

3.0 Planning Policy Context

PLANNING POLICY CONTEXT

- 3.1 This Brief has been prepared in the context of national, regional and local planning policy guidance. Section 54A of the Town and Country Planning Act 1990 states that any determination made under the Planning Acts should be in accordance with the development plan unless material considerations indicate otherwise. Therefore, the status of the development plan is the primary consideration in the decision-making process. Relevant documents include the adopted Bournemouth, Dorset and Poole Structure Plan (July 2000), the adopted Christchurch Borough Local Plan (March 2001) and the approved Local Transport Plan 2001—06. This Brief, together with the Borough-wide Character Assessment and Town Centre Strategy form supplementary guidance to the development plan and in consequence are material in determining future development proposals for the site. Given the sensitivity of the site and surrounding area and the unique opportunities available, relevant good practice guidance in respect of design (as set out in more detail at Section 5) should also be applied in working up development proposals.
- 3.2 Landowners and prospective developers will need to fully acquaint themselves with the relevant planning policy documents pertaining to the site and its relationship to the town centre on the edge of the Conservation Area. We also recommend that landowners and prospective developers should discuss any proposals with the planning authority at an early stage in order to ensure that any emerging proposals are prepared in the context of relevant planning policies.
- 3.3 The remainder of this section provides an overview of policy guidance relevant to considering development proposals on the former Magistrates Court site.

NATIONAL POLICY GUIDANCE

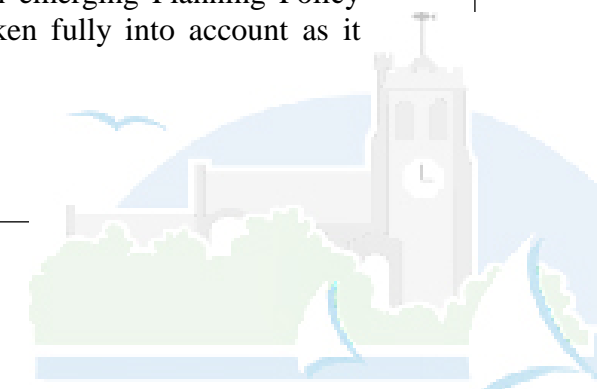
- 3.4 National guidance is contained in Planning Policy Guidance Notes (PPG's) and emerging Planning Policy Statements which cover a range of issues that must be taken into account when preparing development plans. PPGs also form a material consideration in determining planning applications. The key issues that need to be taken into account when preparing development proposals for the site

include:

- *PPG1, "General Policies and Principles" (February 1997)* - The three key planning principles identified by the Government in PPG1, which provide the framework for new development, are sustainable development, promoting mixed uses and achieving good quality design. PPG1 states that the key role of the planning system is to enable the provision of homes, buildings, investment and jobs, in a way that is consistent with the principles of sustainable development. The sustainable development framework should encourage the efficient use of land and shape new development in a way that minimises the need to travel. New development must also take account of the need to conserve both the cultural heritage and natural resources of areas. PPG1 also promotes good design, such that new development is in accordance with the scale and character of its surroundings, to help ensure public acceptance. The recognition within the Guidance Note of the fact that design is a material consideration in determining planning applications is of key importance given the sensitivity of the site and development proposals must be formulated taking full account of this;
- *PPG3, "Housing" (March 2000)* - Stresses the importance of realising the potential for reusing urban land and recognises the need for local authorities to negotiate for the inclusion of affordable housing in major new developments.
- *PPG6, "Town Centres and Retail Development" (June 1996)* - The guidance note seeks to safeguard town and city centres as the focus for new investment. Any proposals for shopping and/or other town centre uses on edge or out-of-town centre locations have to demonstrate a qualitative and quantitative "need" for that development, that there are no sequentially preferable town centre sites, and that new development will not undermine the vitality and viability of the centre as a whole.
- *PPG13, "Transport" (March 2001)* - Seeks to integrate planning and transport at the national,

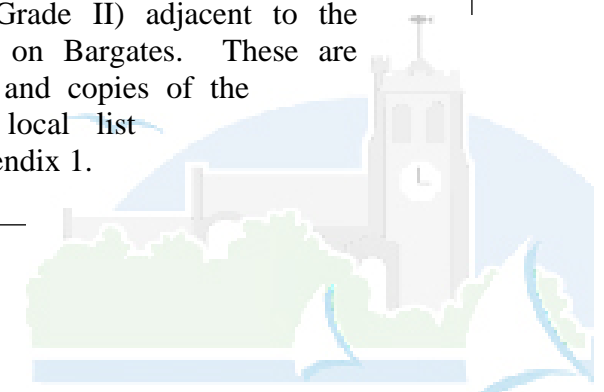
regional, strategic and local level. The overriding objective is to promote sustainable transport choices for jobs, shopping, leisure facilities and services and to discourage the use of the private car, in favour of public transport, cycling and walking.

- *PPG15, "Planning and the Historic Environment" (September 1994)* - Provides a full statement of policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment. The guidance notes that the planning system is an important instrument for protecting and enhancing the environment and preserving the built and natural heritage and that its objective should be to reconcile the need for economic growth with the need to protect the natural and historic environment, whilst promoting sustainable development. The Government also recognises that the historic environment cannot always be preserved unchanged and that there must be means available to identify what is special in that environment and to define the capacity for change through the development plan preparation process.
 - *PPG16, "Archaeology and Planning (November 1990)* - The guidance note provides advice on the handling of archaeological remains and discoveries under the planning system. The guidance stresses the importance of archaeological remains which are a finite resource and that therefore appropriate management is essential to ensure that remains survive in a good condition. The guidance notes that there should be a presumption in favour of the physical preservation of nationally important remains and that in all other cases the planning authority must weigh the importance of the archaeology against other material factors. The guidance also states that archaeological aspects should be considered early in the planning and development process.
- 3.5 Guidance incorporated in emerging Planning Policy Statements should be taken fully into account as it emerges.



