

Warwick District Local Plan – Revised Deposit Version

Topic Response Analysis

Topic: DP1: Layout and Design

Summary of matters raised in objections.

1. Policy DP1 should include reference to the council issuing a Supplementary Planning Guide giving examples of the standard of drawings and levels of detail required for planning applications including a warning that applications will be considered incomplete and not registered if this information is not included. Additional information, materials and surveys would be required additionally for listed buildings and buildings in conservation areas. It is also suggested that the council should prepare Enhancement Schemes containing detailed guidance for the proposed visual improvement of important urban streets in consultation with other external bodies. Clause 4.6 should include reference to Supplementary Planning Documents which the council will produce to expand this policy and ensure that applicants submit acceptable design and layout of residential developments, including defining the character of spaces, settlements and development corridors, design briefs, sense of place, local distinctiveness and landscaping
283/RAB Ancient Monuments Society.
2. Policy DP1 b) should be expanded to include reference to maintaining front walls, hedges boundaries and not allowing parking on front gardens. Remove 'and' from the end of k). Remove 'significant' from final paragraph of the policy. Add 'Amenity Appraisal' to final sentence of policy. Policy DP1 will not contribute to the quality of the environment unless amenity issues including safety are included. Increased pressure for parking on front gardens is likely to result from decriminalisation of street parking. Suggested additional paragraph introducing a presumption against the removal of front boundaries to provide parking facilities, together with the publication of Supplementary Planning Documents to expand this issue (191/RAL Mr R A Richmond, 349/RAL Mr D Goodyear, 195/RBC Leamington Society).
3. The policy may lead to pastiche. More permeability is required in pedestrian and cycle routes whilst avoiding the creation of rat-runs. Forest trees should be considered at the design stage to be safely incorporated into new development to provide visual improvements, wild life habitats and a rainwater buffer
66/RAG The Warwick Society.
4. As 2 above but four additional points (m – p) to include highway safety and for pedestrians, developers rectifying past mistakes in buildings prior to new work being carried out, minimal signage and harmonious shop frontages 195/RBC Leamington Society.
5. There is no policy on street furniture and clutter. Inclusion of the word 'enhance' is not strong enough, 'improvement' would be more positive than 'enhance' which suggests the limiting of harm. 'Appropriate materials' is not clear. 'Significant impact' is not defined and therefore unclear and untested 48/RAA CPRE
6. Policy is too prescriptive and text seems to be more reasonable than the policy stipulates

Response of Head of Planning & Engineering to matters raised

1. The introduction of a standard planning application form is proposed and this will ensure a consistent quality of plans and level of detail. The Local Plan is not considered to be the appropriate vehicle to include such detail. New sites will have a planning brief prepared for them and this will incorporate the expectations listed as required by 'Enhancement Schemes' and 'Supplementary Planning Documents'.
2. The removal of walls and hedges to provide car parking on front gardens, may be carried out under permitted development rights and can therefore not be controlled by an addition to the policy. 'Significant' is important in this context since it ensures that the policy relates only to matters with which it should be concerned. It would not be appropriate to ask for an 'Amenity Appraisal' for all new developments. This is something that would be dealt with during the life of an application as part of the decision process.
3. It is not considered that pastiche will result as a consequence of this policy. The aim is to provide good design which does not have to mimic what is already there, but show respect for the distinctiveness of an area. The harmonisation of development with that which already exists does not necessarily mean that a copy is required or desirable. Following existing height, bulk, ridgelines, pattern and rhythm of the existing buildings can provide the respect required without it pretending to be something it is not. New schemes will be expected to demonstrate how pedestrians and cyclists are to be accommodated and given priority over other means of transport. It is unlikely that forest trees will be suitable within developments, (other than in large areas of landscaping), particularly in residential developments where the necessary density will preclude the introduction of trees with root systems that will interfere with foundations. Ornamental and shallow rooted trees are likely to be more suitable in most locations, but this will be a matter for detailed discussion during the life of a planning application. Where trees exist on a development site, an assessment will be made of the importance and desirability of retaining them, wherever this is practical.
4. See 2 above and additionally, Highway and pedestrian safety will be dealt with on a site by site basis during the life of a planning application. Additionally policy SC4 relates to this issue. It is not necessary to single out shop-fronts in the wording of the policy since it is designed to cover all design and layout issues in all locations. Additionally, policy TCP13 relates specifically to shop fronts and all relevant policies apply. It would be unreasonable to insist that a developer revise aspects of previous building work before new work could take place. It may be possible to request that new works include good design elements which would require the removal of previous unsympathetic development but only if this formed part of proposed works.
5. The council acknowledges that there are concerns regarding signage and have committed to work with the relevant agencies to minimise the impact in paragraph 9.44B. The council produces guidance in separate documents on shop fronts and

