers are now required to comply with stringent standards of energy efficiency in terms of the progressive tightening of the building regulations, and higher levels of scheme compliance with the Government's national Code for Sustainable Homes. This requires all new build homes to be zero carbon by 2016, and policies in the emerging Local Plan will support the best way for developers to achieve these standards.
- **Provide developers with greater certainty** - In reality the Codes have caused some confusion and difficulty in interpretation.
- **Speed up the planning process** - The protracted negotiations that have been required to seek compliance with the Codes have resulted in a longer time being taken to determine planning applications in the Ore Valley.
- **Allow development to take place on a large scale within a short time period** - In the event, mainly because of economic circumstances, development has progressed much more slowly than was envisaged when the codes were drawn up and these circumstances are not likely to change for a considerable period.

7. It would appear therefore that the Codes are now regarded as more of a barrier than a support to development in Ore Valley. In some respects the objectives for which they were implemented have been achieved, in other respects they have been overtaken by the passage of time. In one particular case a conflict between the Codes and the Local Plan also emerged. The Regulatory Plan identifies the Ore Business Park for redevelopment for housing purposes, which conflicts with the objective of Policy E4 of the Local Plan to safeguard employment land in Hastings.

8. It is considered that there is a strong case for withdrawing the Codes. With the formal ending of the Ore Valley Millennium Community designation, the original

justification for their imposition no longer exists. Economic circumstances have also changed dramatically since their preparation and this does bring into question their relevance in today's climate. The Codes are also out of date in that they refer to the need to meet EcoHomes "excellent" standards and do not reflect the latest more stringent planning and building control requirements for sustainable construction and energy conservation.

9. It is nevertheless important to continue to secure a good standard of development in the Ore Valley. This can be achieved in the short-term through the application of the built environment policies of the adopted Local Plan and the step-by-step tightening of the building regulations, and in the medium to longer-term through the new Local Plan (formerly the Local Development Framework). If necessary, specific policies for the Ore Valley can be incorporated in the new Development Management Plan. It is particularly important to continue to safeguard the open space areas.

Public consultation

10. Before a decision is made by Cabinet whether to withdraw the Codes, a public consultation exercise has been undertaken. This was for a six weeks period commenced on 23rd December 2011 until 3rd February 2012. The publicity included:
 - Letters were sent to key stakeholders
 - Letters were sent to all land and property owners within Ore Valley Millennium Community boundary
 - Site notices were put up around the Ore Valley Millennium Community area
 - The Local Plan , formerly Local Development Framework, newsletter providing details of the consultation and how to make comments/view documents was sent to 697 statutory consultees, councillors, residents, community groups/organisations, businesses etc
 - The Council's website included references to the public consultation under Corporate consultation pages and front page.
 - The Planning News section of the Council's website included a section on the public consultation.
 - A press advertisement was placed in the Hastings Observer on 23 December 2011
 - The Shaping Hastings Facebook and Twitter pages were updated and links to the consultation material were provided.
 - Copies of the Ore Valley Urban Design Codes document were made available for reference at the Hastings Information Centre, Planning Reception at Aquila House and the Central Library in Hastings Town Centre.
 - Responses to the Consultation Received
11. 10 written responses have been received to the public consultation and they are summarised in Appendix 1. One respondent was concerned about the need to obtain coverage in the local press in order to gauge public opinion. A press

advertisement was placed in the Hastings Observer and as itemised earlier in this report a range of other publicity was undertaken to raise awareness of the matter.