REGIONAL & COUNTY POLICY GUIDANCE

- 3.6 The Christchurch Borough Local Plan has been prepared in the context of relevant regional and county planning policy documents, as follows: -
- Regional Planning Policy Guidance for the South West (RPGSW) Note 10** – The final revised version was issued in September 2001 and sets out a broad development strategy for the period to 2016 and beyond. Key objectives of the guidance include ensuring that there is sufficient new housing to meet the needs of the region, an increase in the use of brownfield land (raising the target to 50%), no greater use of Greenfield land than that currently proposed by local authorities, a strategy that requires that most new development will be in the eleven principal urban areas, the recognition of the role of market towns and villages in meeting the needs of their local areas and in promoting the revitalisation of the countryside and flood resistant development taking into account national guidance set out in PPG25. The guidance also sets out a sequential approach for development looking firstly at the capacity and re-use of previously developed land within urban areas and then possible urban extensions.
 - Bournemouth, Dorset and Poole Structure Plan (July 2000)** - Sets out strategic policy for the period up to 2011. The concept of sustainable development is the plan's guiding principle.
- 3.7 The Structure Plan identifies the Bournemouth—Poole conurbation (incorporating Christchurch) as the county's prime centre and seeks to maintain this role through the development of employment, tourism, shopping, education, recreation and community facilities (Settlement Policy A). With regard to new housing development, the Structure Plan seeks to ensure that this is contained within existing built-up areas (Settlement Policy D) so as to protect the surrounding Green Belt and countryside (Settlement Policy I). New housing should provide a mix of accommodation and type to cater for those with special needs (Housing Policy B) including those unable to compete in the housing market (Housing Policy D). Furthermore, new housing should be of a scale and design which respects and reflects the form, setting, historic character and other distinctive attributes of the area (Settlement Policy H). New residential development is expected to come forward with associated community facilities (Housing Policy G). Development for tourism and recreation is encouraged within Christchurch (Tourism Policy A) including major new tourism attractions (Tourism Policy B).
- 3.8 The Structure Plan applies the sequential test appraising shopping developments/redevelopments (Shopping Policy A) and advises that such development/redevelopment should be compatible with the character of the town centre and maintaining or enhancing its vitality and viability (Shopping Policy A).
- 3.9 Transport Policy A seeks to reduce the need to travel, control the rate of traffic growth, promote public transport and reduce the environmental impact of transport. Where traffic congestion or associated impacts are significant (e.g. Fountain Way/A35), traffic demand will be managed by an integrated package of policies tailored to suit that area (Transport Policy E).
- 3.10 Parking strategies are expected to be developed as part of an integrated approach in an attempt to control the rate of traffic growth and to help promote public transport and reduce car usage. To help this, long stay commuter parking should be restricted in town centres while new residential development should be allowed with reduced levels of parking (Transport Policy F). Transportation Policy I seeks to introduce/enhance the network of safe pedestrian and cycle routes while local planning authorities are asked to ensure that public transport is provided as a key part of major new development (Transport Policy J). Transport Policy J also seeks to encourage the establishment of interchanges to help coordinate services between different modes of transport.
- 3.11 With respect to rail stations, these should be improved to promote the use of park and ride and act as a focus for other changes in transport mode (Transportation Policy P). The strategic highway network (e.g. A35) is to be managed to ensure maximum operational efficiency through, for example, junction improvements (Transportation Policy V), such improvements will be progressed to support other Plan policies (Transportation Policy U), such as noted above and/or to ameliorate unacceptable environmental conditions.
- 3.12 The Structure Plan also seeks to ensure that the quality of life in urban areas will be maintained/enhanced through development proposals making a positive contribution to the urban environment and landscape (Environmental Policy H).
- Christchurch Borough Local Plan (March 2001)*
- 3.13 The guiding principles of sustainable development form the basis of the Local Plan strategy. The Plan recognises that development will take place in the future to satisfy economic and social demands and that these demands need to be carefully assessed against the need to protect and enhance the environment. The Local Plan states that, to achieve a sustainable development pattern, future growth will be concentrated within the existing built-up areas.
- Built Environment*
- 3.14 Prospective developers need to be aware of the potential implications of both Conservation Area and Listed Building designations within and/or in close proximity to the former Magistrates Court development site and the merits of other existing buildings on site that contribute to the townscape, including the villas and Duke of Wellington public house buildings fronting Barrack Road. Figure 3 illustrates the boundaries of conservation areas, and highlighting that part of the eastern area of the site is within the Central Christchurch Conservation Area. Development proposals will therefore need to be considered in the context of **Policies BE 1-6** of the Local Plan. Although the designation of a Conservation Area is not intended to signify total preservation, it does indicate the Local Authority's desire to carefully control change in order to ensure that new development is in harmony with the special character of the locality. The remainder of the site adjoins the conservation area and must be designed within the context of the area. (**Policy BE 5**) (also, see Borough Character Assessment).
- 3.15 Whilst there are no listed buildings within the site, there are three listed buildings (Grade II) adjacent to the eastern end of the site on Bargates. These are illustrated in Figure 3 and copies of the relevant statutory and local list entries are set out in Appendix 1.



These buildings include the former Watch and Clock Fusee Chain Factory, which is of particular local historic importance. Local Plan **Policies BE 15-16** are of particular relevance to this case, as proposals for development near or visually linked to buildings of special architectural or historic interest will be considered in the light of the effect they would have on them and on their setting. It is also important that existing views of important buildings or attractive vistas are maintained when considering proposals for new development.

Transportation & Parking

- 3.16 The transportation chapter of the Local Plan sets out specific proposals for improvements to the strategic highway network and indicates other proposals and improvements of a non-strategic matter as they relate to development patterns within the plan area. It also identifies land use policies in respect of traffic management, the improvement of car parking and improvement to cyclist and pedestrian safety. Of particular relevance are Policies P2 and T12, as set out below.
- 3.17 **Policy P2**, which identifies the potential to increase the number of parking spaces on the former Magistrates' car park by 200 spaces for long stay parking, thereby enabling short stay parking to be reserved for those car parks closer to the shopping core.
- 3.18 **Policy T12**, which seeks to provide servicing to the rear of 37-47 Bargates and from the Magistrates' car park (if extended) to the rear of 34-66 Bargates.
- 3.19 Other relevant policies, which need to be taken account of when bringing forward development on the former Magistrates' Court site, include **Policies P5-6**.

Shopping

- 3.20 The overall aim of the Borough Council is to ensure that Christchurch Town Centre, as its main shopping area, remains viable and competitive. **Policies ES1 – ES3** of the Local Plan aim to consolidate shopping in the town centre, by only allowing new development outside the core and secondary shopping areas where certain criteria are met and restricting the non-retail uses within the Town Centre and

Bargates shopping cores to 20%. The Local Plan states that the location of new facilities should be accessible to public car parking, link well with the High Street and that new shopping provision may well need to take the form of smaller scale developments, tenanted by smaller specialist quality shops rather than national multiples. In this context, two key retail and mixed use development opportunities have been identified in the Town Centre, to the south of the A35, on land to the west of the High Street (**Policy ES 5**) and land adjoining the south side of Saxon Square (**Policy ES 6**). The Borough Council has also identified the need to maintain and enhance Bargates as a local centre serving the nearby residential areas. Unrestricted retail development in the Bargates area, such as a large new supermarket, will not be allowed as this could create a new magnet and divert trade and investment away from the High Street area.

Housing

- 3.21 The promotion of urban living is a key component of national, regional and local policy. Prospective developers must be aware that considerable weight is attached by the local authority to the provision of an element of affordable housing within appropriate residential developments and higher densities and lower car parking standards may be deemed appropriate to enable such provisions, unless it will prejudice the realisation of other planning objectives. **Policy H8** seeks to ensure that new developments contribute to the housing stock of affordable housing. It is envisaged that on sites of 25 or more dwellings, or of one hectare or larger, at least 30% affordable housing will be sought, subject to site specific circumstances.

Offices

- 3.22 The Local Plan policies seek to increase the amount of office floorspace, in existing commercial areas and/or areas that benefit from their proximity to a variety of modes of transport. In the town centre there are a number of constraints limiting office development space to the south of the A35, on the High Street, including the policy for maintaining retail premises at ground floor level (**Policy ES2**); the policy for restricting the loss of residential accommodation (**Policy H11**); and the large number of listed buildings within the Christchurch Central Conservation Area which inhibit their conversion to modern office suites. Currently the Local Plan has

identified two sites to the north of the A35 in Bargates as potential areas for new office development. The first is land presently used for car sales and the former ready-mixed concrete site adjoining 129 Bargates (**Policy E01**) (although the latter is presently being redeveloped for affordable housing). The second is the area between Stour Road/Railway, north of the Station Approach, which also offers the opportunity for a public transport interchange (**Policy E02**).

Leisure

- 3.23 Any new health, leisure and fitness facility proposed for the former Magistrates' Court development site would need to be considered in the context of Local Plan **Policy L19** which states that any new intensive recreational facilities would be considered appropriate provided it does not lead to the loss of either indoor or outdoor recreation facilities and would not have a significant adverse impact on the vitality and viability of the area in tourism and leisure terms, and **Policy L20**, which states that within new residential developments recreational open space must be provided at a rate of 2.4 hectares per 1,000 population.

Percent for Art

- 3.24 The Arts Council first promoted its 'Percent for Arts' Campaign in 1989. Its aim is to encourage developers to provide works of art or craft as part of their building projects in the same way that they provide landscaping, parking or paving. **Policy CF5** recommends that for large scale development schemes to be used by the public, or those on prominent sites, the Borough Council will negotiate a voluntary contribution of a proportion of building costs from developers to be allocated to commission works of public art.





