

Chapter 4: Development Policies

- 4.1 It is important that all development, irrespective of its nature or location, respects its surrounding environment, is safe to use and is fit for its intended purpose. The policies within this chapter of the Plan are therefore generic and all development proposals, e.g. new development, extensions/alterations and changes of use, within the District will be assessed against them as appropriate.
- 4.2 The policies will seek to:-
- contribute towards the achievement of the Core Strategy, specifically in relation to the Environmental and Social Objectives;
 - assist with the understanding of issues that need to be considered when looking at development proposals; and
 - ensure that applicants are clear what information they will be expected to provide when submitting development proposals to the Council.

DP1 Layout and Design

Development will only be permitted which positively contributes to the character and quality of its environment through good layout and design. Development proposals will be expected to demonstrate that they:-

- a) harmonise with, or enhance, the existing settlement in terms of physical form, patterns of movement and land use;
- b) relate well to local topography and landscape features, including prominent ridge lines;
- c) reinforce or enhance the established urban character of streets, squares and other spaces;
- d) reflect, respect and reinforce local architectural and historical distinctiveness;
- e) enhance and incorporate important existing features into the development;
- f) respect surrounding buildings in terms of scale, height, form and massing;
- g) adopt appropriate materials and details;
- h) integrate with existing paths, streets, circulation networks and patterns of activity;
- i) provide adequate open space for the development in terms of both quantity and quality;
- j) incorporate necessary services and drainage infrastructure without causing unacceptable harm to retained features;

- k) ensure all components, e.g. buildings, landscaping, access routes, parking and open spaces are well related to each other and provide a safe and attractive environment; and**
- l) make sufficient provision for sustainable waste management (including facilities for kerbside collection, waste separation and minimisation where appropriate) without adverse impact on the street scene, the local landscape or the amenities of neighbours.**

Development proposals which have a significant impact upon the character and appearance of an area will be required to demonstrate how they comply with this policy by way of a Character Appraisal and Design Statement.

- 4.3 The appearance of development and its relationship with its surrounding built and natural environment can have a significant effect on the character of an area. This is as relevant in more modern development as it is in historic conservation areas. Securing new development that can positively contribute to the character of the environment of the District is therefore of primary importance. This can be achieved through careful consideration of design and layout with regard to the context of the site and the townscape and landscape of the surrounding area.
- 4.4 Government guidance has given greater importance to design policies in local plans and to the consideration of design matters in determining planning applications. It promotes good design and layout in helping to improve the quality and attractiveness of residential areas. This guidance is reflected in the emphasis on design within the Structure Plan. Furthermore, the results of the pre-deposit consultation exercise showed that 85% of respondents called for stronger design guidance.
- 4.5 The objective of this policy is to achieve good layout and design and this should be the aim of everyone involved in the development process. Reference to PPS1 (Delivering Sustainable Development) may also inform development proposals.
- 4.6 The Council is keen to encourage development solutions that will embrace sustainable planning objectives in order to bring forward positive impacts on the environment. It is therefore important for applicants to pay particular attention to the requirements of policies DP11, DP12, DP13, DP14 and DP15 when addressing layout and design matters.
- 4.7 The Council will produce Supplementary Planning Documents to amplify and exemplify this policy and give greater certainty to applicants. The Council is committed to preparing specific guidance to inform residential development. Further guidance produced may include:-
- defining the character of spaces, settlements and development corridors;
 - design briefs for key sites;
 - design guidance
 - sense of place/character documents for areas;
 - promoting local distinctiveness; and
 - trees within new development sites.

- 4.8 The Council encourages applicants to enter into pre-application discussions to help promote the local character and quality of an area. The Council will also, where it considers appropriate and with the agreement of the applicant, invite local representative groups to engage with the process of pre-application discussions.
- 4.9 Applicants will be expected to demonstrate that their development achieves good layout and design and complies with this policy and any relevant supplementary planning guidance. As a minimum, this should consist of a short written statement setting out the design principles alongside illustrative material.
- 4.10 Waste Strategy 2000 sets out the Government's vision of sustainable waste management. RPG11 includes targets to recycle or compost at least 30% of household waste by 2010 and 33% by 2015. In residential developments, developers should make adequate provision for waste separation and, for dwellings with gardens, composting. In non-residential developments, developers should indicate how the development will make adequate provision for the storage of waste in a manner which supports the principle of sustainable waste management.
- 4.11 It is important that a fully integrated approach is taken to the development of significant sites, and that this should be informed by a thorough analysis of the site and its surroundings. When considering proposals which have a significant impact upon the character and appearance of an area, the Council will expect applicants to produce a Character Appraisal and Design Statement to support their planning application. The Appraisal will be expected to include a full survey and design analysis of the site, its context and surrounding features. The Design Statement will be expected to:-
- identify key features of local distinctiveness and contextual features;
 - demonstrate how the proposal responds positively to these features;
 - identify design principles for the development proposed; and
 - demonstrate that all of the design criteria in the policy have been considered and addressed where appropriate.
- 4.12 Applicants unsure of whether they may or may not need to undertake a Character Appraisal or Design Statement are advised to contact the Council at an early stage in the development process.
- 4.13 The Council support the use of imaginative new designs in the right location, however, it is important that such proposals clearly demonstrate how they respect and reflect the character of the local area. This should be explained within the design statement. Poor layout and design which does not comply with this policy or any supplementary planning guidance adopted by the Council will be refused.

