

Chapter 5: Sustaining Communities

- 5.1 Thriving towns, villages and neighbourhoods are fundamental to our quality of life. Strong economies, mixed communities, accessible services and facilities, and quality recreation and community facilities are vital for their sustainable development. It is important therefore to support existing communities and to build and strengthen communities through new developments.
- 5.2 The policies within this chapter of the Plan will be applied to development proposals across the whole of the District. They will seek to:
- contribute towards achievement of the core strategy, specifically in relation to the economic, social and environmental objectives, by protecting assets which have community value and ensuring that new facilities are properly planned;
 - ensure new developments incorporate necessary community facilities and infrastructure through the use of planning conditions and planning obligations;
 - ensure that applicants are clear what information they will be expected to provide when submitting development proposals to the Council and the types of planning obligations that may be required.

Supporting Communities

SC1 Securing a Greater Choice of Housing

Residential development will not be permitted unless it makes provision for a range of sizes and types of dwelling in all appropriate cases.

- 5.3 It is important to create mixed and inclusive communities which can offer a choice of housing and lifestyle. Different types of housing and tenure do not make bad neighbours. Government policy urges local authorities to ensure that new housing development helps secure a better social mix by avoiding the creation of large areas of housing of similar characteristics.
- 5.4 The purpose of this policy is to seek to achieve greater diversity in the size, type and affordability of dwellings permitted on a site. This will enable greater choice of housing to meet the requirements of the whole community and also contribute towards creating more interesting and diverse environments. More guidance on the Council's requirements for affordable housing is provided in policy SC11.
- 5.5 In applying this policy, the Council recognizes that on small sites or sites within areas of a distinctive residential character it may not be appropriate to apply this policy. Also, this policy should not be seen as promoting the inefficient use of land or preventing the creation of higher density housing as advocated in PPG3 and outlined in policy DP5.
- 5.6 The Council is keen that new housing is designed to meet the needs of the whole population, and will use its powers, in accordance with government policy, to secure appropriate housing to achieve this. It will therefore actively support the

inclusion of a suitable proportion of housing which complies with the “lifetime homes” standards promoted by the Joseph Rowntree Foundation, wherever this is practical and appropriate.

SC2 Protecting Employment Land and Buildings

Redevelopment or change of use of existing and committed employment land and buildings for other uses will not be permitted unless:-

- a) the location and/or nature of the present employment activity has an unacceptable adverse impact upon adjacent residential uses, and an applicant can demonstrate that it would not be desirable to seek to replace this with any other employment use, or**
- b) the applicant can demonstrate that there are valid reasons why the use of a site for the existing or another employment use is not economically viable, or**
- c) the proposal is for affordable housing provided in accordance with the definition contained in policy SC11, or**
- d) the application is for a non-housing use, accords with all other relevant policies of this Plan and the applicant can demonstrate that the proposal would not have the effect of limiting the level of provision and quality of land available for employment in accordance with this Plan and the Regional Spatial Strategy.**

5.7 Warwick District has a wide range of employment areas catering for different employment needs. These range from high quality sites in prime locations attracting a range of high technology and office uses, through to traditional industrial estates and, importantly, suitable sites for smaller employers. With high land values and property prices across the District, and the advent of PPG3 encouraging local authorities to re-use previously developed land for housing and to convert buildings formerly in other uses to housing, there has been pressure to redevelop some existing employment land for housing. This may both undermine the District’s stock of employment land and cause too much land to be released for housing.

5.8 Government policy supports the re-use of previously developed land for employment purposes. Also, Government recognises that many employment uses can co-exist within residential areas, and their retention should be encouraged. The Structure Plan encourages maximising the use of previously developed land for employment uses. In the pre-deposit consultation exercise 93% of respondents supported making best use of previously developed land for employment uses in order to protect green field sites and 67% considered that it is important to provide jobs close to where people live.

5.9 As a general principle therefore, the Council wishes to see land currently in employment use remaining in this use. Where proposals come forward for the redevelopment of employment sites for employment purposes, these will be supported subject to other policies of this Plan.

5.10 It is recognised, however, that exceptional circumstances may exist on individual sites where the loss of part, or even all, of the employment use would be

- permitted. In assessing such proposals, the Council will expect an applicant to have demonstrated that all other employment uses have been fully explored before considering a non-employment use for the site. In some cases, the Council may accept that there are particular reasons why a mixed use within the site may be appropriate in a particular instance, for example where a small scheme proposes the creation of live-work units. Furthermore, in view of the need to provide affordable housing to meet local needs within the District, the redevelopment of suitable employment sites for 100% affordable housing will also be allowed.
- 5.11 In addition, since employment land that is recycled for employment use can contribute towards meeting the Structure Plan requirement, there may be a time during the life of the local plan where there is more employment land available than is required. In these cases, and in the interests of making best use of previously developed land, the Council may consider other uses on previous employment land, subject at all times to other policies of the plan. An exception to this would be to use a site for housing since this would undermine the housing strategy within the Regional Spatial Strategy.
- 5.12 In principle, the Council wishes to support the expansion of existing firms where the impact of this is acceptable and where it would not lead to an over-development of the site. In considering such proposals it will have regard to all other policies of this Plan, in particular policies DP1 and DP2. Proposals in the Green Belt will also need to be assessed against policies DAP1 (Green Belt) and SSP2 (Major Developed Sites).
- 5.13 For the purpose of this policy, and in accordance with the Structure Plan, employment uses are classified as being within Use Classes B1 (business), B2 (general industry) and B8 (storage and distribution) only. 'Existing and committed employment land and buildings' includes sites that are currently operating lawfully in an employment use, those which are presently redundant but for which the previous lawful use was employment and sites that are employment commitments as set out in Tables 1 and 2 of Appendix One. The employment commitments make an important contribution towards the Structure Plan requirement and therefore are protected for such uses. Where land or buildings contain a mix of uses, the policy will only apply when the principle use is, or was, employment.