Housing Development adjacent to the Magistrates Court Site



The Duke of Wellington Public House and Lighthouse Youth Club

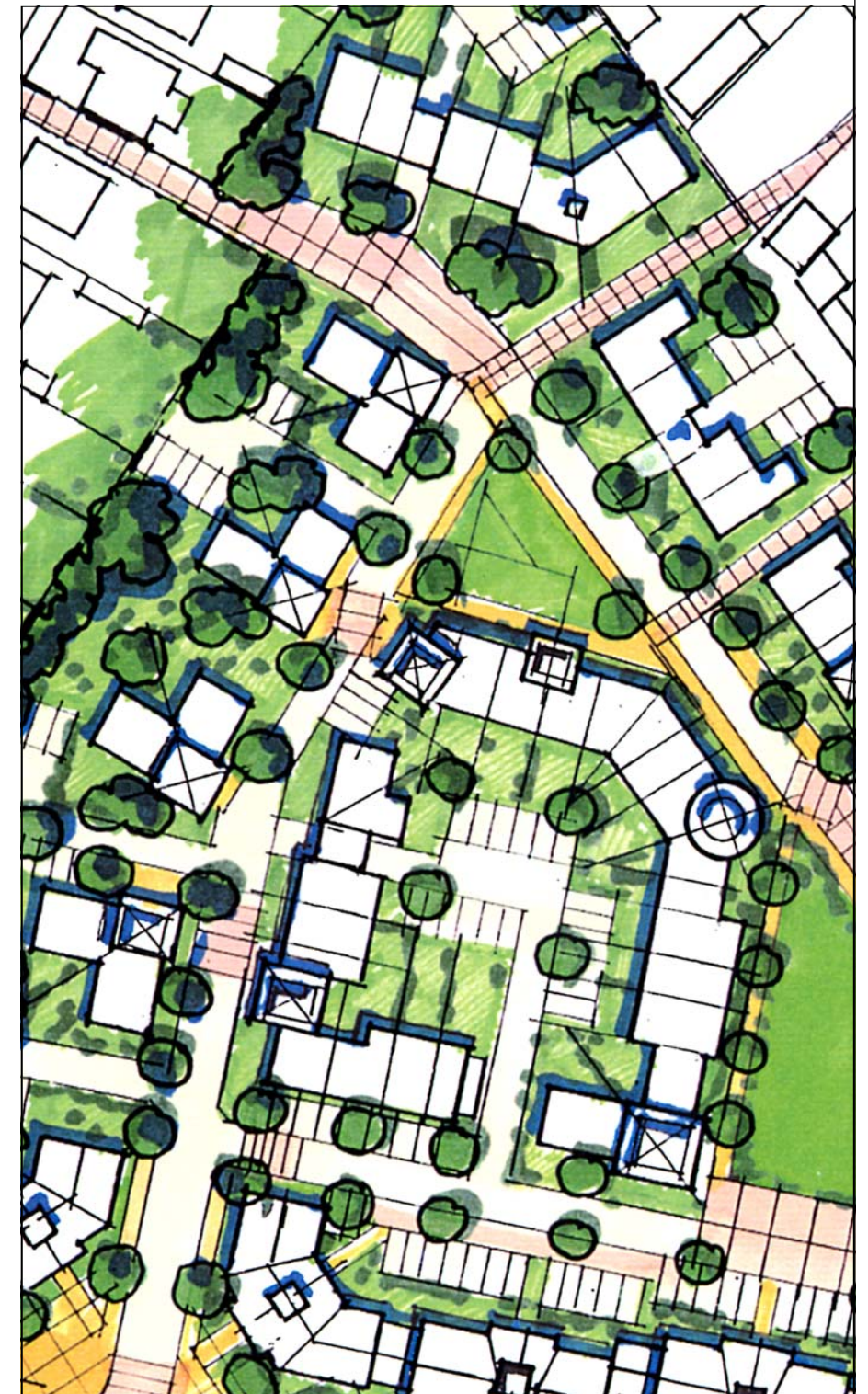


Adult Education Centre (former Magistrates Court)

DESIGN GUIDANCE

- 3.25 Recent government focus on good design has given rise to substantial advice on 'how to do it' in the form of guides, manuals and handbooks. The following publications provide useful reference;
- 3.26 **The Essex Design Guide**, first published in 1973 is a highly influential guide and has been extended to provide more detailed guidance on residential layouts for different urban situations and to respond to the growing interest in mixed use development.
- 3.27 **The Better Places to Live – By Design Guide** published for the Department of Transport, Local Government and the Regions and CABA aims to promote deeper thought and greater flair from those entrusted with creating better places to live. Following on from *By design - a guide to better urban design*, this draws together the principles of good urban design as they relate to the residential environment to help move the practice of good design forward. It focuses on the attributes that underlie successful residential environments in order to provide guidance on implementing the new approach to planning for housing set out in Planning Policy Guidance Note 3 (PPG3).
- 3.28 **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. It is designed to provide a source of best practice to all those involved in the regeneration and development industries.
- 3.29 **Building In Context – New developments in historic areas** was commissioned by English Partnerships and CABA to stimulate a high standard of design when development takes place in historically sensitive contexts. The document draws on a series of case studies in which achievement is far above the ordinary in design, planning and development terms.





4.0 Development Concept & Potential Uses

DEVELOPMENT CONCEPT & POTENTIAL USES

4.1 In the context of the emerging strategy and vision for Christchurch town centre over the next two decades, the aspirations for the former Magistrates Court site are to provide a high quality mixed use scheme which links with and forms an integrated part of the town centre as a whole. The development concept outlined in this section is illustrated by the Conceptual Usage Plan—Figure 7. Potential exists to incorporate further land on the Fountain Way junction if detailed survey work confirms the appropriateness of improving linkages between the High Street and Bargates.

4.2 The emerging Town Centre Strategy has recognised the distinctiveness of the local townscape and cultural context that has guided development in the area. Both of these issues form essential elements of the emerging strategy and therefore very careful consideration must be given to the design of any proposals. This site has been identified as a key ‘transition area’ and the opportunity exists to redefine the urban edge of the town and enhance the relationship to the attractive centre. The opportunity exists to create a high quality, architectural gateway statement at the apex of the site.

4.3 Whilst it is accepted that the development of the site will probably come forward on a phased basis, the Borough Council will expect that each phase relates to both the character of the area as a whole and the existing site conditions in order to ensure that comprehensive planning is not prejudiced.

THE DEVELOPMENT VISION

4.4 The vision for the site is to meet the following broad objectives: -

- enhance the attraction and performance of the existing town centre as a place to live, work, shop, visit and be entertained;
- accommodate uses complementary to the existing town centre rather than uses which could have an adverse effect on the vitality and viability of existing businesses and services;

- create a new development which helps to improve linkages and footfall between the High Street and Bargates areas;
- provide a high quality mix of uses, to the highest design, accentuated by landmark buildings at a key gateway to the town;
- secure ground floor activity in order to ensure public integration of the scheme;
- respect the character and setting of the Conservation Area and any listed buildings in and around the site;
- to promote a form of development that recognises potential archaeological interests on site and is compatible with the objectives of PPG16;
- incorporate sufficient and appropriate access, servicing and car parking; and
- improve public transport links and access to the railway station.

4.5 The objective of this Brief is in part to ensure that the site is planned and brought forward on a comprehensive basis. Accordingly, proposals for a piecemeal development of the site that do not accord with an overall plan will not be supported by the Borough Council.

4.6 The relationship of the development and mix of uses proposed on the former Magistrates Court site to the town centre is critical to ensuring the success of the area in contributing to the overall vitality and viability of the town centre. As such, the built and environmental quality of the buildings and layout of any new development scheme is fundamental to facilitating linkages between key areas in the town centre, particularly along the High Street and Bargates.

PLANNING REQUIREMENTS

4.7 Whilst the Borough Council will welcome innovative proposals for development of this key site, the planning policy review set out at Section 3 and the urban design guidance set out at Section 5 confirms that any new

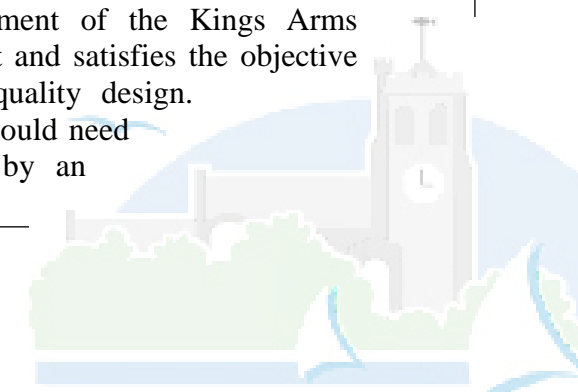
development must both meet the objectives of relevant policies and contribute to the future development of the town. In order to assist in appraising site development options, a preliminary schedule of requirements (to be secured through the use of a legal agreement attributed to any forthcoming planning consents) associated with development is set out below:

- contribution towards highway works directly related to the proposed development;
- for residential schemes incorporating more than 25 units, the provision of at least 30% on site as affordable housing;
- provide open space in line with local plan policy and PPG17 guidance;
- residential schemes, a contribution towards education facilities;
- contribution towards public realm enhancements, including Percent for Art where appropriate;
- contribution towards public transport links; and
- contribution towards community facilities.