DP2 Amenity

Development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users/occupiers of the development.

- 4.14 The relationship of proposed development to surrounding uses and buildings is an important consideration in determining planning applications, particularly within residential areas. It is important that appropriate levels of amenity are provided and maintained for people and this is accepted as a fundamental principle of good planning.
- 4.15 The phrase ‘amenity’ is defined as the extent to which people are able to enjoy public places and their own dwellings without undue disturbance or intrusion from nearby uses. Examples of disturbance and intrusion include: loss of privacy; loss of sun/daylight; visual intrusion; noise disturbance; and light pollution. This policy is applicable to all development proposals, including extensions and changes of use.
- 4.16 The securing of new development which has no impact on residential amenity may compromise other policies, such as achieving good design or making the best use of land. It will be important therefore to assess and weigh impacts on amenity against other objectives within the Local Plan. In considering development proposals, any appropriate mitigation measures that can be put in place will be taken into account in assessing the overall impact of the development on amenity.
- 4.17 The Council have produced Supplementary Planning Guidance which gives further advice to applicants on protecting residential amenity in relation to distance separation for new residential developments and 45 degree guidelines for extensions to existing properties. Further guidance on other types of development will be prepared as necessary.

DP3 Natural and Historic Environment and Landscape

Development will only be permitted which protects important natural features and positively contributes to the character and quality of its natural and historic environment through good habitat/landscape design and management. Development proposals will be expected to demonstrate that they:-

- a) protect and/or enhance local ecology, including existing site features of nature conservation value;
- b) protect and/or enhance features of historical, archaeological, geological and geomorphological significance;
- c) protect and enhance the landscape character of the area, particularly respecting its historic character;
- d) provide appropriate levels of amenity space which incorporate suitable habitat features and hard and soft landscaping;
- e) integrate the amenity space and proposed landscaping into the overall development;

- f) secure the long term management and maintenance of habitat/landscape features; and
- g) protect best and most versatile agricultural land

Development proposals which have a significant impact upon the character and appearance of an area will be required to demonstrate how they comply with this policy by way of a Nature Conservation and Landscape Analysis. Where adverse impacts are unavoidable, the Council may consider possible mitigation measures to reduce any harm caused by these adverse impacts. Where mitigation measures are not possible, compensation measures may be appropriate.

- 4.18 Wildlife habitats, landscape and geomorphological features can contribute towards the character and quality of our environment, whose character is also the product of long-term historical processes. There is a wide appreciation of the contribution that such features, can make to the particular character of the District and to wider community and social objectives. This is relevant in both urban and rural areas. Securing new development that can positively contribute to the character of the natural and historic environment is therefore essential. This should be achieved through careful consideration of habitat/landscape design with regard to existing site features and the landscape character, geology/geomorphology and ecology of the surrounding area.
- 4.19 The District includes some of the Region's most valued as well as nationally and internationally renowned heritage assets. Beyond statutory protected assets the historic environment is fundamental to the wider character of the area's rural landscapes, towns and villages.
- 4.20 The Government attaches particular importance to the 'greening' of the environment and the need to view landscaping as an integral part of new development. Encouragement is also given on the protection of landscape, wildlife and historic features. This guidance is reflected in the Structure Plan which requires that development does not have an adverse impact on landscape, or features of ecological, geological/geomorphological or archaeological interest of local importance. Furthermore, the Warwickshire Landscape Guidelines and the Habitat Biodiversity Audit both highlight the need for action to be taken locally to counter the loss of wildlife habitat. This has been reflected within the aims of the Community Plan in relation to protecting the countryside and the urban environment.
- 4.21 The objective of this policy is to ensure that habitat/landscaping features and amenity space are a key component in the design of new development and form an integral part of the wider landscape and open space network.
- 4.22 The Council encourages applicants to submit landscape and ecological information as part of their application to demonstrate that they form an integral part of the layout and design of the development. It is recognised that minor developments and changes of use may have little or no impact on landscape features or character and therefore such information will not be required where this is the case.

- 4.23 Guidelines based on detailed landscape analyses have been prepared. The Warwickshire Landscape Guidelines published by Warwickshire County Council and the Countryside Commission in 1993 have been adopted by the District Council as Supplementary Planning Guidance. Development proposals will have to accord with the principles set out in the guidelines in order to comply with the requirements of this policy. The key diagram in the Warwickshire Structure Plan identifies certain areas as Special Landscape Areas. Although not identified on the proposals map of this plan, the guidelines will provide a framework in which to appropriately consider all proposals in these sensitive areas.
- 4.24 When considering proposals which have a significant impact upon the character and appearance of an area, the Council will expect applicants to produce a Nature Conservation and Landscape Analysis. The analysis will be expected to include:-
- an assessment of existing on and off site features of value and significance to the local environment;
 - an assessment of the local geodiversity, biodiversity and landscape character of the area;
 - details of the proposed habitat/landscaping features and how it responds positively to the findings of the assessment;
 - details of the how the site will contribute towards wider community and social objectives; and
 - details of arrangements for the ongoing maintenance of the features.
- 4.25 Applicants unsure of whether they may or may not need to undertake a Landscape Analysis are advised to contact the Council at an early stage in the development process. The Council will produce further guidance on Landscape Analysis to give greater certainty to applicants in accordance with the 'character-based' approach advocated in the Structure Plan.
- 4.26 Acknowledged sites of nature conservation interest such as those identified by the Habitat Biodiversity Audit for Warwickshire, Coventry and Solihull, and emerging Geodiversity and Biodiversity Action Plans will be taken into account when assessing the impact of development proposals on nature conservation interests.
- 4.27 The results of the programme of Historic Landscape Characterisation to be undertaken by Warwickshire Museum will need to be taken into account when assessing the impact of development proposals on the historic landscape.
- 4.28 The value of hedgerows in the landscape has been recognised by the Government by the introduction of regulations to protect 'important' specimens from the threat of damage or removal. There will be a presumption against the removal of hedgerows unless the relevant notification procedure has been fully complied with.