SC3 Supporting Public Transport Interchanges

Development will not be permitted which would have an unacceptable adverse impact upon public transport interchanges.

Development of public transport interchanges will be permitted provided the benefits in terms of encouraging public transport outweigh any adverse impacts.

- 5.14 Public transport interchanges are an essential component of a successful public transport network, both in urban and rural areas, allowing people to access public transport and move between different modes. The District contains a number of such interchanges including the rail stations at Leamington Spa, Warwick, Warwick Parkway, Hatton and Lapworth and bus focal points in the urban areas.

- 5.15 Government policy urges local authorities to ensure that interchanges are well designed and related to travel generating uses and can be safely and conveniently accessed by all modes of transport, especially walking and cycling. The Warwickshire Local Transport Plan seeks specifically to provide ease of access to public transport interchanges and has set a target to implement a programme of improvements to interchanges by 2006.
- 5.16 The objective of this policy is to protect interchanges, wherever possible, and to support improvements to existing, and the provision of new, interchanges in appropriate circumstances. In terms of protecting public transport interchanges, the Council will ensure that in considering relevant proposals for developments which are adjacent to, or may impact upon, an interchange, these do not have an adverse impact on its effective operation or threaten its viability. The Council will refuse proposals that would threaten the operation of an interchange.
- 5.17 Development of public transport interchanges includes proposals to alter and extend existing interchanges and to provide new ones. The Council would wish all interchanges to function as effectively as possible, facilitating ease of movement between more sustainable means of transport (buses, trains, walking and cycling) and providing adequate and appropriate levels of car parking. In supporting interchanges, it is recognised that there may be adverse impacts arising from development. Whilst the Council will apply all other relevant policies of this Plan to proposals affecting interchanges, particularly DP1 and DP2, it will also need to be satisfied that the benefits in terms of encouraging public transport outweigh any adverse impacts. This will be particularly the case where proposals affect existing residents or are in areas which are otherwise protected such as Green Belt.
- 5.18 With regard to any proposals for Park & Ride in the Green Belt, the Council will require these to meet all the criteria outlined in PPG13 Annex E. Where there are proposals for new interchanges, or expansions of existing interchanges beyond their curtilage, the Council will expect applicants to demonstrate convincing evidence of the need for the proposal.
- 5.19 Policy DP6 (Access) requires all developments to provide safe, convenient and attractive routes for pedestrians, cyclists and users of motor vehicles. In assessing this in relation to public transport interchanges, the Council will expect there to be evidence of the following:-
- Convenience: will it be easy to use, particularly for public transport users (including disabled users) and operators? Has it been designed to maximize the walking and cycling catchment population?
 - Safety: will it improve users safety and will it make them feel safer through increased surveillance, lighting, etc?
 - Attractiveness: will it make the environment more attractive for users?

SC4 Supporting Cycle and Pedestrian Facilities

Development will not be permitted which would have an unacceptable adverse impact upon, or prejudice the implementation of, new or improved cycle and pedestrian routes identified in the Warwickshire Local Transport Plan 2006, or the continuity of any existing cycle and pedestrian routes.

Development of cycle and pedestrian facilities will be permitted provided the benefits in terms of encouraging cycling and walking outweigh any adverse impacts.

- 5.20 The provision of safe footpaths, cycleways and canal towpaths all have an important role as part of a sustainable transport strategy, particularly within urban areas and where journeys are likely to be less than 5 km. As part of this strategy it is important that existing cycle and pedestrian routes are protected, new ones created and associated infrastructure (such as cycle parking facilities) provided.
- 5.21 Government policy supports this approach and urges development and local transport plans to work together to deliver these objectives. For cycle route investment, the Warwickshire Local Transport Plan (LTP) 2006 focuses on further developing the cycle route networks within the main urban areas and working with Sustrans to complete the National Cycle Network. For pedestrians, the LTP focuses on the provision of safe and convenient crossing points to facilitate easy pedestrian movement and address safety issues.
- 5.22 The Council, in consultation with Parish and Town Councils, will work alongside the County Council to support the development of the cycle and pedestrian network. The following are identified as priorities:
- National Cycle Network: The Council is working in partnership to implement the National Cycle Network within Warwick District. Two routes run through the district: route 41 between Rugby and Stratford upon Avon (of which the completed sections are shown on the Proposals Maps) and the proposed line of route 52 between Derby and Stratford upon Avon. In addition to those sections already implemented, the County Council, together with Sustrans, has identified other sections to link up the route in its entirety. The Council will continue to help secure the sections of these routes which are yet to be implemented.
 - New or improved links within the urban areas, and between the urban areas and neighbouring villages, as set out in the Warwickshire Local Transport Plan 2006.
- 5.23 The Council will expect proposals to protect and where possible, enhance existing cycle and pedestrian routes. Where major new development abuts an existing route, measures will be required to integrate pedestrian and cycle provision within the development with the existing routes. In the case of new development proposals, policy SC12 will seek contributions, where appropriate, towards the provision of new cycleways and footpaths.