<p>signage in Conservation Areas. Advertisement hoardings are dealt with in policy DAP12 and are not to be permitted in Conservation Areas. The use of 'enhance' is considered to be wholly appropriate and includes 'improvement' since the dictionary definition is 'to improve the quality, amount or strength of something'. Materials will be considered at the time of a planning application and will be decided according to those already used and acceptable alternatives. The policy should not be concerned with details. 'Significant impact' will vary from site to site and will therefore need to be assessed in connection with development proposals at the time of a planning application.</p> <p>6. There is no conflict between the statements in the supporting text and the policy. The text explains the development of the policy and since policy should be clear and unambiguous, the wording is precise and considered.</p>
<p>Recommended revision(s)</p> <ol style="list-style-type: none"> 1. No change 2. No change 3. No change 4. No change 5. No change 6. No change

Topic: DP2: Amenity

Summary of matters raised in objections.

1. 'Brownfield' sites should be redefined to exclude gardens to existing houses, even if this differs from the government definition and planning permission for development granted only in exceptional circumstances. Minimum amenity spaces should be stipulated dependant on dwelling size and permitted development rights removed where these are just met to ensure it is not reduced by extensions. 283/RAC Lyndon F Cave
2. Amenity should be expanded to include 'risk'. Lack of off street parking at windfall sites creates safety issues for emergency services and pedestrians, is given as the example of such risk. Para 4.12 should reflect councils continuous improvement agenda (EFQM, 2002) Para 4.15 does not provide sufficient protection for communities. 191/RAM Mr R A Richmond, 321/RAE Leamington Society.
3. Strengthen the objectives of the policy by changing 'good design' to 'excellent design' in paragraph 4.14. This would be consistent with other policies 66/RAH The Warwick Society
4. The policy would benefit from further clarification. Air pollution is given as an example of 'disturbance' but is outside the control of developers and the council. Current policy wording does not state the way that the impacts on amenity need to be assessed and weighed. The policy should include mitigation. 350/RAN Tesco Stores Ltd.

5. As 2 above and additionally policies and explanatory text do not promote safety and fairness or protect equally the qualities of the district. Paragraph 4.15 does not provide sufficient protection for communities 349/RAM Mr D G Goodyear.
6. Appears to be no policy protecting residential areas as in the previous plan (H13) and this should be added 223/RAJ Kenilworth Town Council
7. 'Mitigation' and 'compensation' should be added to the policy 321/RAE West Midlands International Airport Ltd
8. When demolition is permitted the replacement building should be better than the original and neighbours on all sides and opposite the development should have a say on the design of new development 327/RAB Miss Elaine M Rumary

Response of Head of Planning & Engineering to matters raised

1. The definition of 'brownfield' or previously developed land includes residential gardens, but the revision of PPS3. Housing (Draft - December 2005) will assist in protecting gardens where it is inappropriate. Imposing minimum amenity space is not considered to be appropriate and should be decided on a site by site basis. This can be examined in detail at the planning application stage.
2. 'Amenity' is all-encompassing and it is not therefore felt that it is necessary to list all possible issues. Examples are given in the explanatory text but this is not an exhaustive list.
3. 'Good' design is promoted by all government guidance and in government publications. The words 'good' and 'excellent' are emotive and have similar meanings, but it is not considered necessary to exchange them especially since the local plan uses 'good' in this context throughout (DP1 for example). Text with objective 2E strives to provide 'excellent' development but as an objective this is acceptable.
4. It is the potential to increase the impact of pre-existing conditions that should be controlled through this policy. Where air pollution is mentioned for example, it is to ensure that air pollution is not worsened by the development. It may be possible for development to improve a pre-existing condition, if for example use of the private car is reduced due to the location being close to public transport corridors. Regarding the role of mitigation measures, whilst these always be considered as part of the overall consideration of the impact of the development upon amenity, it may be helpful to clarify this point.
5. This policy is a general policy protecting amenity with more specific site based policies elsewhere in the plan. It would not be appropriate to give weight to individual areas in such a policy.
6. In making housing available and affordable to all, the protection of residential areas is implicit. It is not considered necessary to include a policy in this regard since a number of other policies contribute to the overall retention of residential areas and amenity issues will be addressed when planning applications are considered.

7. An unacceptable adverse impact is likely to be one that would not be appropriately dealt with by mitigation and compensation and therefore the addition of these measures to the policy would be superfluous.
8. This is a matter of design which would be addressed at the time of a planning application. Consultation with neighbours would take place during this process, but it is the responsibility of the applicant to suggest the preferred design and comments will follow which will agree the design, suggest improvements or reject it.

Recommended revision(s)

1. No change
2. No change
3. No change
4. Add a further sentence at the end of paragraph 4.14 to state: "***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.***"
5. No change
6. No change
7. No change
8. No change

Topic: DP3 Natural Environment

Summary of matters raised in objections.