DP4 Archaeology

Development will not be permitted which harms Scheduled Ancient Monuments (as shown on the Proposals Map) or other archaeological remains of national importance, and their settings.

With regard to locally or regionally important sites there will be a presumption in favour of preservation, except where the applicant can demonstrate that the benefits of development will outweigh the harm to archaeological remains.

The Council will require that any remains of archaeological value are properly evaluated prior to the determination of the planning application.

Where planning permission is granted for development which will have an adverse affect on archaeological remains, the Council will require that an agreed programme of archaeological investigation and recording precedes development.

- 4.29 Archaeological remains are a finite resource. They are often fragile and therefore vulnerable to damage and destruction. They contain information that is invaluable, both for its own sake and for its role within education, leisure and tourism. Warwick District is rich in archaeological remains and information on them is held in the County Sites and Monuments Record, maintained by Warwickshire Museum.
- 4.30 In accordance with Government advice set out in PPG16, there will be a presumption in favour of the physical preservation in situ of nationally important archaeological remains and their settings, whether scheduled or not. Other important archaeological remains can be of either local or regional importance. They may also become scheduled in the future and therefore it is important to protect them from the adverse effects of development.
- 4.31 The Council recognise that there will be cases where the benefits of the development outweigh the harm to the archaeological remains taking into account their significance. In such circumstances, provision of archaeological investigation and recording will be required as part of a Section 106 agreement or planning condition.
- 4.32 It is not always sufficient to rely on existing information to allow an informed decision to be made about the archaeological consequences of a proposal. In such circumstances, the applicant will be required to arrange for a field evaluation to be undertaken before the planning application is determined. Regardless of circumstances, the decision-making process is always easier if any archaeological aspects of a development site can be considered early in the planning process.
- 4.33 The Council will, in conjunction with English Heritage, the National Trust and other interested parties, seek to secure the management and maintenance of archaeological sites, encouraging the provision of interpretative facilities for education and recreational purposes.

DP5 Density

Development will only be permitted which makes the best use of land and buildings.

In the case of residential developments, the following net densities should be achieved unless such a density would compromise the character of the area or the standards of residential amenity:-

- a) in town centres and near to public transport interchanges in urban areas, a net density of no less than 50 dwellings per hectare**
- b) elsewhere, a net density of no less than 30 dwellings per hectare**

- 4.34 Maximising the use of land and buildings is important in avoiding the unnecessary development of green field land. It is also important in ensuring that buildings are kept fully operational and in a good state of repair.
- 4.35 Government guidance and the Structure Plan require that land is developed efficiently and that the best use is made of residential land and buildings through increased densities. Inefficient use of land for residential development has been defined as a net density of less than 30 dwellings per hectare. Furthermore, government guidance advises local planning authorities to seek greater intensity of development in places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors. The results of the pre-deposit consultation exercise showed that 59% of respondents gave general support to allowing higher density housing within towns provided that the quality of the environment can be maintained.
- 4.36 The Council consider that making best use of land and buildings is a principle that should be applied to all development types and not just residential. For the purposes of this policy, a development which makes the “best use of land” is one which achieves firstly, a density that is commensurate with the efficient use of the land and, secondly, a high standard of layout and design which is in keeping with the character of the locality. Within town centres, higher density developments will be appropriate as these will help to support the objective of reducing dependence on the private car and increase the patronage of public transport. In terms of design and layout, higher densities in town centres are more likely to reflect the existing character of the locality. Applicants should refer to the other Development Policies and the Sustaining Communities Policies. The application of the minimum densities in the policy may not be appropriate in certain circumstances, for example, conversions to residential use in mixed use buildings.
- 4.37 The Council accepts that there may be instances where development below the minimum densities set out above may still be considered to make best use of the land. This may be, for example, where there are particular site constraints or where the character of the locality clearly suggests that a lower density scheme is appropriate. In such circumstances, the applicant will need to demonstrate why

the appropriate minimum density cannot be achieved before permission will be granted.

DP6 Access

Development will only be permitted which provides safe, convenient and attractive access routes for pedestrians, cyclists, public transport users and other users of motor vehicles, as appropriate. Development proposals will be expected to demonstrate that they:-

- a) do not cause harm to highway safety;**
- b) are designed to give priority access to, and allow penetration by, pedestrians, cyclists and public transport services, as appropriate; and**
- c) integrate the access routes into the overall development.**