- 5.24 Where new cycle and pedestrian facilities are proposed the Council will be mindful of any adverse impacts, particularly upon adjoining uses and residents, and upon the character and appearance of the area.

~~SC5 Protecting Open Spaces~~

~~Development or change of use of open spaces to non-sport and recreation uses will not be permitted unless:-~~

- ~~a) an alternative open space can be provided which is at least equivalent in terms of size, quality, accessibility, usefulness and attractiveness, or~~
- ~~b) there is a robust assessment demonstrating a lack of need for the open space for any potential leisure or recreational use.~~

~~Development on open spaces for sport and recreation purposes will be permitted subject to the proposal being of sufficient benefit to outweigh the loss of open space.~~

- 5.25 ~~Open spaces for the purposes of this policy are defined as any open space of public value that offers important opportunities for leisure, recreation and visual amenity. Warwick District contains a large number of such open spaces. These vary in size, tenure and quality and include large formal parks and gardens, nature reserves, informal recreation areas, allotments, river and canal corridors and sports pitches. They are a vital asset within both urban and rural areas, and it is important that they are protected.~~
- 5.26 ~~Government policy is clear that it is important to maintain an adequate supply of open space for the well being and quality of life of the local community. It is recognised, however, that there may be limited instances where it is acceptable to lose open space to other uses, and to allow open spaces to be developed for other sports and recreational uses. Within the District, 78% of respondents to the pre-deposit consultation exercise felt that all playing fields, parks and green spaces should be protected from new development. For the purposes of this policy open space includes land in both public and private ownership.~~
- 5.27 ~~In considering proposals involving the loss of open space, where there is a proposal to provide alternative open space, the Council will expect such replacement spaces to enhance the provision of open space in the local community. In addition applicants will be required to demonstrate that the long term management and maintenance of open space is assured. Where proposals will result in the loss of open space to other non-leisure uses, the Council will require that a robust assessment of local need is carried out.~~
- 5.28 ~~In accordance with Government requirements, the Council intends to conduct such an assessment and an audit of all open spaces and in due course this will provide the necessary assessment to enable any such proposals to be considered. In advance of the publication of this work, the Council will require any prospective applicants to provide an independent assessment. The methodology for this should be agreed in advance and will require consultation with the local community.~~

- 5.29 ~~Where proposals see the development of open space for some other recreation purpose, the Council will expect that an applicant demonstrates that the benefits of the proposal outweigh the loss of the open space with reference to local needs and where appropriate the advice of Sport England. It will also consider any adverse impacts of the proposal on the quality and quantity of sports pitches except where there is an established surplus of provision in the area.~~
- 5.30 ~~In the context of this policy 'sports and recreation facilities' refers to facilities for indoor or outdoor sports as contained within Use Class D2. In considering proposals applicants should give regard to the requirements of UAP9 within the urban area and RAP13 in the rural area.~~

~~SC6 Protecting Sport and Recreation Facilities~~

~~Redevelopment or change of use of sport and recreational facilities to other uses will not be permitted unless:-~~

- ~~a) alternative facilities can be provided which are at least equivalent in terms of size, quality, accessibility, usefulness and attractiveness; and a management plan is submitted to ensure the future viability of the facility;~~
 - ~~or~~
 - ~~b) there is a robust assessment as defined by PPG17 demonstrating that the location is inappropriate or that there is a lack of need either currently or in the future for the facility by the local community.~~
- 5.31 ~~The District contains a range of built sports and recreational facilities that serve its growing population. These include indoor sports halls, swimming pools, leisure centres and health clubs. Government advice is to protect such facilities and only allow them to be lost to other uses where it can clearly be demonstrated that they are surplus to requirements. There is a balance to be struck here, however, between protecting facilities and recognising there may be cases where an alternative use needs to be found. The Council wishes to ensure that best use is made of all previously developed land, including former sport and recreation buildings, and also wishes to ensure that under-utilised facilities do not become redundant which may lead to potential vandalism and dilapidation.~~
- 5.32 ~~As it considers proposals involving the loss of sport and recreation facilities, the Council will be preparing an assessment and audit of sport and recreation facilities (as part of the wider assessment of open spaces noted in SC5). This will provide the necessary information to enable any such proposals to be considered. In advance of the publication of this work, the Council will require any prospective applicants to provide an independent assessment. The methodology for this should be agreed in advance and will require consultation with the local community.~~
- 5.33 ~~Where it is demonstrated that there is no proven need for a facility applicants will be required to prove they have investigated different management options and have actively marketed the facility for a twelve month period to determine the possibility of the facility remaining as a leisure use.~~