12. Six representations expressed support for the proposed rescinding of the Codes, one was from the Ore Valley Forum Planning Group, a local residents group, and one representing the Hastings Greenway Partnership and Ore Valley Community Land Trust. Four were in favour due to the likely reduction in density. One considered it a pity that some of the energy savings aspects will have to be lost. However the increased building regulation standards for energy saving will mean that new development will produce more efficient homes to live in.
13. Town & Country Planning Solutions, agents acting for the Park Lane Group, consider that although the Design Codes “provide mandatory design requirements” they do not form part of the statutory Development Plan and the weight that should be attached to them in determining a planning application within the area affected, is far from clear. It is noted that there are very few, if any, examples where the Design Codes have been adhered to in their entirety in determining various planning applications affected by them. The Codes have little regard to the topography and land characteristics that can affect development proposals to an extent that potential development and redevelopment schemes are unlikely to be viable if the Codes were to be fully enforced. The Codes are considered to be prescriptive in terms of housing density and fail to take account of the current depressed housing market for high-rise and other apartment accommodation. The “Environment Performance Standards” are not only unduly onerous but also, there are no reasons why development and redevelopment elsewhere in the Ore Valley should be treated any differently to elsewhere in the Borough. The Codes have the potential to delay, stall and frustrate investment in delivering high quality and sustainable development needed to help rejuvenate and regenerate the urban fabric within the Ore Valley. There are also no sound reasons why the saved planning policies of the adopted Local Plan should not continue to inform development control decisions until they are replaced by adopted policies contained in Development Plan Documents of the Local Development Framework. Town & Country Solutions conclude that as there is no public benefit in continuing with the Urban Design Codes, they should therefore be withdrawn.
14. The Forum are in favour of deleting the Codes provided that the protection of the Ore Valley Park Land is maintained as defined in the design codes. They wish to see this area re-designated from a Site of Nature Conservation Importance (SNCI) to a Nature Reserve, and believe this gives it more status and a higher level of protection, which will be lost when the design Codes go. The possibility of designating a Local Nature Reserve can be investigated, however in planning terms the designation as a Nature Reserve conveys no more protection and status than an SNCI. The SNCI indicates the site is of Countywide importance and is protected through policy contained in the Local Plan. The level of protection in planning terms has remained the same before, during or after the Codes. The SNCI designation would remain whether or not the area is also designated as a Local Nature Reserve. The Forum also wish to see the Ore Business Park “re-zoned back to Employment land in the local plan”. The Ore Business Park was never zoned or allocated as Employment land in the Local Plan. The area is not allocated for any use although policy E4 (Retaining Employment Uses) in the Local Plan applies which seeks to retain existing business premises unless evidence is submitted that the premises are no longer viable or have an unacceptable impact

on the amenities of neighbouring residents or when the character of the area has changed over time such that industrial/employment uses would be detrimental in that location. The Forum consider that the housing numbers for the master plan would therefore no longer apply thus allowing for lower densities and lower property levels in the new development, meaning houses instead of apartments /flats.

15. One of the respondents stated that the proposed development was intended to be carried out over 3 years but this has not happened. The area needs mixed and balanced communities of good design and quality plus energy conservation and sustainable construction. The Ore Valley Parkland should be retained and enhanced. The Greenway including pedestrian and cycle routes should also be retained along with the landscape strategy which covers green areas, children's and youth provision. The opportunity should be taken to master plan the area for the following: the routes of the connecting roads, bus routes, retaining 20 mph speed limits, allocating an area for employment purposes, include provision for a doctors' surgery and local shops, ensuring the availability of school provision and services for the new homes. The Design Codes should be withdrawn and replaced with a Master Plan following consultation with local people.
16. One respondent wished to clarify the evidence for rescinding the codes and the person was directed to the information provided on the Council's website. One respondent had difficulty accessing the documents but a link was provide in an email response to the documents on the website. That person also queried a number of detailed matters including:
 - whether the intention is to withdraw the regulatory plan which it is;
 - concern about the possible loss of proposals for a transport interchange at Ore Station along with a high quality public square and proposed public space and village green and road hierarchy/network at Ore Valley North.
17. The respondent saw these as an essential element to ensure a quality living environment is developed and not just new houses and that this does not become another average quality housing estate without consideration for transport or the community that will live there. The respondent then stated that the codes need to be updated in respect of the types of homes and density needed and how the positioning of streets and homes relate to the contours of the valley. The respondent considers that having the codes in place is more desirable than withdrawing them and most important is to retain proposals for open space and pedestrian and cycle routes and Greenway. Roads to meet the needs of public transport must also be retained within any plan as well as public spaces, station square with mixed use proposals and rail and bus interchange.
18. At Ore Valley North the respondent considers the "Village Green" proposed is also an essential feature for the community as a neighbourhood focus. The connecting roads would benefit from a reappraisal because the respondent considered then to be a "dog's breakfast". The respondent then focused on the need for the retention of some aspects of the codes to guide and enforce the quality of buildings. These included such matters as locations of landmark buildings, speed limits on roads, traffic calming, cycle and vehicle parking standards, street trees, street lighting, play provision, village green design and location, parkland/open space specifications, paths on open space, public art, drainage control, energy and