- 4.38 The safety of all highway users is of paramount importance when considering the provision of access to and from new development. It is important that new developments are planned and designed in order to ensure the safety of pedestrians, cyclists and occupants of vehicles through the design and layout of footpaths, cycleways and roads.
- 4.39 The Government places great emphasis on people being able to travel safely whatever their chosen mode of travel. They urge the needs and safety of all members of the community to be considered when designing new development, with people being put before traffic. The Structure Plan transport policies require the needs of people to access new development to be fully met and for development to give the highest priority to improving public transport and facilities for walking and cycling. The results of the pre-deposit consultation support this approach with over 50% of respondents strongly agreeing that new development should be accessible by public transport.
- 4.40 An important objective of this policy is to ensure that the design and layout of development helps to promote social inclusion and caters for all people, particularly those who do not have regular use of a car. The attractiveness of the access, both within and into the site for public transport users, pedestrians and cyclists, is also an important factor in influencing the mode of travel people will use. By giving priority to these forms of transport, new developments will discourage unnecessary car use and support initiatives within the Local Transport Plan, Community Plan and, where applicable, Travel Plans aimed at reducing congestion and promoting sustainable transport.
- 4.41 All highway infrastructure will be required to comply with *Transport and Roads for Developments: The Warwickshire Guide 2001* which was produced in consultation with a wide range of authorities, businesses and organisations. It was adopted by Warwickshire County Council in September 2001 as supplementary guidance to the Local Transport Plan. It provides guidance to applicants on assessing the overall transport requirements for new developments, the types of transport improvements likely to be justified, the layout and design of new accesses and the procedures and agreements which will be used. Development will be required to conform positively to the Guidance and provide a better environment for pedestrians and cyclists, better traffic

management and public transport and more transport choice. Applicants should also have regard to national or local guidance where relevant to the location and nature of development, for example supplementary planning guidance produced by the Council.

- 4.42 The provision of access for pedestrians and cyclists will be required on all development that generates traffic. The provision of access for public transport will only apply to developments where the scale, nature and location warrant such provision and applicants unsure of whether they need to make such provision are advised to contact the Council at an early stage in the development process. Applicants should also demonstrate how pedestrians, cyclists and public transport users access the site taking into account safety, convenience and attractiveness.
- 4.43 It is acknowledged that in some locations the most appropriate highway access may not accord with other policy objectives, such as achieving good layout and design. The Council will expect applicants to demonstrate how they have sought to balance these competing objectives and where they have made clear choices between policies.

DP7 Traffic Generation

Development will not be permitted which generates significant road traffic movements unless practicable and effective measures are taken to avoid adverse impact from traffic generation.

In appropriate circumstances, development proposals will be required to demonstrate how they comply with this policy by way of a Transport Assessment and, where necessary, Travel Plan.

- 4.44 Road traffic can have a significant negative impact on the environment in particular through the effect on air quality and climate change. It is also linked to associated health problems. As such the unchecked growth of road traffic can impinge on the achievement of the economic, social and environmental objectives within the Core Strategy of the Local Plan. It is important therefore that major development proposals provide measures to reduce the impact of vehicular movements, including realistic, safe and easy alternatives to the private car.
- 4.45 Transport Assessments are required alongside planning applications for major development to demonstrate that they positively contribute to the objectives of the Local Transport Plan. In accordance with Transport and Roads for Developments: The Warwickshire Guide (2001), Transport Assessments will be required for all large developments including:-
- 100 or more dwellings
 - 1,000 sq. m. and above gross retail floor space
 - 2,500 sq. m. and above gross office floor space
 - 5,000 sq. m. and above gross industrial floor space
 - 10,000 sq. m. and above gross warehousing floor space

- leisure use developments that result in significant traffic generation.
- 4.46 Transport Assessments will also be required for development that forms part of a larger development that requires access to a common transport corridor, or, where due to its location, the development could have a significant impact in transport terms. An Informal Transport Appraisal or a Transport Statement may be required for smaller developments as set out in Transport and Roads for Developments: The Warwickshire Guide (2001). In appropriate circumstances the Council will consult the Highways Agency on proposals which are likely to have an impact on the trunk road network and on what level of transport appraisal is appropriate.
- 4.47 Appropriate mitigation measures and a programme of implementation will need to be demonstrated, for example highway infrastructure improvements or support for public transport services. These measures may also be linked with the contents of a Travel Plan. The Travel Plan is a strategy for reducing travel demand in order to minimise the number of motor vehicles visiting a development. It should consider the traffic implications of journeys to and from the development and set targets for travel by means other than the private car.
- 4.48 Travel Plans will be required for all non-residential developments that fulfil the requirements for a Transport Assessment. They should ideally form part of the Transport Assessment and be submitted alongside the planning application. Development proposals in areas where public transport is limited, e.g. where services operate with frequency levels of less than one an hour, may also be required to submit Travel Plans. Furthermore, the significant development of education facilities will be expected to produce a Travel Plan.
- 4.49 The County Council have produced a Practice Note on Travel Plans for Developers (May, 2003), which provides further guidance on their content and how they will be enforced and monitored. The Council would advise developers to consult with the County Council at an early stage to assess whether a Transport Assessment and/or Travel Plan are required and what their nature and scope should be. In addition, whilst considering proposals the Council will give regard to other policies in the plan in particular DP6 (access) and DP9 (pollution).