~~5.34 In cases where an alternative facility is proposed the overall aim in accordance with PPG17 should be to improve the quality of the facility. In addition applicants will be required to submit a management plan outlining how the proposed development will be maintained and managed.~~

~~SC7 Directing Community Facilities~~

~~Community facilities will be permitted within town centres. Where no suitable sites are available a sequential approach should be adopted first considering sites adjacent to the town centre then within or adjacent to local shopping centres. In rural areas facilities should be located within the Limited Growth Villages.~~

~~Outside of these locations, community facilities which can be demonstrated to meet a particular local need will be permitted where:-~~

- ~~a) the use is accessible to the community it proposes to serve by means other than the private car;~~
- ~~b) there is a need to enhance an existing facility or provide a new facility that has specific locational requirements that cannot be met in a town or local centre or village.~~

~~Facilities should be located where possible on previously developed land.~~

SC8 Protecting Community Facilities

Redevelopment or change of use of community facilities that serve local needs will not be permitted unless:-

- a) there are other similar facilities accessible to the local community by means other than the car; and either
- b) the facility is redundant and no other user is willing to acquire and manage it; or
- c) there is an assessment demonstrating a lack of need for the facility within the local community.

5.35 It is important that existing community facilities serving local needs are protected and that additional new facilities should be properly located. This can, however, raise problems with adjacent uses, particularly where the community facilities are located within predominantly residential areas. The historic fabric of the District's towns also can cause problems where the use may not be compatible with the character of the building or area. The council will support proposals to enhance the quality of existing facilities which meet a local need.

5.36 Government policy supports the principle of locating day to day facilities which need to be near their clients in local and rural service centres and in locations likely to be accessible without the use of a car.

5.37 For the purposes of these policies, the reference to community facilities includes a wide range of uses within Use Class D1 such as places of worship, dental and medical surgeries, community halls, local education facilities, crèches and

nurseries for the care of children. In exceptional circumstances, the Council may apply this policy to other facilities that meet a community need where the grant of permission would result in a demonstrable shortfall in the locality. In identifying sites a sequential approach should be adopted through which all potential town centre options should be thoroughly assessed before less central sites are considered. First preference should be given to town centre locations, followed by sites adjacent to the town centre then within or adjacent to local shopping centres. Within rural areas community uses should be located within the Limited Growth Villages identified in policy RAP1 where they can most greatly benefit from proximity to each other and other uses. It is recognised, however, that many community facilities serve very local populations and these should, where possible, be allowed to locate close to the population they serve. Where such uses are proposed the Council will expect the applicant to demonstrate that the use meets a local need which cannot be otherwise met in a centre.

- 5.38 In recent years, the Council has received many applications for the conversion of individual properties to uses such as dentists and nurseries. In such cases the Council will require the applicant to demonstrate that the proposed use will not detract from the character of the area or affect the amenity of local residents in accordance with other policies of this Plan.
- 5.39 For the redevelopment or change of use of community facilities when demonstrating need the applicant will be required to provide evidence to prove that the facility has been actively marketed for a community use for at least a period of twelve months.
- 5.40 In cases proposing the development of greenfield land the council will expect the applicant to demonstrate that all viable previously developed land options have been investigated.

SC9 Telecommunications

Development of new masts and antennae by telecommunications and code systems operators will be permitted provided:-

- a) it has been demonstrated that mast or site sharing is not feasible and that the apparatus cannot be sited on an existing building or other appropriate structure where this represents the preferable environmental solution;
 - b) it has been demonstrated that alternative, less environmentally harmful means of providing the same service is not feasible;
 - c) every effort has been made to minimise the visual impact of the proposal;
 - d) proposals adhere to current Government advice on the health effects of exposure to radio waves; and
 - e) consideration has been given to the future demands of network development, including that of other operators.
- 5.41 With the growth and opening up of the telecommunications industry, there is an unprecedented demand for telecommunications systems. Government policy is to facilitate the growth of new and existing systems whilst ensuring that environmental impact is kept to a minimum. Local authorities are encouraged to respond positively to telecommunication proposals, however, it is reasonable for