1. This objection would like to see the removal of paragraph 4.19 A and the inclusion of Special Landscape Areas on the Proposals Map. Instruction should also be given as to how the Warwickshire Landscape Guidelines can be obtained. *ref 154 RAC National Farmers Union.*
2. Would like to see the addition of geomorphological references to ensure a consistency throughout the plan and follow the Natural England (English Nature) and RIGS guidance. Would also like the text to suggest that applicants are encouraged to submit ecological information as part of any application. *ref 150 / RAB Warwickshire County Council, Museum Field Services*
3. English Heritage are still of the view that the policy framework would be best served by the inclusion of two separate policies on the historic environment and landscape character. *ref 302 / RAC English Heritage.*
4. Policies protecting the natural and historic environment and landscapes contained in the previous plan should remain in force until the new nature conservation and landscape analysis for the District is completed as proposed under the new Local Plan. *ref 283 /RAD Ancient Monuments Society*

5. Objection is raised to this policy on the basis that the wording in the various points should read 'protect or enhance' ref 239 / RAK David Austin, ref 120 /AD Miller Homes, ref 119 /RAC Bloor Homes, ref 214 / RAC Janet Biles.

6. Opposed to the deletion of DAP3 and the inclusion of Special Landscape Areas in DP3. Would therefore like to see DAP 3 reinstated and para 4.19 (a) of DP3 deleted. ref 221 / RAB Kenilworth Society.

7. See point 5.

8. See point 5.

9. Consider the Warwickshire Guidelines provide inadequate protection (para 4.10). DAP 3 should be reinstated ref 66 /RAJ The Warwick Society.

10. The policy is too prescriptive and the last paragraph of it is at odds with the criteria within the first part of the existing policy. ref 350 / RAM Tesco Stores Ltd.

11. Policy is regarded as lengthy and repetitive, mitigation and compensation criteria should be added to the policy to strengthen it. ref 226 / RAJ Environment Agency.

12. This paragraph 4.19(a) appears to replace DAP3 of the first deposit version. SLA's should be shown on the Proposals Map. ref 223 / RAK Kenilworth Town Council.

13. See point 5.

Response of Head of Planning & Engineering to matters raised

1. The Special Landscape Area detail has been absorbed into this criteria based policy in line with Government Guidance, it is felt that this is the correct process /procedure. Paragraph 4.19a clearly states that these guidelines were published by Warwickshire County Council.

2. The reasoned justification should be changed to reflect the changes suggested as below.

3. It is considered that this policy is the appropriate way of protecting both the historic environment and landscape character.

4. It is considered inappropriate to await future survey outcomes before a policy is in force. The new format (criteria based is considered to be acceptable for this purpose).

5 It is not considered that to 'protect or enhance' is an appropriate wording format.

6. DAP3 was deleted as it is considered that this Designation can be appropriately protected by the revised Policy DP3 (as per Government Guidance in PPS7). The reference in the reasoned justification indicates that this designation was made by the County Council and is included in the Structure Plan and indicated on its Key Diagram.

7. See response to point 5

8. See response to point 5

9. See response to point 6.

10. The policy approach is deemed to be acceptable, with the reference to the requirement for 'significant impact' proposals to provide a nature conservation and landscape analysis being relevant.

11. The policy wording / structure has been amended to include reference to mitigation and compensation requirements where adverse impacts are unavoidable

12 The reference to the extent of the SLA'S being shown on the Structure Plan key diagram is considered appropriate.

13. See response to point 5.

Recommended revision (s)

1. No changes required
2. Change paragraph 4.16 to read Wildlife habitats landscape and ~~geological~~ **geomorphological** features (last sentence of this paragraph should read)
'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. The second sentence of paragraph 4.17 should be amended to read ...' 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.' Paragraph 4.19 should be amended to read 'The Council encourages applicants to submit landscape and **ecological** information as part of their application
3. No changes required
4. No changes required
5. No changes required
6. No changes required
7. No changes required.
8. No changes required.
9. No changes required
10. No changes required
11. Policy wording should be changed with the addition of the following to the end of the policy '**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.**'
- 12 No changes required.
13. No changes required.

Topic: DP4 – Archaeology

Summary of matters raised in objections.