insulation standards, water efficiency, surface designs and quality defined, private space and balconies on blocks provided.

19. A representation from Hastings Greenway Partnership and Ore Valley Community Land Trust supported the withdrawal of the Codes for a range of reasons: difficult to enforce, were diluted or ignored, have been superseded, failed to respond to site context and have not proved supportive in developing design innovation and excellence. The representative then goes on to support the idea of replacement design codes for Ore Valley as an integrated part of a local neighbourhood plan (community plan) for a range of reasons: best codes might be more robust if within a neighbourhood plan, existing assets (Speckled Wood and other vulnerable green spaces) have great regeneration and amenity potential and would be less under pressure from new development.
20. A representation from the Old Hastings Preservation Society (OHPS) (Planning) expressed serious concerns about the proposed withdrawal of the Design Codes because they were meant not only to improve on the general layout and spacing of housing units but also the streetscape, open space and landscaping and including a list of standards set out in the document. OHPS consider it would be a retrograde step to withdraw the Codes and with it a commitment to improving both the housing stock and the lifestyle amenity of residents who will eventually live in it.
21. The existing Local Plan contains specific policies for the area which include a local park, amenity footpath, protection of nature conservation areas, a wildlife corridor as well as proposed sites allocated for housing and mixed uses and a policy to encourage improved facilities at and in the vicinity of Ore Station. Similar policies can be included in the Development Management Plan which will take over from the current Local Plan in terms of detailed site allocations and development management policies. Phase 1A of the Ore Valley development has created a road and pedestrian footway access to the Station with a drop off and pick up area and some parking and a general store next to the station will provide a local retail facility for local residents and users of the station.

Conclusion

22. It is therefore recommended that the Ore Valley, Hastings Millennium Community Urban Design Codes policy document be rescinded and no longer be used for development control purposes and as a basis for the consideration of planning applications within the Millennium Community area. However the green space will continue to be protected by planning policies contained in the existing Local Plan and similar policies in the emerging Local Plan. It is accepted that a review of the policies contained in the Ore Valley Urban Design Codes will be undertaken to determine the extent to which they should be incorporated in the policies of the new Development Management Plan

Financial Implications

23. There are no financial implications for the Council, apart from the cost of advertising already encountered.

Wards Affected

Baird, Tressell

Area(s) Affected

East Hastings

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	Yes
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

Background Information

Ore Valley, Hastings Millennium Community Urban Design Codes adopted April 2005

Appendix 1 - Written Responses Received

Officer to Contact

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Appendix 1

Ore Valley, Hastings Millennium Community Urban Design Codes - Public Consultation on proposed rescinding of the Codes (23 December 2011 to 3rd February 2012)