POTENTIAL USES

4.8 As already noted, the Borough Council will welcome innovative and deliverable proposals for the future use of the site that are comparable with the stated urban design objectives. The policy and property market appraisals have identified a range of potentially suitable complimentary uses as set out below:

- **Residential** – The site is in a strategic location and densities should be urban rather than suburban, making efficient use of the land available in order to reduce car reliance and encourage the use of local facilities and should include for a mix of housing types and tenures, including special needs and affordable.
- **Hotel** - If a hotel is included in the proposals, it will only be considered if it doesn't detract from the viability of the hotel site at Wick Ferry or the reinvestment/improvement of the Kings Arms Hotel in Castle Street and satisfies the objective of promoting high quality design. Any hotel proposal would need to be accompanied by an



impact assessment.

- **Health & Fitness Facility** – The Borough Council would support the establishment of a health and fitness facility on the former Magistrates' Court site. Any health and fitness operator will need to demonstrate that there is the capacity and need for such a development in the Borough and that there will be no adverse impact on the vitality and viability of other existing and proposed leisure facilities. Particular consideration would also need to be given to the design of any facility in order to ensure a positive relationship with the existing townscape.
- **Community Facilities** – The Borough Council would support proposals to locate community uses on the site, including educational facilities, provision for youth, other forms of local government services and a smaller replacement police station. However, careful consideration must be given to the design of such facilities in order to ensure that the overall development makes a positive contribution to the townscape.
- **Retail** – The Borough Council will support a maximum of 1,000 sq m gross of retail floorspace on the site that is complementary to the existing provision in the town centre. It is envisaged that this would take the form of small specialist and niche A1 retail uses. Prospective developers will need to demonstrate that the 'critical mass' of new retail provision is not such that it will have an adverse impact on the vitality and viability of existing businesses on the High Street and Bargates.

The Council will **not** support proposals for single food retail uses and/or major non-food retail development on the former Magistrates Court site for a number of planning policy reasons:

- the site lies outside the Town Centre and Bargates primary shopping core, as defined by the Local Plan, and therefore large-scale retail development would be contrary to **Policy ES1** of the Plan, as it could have a detrimental impact on the vitality and viability of existing businesses in the town centre.
- an independent retail capacity assessment conducted on behalf of the Borough Council in 2001 indicated that there is no quantitative

capacity for the provision of additional large scale food and convenience goods floorspace in Christchurch Borough up to 2011. What limited retail capacity does exist would be taken up by small scale units on the site and could not support larger scale provision.

- the retail study confirmed that stores in the town centre do not appear to be trading strongly. On this basis and taking account of the lack of headroom expenditure, further development is likely to have a significant detrimental impact upon the performance of the town centre as a whole and would draw trade from a number of vulnerable stores.
- taking account of existing provision (in qualitative and quantitative terms), the lack of headroom capacity and policy objectives of enhancing the town centre, the necessary test of proving a need for such development could not be satisfied. Any qualitative enhancements that may be brought forward should focus on Saxon Square in order to strengthen the town centre.
- even in the event that any need could be demonstrated, the site could not satisfy the sequential test to site selection because of the potential availability of land south of Fountain Way.
- a key objective in preparing the Town Centre Strategy is to promote development that contributes positively to the distinctiveness of the area and promotes residential development close to the central area. A stand alone retail development and associated surface level parking would not contribute to these aims and would conflict with the townscape and heritage brand that the strategy seeks to support.
- the volumes of additional traffic generated, particularly along Barrack Road, may prejudice emerging proposals to reduce the severance of Bargates and the High Street.
- **A3 Uses** – Will be supported on the site, but it will need to be demonstrated that they will not have an adverse impact on Local Plan policies which are aimed at maintaining the character and viability of the key shopping areas in the town centre.

4.9 The planning authority will **not** support proposals for industrial uses on the site, as this would be contrary to Local Plan policies and out of keeping with the character, environment and current mix of uses in the town centre.

4.10 On this basis, the following uses will be acceptable:

- residential;
- hotel;
- health and fitness;
- community facilities;
- small scale A1 uses;
- A2 uses;
- A3 uses;
- B1 office; and
- car parking facilities.





5.0 Urban Design & Development Principles

URBAN DESIGN & DEVELOPMENT PRINCIPLES

BUILT FORM

- 5.1 The former Magistrates Court site is an example of where relatively large-scale development has coarsened the town's historic fine grain and small scale. The large blocks of the Adult Education Centre, Police Station and former Magistrates Court building have opened up the fabric of the town reducing the characteristic containment of its built form. Currently there is a lack of containment, coherence and a number of awkward gap sites and this has had a significant effect on the character and vitality of this part of the town centre.
- 5.2 The grain and block structure of new development should seek to re-establish an intimacy of scale and dense historic form that characterises much of the rest of the town centre. This is particularly important in terms of reconnecting Bargates to the High Street not only by reducing the dissection caused by the heavy traffic passing along Fountain Way but also by creating a consistency in built form. Whilst a traditional form of development would be more conventional, the Borough Council will also welcome contemporary proposals that relate well to the character of the area.
- 5.3 New development should:
- respect the historic grain of Bargates and the historic nature of development along Barrack Road;
 - maintain a sense of enclosure around public spaces and respect the prevailing building line on Bargates and Barrack Road; and
 - provide building frontage with public uses, entrances and ground floor active uses; particularly along Barrack Road and at the apex of the site.
- 5.4 In terms of creating new residential units:
- development should ensure privacy between habitable rooms;
 - development should allow maximum light penetration

in the provision of private courtyards and public open spaces; and

- development should provide good natural surveillance of internal courtyards, parking areas and onto Bargates and Barrack Road.

SCALE & MASSING

- 5.5 In general terms, the area is characterised by low and medium rise development with the prevailing building height at 2 to 3 storeys. The existing buildings with frontage onto Bargates are 2 storeys in height. Taller buildings exist towards the apex of the site including the Conservative Club which is 3 storeys.
- 5.6 Given the special architectural, historic and archaeological significance of this area taller building would not be appropriate. It is proposed that new development on the site should be on average 3 storeys in height with the opportunity to increase this at the apex of the site adjacent to Fountain Roundabout to create an appropriately designed landmark building.
- 5.7 Limiting the predominant building height to 3 storeys will ensure that the strategic view of the tower and roof of the Priory and the slender spire of the Former United Reformed Church, Millhams Street is not interrupted. It will also ensure that the skyline of the town is memorable and consistent.
- 5.8 New development should be:
- limited to three storeys in height, with a possibility of increasing this at the apex of the site; and
 - in keeping with the surrounding townscape and respect existing buildings of townscape quality, notably the Fusee building.