1. Objects to the deletion of criteria b) and the word 'exceptional' from Para 4.25. It is argued that the new wording weakens the protection for archaeological remains and does not define what is meant by 'benefits of development' (The Kenilworth Society ref: 221/RAC).
2. Supports proposed changes to the policy and supporting text however it is recommended that the order of the first paragraph is amended to state '**...proposals maps), or other archaeological remains of importance, and their settings**' (English Heritage ref 302/RAD).
3. Objects that the policy is overly restrictive and does not accord with national guidance in PPG16. In particular PPG16 only states that there should be a 'presumption in favour of preservation'. The first sentence of the policy should be amended to reflect this (West Midlands International Airport Ltd ref: 321/RAF).
4. Objects to Para 4.26 on the grounds that the requirement to undertake a field evaluation can be dealt with by condition and should not prevent the issue of planning permission (West Midlands International Airport Ltd ref: 321/RAF).

Response of Head of Planning & Engineering to matters raised

1. The changes are in response to representations made to the First Draft Local Plan by Warwickshire Museum Field Services which are intended to strengthen the provisions of the policy and ensure it is in accordance with PPG16. We consider that these changes are actually stricter in approach to the preservation of locally important archaeological remains. In particular requiring that archaeological remains are properly evaluated prior to the determination of the planning application and where permission is granted an agreed programme of archaeological recording and investigation precedes development.
2. It is agreed that the wording should be changed to ensure that the policy protects the setting of both Scheduled Ancient Monuments and other archaeological remains.
3. It is agreed that paragraph 8 of PPG16 states that where nationally important archaeological remains and their settings are affected by proposed development there should be a presumption in favour of physical preservation. However the Council has adopted a stronger position to reflect paragraph 6 of PPG16 which is clear that archaeological remains should be viewed as a finite and irreplaceable resource and that these are of value both for their own sake and for their role in education, leisure and tourism. The wording of this policy ensures that in very exceptional cases where the Council is minded to grant permission for development which may affect an archaeological site of national importance this would be dealt with as a departure from the Local Plan and as such would become a matter to be determined by the Secretary of State.

4. Para 21 of PPG16 clearly states that *'it is reasonable for the planning authority to request the prospective developer to arrange for an archaeological field evaluation to be carried out before any decision on planning permission is made'*. On these grounds I do not feel that it is necessary to amend the policy.

Recommended revision (s)

1. No changes required.
2. Amend first sentence as stated above.
3. No change required.
4. No change needed.

Topic: Policy DP5 Density

Summary of matters raised in objections.

1. Second sentence of Policy and para 4.31 wrongly imply that densities of over 30 dwellings per hectare could compromise the character of an area.
110/RAA Government Office for the West Midlands
2. Policy should include provision that densities should not exceed the average for the area. Consideration should be given to the social and environmental effects, and safety impacts, of high density developments
191/RAN Robin A Richmond; 195/RAM The Leamington Society; 283/RAE The Ancient Monuments Society; 349/RAN Mr D.G. Goodyear
3. In para 4.28 the word "maximising" should be replaced with "minimising"
191/RAB James Mackay
4. In the last sentence of para 4.31, the word "cannot" should be replaced with "should not".
191/RAB James Mackay
5. A policy of maximising density leads to the development of large numbers of flats with inadequate parking, generates increased traffic and exacerbates the shortfall of on and off street parking.
266/RAA Warwick Town Council
6. The policy of maximising density will further exacerbate the over supply of housing and therefore is at odds with the SPD on Managing Housing Supply.
266/RAA Warwick Town Council
7. A new para should be inserted to recognise the fact that the proposals for Coventry

Airport make the best use of an existing facility.
321/RAG West Midlands International Airport Ltd

8. Increased density can create capacity issues for existing health services
341/RAA South Warwickshire PCT
9. The Policy should be reworded to clarify both the meaning of the best use of land and the exceptions to the general presumption about maximising density. The second part of the policy should also relate to non residential uses.
350/ RAP Tesco Stores Ltd
10. Encouraging higher densities requires greater clarification and definition, particularly in relation to Warwick's Conservation Areas.
354/RAW Roger Higgins
11. Addition to paragraph 4.29 should state that the quality of the environment should be maintained.
195/RAM The Leamington Society

Response of Head of Planning & Engineering to matters raised

1. I do not accept that minimum density figures should be applied without recognition that in some settings these may not be appropriate. Such circumstances could include the character of the area or environment, the awkward configuration of a site, the capacity of the road network, or a rural setting. A more flexible approach to densities is included in the draft Planning Policy Statement 3 (Housing).
2. Government policy in PPG3 requires development to make best use of land and buildings so that development on greenfield sites is minimised and also that development takes place in sustainable locations. In existing built up areas there are more likely to be alternative modes of transport and less need for the use of a private car. All applications for development are considered in relation to the impact on the existing highway network and social and environmental considerations in so far as they are affected by the development.
The most appropriate density of a development is one which is commensurate with the efficient use of the land and of high quality design and layout which is in keeping with the character of the locality. The average density of the surrounding area may be one consideration in terms of the character of the area but not necessarily the only consideration.
3. Paragraph 4.28 reflects government policy in PPG3 which requires development to maximise the use of land and buildings
4. I do not consider that the substance of paragraph 4.31 would be improved by substituting the word "cannot" with "should not".
5. Government policy aims to reduce the use of the private car, particularly in urban areas where alternative forms of transport are available.
6. The Supplementary Planning Document on Managing Housing Supply aims to limit the further release of windfall sites regardless of density.