- authorities to be satisfied that certain key material considerations have been properly considered by operators.
- 5.42 This policy covers all proposals for telecommunications equipment, both those requiring planning permission and those requiring prior approval. In considering proposals, the Council will expect:-
- the need for the development as part of a wider network to be proven;
 - there to be clear evidence that opportunities for mast or site sharing have been fully explored;
 - operators to demonstrate, where appropriate, that the design of the structure is capable of accommodating other operators to minimize the need for unnecessary proliferation of structures in the future; and
 - all current advice on health issues to be followed. Currently Government advises that all proposals should meet ICNIRP guidelines for public exposure to radio waves. Both health considerations and public concern can be material considerations in determining applications and prior approval, and the Council will have regard to all appropriate Government advice and case law when considering the weight that should be attached to these issues.
- 5.43 Furthermore, applicants will be expected to demonstrate that every effort has been made to minimise the visual impact of the development. In recent years operators have made significant advances in both the technology of telecommunications apparatus and in the techniques for hiding and camouflaging it. The Council will expect that design principles be fully taken into account at the initial stages of scheme designs. This will be particularly important when considering proposals that would directly affect residential areas and areas and buildings covered by a protective designation such as Conservation Areas, listed buildings, Ancient Monuments, registered parks and gardens, Areas of Restraint and Green Belt. If the proposal is to be sited on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact on the external appearance of the building.
- 5.44 Within Green Belt areas, telecommunications development will be considered inappropriate development if it adversely affects openness. Very special circumstances to outweigh the harm by reason of inappropriateness will be considered to exist if it can be demonstrated that there is a lack of suitable alternative sites that would meet network coverage or capacity. Ideally, such sites should be outside of Green Belt areas, but if this is not possible, alternative sites that are within Green Belt but do not adversely affect its openness may be considered.
- 5.45 In accordance with PPG8, all telecommunications apparatus should be removed from the land, buildings or other structure as soon as reasonably practicable after it is no longer required for telecommunications purposes. Such land, buildings or structure should be restored to its condition before the development took place.

Building Communities

- 5.46 New development has a role to play in helping to create and maintain sustainable communities. These may be achieved in two ways; firstly through the means by which a development is designed (for example by how pedestrian and cycle routes are provided through new development and how these link into the network beyond the site boundaries), and secondly through planning obligations. The policies which follow deal with planning obligations and set a framework by which reasonable and appropriate obligations can be sought on new development. All planning obligations sought under the policies in this chapter should comply with the criteria in the following paragraph.
- 5.47 Planning obligations should only be sought in accordance with government policy. The framework for this is set out in ODPM Circular 5/05. The basis upon which obligations should be sought in summary is as follows:-
- they should be reasonable, either by virtue of being needed from a practical point of view to enable the development to go ahead, or by being so directly related to the proposed development and to the use of the land after its completion that the development ought not to be permitted without it;
 - they may seek to ensure that an acceptable balance of uses is achieved on a mixed use site, or to secure an element of affordable housing as part of a larger proposal;
 - they may offset the loss or impact on a resource present on a site or nearby prior to the development, or protect or reduce the harm caused by a development to a protected species or site;
 - they should be directly related to the proposed development and fairly and reasonably related in scale and kind to it; and
 - they should be reasonable in all other respects.
- 5.48 In seeking planning obligations, applicants should be aware that only certain issues fall within the remit of the Council. These include contributions to affordable housing, community facilities and open space, sport, recreation and leisure provision. Other obligations, including highway improvements and contributions to public transport, education provision and libraries, will be sought by the County Council. The County Council, in conjunction with all the Warwickshire District Council's, is currently preparing a planning obligations protocol which will provide more detailed guidance for applicants.

~~SC10 Managing Housing Supply~~

~~This Plan will allow for the development of sufficient new housing to meet the strategic housing requirement up to 2011 as detailed in Appendix 2.~~

~~In the case of a significant oversupply of housing in relation to this target, the Council will regulate the further supply of windfall sites through a Supplementary Planning Document.~~

- ~~5.49 Government policy requires local planning authorities to pursue a “plan, monitor, manage” approach to housing provision. They are required to monitor closely the~~

~~uptake of both previously developed and greenfield sites and be prepared to alter or revise their plan policies in the light of this monitoring.~~

- ~~5.50 The strategic housing requirement allows for the development of a further 1,300 dwellings in the District between 2005 and 2011. The Council will monitor annual housing completions and permissions and publish a summary in the Annual Monitoring Report. Where the monitoring exercise highlights a significant over supply of housing in relation to the strategic requirement the Council will issue a Supplementary Planning Document to regulate the supply of housing land. A “significant” over supply of housing is likely to be in the region of 20%. This Plan does not envisage a situation where there would be a shortfall of general housing in relation to the strategic housing requirement. This is based on housing monitoring information in Appendix 2.~~

SC11 Affordable Housing

Residential development on the following sites will not be permitted unless provision is made for a minimum of 40% affordable housing to meet local needs :-

- a) within towns, sites of 10 or more dwellings or 0.25 hectare or more in area irrespective of the number of dwellings; and**
- b) within the rural areas, sites of 3 or more dwellings.**

The form of provision, its location on the site and the means of delivery of the affordable element of the proposal will be subject to negotiation at the time of a planning application. Planning permission will not be granted until satisfactory arrangements have been made to secure affordable housing as determined by the following principles: -

- I. provision will be made on site either as serviced land and/or dwellings;**
- II. the accommodation provided will be determined on the basis of local need as identified by the Council in accordance with the Housing Strategy and the Housing Needs Study and, where appropriate, by other local needs surveys and information;**
- III. the accommodation provided is genuinely available to those households who have been identified as being in need;**
- IV. forms of tenure other than social rented housing will be considered provided that:-**
 - a) they achieve weekly outgoings significantly below the maximum affordable to households in housing need, and**
 - b) such housing is available in perpetuity, where practicable, and only to those with a demonstrable housing need;**
- V. the affordable housing will be normally provided through the involvement of a Registered Social Landlord (RSL) who is also a Joint Commissioning Partner; and**
- VI. the affordable housing should be built within an agreed timescale.**

Contributions in lieu of on site delivery, such as money, land or off site provision, may be accepted in exceptional circumstances.