DESIGN & DEVELOPMENT PRINCIPLES

- 5.9 Development of the former Magistrates Court site will be required to enhance and contribute to Christchurch town centre as a place to live, work, shop, visit and be entertained. The planning and design of any new development should therefore be based on sound urban design and development principles. There are seven key

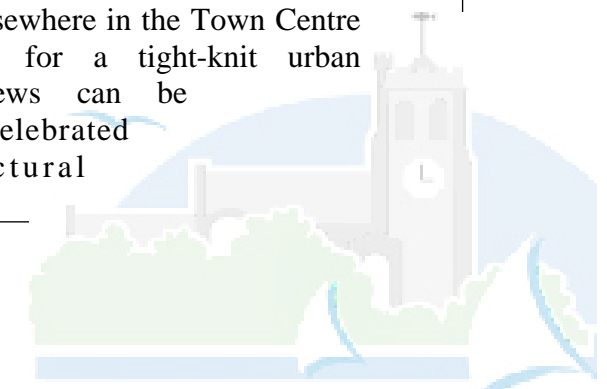
issues and themes that any development proposal for the site will need to address: -

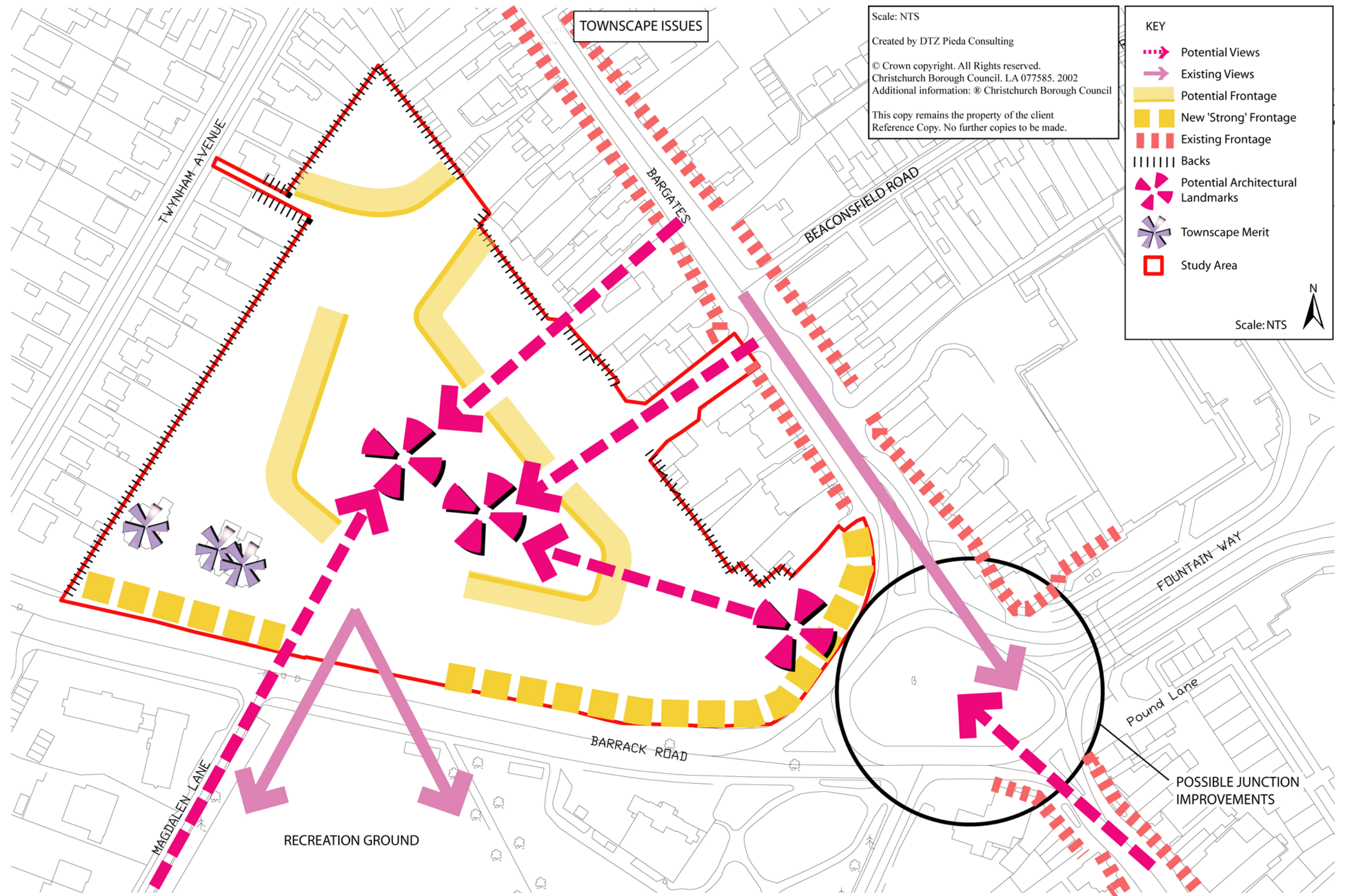
1. Create a sense of place and character in urban design terms, through landmarks, views, vistas, etc.
2. Provide continuity and frontage to the existing streetscape, which reinforces the town centre built form.
3. Provide a high quality public realm.
4. Allow for a high degree of permeability across the site to allow for access and movement.
5. Be flexible and robust enough to respond to changes in market and lifestyle trends.
6. Provide a mix of uses and diversity that complements rather than competes with existing businesses in the town centre.
7. Provide an innovative and high quality design solution.

- 5.10 The following provides a more detailed commentary on the seven development and design principles: -

SENSE OF PLACE AND CHARACTER

- 5.11 The development should be planned to recognise the existing vistas and to create new ones:-
- views from the site along the High Street to Saxon Square and onward should be created. This would allow views from the apex of the site into the heart of the Town Centre;
 - views onto the recreation ground and New Zealand Gardens should be maximised. This creates containment to the park and value to the development;
 - the site is big enough to generate internal views and vistas. Buildings and their associated public spaces should be carefully designed. Precedents reflecting the historic grain from elsewhere in the Town Centre offer good models for a tight-knit urban development. Views can be expressed and celebrated through architectural





treatment, and the resultant legibility will help people understand the Town Centre.

Corner buildings should create landmarks

- strong corners can create local landmarks. Corners should be higher than surrounding buildings especially where they terminate vistas. The height of the building at the apex should act as a closure to the view from the High Street in the same way as the Priory does to the south. It should also act as a signal to the entrance of the Town Centre. Figure 5 indicates potential views, vistas and landmarks.

The character and coherence of the buildings help to reinforce a sense of place and identity.

- development on the Magistrates site should not be monolithic, but broken up into small parcels. The purpose is to create a coherent approach to the design and development of the site that may take place incrementally, and that may change over time differentially;
- design briefing that responds to the historic patterns of development in this part of the Town Centre will create the opportunities for the diversity and richness of new development. Good contemporary architecture could also help to create a specific identity for this area; and
- development should reflect local materials – brick, stucco, stone, and glass.

CONTINUITY AND FRONTAGE

5.12 All buildings should face the public realm:

- a continuous frontage that reflects the existing street character of Bargates, should wrap itself around the apex of the site and provide an imposing ‘set piece’ onto the Park.;
- buildings should face the main routes so as not to present blank facades or service yards to key areas of the public realm, and to create an attractive edge to what will be one of the ‘gateways’ to the Town Centre. Conflicts between backs and fronts of buildings should be avoided;

- new buildings should be in scale with the proportions of the adjacent spaces providing containment;
- active frontages along the main facades are positive factors in ensuring a sense of enclosure and comfort. Entrances, shop fronts, transparency, ‘eyes on the street’ will ensure natural surveillance; and
- spill-out areas for potential A3 uses should be allowed for in the design. South facing locations include the apex of the site, and spaces associated with cafes and bars along Barrack Road and Bargates.

PUBLIC REALM

5.13 Good public space enhances the town’s image and will help change how it is perceived:

- a key focal space or series of focal spaces will enhance the character and quality of the environment;
- public space within the development should be provided in the form of streets, ‘squares’ and ‘greens’. Leftover space should be avoided and all public space should have a specific function;
- the treatment of Barrack Road frontage should reflect the recreation ground and should be ‘softened’ by ‘avenue’ tree planting;
- the developer should consider the opportunity of responding to the line of the pedestrian avenue across the park within the overall scheme;
- high quality landscaping will be required. Development should include public spaces, urban planting, and robust materials;
- the developer should consider the opportunity to make a contribution to a Percent for Art initiative within the development; and
- there should be a clear definition between public and private realms. Where buildings meet the public realm, careful design of boundary treatments and thresholds will be required.

The development should provide a safe and secure public realm.

- the main access to buildings should front the public realm with well-defined entrances at frequent intervals;
- the design of the public realm should respond to the needs of the disabled;
- the developer should put forward a lighting strategy that is geared to the safety and security of pedestrians; and
- the developer should take advice from the Crime Prevention Officer in designing out crime.