7. This policy is concerned with density generally and does not need to identify specific sites.
8. Capacity issues for health services are related to the general level of development and not the density of development.
9. It is not possible to provide more precise criteria for considerations of densities on non-residential sites other than to require that they make the “best use of land and buildings”. The Plan has sought to define the “best use of land” in paragraph 4.30.
10. In Conservation Areas the effect of any development on the area will be taken into account in the usual way. This is covered in Policy DAP10. Paragraphs 4.30 and 4.31 seek to give greater clarification as to how the “best use of land and buildings” will be assessed.
11. The quality of the environment is considered under Policy DP1. Government policy states that higher densities do not necessarily mean lower standards of design.

Recommended revision(s)

1. No Change
2. No Change
3. No Change
4. No Change
5. No Change
6. No Change
7. No Change
8. No Change
9. No Change
10. No Change
11. No Change

Topic: DP6 - Access

Summary of matters raised in objections.

1. The Council supports the commitment to provide an access from Tachbrook Road to Harbury Lane but objects that the route is not shown on the Proposals maps (Bishops Tachbrook Parish Council ref: 135/RAB).
2. There is concern that sheltered accommodation will be required to provide access through the site for cyclists and pedestrians which would undermine safety for residents (McCarthy & Stone ref: 217/RAB).
3. Policy should acknowledge the effects of HGVs on rural roads including those emanating from existing development. The policy set out in the County Council document Transport and Roads for Developments: The Warwickshire Guide 2001 should be applied to existing and developing sites (Baginton Parish Council ref: 260/RAD).

<ol style="list-style-type: none"> 4. The policy wording should reflect the approach in paragraph 4.36 of the reasoned justification and acknowledge that it may not always be appropriate to provide access for public transport (West Midlands International Airport Ltd ref: 321/RAH). 5. Suggests that the policy in particular criteria b) should be amended to more closely reflect national planning policy i.e. 'to enable accessibility by a choice of means of transport, including public transport, walking, cycling and the car' (350/RAQ Tesco Stores Ltd).

Response of Head of Planning & Engineering to matters raised

<ol style="list-style-type: none"> 1. The provision of cycle and pedestrian routes is considered and set out through the Warwickshire Local Transport Plan. Until the routes for specific cycle and pedestrian corridors are finalised and implemented it is inappropriate to include them on proposals maps. 2. I understand the concern of this objector but am confident that the requirements for pedestrians and cyclists to be safe and convenient include the welfare of occupiers of residential (and other) developments. Furthermore, Policy DP13 encourages the layout and design of development to minimise the potential for crime and anti-social behaviour. 3. The policies of this plan can only influence development that requires planning permission, as set out in Section 55 of the Town and Country Planning Act 1990, essentially building and engineering works and material changes of use. Such development should conform to guidance set out in the Warwickshire County Council document 'Transport and Roads for Developments: The Warwickshire Guide 2001', as described in para 4.35 of the Plan. Policy RAP10 deals specifically with the impacts of development on rural roads. 4. The policy will be clarified to reflect the approach in paragraph 4.36 and acknowledge that access for public transport should be provided where appropriate. 5. See response to 4. above. Notwithstanding this amendment, the policy clearly sets out the requirement for developments to enable accessibility by a choice of means of transport, as required by national planning policy.

Recommended revision (s)

<ol style="list-style-type: none"> 1. No changes required. 2. No changes required. 3. No changes required. 4. Amend policy to read: 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, <u>as appropriate</u>. Development proposals will be expected to demonstrate that they:-.....(b) are

- designed to give priority access to, and allow penetration by, pedestrians, cyclists and public transport services, as appropriate; ...
5. No changes required.

Topic: DP7 Traffic Generation

Summary of matters raised in objections.