Written Responses Received

1. Resident. It would be appropriate to give these proposals coverage in the local press – few seem to be aware of these proposals. It is impossible to gauge public opinion if the majority are not aware of these proposals. The closing date for comments is not far off so it is imperative that the planning department rectify this unsatisfactory situation. The Ore scheme affects everyone who lives in this town but few seem aware of the current situation.
2. County Councillor and Resident. Anything that reduces the density of development has to be for the good so I am in principal in favour of this change. It is a pity that some of the energy saving aspects will have to be lost, I would have thought that this would be good selling point “keep your fuel bills down”.
3. Resident. I believe the codes should be withdrawn. I am a new resident in Ore Valley Road. This road is effectively a no through road that risks being overcrowded if the proposed density of 3 to 6 storey buildings are built in the vicinity of the station area. The area is appealing at present but will deteriorate if overcrowded. There is no demand for over density which is likely to remain empty.
4. Resident. It was somewhat surprised to see your notice in last weeks (23/12/11) Observer asking for views on dropping the Ore Valley Design Codes (perhaps it is a “good time to bury bad news”), but even more aghast to look at the website to find no factual evidence whatsoever for ditching the codes. Before I comment in full I must ask if you have credible evidence to present or if your case is purely conjectural? **In second communication from the same respondent the person goes on to add the following.** Design Codes (dumping design codes in Ore Valley consultation) are definitely **not** the sole solution to our problem. I say our problem because achieving higher design quality in the built environment is a problem for all of us if we want Hastings to be a better, more desirable place. That was surely the objective SEEDA set out to meet when the codes were put in place. But was there ever a genuine commitment to the use of codes and an understanding of how they might be applied in Hastings? I am not an expert in Design Codes but I do know quite a lot about design and what it takes to get it right and wrong. Hastings has suffered from several of my learning curve mistakes (clients and planners have usually not helped either!) and I have designed both private and public, large and small scale housing; it is definitely the most difficult building design to get right. So, when I heard there were to be Codes in Hastings, I went through this unfamiliar methodology very closely and submitted comments. These included the very obvious ‘the street pattern is wrong’ (not permeable enough), to ‘the topography has not been dealt with’ (steep slopes require particular design solutions). I concluded that whoever had written the codes either did not know much about Hastings or was being limited

in how prescriptive the codes should be; not necessarily a bad thing if the eventual design is properly reviewed (what went right, what went wrong, what should we do next time?). There was no response to my comments and, of course, you have to have faith that whoever is editing comments for report to the decision makers actually understands the points being made? I am not therefore surprised to find that the codes have 'failed'. But the consultation on that failure stated that there had been a 'review' which my enquiry to the planners of 29/12/11 asked for i.e so that I could see the evidence. The reply I had from Tim Cookson made it clear that there was no factual evidence but rather just the 'experience of planning officers'. I very much doubt that HBC planners have even had any previous experience of applying codes (see below) but Mr Cookson then went on to justify dumping the codes by stating that they did not meet 'building control requirement for construction and energy conservation', clearly a nonsense as the regs would still have to be met, codes or not. He went on to make the perverse argument that since '...the development now completed ...has been constructed in an entirely different form to that prescribed ...provides clear evidence as to their ineffectiveness...' I simply could not argue with that sort of logic so gave up. No doubt there goes much other non-participative consultation; not that you want agreement so much as knowing the message is understood and conveyed! However, on the eve of the consultation end date I did make a comment on line in the final desperate hope that one of the new and more informed planners might read and understand it, and asked for a copy to be sent back to me so that there was an audit trail. I never received that copy so can only conclude that your comments box has a word limit. I will try and reiterate my case. Firstly, the consultation states that the codes will be dropped and replaced by design policies already in the local planso not to worry then! Quite clearly, existing policies have failed to deliver higher quality housing in Hastings or why put the codes in place originally? Another piece of reverse logic. This is an argument for the codes to be kept even if not working as well as they should until we have something better in their place. The fact that design codes have been shown to work in other places ought to gravitate towards modifying the codes rather than dumping them i.e there is a real review so that we all learn and do it better next time rather than just give up! Proper review is always a sign of good management. From Planning Article of 15/7/11: *'The Council Leader recognises the value of good design and wanted us to push that agenda and be more aggressive....getting developers to spend additional money on good design is notoriously difficult, especially in less affluent areas as long as the Council sticks to its guns and makes sure that developers know what standard of design they need to win planning permission, they will normally go back to the drawing board...'* From Planning Article of 12/8/11: *'....talks about twisting the arms of developers in the early days but...developers are now engaging and wanting to be part of it....we have modified the code to reflect how the world has changed.'* (A reason HBC planners give for dumping the codes). And... *"A lot of the things that were embryonic at the time we created the code are now mainstream."* Of course, I would not expect Councillors to read Planning magazine or even to visit places like Upton or even Poundbury, but surely the planners must? And from an article in the RIBA journal on codes: "Quality establishes a reputation and the committee as well as planners expect it now." So, codes are not a panacea, but before they are swept dismissively under the metaphorical carpet of 'they didn't work, times have changed' we surely owe it to Hastings to keep them until they are revised or we have better design policies