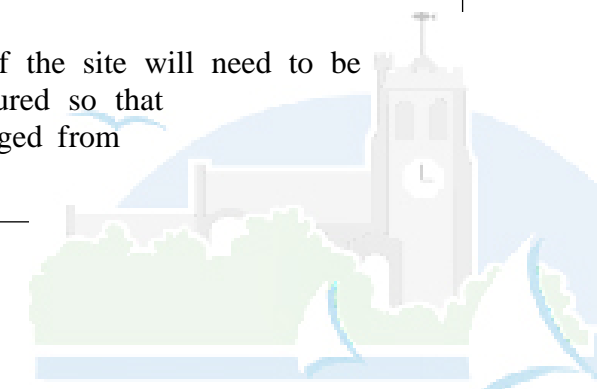
Junctions should be ‘places’ rather than formless traffic interchanges.

- development at the junction of Fountain Way/High Street/Barracks Road should be designed to create a sense of arrival at the Town Centre; and
- active ground floor uses would increase such ‘place-making’ opportunities. Other smaller places related to access streets into the site could also be similarly considered.

ACCESS AND MOVEMENT

5.14 The site should be well integrated into its surrounding area:

- the aim of the development should be to link the spaces and routes within the site to key movement networks. These connections should be short, direct, well lit and related to local desire lines. See Figure 6;
- the outer and inner ‘gateways’ to the Town Centre along the A35 need to be recognised. The developer will be expected to contribute to the various design solutions that would include speed management to slow traffic as it enters the Town Centre;
- following development, vehicular access to the site should remain available from both Barrack Road and Bargates;
- the internal layout of the site will need to be designed and configured so that vehicles are discouraged from



using the site as a potential route between Barrack Road and Bargates;

- there is scope for improving cycle facilities in a key town centre location, including measures linked to the possibility of a reconfigured junction layout of Fountain Way; and
- all new cycle lanes should be designed to limit conflicts between pedestrians, cyclists and motor vehicles.

Transportation Assessment

5.15 It will be necessary to ensure that traffic generation associated with the redevelopment does not exceed the available capacity of the highway network in the vicinity of the site. A full Transportation Assessment will be required to ensure that the local highway network can cope with the amount of traffic generated by the development, as well as being particularly weighted towards accessibility by non-car modes of transport. The opportunities for providing a more sustained approach to transport should be clearly addressed in this assessment. The assessment should consider the need to reduce travel and promote the use of sustainable modes of transport based on the following hierarchy:

- walking;
- improvements for people with disabilities;
- cycling;
- public transport, including taxis and community transport; and
- private vehicles.

5.16 This hierarchy is as stated in the objectives set out in the Bournemouth, Poole and Christchurch Local Transport Plan (2001—06).

Servicing

5.17 Servicing arrangements should be in the form of shared surfaces where possible to minimise the adverse visual impact of service yards and service roads on the scheme. The development proposals should take into account Policy T12, which seeks to provide servicing to the rear of the buildings fronting Bargates.

Streets should be for people

- the re-instatement of a more pedestrian-friendly street environment provides the opportunity for a return to the design philosophy of streets and public spaces. The extent of opportunities at Fountain Roundabout will depend upon the outcome of detailed testing to be undertaken by Dorset County Council;
- design for movement within the site should reduce vehicle speed (i.e. maximum 20 m.p.h.). The site is ideal for creating a pedestrian friendly environment with shared access routes, and pedestrian links to Bargates through a series of lanes;
- traffic calming measures such as surface treatment, chicanes, speed tables, small corner radii and narrowed carriageways should be used;
- parking for at least 200 public car spaces over and above existing public car parking provision and residential and other necessary operational parking linked to other specific uses is required on site. This should take the form of a multi-storey car park within the site. The design of the car park should reflect the requirement for active ground floor uses onto the public realm and should therefore be limited to first floor and above – or be located behind a development frontage;
- car parking should not visually dominate the development, but should be located where it can be supervised;
- parking requirements for development will be reduced in line with the government's agenda on reducing the need to travel by car. The location of the Magistrates Court site in the heart of the town centre with good public transport will mean the provision of a maximum average of 1 car space per dwelling. The developer will be encouraged to consider car reduced development; and
- streets and public spaces should be accessible to all, designed to ease access to disabled, elderly, and parents with young children. Safe routes from housing on the site to schools will be required.

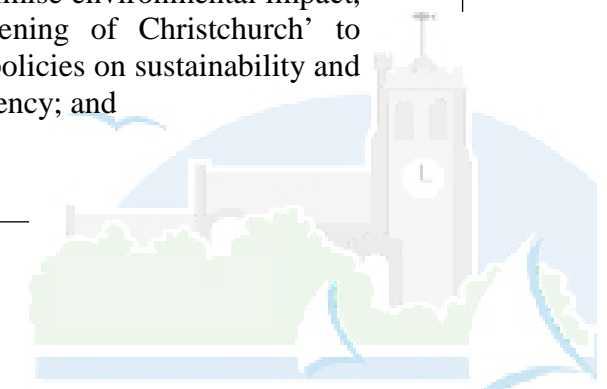
MIXED USE AND DIVERSITY

- mixing uses adds to the vibrancy and vitality of the Town Centre;
- the Magistrates Court site will accommodate a mix of uses. These are likely to vary (see Figure 7) but it is envisaged that the development will comprise predominantly housing to the north, with a greater mix of uses to the south including retail/commercial and upper floor residential to the south;
- densities and tenures will also vary. The overall density for this Town Centre site is expected to be 40 dwellings/hectare, though this will vary with lower densities to the north to reflect the adjacent residential areas, and higher densities to the south. The broad patterns are indicated in Figure 8, which also gives a broad indication of building heights, lower in the west and higher at the apex of the site; and
- a diversity of house types and tenures will offer the opportunity to reinforce the growing residential community in the Town Centre and avoid social exclusion.

SUSTAINABILITY

5.18 The opportunity for an exemplar for sustainable development should not be missed;

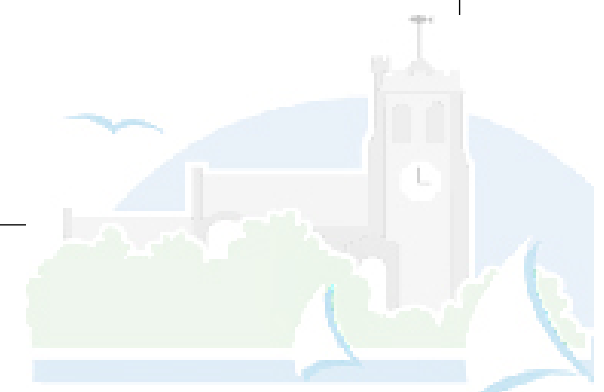
- the removal of trees and buildings of merit will only be supported where a thorough justification is provided and accepted;
- developers should propose appropriate measures for energy resource efficiency such as solar/p.v. panels, rain water collection within the constraints of an historic environment;
- innovative housing and development solutions should be encouraged to minimise environmental impact, to enhance the 'greening of Christchurch' to reflect the Council's policies on sustainability and energy resource efficiency; and