1. Object on the grounds that the policy implies that cars are the main source of negative impact. It also refers to 'major development' when in rural communities any development is significant (Baginton Parish Council ref: 260/RAE).
2. Suggests the word 'environments' is amended to 'environment' in the first sentence of para 4.38 (The Leamington Society ref: 195/RAN).
3. Suggests amendments to the wording of para 4.39 to require traffic assessments for developments of 25 or more dwellings (The Leamington Society ref: 195/RAN and Ancient Monuments Society ref: 283/RAF) and that for the list of developments (as amended) adequate on site parking should be provided (Ancient Monuments Society ref: 283/RAF).
4. Para 4.43 should state that the District Council will issue regular revisions of the County Council's guidance note on Travel Plans for developers to reflect changing traffic conditions (Ancient Monuments Society ref: 283/RAF).
5. Suggests new paragraph to state that the Council will monitor the affect of traffic on residential areas, particularly with a view to reducing the use of roads through residential areas to gain access to motorways and bypasses by deregulating some 'A' Class roads (Ancient Monument Society ref: 283/RAF).
6. The second part of the policy should be amended to state 'Major development proposals'. Para 4.39 should include 'other developments that result in significant traffic generation' in the list of bullet points outlining developments that require a Transport Assessment (Tesco Stores Ltd ref: 350/RAR).
7. Objects to the threshold for retail development which in accordance with PPS6 should be increased to 2500sqm (Tesco Stores Ltd ref: 350/RAR).
8. Suggests changing the word 'significant' to 'material' in the first sentence of the policy and in para 4.40 (The Leamington Society ref: 195 RAN).

Response of Head of Planning & Engineering to matters raised

1. While HGVs are not specifically mentioned, we are confident that the reference to road traffic movements in the policy, and to road traffic and vehicular movements in para 4.38, cover the impacts of HGVs. The supporting text also states that Transport Assessments will be required 'where due to its location, the development could have a significant impact in transport terms'. This covers the

objector's concern that even relatively small developments can be significant in a rural context.

2. Agreed.
3. The thresholds for Transport Assessments are set out in the Warwickshire County Council document: Transport and Roads for Developments: The Warwickshire Guide 2001. This sets out a graduated approach to transport assessment and outlines the circumstances in which an Informal Transport Appraisal or a Transport Statement may be required. In order to ensure consistency across the county it is not considered appropriate to amend the thresholds for a full Transport Assessment. Car parking is covered by policy DP8.
4. It is not appropriate for Warwick District Council to issue updates to County Council publications which are intended to set policy at a more strategic level.
5. This falls under the remit of Warwickshire County Council's Highways Department through its Local Transport Plan and is not a matter for the local plan.
6. A reference to 'appropriate circumstances' should be added to policy DP7. The text then sets out the criteria for requiring a Transport Assessment, including 'major' development (para 4.39) and other locations where development could have a significant impact (para 4.40).
7. The threshold of 2,500 square metres quoted in paragraph 3.23 of PPS6 refers to impact assessments to cover the issues in the previous paragraph of that document. These are the spatial planning strategy and hierarchy of centres, various measures of the vitality and viability of retail centres and other related retail factors such as the range of services on offer, the number of vacant properties, the physical condition and character of centres and the night time economy. It is not a threshold for transport assessment.
8. I prefer the use of the word 'significant' to material, in line with Transport Assessment methodology.

Recommended revision (s)

1. No changes required.
2. Amend the word 'environments' to '**environment**' in the first sentence of para 4.38.
3. Add the following sentence before the last sentence of para 4.40: ***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.*** Possibly also add to the final sentence (at end): ***and on what level of transport appraisal is appropriate.***
4. No changes required.
5. No changes required.
6. Add new words to the beginning of the second paragraph such that it reads: ***In appropriate circumstances***, development proposals will be required to demonstrate how they comply with this policy....
7. No changes required.
8. No changes required.

Topic: DP8 - Parking

Summary of matters raised in objections.

1. Parking policy refers only to cars. The transit of HGVs to parking at rural depots has an environmental impact (Baginton Parish Council 260/RAF).
2. Objects on the grounds that the policy does not recognise or respond to the issue of rural car dependency. Suggests the inclusion of a new criteria in the policy ['e takes account of the parking needs of car dependent rural dwellers accessing essential services'] and new wording to para 4.44 after 'needs of people and businesses' to state 'including the car dependency of rural communities' (Barford, Sherbourne and Wasperton Joint Parish Council ref: 52/RAC).
3. Suggests new wording to criteria c) to ensure development is not detrimental to pedestrian use of the pavement (D G Goodyear ref: 349/RAP, Robin A Richmond ref: 191/RAP, Leamington Society ref: 195/RAP).
4. Para 4.44 does not address the issue of car parking related to windfall development (D G Goodyear ref: 349/RAP, Robin A Richmond ref: 191/RAP, Leamington Society ref: 195/RAP).
5. Object that para 4.45 does not reflect the appropriate balance in relation to government guidance and the pre-consultation exercise which should recognise that the car remains the only option in some instances. The objectors wish the text to reflect more accurately the findings of the pre-deposit consultation exercise (D G Goodyear ref: 349/RAP, Robin A Richmond ref: 191/RAP, Leamington Society ref: 195/RAP).
6. Object on the grounds that para 4.46 should acknowledge circumstances where

car parking provision above maximum standards may be applicable such as for dual use car parking (Tesco Stores Ltd ref: 350 RAS).