DP8 Parking

Development will only be permitted that makes provision for parking which:-

- a) does not encourage unnecessary car use;**
 - b) has regard to the location and accessibility of the site by means other than the private car;**
 - c) does not result in on-street car parking detrimental to highway safety;**
 - d) takes account of the parking needs of disabled car users, motorcyclists and cyclists; and**
 - e) takes account of the requirements of commercial vehicles.**
- 4.50 The availability of car parking can influence the means of transport people choose for their journeys. In order therefore to encourage greater use of public transport, walking and cycling as a means of transport, excessive levels of car

- parking will be resisted on new developments. Such an approach will support initiatives aimed at reducing congestion and promoting sustainable transport within the Local Transport Plan, Community Plan and, where applicable, Travel Plans. Furthermore, excessive car parking can lower the density of development and result in the inefficient use of land. It is acknowledged, however, that parking levels on new development need to recognise the accessibility and mobility needs of people and businesses and that these may be different in urban and rural areas. The objective of this policy will be to seek to balance these competing aims.
- 4.51 Government guidance requires levels of parking on new development that encourages walking, cycling and public transport. This guidance is reflected in the Structure Plan which requires standards for different types of development in different locations. The results of the pre-deposit consultation exercise revealed that respondents consider easy access to car parking important for housing, shopping and employment uses with slightly less importance attached to leisure uses. In addition, parking for all types of uses was considered less important in locations which were well served by public transport, but even here 54% felt that parking remained important.
- 4.52 The Council will adopt a Supplementary Planning Document to inform this policy which will provide maximum levels of parking considered necessary to serve development, having regard to its nature and location. Applicants will be expected to provide car parking on new developments in accordance with these standards, as set out in this document. Proposals which meet maximum levels of parking will be appropriate in most circumstances. However, the council will allow standards of parking below maximum levels where it can be demonstrated that this is appropriate. It will also accept parking in excess of the maximum standard in appropriate circumstances, as set out in PPG13 or any subsequent Government documents.
- 4.53 Applicants will also be expected to provide parking for disabled car users, motorcyclists and cyclists in accordance with standards also to be set out in the Supplementary Planning Document. The provision of such dedicated parking space on new developments will help to promote social inclusion and cater for all people, particularly those who do not have regular use of a car. The Council will expect the design and location of these spaces to be integrated with the design of the development and take account of the respective needs of the various end users.

DP9 Pollution Control

Development will only be permitted which does not give rise to soil contamination or air, noise, radiation, light or water pollution where the level of discharge, emissions or contamination could cause harm to sensitive receptors.

Where there is evidence of existing land contamination, it will be necessary to ensure that that the land is made fit for its intended purpose and does not pose an unacceptable risk to sensitive receptors.

- 4.54 Preventing and alleviating pollution and minimising the risk to human health and the environment are key objectives of sustainable development. Pollution can arise from a variety of operations and development types as well as the construction of development itself. It is important therefore that the issue of pollution control is addressed at the development stage.
- 4.55 The Government attaches great importance to controlling and minimising pollution. It states that pollution impacts are considerations for Local Plans in relation to the potential impact on land use. Structure Plan policy requires the environmental effects of development to be assessed and, where necessary, measures for mitigation adopted.
- 4.56 The objective of this policy is to protect the environmental quality of the District by ensuring that, firstly, where there is evidence of contamination, land is made “fit for purpose” and secondly, pollution arising from new development does not harm sensitive receptors. Sensitive receptors are defined as features prone to damage from pollution, e.g. land, the use of other land, public health, controlled waters, general amenity and the natural environment.
- 4.57 It is recognised that the control of pollution is a complex process involving a wide range of agencies and this policy is not intended to duplicate controls which are the statutory responsibilities of other bodies, for example the Environment Agency. Particular consideration therefore will be given to the appropriateness of the location of development in relation to other land uses, particularly housing, and natural resources such as areas of nature conservation value.
- 4.58 The Council will liaise with the relevant statutory bodies to determine the potential impacts of development and the extent to which such effects can be mitigated through appropriate design, construction or regulation. The effectiveness of mitigation will be taken into account when considering proposals. Where an Environmental Statement is required, the Council will expect any issues referred to in this policy to be addressed. In the case of an outline application, the Environmental Statement should be submitted at the outline stage.

~~DP10 Flooding~~

~~Development in areas at risk of flooding will only be permitted where the following criteria are met:-~~

- ~~a) the type of development is appropriate to the level of flood risk associated with its location;~~
- ~~b) it can be demonstrated that no suitable alternative sites are available in an area of lower risk;~~
- ~~c) it is provided with the appropriate minimum standard of existing flood defence (including suitable warning and evacuation procedures) which can be maintained for the lifetime of the development;~~
- ~~d) it does not impede flood flows, does not increase the flood risk on site or elsewhere, or result in a loss of floodplain storage capacity;~~
- ~~e) it would not be subject to regular flooding;~~
- ~~f) the site is not required for washland creation as part of the overall flood defence strategy for the river catchments;~~
- ~~g) in the case of dwellings, it is evident that as a minimum safe, dry pedestrian access would be available to land not at high risk; and~~
- ~~h) in the case of essential civil infrastructure, access must be guaranteed and must be capable of remaining operational during all flooding events.~~

~~Where development is supported as an exception to this policy within high risk areas, applicants will need to demonstrate that they strictly comply with criteria b), c), d) and g).~~

~~Applicants will be required to demonstrate how they comply with this policy by way of a Flood Risk Assessment, appropriate to the scale and nature of the development proposed, where the development is:-~~

- ~~I. within a river floodplain as defined by the Environment Agency's indicative flood zone maps or those held by the Council's Land Drainage Engineers;~~
- ~~II. within or adjacent to any watercourse;~~
- ~~III. adjacent to, or including, any flood bank or other flood control structure;~~
- ~~IV. within an area where there may be drainage problems;~~
- ~~V. likely to involve the culverting or diverting of any watercourse; or~~
- ~~VI. of such size and nature relative to the receiving watercourse/drainage system that there could be a significant increase in surface water run-off from the area~~