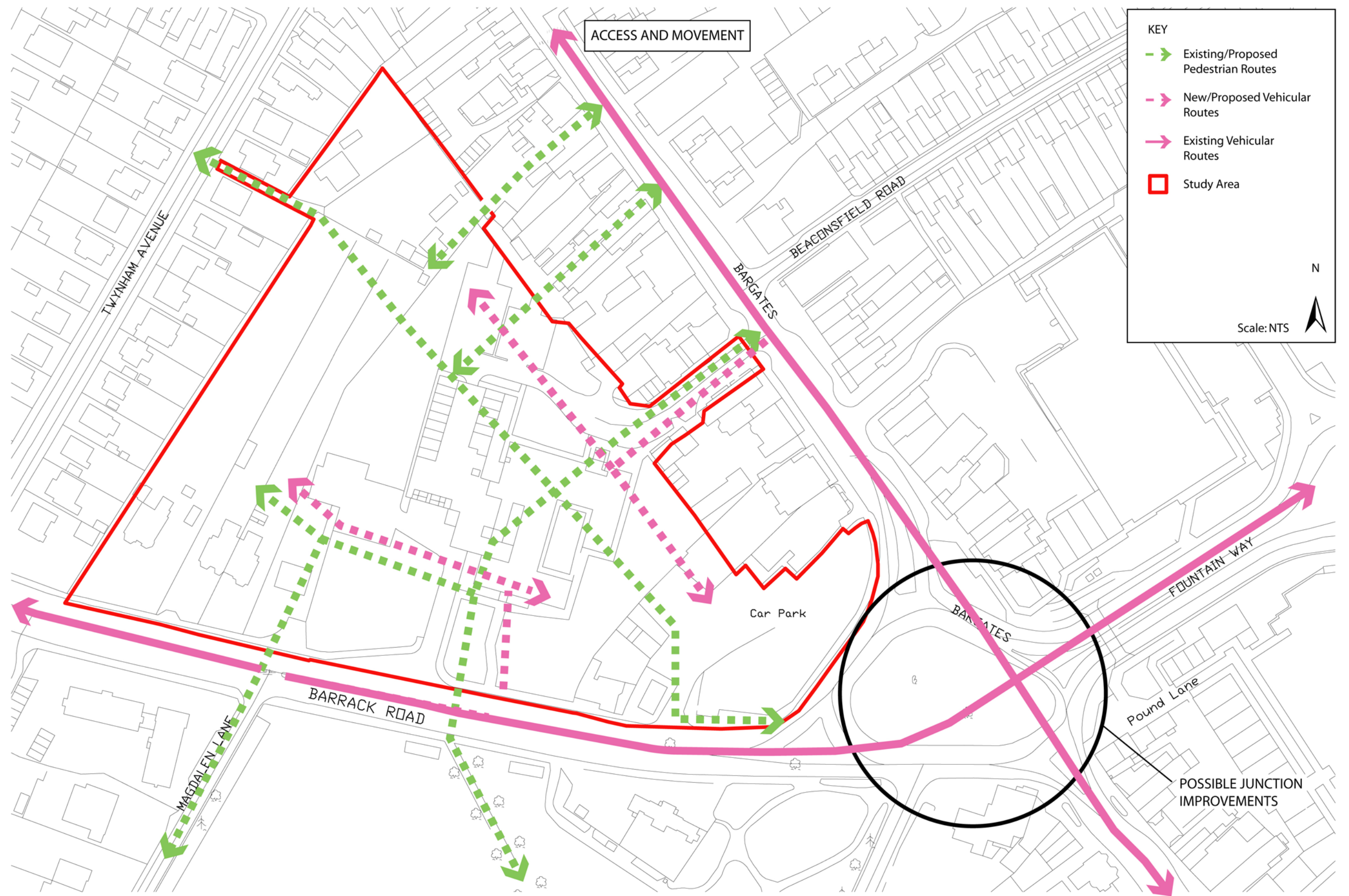


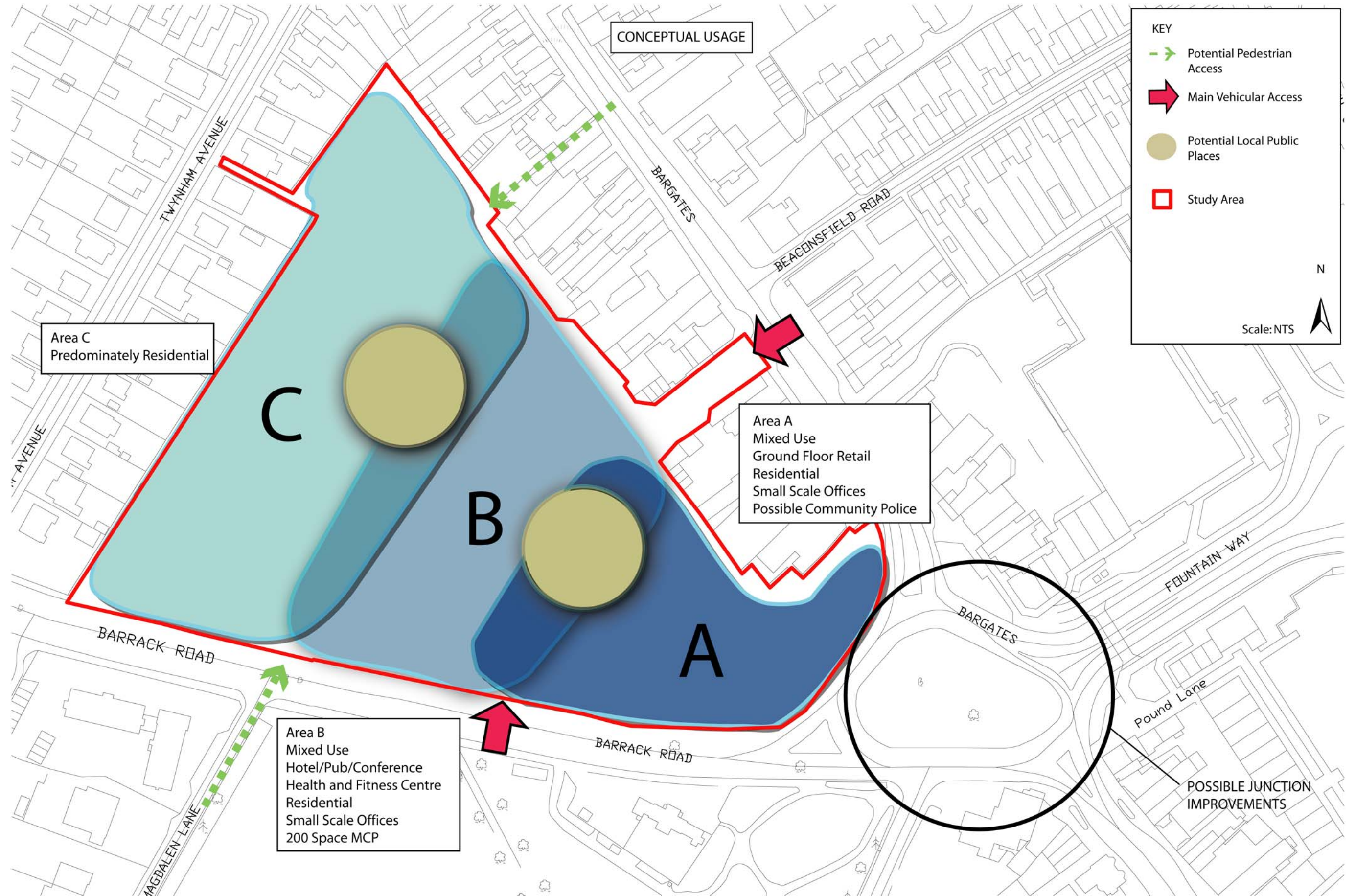
- energy efficient waste management systems and recycling should be incorporated into the design.