7. Suggests additional wording to para 4.46 to recognise amenity issues and comments that the SPD on parking must be produced as soon as possible to control the parking problem (D G Goodyear ref: 349/RAP, Robin A Richmond ref 191/RAP, Leamington Society ref: 195/RAP).
8. New paragraphs should be added to introduce specific measures to relieve pressure on on-street parking and improve amenity (The Warwick Society, 66/RAK).
9. The objector wishes the reference to excessive car parking lowering the density of development and resulting in the efficient use of land (para 4.44), and the reference to allowing parking below maximum levels where appropriate (para 4.46), to be deleted and replaced with a statement that 'satisfactory levels of on-site parking facilities will be required on all development sites' (Ancient Monuments Society 283/RAG).

Response of Head of Planning & Engineering to matters raised

1. The impact of HGVs on rural roads, when brought about by new development (including changes of use of existing sites) is covered by policy DP7. The policy should, however, be expanded to include consideration of the parking of commercial vehicles.
2. While I agree with the sentiment of this objection, the suggested amendment to policy is covered by the second criterion b) which states 'has regard to the location and accessibility of the site by means other than the private car'. However, additional wording to acknowledge the different needs of rural areas could be added to the reasoned justification.
3. The reference to 'highway safety' in criterion c) of the policy includes the safety of pedestrians on the pavement.
4. Policy DP8 and the supporting text apply to all developments including windfalls. Extra caveats are not required to cover such development.
5. I consider much of the objectors' suggested additional wording for the reasoned justification of this policy to be unnecessary. However para 4.45 could be amended to reflect the findings of the pre-deposit consultation exercise more closely.
6. The Council's Supplementary Planning Document will set out maximum parking standards in line with PPG13. The reasoned justification to policy DP8 should state that these maximum figures will apply unless the applicant can demonstrate that a lower or, exceptionally, a higher level of parking provision is appropriate, in accordance with PPG13.
7. The SPD on parking standards has been brought forward and is now scheduled

to be produced in late 2006 with adoption in 2007. While this will cover residential and non-residential development, I do not consider it necessary for this to be stated in para 4.46. The additional wording proposed for that paragraph is also unnecessary as parking below maximum levels would only be deemed appropriate where it was not detrimental to safety, social and environmental considerations.

8. The circumstances raised by the objector are too specific to form the basis of policy. Any instances where a developer could be expected to provide access to previously closed off parking for householders of dwellings adjoining new developments would relate to the specific circumstances of that application and would be determined at the development control stage. Similarly any requirement for the use of underground car parks to increase amenity space would be established on a case-by-case basis.
9. The policy is designed to lead to appropriate levels of parking on all sites, encouraging sustainable transport and the efficient use of land and balancing this with the accessibility and mobility needs of the residential and business community. The objector's proposed alterations would not strengthen this policy approach. However, see comments at 6. above.

Recommended revision (s)

1. Add a new criterion e) to policy DP8 to state: e) takes account of the requirements of commercial vehicles. (Also, move the word 'and' from after c) to after d).
2. Amend and expand the penultimate sentence of para 4.44 to read: It is acknowledged, however, that parking levels on new developments need to recognise the accessibility and mobility needs of people and businesses and that these may be different in urban and rural areas.
3. No changes required.
4. No changes required.
5. Amend the last two sentences of para 4.45 to state that: 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.
6. Amend the second sentence of para 4.46 to state: Applicants will be expected to provide car parking on new developments in accordance with these standards, as set out in this document.

Also, add an additional sentence to the end of para 4.46 to state that: It will also accept parking in excess of the maximum standard in appropriate circumstances, as set out in PPG13 or any subsequent government documents.

7. No changes required.
8. No changes required.

9. See 6. above.

Topic: DP9: Pollution Control

Summary of matters raised in objections.

1. Mitigation and compensation measures can make development acceptable in overcoming pollution and contamination. 'Unacceptable' harm should be added to the policy (321/RAG – West Midlands International Airport Ltd).
2. PPS23 advocates precautionary principle in relation to development proposals which may cause or be at risk from land contamination. Assessment work should be carried out prior to the decision on a planning application (226/RAC – Environment Agency)

Response of Head of Planning & Engineering to matters raised

1. This is an issue for developments at a planning application stage where a decision can be made on the individual circumstances of the site and the type of development proposed.
2. This is agreed, but as the objector states, this is assessment work that will be required at the time of a planning application and in consultation with the Environment Agency.

Recommended revision(s)

1. This could be incorporated into the policy as it is a minor change and would not alter the meaning of the policy.
2. No change

Topic: DP10 - Flooding

Summary of matters raised in objections.