~~4.59 The Easter floods of 1998 had a severe impact on homes, businesses, agriculture and the natural environment within Warwick District. Since that time, the assessment of flood risk and the provision of flood defence measures have assumed greater importance at a national, regional and local level. Flood risk involves both the probability of a flood occurring and the scale of its effects. This can be an issue wherever flooding occurs, be it fluvial or where inadequate provision is made for surface water run-off.~~

~~4.60 Government policy is to reduce the risks to people and the developed and natural environment from flooding. It aims to control development in areas of risk from~~

~~flooding and those that could increase the risk of flooding. It advocates the need for a risk based approach to proposals for all development and sets out a sequential test to assist with such an approach. "Development" refers to all types of development including redevelopment, changes of use and conversions.~~

- ~~4.61 The Council will consider all proposals in accordance with the sequential test in PPG25 Table 1, paragraph 30 (see extract below). This identifies zones of flood risk from those with high risk to those with little or no risk. The test will be applied with priority given for development of sites in lower flood risk areas, i.e. directing development away from high risk flood areas.~~

Flood Areas	Annual Probability of Flooding
1. High risk	1.0% or greater
2. Low to medium risk	0.1% – 1.0%
3. Little or no risk	<0.1%

- ~~4.62 In accordance with PPG25, the policy recognises that where the location is essential to the development proposed e.g. water-based recreation uses or agriculture, permission will be granted provided the applicant can demonstrate that they strictly comply with either this policy or site specific advice issued by the Environment Agency, and any other relevant local plan policy.~~

- ~~4.63 In applying the sequential test, it is acknowledged that extensive areas of built development fall in the high risk areas and that the reuse of previously developed land may be needed to avoid economic stagnation. Where, in the wider overall interest, development is supported as an exception to this policy within high risk areas, applicants will need to demonstrate that they strictly comply with criteria b), c), d) and g) of the policy in that the development is and remains safe throughout its lifetime and does not increase flood risk elsewhere.~~

- ~~4.64 It is the responsibility of the applicant to investigate and evaluate the extent of risk from flooding. Where the proposed scheme falls within an area at risk from flooding or may cause flooding in any way, the applicant will be required to submit a detailed Flood Risk Assessment in accordance with the requirements of PPG25, Appendix F. It will inform the planning decision and may identify appropriate design and mitigation methods. Failure to provide an appropriate flood risk assessment could constitute a reason for the refusal of planning permission. The Council will consult the Environment Agency (EA) and its own Land Drainage Engineers on any development proposals which affect floodplains or could exacerbate the risk of flooding in any way. Extensive culverting of any watercourse will be resisted and the opening up of culverts will be encouraged wherever possible. Culverting requires the prior formal consent of the Environment Agency as do any works in, under, over or within 8 metres of a main river. Their views will guide the decision as to whether this policy has been satisfied when determining a planning application.~~

- ~~4.65 The Environment Agency is the land drainage authority for main rivers and has produced indicative flood zone maps for these and other watercourses. These are shown on the proposals map. These maps are based upon the approximate extent of flooding with a 1% annual occurrence for rivers, or where this is greater, the highest recorded flood event. The maps represent the best information~~

~~available at the time but are indicative only and should be used as a basis for consultation rather than decision making. Applicants are advised to refer to the Environment Agency for the most up to date indicative flood zone maps to identify any changes. These maps will also enable applicants to identify areas of high flood risk. Where floodplains for some other watercourses are not yet available applicants are asked to contact the Local Authority Drainage Engineers who are the Land Drainage Authority for non main rivers, to check the location of the nearest watercourse to their development site.~~

- ~~4.66 It is also important to consider the potential for local flooding due to run off from built development exceeding the capacity of drainage systems during prolonged or intense rainfall. The value of sustainable drainage systems is now recognised as a means of controlling run off from new development and consideration should be given to sustainable drainage systems in accordance with Policy DP11 of the Local Plan.~~

DP11 Drainage

Development will be encouraged to incorporate sustainable drainage systems which provide for the disposal of surface water. Where this is not possible, it will be necessary to demonstrate:-

- a) why it is not possible to incorporate sustainable drainage systems, and**
- b) that an acceptable means of surface water disposal is provided which does not increase the risk of flooding or give rise to environmental problems.**

The re-use and recycling of surface water and domestic waste water within new development will be encouraged.

- 4.67 The conservation and management of water is an increasingly important issue in light of the increased incidence of flooding, the increasing demand for water supplies and the importance of watercourses and wetlands to nature conservation. Development throughout a river catchment, including locations outside of the flood plain, can have a significant impact on the risk of flooding simply by increasing run off through extending the area of impermeable ground. Further, government guidance states that the potential effects of climate change may be a 20% increase in peak flows.
- 4.68 Government guidance requires consideration of drainage and flooding issues in all locations, not just within the floodplain. It encourages reduction and restriction of surface water run off from new developments by the provision of sustainable drainage systems. This guidance is reflected in the Structure Plan which requires development to meet water conservation and flood control requirements. The views expressed through the Community Plan identified reducing the risk of flooding as a key aim.
- 4.69 The objective of this policy is to incorporate sustainable drainage systems into new developments as an integral part of their layout and design. Sustainable drainage systems aim to use a variety of techniques to control surface water run-off as close to its origin as possible by engineering solutions that seek to mimic

- natural drainage processes. These will help to protect against flooding and pollution of water resources as well as enabling opportunities for benefits in terms of nature conservation and the landscape value of the site and surrounds.
- 4.70 The Environment Agency can give further information on sustainable drainage systems and water recycling. The Council will work closely with them and other sewerage undertakers to enable surface water drainage to be controlled as near to the source as possible by encouraging such systems.
- 4.71 Applicants will need to demonstrate how they comply with the objective of this policy. It is recognised that some developments, e.g. changes of use, may have little or no impact on drainage and therefore such information will not be required where this is the case.