and better understanding of design in place. In the project management holy trinity of cost, time and quality it is cost and its benefits which really need to form part of the debate or developers will go on saying that it can't be done. Ultimately, Hastings must stop accepting poor development out of desperation for any development and start to say: 'Sorry Mr Developer it is not good enough for Hastings but we will support you in finding an acceptable solution'.

5. Resident. This week it seems that the Hastings Tourist Information Centre has at last received the promised copy of the Ore Valley Millennium Design Codes for the public to inspect and only a week or so before the end of the consultation period. It seems that the Hastings Public Library does not have the documents referred and did not seem to be aware of ever having these documents. I understand that HBC Planners are considering whether to withdraw the "Ore Valley Millennium Design Codes". I tracked down the supporting information at Aquila House where the HBC planners reasons are offered. Can you clarify to me whether it is the intention to also withdraw the regulatory plan that indicates the locations for the new neighbourhood area and transport interchange at Ore Station along with the high quality public square? Also at Ore Valley North proposals for public space and "village green" and the indicated network and hierarchy of roads are an essential element to ensure that a quality living environment is developed and not just new houses. What measures will be put in place to ensure that the developments that were to be a Millennium Community does not become another average quality housing estate without consideration for transport or the community that will live there? If the regulatory plan is also withdrawn, what are the proposals to ensure the essential infrastructure is provided at the correct locations? **In second communication from the same respondent the person goes on to add the following.** When the Design Codes for the Ore Valley were approved in 2003/4 it was a welcome indication that the HBC Planning Authority would begin to plan for the types of buildings to be built in their area rather than to just react to proposals presented by developers who might have an interest to ensure maximum profit rather than to deliver properly planned communities with essential open spaces, well designed street-scape and the infrastructure for good quality transport provision. After the launch of the "String of Pearls" and "Millennium Communities" with all the advantages recorded in About magazine April 2003 "Pearl Dream is a Gem" where the Leader said "developments are likely to be so innovative that they can adapt to peoples changing circumstances." There was real hope that improvement to the existing homes in the area could be made. Since then seems that Millennium Communities, String of Pearl Metros etc have all been quietly abandoned as well as reduced rail services to Ore. The Ore Valley Urban Design Codes are the last remaining tool that might help deliver the homes and environment that communities need in this area. It was well known that many of the problems of the existing houses in the Ore Valley such as at Malvern Way where as a result of budget homes being erected on "challenging contours" where lots of steps walls and other changes of level were incorporated into the area. It is disappointing to hear that EDAW and the HBC officer responsible failed to identify during the testing process the failings mentioned with consideration of contours and that there were problems with the Design Codes or Regulatory Plan as approved and may be an indication that the use of consultants does not guarantee proposals that are fit for purpose. It was a