- 5.51 Warwick District is a generally affluent area with property prices higher than the regional average. Over the years this has left more people unable to obtain suitable housing to meet their needs and there is now a large and recognised need for affordable housing.
- 5.52 Government policy is clear that a community's need for affordable housing is a material planning consideration which may properly be taken into account in formulating development plans. Where there is evidence of a need for affordable housing, Government encourages local authorities to seek an element of such housing on suitable sites.
- 5.53 The Warwickshire Structure Plan responded to this by setting a clear responsibility on local authorities to meet housing needs, however these have arisen. The Structure Plan contained an indicative assessment that 3,600 affordable houses within Warwick District would be required over the plan period, however it was recognised that the Council should carry out its own local housing needs assessment.
- 5.54 Warwick District Council carried out a Housing Needs Assessment in 1998 and this identified need within the District up to 2006. In 2001 this was updated to take account of guidance in PPG3: Housing and to roll forward the figure for housing need to 2011. This study has quantified a need for 7,072 affordable houses between 1998 and 2011 if all housing needs are to be met. The Housing Assessment for South Warwickshire, carried out in 2006, estimated a need for an additional 821 affordable dwellings a year over the five years 2006-2011. Between 1996 and 2005, a total of 800 affordable dwellings were built in the District.
- 5.55 Clearly, in the context of the overall housing situation (set out in the Core Strategy (Objective 1C) and Appendix Two) the unmet housing needs, as identified in the 2006 Housing Assessment, are impossible to meet. Consequently, the Council must look at all available means to increase the amount of affordable housing which comes forward as part of any further new developments. The evidence of unmet housing need in the District is sufficient to justify an approach which seeks to maximise the amount of affordable housing which is sought on new sites coming forward as allocations from the previous Local Plan or as windfall sites. In applying this approach, the Council will aim to meet a target of at least 100 new affordable homes a year. This target is a realistic assessment of the potential to deliver affordable housing through planning policies taking into account the likely supply of committed and future windfall sites.
- 5.56 The objective of this policy is therefore to provide a deliverable framework by which affordable housing can be secured from new development in the District in accordance with Government policy and responding to local identified needs. It will help the District bridge the gap between the supply of affordable housing and the identified housing need. In the light of the District's restricted housing land supply it is a realistic response to the requirements of the Structure Plan.

- 5.57 The Council has been pro-active in working alongside the Housing Corporation, social housing providers and applicants to increase levels of affordable housing across the District. For example, the Council's Empty Properties Fund and Care and Repair Scheme increase the stock of affordable housing by bringing empty properties back into use and bringing older properties up to standard. Its Housing Strategy has recognised changing household sizes within the District and also accordingly a high demand for transfers. In wishing to reduce these and encourage the creation of more settled communities, it has responded by making clear that it is not seeking any further 1 bedroom properties in the District.
- 5.58 For the operation of this policy, a number of matters need to be defined.

Town and rural areas

- 5.59 For the purposes of this policy, "towns" are the four towns covered by the Urban Areas policies of this Plan (Chapter 5); Leamington Spa, Warwick, Kenilworth and Whitnash. "Rural areas" refers to all areas outside of these towns. It is recognised that not all proposals for new housing will necessarily be acceptable for affordable housing. This may be particularly the case in small hamlets or isolated rural areas. In these cases, it may be reasonable for the Council to accept a commuted sum towards off-site provision of affordable housing (see below).

Thresholds

- 5.60 In applying the minimum thresholds for when affordable housing will be required, the Council will have regard to the whole development site, regardless of whether an applicant seeks to sub divide, fragment or phase proposals to avoid triggering affordable housing contributions.

Defining affordable housing

- 5.61 Affordable housing is defined by Government as 'non-market housing, provided to those whose needs are not met by the market for example homeless persons and key workers. It can include social-rented housing and intermediate housing. Affordable housing should:
- meet the needs of eligible households, including availability at low enough cost for them to afford, determined with regard to local incomes and local house prices; and
 - include provision for the home to remain at an affordable price for future eligible households, or if a home ceases to be affordable, any subsidy should generally be recycled for additional affordable housing provision.'
- 5.62 This housing must also, by definition, be affordable to those in housing need. Following evidence provided by the Housing Assessment for South Warwickshire in 2006 the Council will require that to be affordable, housing for rent must be no more than Housing Corporation benchmark rents and be within the limits of those receiving housing benefit. The role for many forms of intermediate housing will be limited as it may be too expensive for many of those in housing need in the District. Where these intermediate tenures are allowed, the mortgage cost of this must be no more than 3.5 times the average household income of newly forming households in the District.