DP12 Energy Efficiency

The layout and design of development will be encouraged to promote energy efficient buildings. Where appropriate, development proposals will be expected to demonstrate that they have considered:-

- a) opportunities to maximise passive solar gain, minimise heat loss and wind tunnelling and eddying;**
 - b) opportunities to limit overshadowing of buildings to minimise loss of useful solar gain;**
 - c) opportunities for landscaping to provide shelter belts to improve energy conservation;**
 - d) the use of materials with a reduced energy input, such as recycled products; and**
 - e) the use of sustainable and renewable forms of heating such as solar panels and CHP (Combined Heat and Power) schemes.**
- 4.72 The prudent use of natural resources is a key objective of the UK Sustainable Development Framework. The layout and design of development can have a significant effect on reducing energy consumption by ensuring maximum use is made of passive solar gains and reducing the unnecessary loss of energy.
- 4.73 Government guidance states that energy conservation and efficient use of energy are considerations for Local Plans. This is reflected within Regional Planning Guidance which requires development plans to include measures to minimise energy demands from development. Furthermore, an aim of the Community Strategy is to promote energy efficiency. Other policies within the Local Plan will also contribute towards energy efficiency, such as ensuring that developments are located in areas which reduce peoples need to travel and encouraging renewable energy developments.
- 4.74 The objective of this policy is to design new developments which make the most of opportunities to reduce energy consumption and carbon emissions. Consideration should be given to maximising solar gain through orientation of the principal façade of buildings southwards, configuring the internal layout accordingly and providing appropriate spacing between buildings to avoid

- overshadowing. The ability to avoid exposing external walls through windbreaks should also be considered.
- 4.75 It may also be appropriate for large scale developments to consider the ability to incorporate sustainable forms of energy production within the overall design, for example combined heat and power systems.
- 4.76 Applicants will be required to demonstrate how they comply with the objective of this policy. It is recognised that minor developments and changes of use may have little or no impact on energy conservation and therefore such information will not be required where this is the case.
- 4.77 The Council will welcome applications for development that have embraced the adoption of recognised environmental design standards such as Breeam (The Building Research Establishments Environmental Assessment Method). This audit system considers a set of environmental issues and gives accreditation for designs that successfully incorporate an appropriate range of environmental criteria.
- 4.78 It is acknowledged that the most appropriate layout and design for promoting energy efficient buildings may not accord with other policy objectives, such as achieving good design or making the best use of land. The Council will expect applicants to demonstrate how they have sought to balance these competing objectives and where they have made clear choices between policies.

DP13 Renewable Energy Developments

A. Planning permission will be granted for developments which generate energy from renewable resources where they do not have an unacceptable impact on:-

- a) local amenity including visual appearance, noise, dust, odour, and traffic generation;**
- b) public health and safety;**
- c) townscape and/or landscape character;**
- d) the natural environment; or**
- e) interests of archaeological or historic importance**

In the case of all applications for renewable energy projects, the following will apply:

- i) the wider environmental and economic benefits of the proposals will be a significant material planning consideration; and**
- ii) provision should be made for the removal of the facilities and the reinstatement of the site should it cease to be operational.**

In the case of large scale renewable energy projects, there should be community involvement in developing the proposals.

B. In appropriate residential and non-residential developments, including conversions, the Council will require 10% of the predicted energy

requirements to be produced on site, or in the locality, from renewable energy resources.

- 4.79 The Government's energy policy is set out in the Energy White Paper. This aims to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, with real progress by 2020, and to maintain reliable and competitive energy supplies. The development of renewable energy, alongside the improvements in energy efficiency and the development of combined heat and power, will make a vital contribution to these aims. The Government has already set a target to generate 10% of UK electricity from renewable energy sources by 2010. The Government's planning policy in PPS22 (Renewable Energy) states that local development documents, such as local plans, should include policies to promote and encourage the development of renewable energy resources. Further guidance is given in the Companion Guide to PPS22.
- 4.80 The West Midlands Energy Strategy sets a target of at least 5% of electricity to be generated from renewable means by 2010. This lower target reflects the lower baseline in the region and the potential. Regional Planning Guidance recognises the fact that if energy targets are to be met it is important that development plans incorporate policies to help facilitate the realisation of the energy generation potential of renewable resources. The Structure Plan promotes the maximum use of renewable energy resources.
- 4.81 Warwick District Council is a signatory to the Nottingham Declaration on Climate Change and as such is committed to encouraging all sectors of the community to achieve a significant reduction in greenhouse gas emissions and to provide opportunities for the development of renewable energy developments.
- 4.82 The objective of this policy is to provide clear criteria for consideration of development proposals for renewable energy developments and to promote the use of small scale, on-site, renewable energy technology in developments. For the purposes of this policy, renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the sun and also from biomass. In Warwick District, the energy sources which have most potential include solar energy, wind and biomass.
- 4.83 Development proposals for renewable energy projects may include both large scale, commercial plant supplying to the local distribution network, or "micro-generation scale" plants supplying a specific building, site or community. The nature and significance of developments will vary according to the scale, the primary source of renewable fuel, the technology used and the location. Commercial scale plants are likely to use wind or biomass. Micro-generation scale plants may make use of a variety of fuels and technologies.
- 4.84 Where appropriate, Environmental Assessment will be used to determine the effect of any proposal on amenity, public health and safety, townscape and/or landscape character, the natural and historic environment, climate and other factors. Applications should include arrangements for the reinstatement of the site, should the operation cease, and in the case of large scale projects should engage in active consultation with local communities before any planning application is submitted.