failing of the person in charge of planning in Hastings at that time that the documents produced did not meet all the challenges of the area when the Planners in 2011 write: “The codes have also failed to achieve some of their own aims and objectives such as : Taking full account of the challenging contours in the Ore Valley, resulting in difficulties in street and housing layouts” Certain issues may have changed over the last decade the contours of the Ore Valley have not. There seems to be evidence that the codes in 2012 need to be updated in respect the types of home & density needed and how the positioning of streets and homes relate the contours of the valley especially as house builders have in the past failed to achieve a suitable solution to houses on hills. Having the Ore Valley Urban Design Codes in place is more desirable than withdrawing them with phrases like throwing the baby out with the bathwater being appropriate. Most important is to retain proposals for open space and pedestrian and cycle routes & Greenway. Roads to meet the needs of public transport must also be retained within any plan as well as the public spaces, station square with mixed use proposals and rail & bus interchange. At Ore Valley North the “Village Green” proposed is also an essential feature for the community as a neighbourhood focus. The connecting roads detailed in the Regulatory Plan were a “dogs breakfast” solution that adopted a make do and mend solution to the existing highways that seems to have been conceived on a drawing board than a site visit and would benefit from a reappraisal but without some form of regulatory plan developers in Hastings are unlikely to meet the public needs without being given direction. It is the Planners that could achieve this if they have the tools in the form of the Codes & Plan. Turning to the codes it is clear that most house developers would rather switch on their CAD and print out some house designs suitable for anywhere without consideration for where they are to be built, if there is to be any control on what gets built some description/prescription of the expected built form with design objectives must be retained. Below I have listed some of the aspects of the Ore Design Codes that have not been affected by time and should be retained to guide and enforce the quality of buildings that residents should be receiving from the house builders to abide by codes and decide to withdraw the codes we will all be sure of getting homes that are just “good enough for Hastings” The following aspects and others of Ore Valley Design Codes and Regulatory Plan should be retained: Locations of the Landmark Buildings; Speed limits on roads; Traffic calming; Street types; On Street and off street parking; Shared space provision on roads within hierarchy; Street trees; Street lighting; Children’s play Provision Location LEAP & LAP; Design and location of the “Village Green”; Ore Valley Parkland – quality of furniture, surfaces etc.; Paths in the open space; Public art; Surface run off control of rain water; Cycle parking in public places; Cycle parking in homes – undercover & secure; Thermal efficiency of homes; Noise insulation of homes; Use of PVC Windows controlled; Services access (Gas, Telephone, Electric) designed location at access points; Energy Efficiency above standards; Water efficiency above standards; Locations for waste stores – Residual & recycleable in all homes; Private space & balconies on blocks provided; Design palette for open spaces – quality – seats, bins, bollards etc.; and Surfaces design & quality defined.

6. Ore Valley Forum Planning Group. The Forum are happy to see the Design Codes scrapped as long as the protection of the “Ore Valley Park Land” is maintained as defined in the design codes. We wish this area to be re-

designated from a Site of Nature Conservation Importance to a Nature Reserve, thus giving it more status and a higher level of protection, which will be lost when the design Codes go. See Codes LAN 1-3 which deal with this open space. With the Design Codes being scrapped – we wish to see the Ore Business Park re-zoned back to Employment land in the local plan. – the housing numbers for the master plan would therefore no longer apply thus allowing for lower densities and lower property levels in the new development, meaning instead of 3/4/5/6 storey apartments and flats.

7. Town & Country Planning Solutions agents to Park Lane Group. The Park Lane Group who are a major investor in housing provision within Hastings are supportive of the Council's intention to review the need for and potentially withdraw the "Urban Design Codes" (the Design Codes). As you are aware, the Codes were derived as a result of the former Government's Millennium Committee Programme launched some 15 years ago in 1997. In view of the Council's emerging Proposed Core Strategy Development Plan Document which is due to be published later this year, it is timely to consider whether there is a need to continue with the Design Codes. At present, although the Design Codes "provide mandatory design requirements" (Section 1.2), they do not form part of the statutory Development Plan and the weight that should be attached to them in determining a planning application within the area affected, is far from clear. Indeed, it is noted that there are very few (if any) examples where the Design Codes have been adhered to in their entirety in determining various planning applications affected by them. The Design Codes were the subject of only limited public consultation during exhibitions in November 2003 and November 2004 and they have not been the subject of rigorous testing in the form of a Public Inquiry or Examination. The public consultation procedure was also less than that which would inform the adoption of the Design Codes even as an informal planning policy document. The Codes have little regard to the topography and land characteristics that can affect development proposals to an extent that potential development and redevelopment schemes are unlikely to be viable if full implement with the Codes were to be enforced. In particular, The Codes are prescriptive in terms of housing density and fail to take account of the current depressed housing market for high-rise and other apartment accommodation. Furthermore, the "Environment Performance Standards " set out in Appendix 2 are not only unduly onerous but also, there are no reasons why development and redevelopment elsewhere in the Ore Valley should be treated any differently to other development elsewhere in the Borough when determining planning applications. In short, the Codes have the potential to delay, stall and frustrate investment in delivering high quality and sustainable development needed to help rejuvenate and regenerate the urban fabric within the Ore Valley. There are also no sound reasons why the saved planning policies of the adopted Hastings Local Plan 2004 should not continue to inform development control decisions until they are replaced by adopted policies contained in Development Plan Documents of the Local Development Framework. As there is no public benefit in continuing with the Urban Design Codes, they should therefore be withdrawn.
8. Resident. The site was Compulsorily purchased by Sea Space and an outline planning permission was given. Sea Space told the Inspector that the dwellings would be completed in 3 years. The outline planning permission has been superseded and the time limit not achieved. 3/4 storey apartment blocks rising to