- 5.63 In providing new affordable housing in the District, it is vital that this remains available for those people who need it. Where affordable housing is to be provided by means other than through social renting, the Council will require that this housing remains available in perpetuity for those in housing need.
- 5.64 The Council also wishes to ensure that affordable housing is of an adequate size and standard. The Council has introduced Social Housing Design standards and it will normally require that these are met in all affordable housing properties.

Working with affordable housing providers

- 5.65 The Council, together with the major Registered Social Landlords (RSLs) and the Housing Corporation, has adopted a joint commissioning approach to selecting RSL partners on new development schemes. This approach has worked well and ensured that the resources of all organisations can best be targeted to deliver the housing needs identified in the Council's Housing Strategy. The Planning and Housing Departments work closely to ensure the delivery of housing in accordance with the Strategy and the Council will expect applicants to work within the Joint Commissioning arrangements in appropriate cases. Usually, the Council will seek to agree the RSL partner at the outline application stage and ensure that the RSL is included within a Section 106 agreement accompanying the outline permission. Section 106 agreements will usually be sought in order to ensure certainty over the timing of the development and transfer arrangements for land.

Commuted sums for affordable housing

- 5.66 In the majority of cases, the Council will require that affordable housing is provided on-site as an integral part of the development. There may, however, be instances where the Council will accept commuted sums in lieu of new homes provided on-site. This may, for example, occur where the objectives of the Council's Housing Strategy for maximising affordable housing in the most appropriate locations can best be secured through seeking a financial contribution from one site to provide affordable housing in another location. Furthermore, there may also be individual sites where the location, setting or characteristics of the development are not compatible with delivering the type of affordable housing required by the Housing Strategy.
- 5.67 It will be for the Council and the developer jointly to agree where a commuted payment is appropriate. Where this is the case, the cost of this must be at least equivalent to the cost to the applicant of providing the affordable housing within the site.

Further guidance

- 5.68 The Council takes very seriously the need to deliver more affordable housing across the District. It will closely monitor the delivery of affordable housing and will consider whether further refinements to this policy need to be considered to deliver affordable housing to meet local needs. It will be working closely with house builders, RSLs and the Housing Corporation as it does so, and will prepare supplementary planning documents where this would help clarify policy and deliver affordable housing.

SC12 Sustainable Transport Improvements

Contributions towards sustainable transport improvements will be sought from all development that would lead to a material increase in traffic on the road network. The level of contributions will be calculated in accordance with criteria set out in the Warwickshire Local Transport Plan or any subsequent revision.

Contributions will also be sought in appropriate cases towards footpaths, cycleways and towpaths both within development sites, and to create links with the wider network.

- 5.69 It is important that new developments consider the impact they are likely to bring upon travel patterns. Most new developments will generate more car journeys, and in line with the objective of this plan to promote more sustainable travel choices, it is important that such developments make a contribution to addressing this.
- 5.70 Government policy encourages planning obligations to achieve improvements to public transport, walking and cycling where this would influence travel patterns. The Warwickshire Structure Plan supports the use of developer contributions to provide for public transport, pedestrian and cycle facilities. In the pre-deposit consultation exercise, there was strong support for ensuring that all major forms of development are accessible by public transport. In appropriate circumstances, planning obligations have a role to play in these and other areas.
- 5.71 Development which creates significant traffic movements will need to contribute towards sustainable transport improvements. Clearly, the form that any contributions will take will vary depending on location, and the level of contribution will vary depending upon the level of traffic generated. Contributions will be aimed at encouraging greater use of public transport, walking and cycling as modes of transport to and from the development, for example provision of bus priority measures or pedestrian/cycle links off site. These improvements will be expected to be consistent with any on site measures proposed to encourage sustainable transport use.
- 5.72 The level of contributions required will be determined primarily on the amount of traffic generated by the development and the site's accessibility in relation to public transport, walking and cycling. Significant traffic generating development in locations which are not served by public transport or have poor pedestrian/cycle links will therefore be required to make greater contributions in order to improve the accessibility of the location.
- 5.73 The Council will work alongside the County Council to identify the appropriate nature of any contributions sought. Currently, the Warwickshire Local Transport Plan 2006 – 2011 provides a basis for this, and identifies a number of potential areas, all of which may be appropriate recipients of developer contributions. These include walking and cycling networks; cycle parking facilities; Quality Bus Corridors; Bus Information Points; park and ride proposals; facilities at railway stations and "Safer Routes to Schools" initiatives. Development sites adjacent to public transport corridors will be expected to contribute towards improvements along those corridors and to any connecting interchanges. Development within

the defined town centre areas will be expected to contribute towards improvements to the accessibility of the town centres, including any public transport interchanges. Developments in rural areas may be asked to contribute towards a range of sustainable transport improvements such as community-based travel initiatives.