- 4.85 Many renewable energy projects will be inappropriate development in the green belt. Careful consideration will be given to the visual impact of the scheme on the openness of the green belt and developers will need to demonstrate very special circumstances that clearly outweigh any harm by reason of inappropriateness and any other harm if the project is to proceed.
- 4.86 Government guidance allows local plans to require some new developments to provide a percentage of their energy requirements from on-site renewable energy developments. In Warwick District this requirement will be applied to “appropriate” developments which will include those developments where the installation of micro generation equipment is viable given the type of development proposed, its location and design. Such equipment could include photovoltaic cells, solar panels, solar powered water heating, energy from wind turbines in small clusters and energy from biomass. Where, in the case of an appropriate development, it is claimed that micro generation equipment is not viable, developers will be required to demonstrate why this is the case. Further guidance on the implementation of this policy will be set out in a Supplementary Planning Document.

DP14 Crime Prevention

The layout and design of development will be encouraged to minimise the potential for crime and anti-social behaviour and improve community safety. Development proposals will be expected to demonstrate that they:

- a) orientate and design buildings to enable natural surveillance of public spaces and parking areas;**
 - b) define private, public and communal spaces;**
 - c) create a sense of ownership of the local environment; and**
 - d) make provision for appropriate security measures, including lighting, landscaping and fencing, as an integral part of the development.**
- 4.87 The appearance of development and its relationship with its surrounding environment can have a significant effect on the perceived and experienced safety of an area. The securing of new development that can discourage anti-social behaviour is therefore important. This can be achieved through careful consideration of design and layout with regard to security.
- 4.88 Government guidance states that crime prevention issues should be addressed through urban design in Local Plans. Further guidance on this issue is given within Circular 5/94 (Planning Out Crime). Reducing crime and the fear of crime was recognised as an important priority within the Community Plan. The Council is also required under Section 17 of the Crime and Disorder Act 1998 to take account of crime and disorder in all of its work.
- 4.89 The objective of this policy is to design developments, including conversion schemes, which minimise crime and anti-social behaviour. Consideration should be given to enabling natural surveillance and incorporating safety measures in the layout and design of new development. The ability to incorporate security features should also be considered as an integral part of the development,

- including appropriate landscaping features. The Council will seek to adopt Supplementary Planning Guidance to inform this policy.
- 4.90 Applicants will be required to demonstrate how they comply with the objective of this policy and are encouraged to have a 'Secured by Design' certificate from an Architectural Liaison Officer. It is recognised that minor developments may have little or no impact on crime prevention and therefore such information will not be required where this is the case.
- 4.91 It is acknowledged that the most appropriate layout and design for promoting crime prevention may not accord with other policy objectives, such as achieving good design or securing accessible layouts. The Council will expect applicants to demonstrate how they have sought to balance these competing objectives and where they have made clear choices between policies.

DP15 Accessibility and Inclusion

The layout and design of development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users, regardless of disability, age or gender. Development proposals will be expected to demonstrate that they provide safe, easy and inclusive access to, into and within buildings and facilities.

- 4.92 The achievement of an inclusive environment, where all people can participate fully as equal citizens, is an important objective of sustainable development. The layout and design of development can have a significant impact on the ability of people to use the built and natural environment. The securing of new development that can enable inclusion is therefore important. This can be achieved through careful consideration of design and layout with regard to access and to users specific needs.
- 4.93 The Disability Discrimination Act 1995 gives disabled people important rights of access to everyday services and came into force in full in 2004. In relation to planning policies, Government guidance states that planning policies should address social exclusion in Local Plans. Further guidance on this issue is given within Planning and Access for Disabled People: A Good Practice Guide and Traffic Advice Leaflet 5/95, Parking for Disabled People. Promoting social inclusion has been recognised as a key priority within the Community Plan.
- 4.94 The objective of this policy is to design developments which are accessible to all potential users. Consideration should be given to providing appropriate access to, into and within, buildings or facilities such as open space and children's play spaces. This policy is applicable to all buildings/facilities and will supplement the implementation of Part M of the Buildings Regulations 1991.
- 4.95 Applicants will be required to demonstrate how they comply with the objective of this policy. It is recognised that minor developments and changes of use may have little or no impact on accessibility and therefore such information will not be required where this is the case.

- 4.96 It is acknowledged that the most appropriate layout and design for promoting accessibility and inclusion may not be practical in every situation and not accord with other policy objectives, such as protecting older buildings or the character of an area. The Council will expect applicants to demonstrate how they have sought to balance these competing objectives and where they have made clear choices between policies.