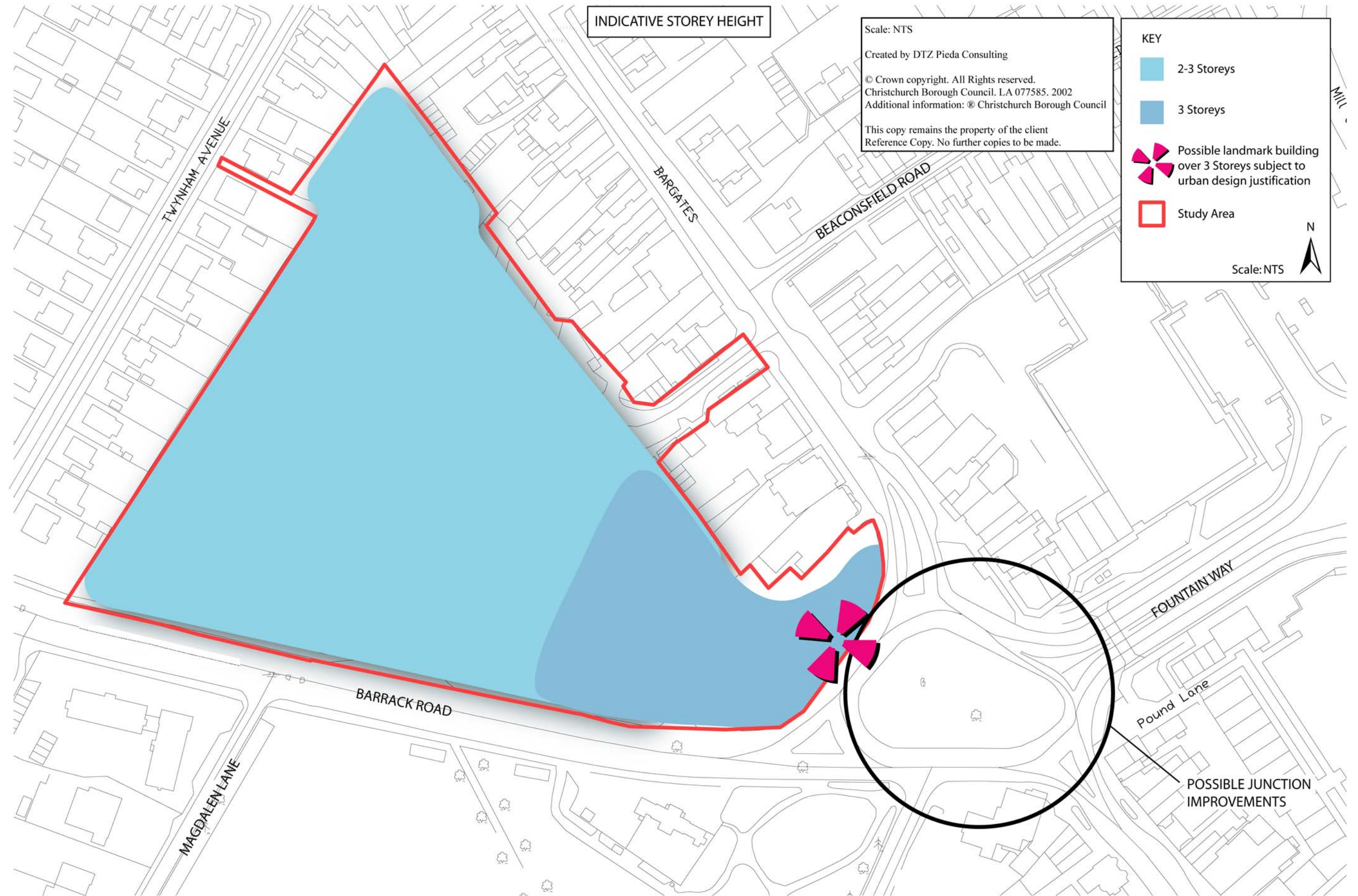
SITE SERVICES

- prospective developers will need to confirm existing service provision to the site and the extent/scope of additional infrastructure needed to support development. In working up servicing proposals, full account will have to be taken of potential archaeological interests as set out in Section 3 and current infrastructure provision affecting development.









GOOD PRACTICE

5.19 With reference to this important town centre site, there is value in appreciating the design and development principles of conventional and contemporary development. We can also learn a great deal from residential environments which have stood the test of time, met the housing needs and expectations and which remain popular today.

5.20 These photographs illustrate examples of successful residential environments where innovative schemes have created attractive, sustainable and inclusive places which are enjoyed by those living in them.

- **Avon Wharf, Bridge Street, Christchurch**
An high density scheme of modern 3 storey flats in the heart of the town centre. Parking for residents is contained within a secure gated courtyard with resident access only.
- **The Cloisters, Millhams Street, Christchurch**
Mixture of 2 storey cottages and 3 story flats with ground floor entrance. Set around a pebbled courtyard with access for resident parking and enclosed by simple fencing.



Rear courtyard, Avon Wharf

The use of high quality materials reflects the historic setting of Millhams Street which contains many of the towns listed and locally listed buildings.

- **Poole Quay, Old Town Poole**
This residential quarter adjacent to Poole Quay and set within the historic environs of Old Town Poole reflects many desired aspects of high density, high quality

design which could be achieved on the former Magistrates Court Site.

The combination of heights with 3-4 storey blocks of flats and 3 storey town houses respect important views and vistas such as those towards the church and across the Quay.

The buildings are set around contrasting courtyards of differing character creating a pleasant environment to both live and explore.



Front elevation, Poole Quay



Front elevation, Avon Wharf



Front elevation with gravel parking, The Cloisters



Internal pedestrian street, Poole



There is an intimacy of townscape which provides good surveillance with windows overlooking parking areas, pedestrian only lanes and spaces.

The variety of building techniques, lighting and use of planting are as high in quality as those used in existing buildings.

There is a continuity in the frontage which reflects the existing street character. Strong corner buildings also creates new landmarks.



Internal courtyards

- **Golden Lane, Brighton**

The Golden Lane development in Brighton is located on what was formerly a derelict brownfield site (0.86 acres) on Western Street - by the seafront, close to the town centre and in a conservation area. The new-build infill consists of 24 houses and 4 apartments in a mews development arranged around a central courtyard. A significant proportion of the units are capable of simple adaptation for use by disabled residents. 17 units have garages.

The brief was to design an attractive modern mews development that would maximise the commercial return on the development of the site. There were many constraints that had an influence on the final design including a tight restricted site, restricted access, considerable level changes over both the length and width of the site and daylight considerations to windows of neighbouring properties. Private space was limited at ground level to a 3 metre-deep courtyard garden but this was supplemented by designing in a generous terrace extending the full width of each property at 4th floor level. The small balconies at first and second floor levels extend the private space of the dwelling and allow interaction with the public space of the mews.

The entrance to the development, off Western Street, is via a road scale in keeping with the traditional narrow lanes of Brighton. The route then opens up to the mews development, which is made up of blocks ranging from 2-4 storeys around a central courtyard.

The Western Street façade is treated in a similar manner to the existing regency architecture. In the inward-facing courtyard, the architecture has a more contemporary feel with curved roofs and nautical style metal balconies to reduce the apparent scale of the 4 storey blocks in the relatively tight space. The central courtyard is decoratively paved with scattered planting; a local artist was also commissioned to create a sculpture that was placed at the east end of the mews.

Curved roofs are a significant feature of the design. These were used to reduce the visual impact on neighbouring properties and to help in visually reducing the scale of the development. Low maintenance, sustainable materials were used throughout and the use of a self-coloured render to match adjacent properties allows this new and modern development to integrate harmoniously with the conservation area.

Where Brighton & Hove are now combined as one entity, at

the time they were separate authorities; the scheme owes a great deal to the forward thinking and co-operative nature of both planning departments who were very keen to see something more ambitious than the traditional pastiche approach so prevalent in many previous developments in Brighton.

The scheme responds to a considerable development challenge due to the extremely tight and complicated nature of the site. Much of the success of the scheme comes from the innovative design approach and the way it is integrated into a key conservation area. As well as being commercially successful, the scheme is a great hit with the residents and feedback has been only positive.

(source: <http://www.buildingforlife.org>)



Curved roofs



Internal courtyard



Entrance from Western Street



Metal & glass balconies



- Mile End Road, London**

This is a medium sized scheme of six houses and 59 flats and maisonettes, at high density of 148 dwellings per hectare. The proximity of the noisy heavy main road makes every scrap of private and semi-private open space extremely precious. In addition, the heterogeneous nature of the Mile End Road frontage makes any insertion very difficult to handle with proper sensitivity, without resorting to bland infill, or aggressive posturing.

The architects have solved both problems by providing a simple frontage block of flats, terminated by a rotunda, which neatly responds to the rather flamboyant, little building next door, and unified by a pierced terracotta curtain, which acts as a privacy screen to the flats. On the ground floor, the traditional commercial function of the street is retained and renewed. At the rear, two blocks of house and maisonettes are placed north/south enclosing a small, quiet, sunlit courtyard.

(source: <http://www.buildingforlife.org>)



Integrating with adjacent building/ left



Rear enclosure



Rear/ side corner elevation



Integrating with adjacent building/ right



Street level detail



Façade/ lower balcony