- 5.74 Applicants should contact the County Council in the first instance to determine the precise nature of any contributions that may be sought. Contributions will be secured through a Grampian condition or planning obligation in accordance with Circular 5/05 or any subsequent revision.
- 5.75 The Council will expect all transport improvements to be located and designed to maximise their potential effectiveness and their attractiveness to users. Applicants should refer to all relevant policies of this local plan, particularly the development policies and policies SC3 and SC4 in appropriate instances.
- 5.76 Regarding footpaths and cycleways, policy SC4 seeks to protect and enhance existing facilities across the district. As new developments come forward, particularly where these are likely to generate significant numbers of pedestrians and cyclists, these should be providing appropriate levels of footpath, towpath and cycleway provision both on and off-site to link with the wider network.

SC13 Open Space and Recreation Improvements

Contributions from residential and commercial developments will be sought to provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs. The exact level and form of contributions required will have regard to the location, nature and size of development.

Where appropriate, applicants will be required to ensure that provision is made for:-

- a) well designed informal open space for quiet relaxation on site;**
- b) appropriate children's play facilities which are visible from nearby houses but not so close they would cause disturbance, and**
- c) outdoor or indoor sport accessible by walking, cycling and public transport.**

Developments will be expected to provide a proportion of the site as recreational facilities, except where it would be more appropriate to provide, improve or enhance recreation facilities off-site but within the catchment area of the site.

- 5.77 New developments can have a significant impact upon existing recreation and leisure provision, putting pressure on existing resources and creating new demands for facilities from all sections of the community, including young people. It is entirely appropriate that new developments help meet the costs of addressing these needs.
- 5.78 Government guidance is clear that planning obligations should be used as a means of remedying local deficiencies in the quantity or quality of open space, sport or recreation provision. The Council is justified in seeking planning

- obligations where provision is inadequate or under threat, or where new development increases local need. The Structure Plan supports the development of new housing and industry in tandem with leisure, sports and other necessary facilities in the same location. In the pre-deposit consultation exercise, 88% of respondents considered that it may be reasonable to use development contributions to improve existing areas of open space as well as providing new ones.
- 5.79 The objective of this policy is to set out the framework for securing contributions towards those improvements. Contributions will be aimed at improving the character and appearance of new developments and at encouraging greater use of open spaces and recreation facilities both on and off site. It will enable new developments to remedy local deficiencies in the quantity, quality and accessibility of open space and recreational provision.
- 5.80 The contributions which the Council will require may be in the form of land or money. The precise level and form of such contributions will be set out within Supplementary Planning Guidance in due course. This guidance will be prepared following the completion of an assessment and audit of open space which the Council have carried out. The Guidance will include details on which types of development will be expected to make contributions, state the detailed justifications for requesting each type of recreation facility and give detailed costings for on and off site provisions and for future maintenance.
- 5.81 The assessment and audit of open space will enable the Council to set a local standard for open space and recreation provision in accordance with PPG17. It will be for an applicant to demonstrate if they consider there are circumstances why the standards being adopted by the Council should not be applied in a particular instance.
- 5.82 Applicants unsure of whether they may or may not need to make a contribution towards open space and recreation provision are advised to contact the Council. Contributions will be secured through condition or planning obligation in accordance with Circular 05/05 or any subsequent revision.

SC14 Community Facilities

Contributions will be sought towards community facilities in conjunction with new development where appropriate.

- 5.83 New development puts pressure on existing community infrastructure and Government guidance is clear that planning authorities may seek contributions from applicants to offset the costs of this. The Structure Plan supports this approach by making it clear that new housing and industry should be developed in tandem with supporting integrated transport, education, leisure, sport and other necessary facilities.
- 5.84 Within the scope of this policy are contributions towards libraries, education provision, health care facilities and other local community facilities. The approach that the Council will take in seeking obligations will be in line with Government policy, as set out in Circular 5/05. As noted above, the County Council is

currently producing a 'planning obligations protocol' and this will form the basis of any obligations sought. The Council will consider adopting this protocol as Supplementary Planning Documents in due course.

SC15 Public Art

Contributions will be sought towards the provision of new works of art as part of new development schemes. Applicants will be encouraged to set aside a proportion of their costs, in line with the UK Percent for Art scheme, for works of art to be provided within the development, or where this is not appropriate, at a nearby location.

- 5.85 Works of public art can make a positive contribution to the built environment, help create a sense of place and add to the character of a neighbourhood. Government policy recognises the importance of good design, and well conceived and implemented public art can play a role in achieving this.
- 5.86 The Council adopted a Public Arts Strategy in 2001 and as part of this it is keen to secure contributions from developers on appropriate schemes and in appropriate locations. Within this it is recognised that whilst the provision of public art is desirable, it can only be achieved from developer contributions through negotiation.
- 5.87 It is important that where a public art contribution is achieved, it is done so as an integral part of a development proposal, and not simply as an adjunct to it. The policy recognises that public art can take many forms; it can be a piece of art (for example a sculpture) at a focal point in a development scheme (for example the Herons sculpture outside Shire Hall introduced as part of the redevelopment of Warwick Market Place), but equally, it can be seen in features of the development scheme itself, such as for example a paving scheme, wrought ironwork railings or even brick detailing. The important factor is the involvement of an artist as part of the team designing the scheme. The Council would encourage the involvement of an artist at an early design stage so that the full range of opportunities for integrating public art into a scheme can be fully explored.