6 storeys in the Codes is totally rejected and confirmed by events. When the Parker Road area is mainly family housing with gardens and two storeys and sensible densities. The area need mixed and balanced communities of good design and quality plus energy conservation and sustainable construction. The sites remain as pages 7 of 16 design code and Ore Valley Parkland (copy of page 7 of the Urban Design Codes document attached to letter) to be retained and enhanced. The 20 mph speed limit to be retained. The landscape strategy on pages 26 – 27 of the Codes should be retained. Covering green areas, children's and youth provision. The Ore Valley Parkland area to include the "Greenway" from Parker Road to Frederick Road and via Speckled Wood to the Hastings Academy. The Greenway includes pedestrian and cycle routes. The opportunity should be taken to Master Plan the area for the following: 1) The routes of the connecting roads (? "the road to nowhere") plus bus routes! 2) An area should be made for land for employment purposes (Ore Business Park was given full planning permission for houses). 3) Landscape areas and the Greenway. 4) The provision of a Doctors Surgery and local shops. 5) The availability of schools and services for the new homes. The Design Codes should be withdrawn, a Master Plan provided and consulted with Local People.

9. Old Hastings Preservation Society (OHPS) – (Planning). OHPS would like to register its serious concerns that the Urban Design Codes that were developed to accompany the Millennium Community Housing Development at Ore are to be withdrawn. We have been informed by a member that there is or was a public consultation document but we have been unable to locate it so far. The Design Codes were meant not only to improve on the general layout and spacing of housing units but also the streetscape, open space and landscaping and including the following: Speed limits on roads; Traffic calming; Street types; On street and off street parking; Shared space provision; Street lighting; Children's play provision; Village green; Public art; Cycle parking in public places; Cycle parking in homes – undercover & secure; Thermal efficiency of homes; Noise insulation of homes; Controlled use of PVC windows; Energy efficiency standards; Water efficiency standards; Locations for waste store – waste and recycling – in all homes; Private space and balconies provision on blocks; Design palette for open space – quality seats, bins, bollards etc.; and Utilities (Gas, Telephone, Electric) – designed location. It would be a retrograde step to withdraw the Codes and with it a commitment to improving both the housing stock and the lifestyle amenity of residents who will eventually live in it.
10. Hastings Greenway Partnership & Ore Valley Community Land Trust. I support the withdrawal of the existing Design codes in Ore Valley for the following reasons: Codes proved difficult to enforce (poor compliance, hence CAGE'S recent critical Design Review in Ore Valley); Codes should mean higher quality (but has been diluted or ignored); Codes have been superseded by new standards (energy & construction); Codes have failed to respond to site context (local topography and existing greenspace are ignored); and existing design codes have not proved supportive in developing design innovation and excellence (the original; objective). I support the idea of replacement design codes (for Ore Valley) as an integral part of local neighbourhood plan (community plan) for the following reasons: Economic constraints should mean good design (including design codes are abandoned); The best design codes might be more robust if set in the contextual framework of a neighbourhood plan;

A local perspective should mean existing assets (say Speckled Wood and other local vulnerable Greenspaces) are considered an asset with great regeneration and amenity potential; New infrastructural initiatives like the Greenway Project if given the protection of a Neighbourhood Design Code might be less vulnerable to the pressures for new development; and Localism may offer the best context in which to interpret the original objectives for design codes.