1. Approach at d) of the policy is not consistent with government policy and PPG24 (*should be PPG25*). Appears to be a blanket approach to prevent development in the floodplain. Amend or delete the paragraph (122/RAD Warwick Castle)
2. Policy omits covering of land with impermeable paving which restricts drainage and planting of trees and shrubs as rainwater buffers. Supplementary Planning Document is required to address the problem of flooding in Warwick (66/RAL The Warwick Society)
3. Minimum standards should be those of the Environment Agency in agreement with the local planning authority and subject to consideration of a Flood Risk Assessment. There is a discrepancy between wording of policy (first paragraph)

and paragraph 4.57. 'Regular flooding' should be defined.
(350/RAT Tesco Stores Ltd)

4. Additional amendments are required: g) all dwellings and not just those in high risk areas, should have safe, dry access to land that is not at high risk. The word 'minimum' should be added to reflect this. h) access should be maintained for essential civil infrastructure during all flooding events. 'Exceptional need' is the same as the location being essential so the two can be combined to prevent repetition. The sequential test must be applied even if there is an overriding need to redevelop previously developed land in the high risk floodplain to ensure no lower risk sites are available. Paragraph 4.59 needs to be amended to reflect the fact that the Agency has provided some, but not all, watercourse and river maps (226/RAH/RAD – Environment Agency)
5. Concerns over possible new development in areas previously susceptible to flooding
(327/RAC Miss Elaine M Rumary)

Response of Head of Planning & Engineering to matters raised

1. The policy is consistent with PPG25 and does not seek to prevent all development in the floodplain. The council has worked closely with the Environment Agency to produce a policy which is acceptable in terms of creating development that will not increase the incidence of flooding and provides sufficient means of access in case of future flooding. It is important as part of the planning process to assess each case on its merits and the sequential test ensures that high risk floodplain is developed as a last resort and only in exceptional circumstances.
2. Whilst supporting the principles of sustainable drainage it is a matter of detail for individual planning applications to consider the circumstances in which restrictions are needed to be placed on hard landscaping and the need for rainwater buffers in consultation with the relevant statutory undertakers. Policy DP11 deals with this issue. I do agree that there could be some confusion created by the wording differences between the policy and paragraph 5.57. The wording proposed below should remedy this.
3. The Environment Agency is a statutory consultee and as such will be made aware of all relevant applications for which advice will be sought.
4. Agree to amend the wording of paragraph 4.59 to reflect the situation regarding the lack of a complete set of plans for all watercourses.
5. Advice has been sought of the Environment Agency in respect of proposed new development in areas where flooding has been a problem and sensitive sites have not been allocated where there is advice to the contrary. Further consultation would take place when any planning application is under consideration.

Recommended revision(s)

1. No change
2. No change

3. Within policy, delete fully from first sentence. Add the following paragraph within the policy after criterion (h). ***“Where development is supported as an exception to this policy within high risk areas, applicants will need to demonstrate they strictly comply with criteria c), d) and g).”***
4. Paragraph 4.59 will now read ‘ 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.’
5. No change

Topic: DP11: Drainage

Summary of matters raised in objections.

1. Object to lack of restrictions on impermeable paving and no requirement for trees and shrubs to act as drainage buffers. Concern over increase in flooding in Warwick. Supplementary Planning Document needed on flooding and drainage 66/RAM The Warwick Society
2. Add ‘ing’ to ‘flood’ to make the sentence read correctly 226/RAF Environment Agency
3. Policy appears contradictory and final sentence should be part of introduction. 223/RAL Kenilworth Town Council
4. The council should acknowledge that all developments should be scrutinised in relation to drainage 223/RAC Kenilworth Town Council

Response of Head of Planning & Engineering to matters raised

1. It is a matter of detail for individual planning applications to consider the circumstances in which restrictions are needed to be placed on hard landscaping and the need for rainwater buffers in consultation with the relevant statutory undertaker.
2. Agree that this can be changed. DP11 b) should now read, ‘that an acceptable means of surface water disposal is provided which does not increase the risk of flooding or give rise to environmental problems.’
3. The final sentence is an additional point but should be embodied within the policy

<p>as this gives greater weight to the principle.</p> <p>4. New allocations have been carefully considered and advice sought with regard to any drainage issues before inclusion in the plan. Other new developments will be subject to consultation with the relevant statutory undertaker at the time of a planning application. There is therefore no need for the council to monitor in addition to these precautions.</p>
<p>Recommended revision(s)</p> <p>1. No change</p> <p>2. No change</p> <p>3. No change</p> <p>4. No change</p>

<p>Topic: DP12 – Energy Efficiency</p>
<p>Summary of matters raised in objections.</p> <p>1. Objection to the omission of a proposal to produce SPD covering the installation of Solar Panels and the provision of other alternative energy sources. Solar panels are to be encouraged but inappropriate installations on listed buildings and in the conservation areas should be avoided (The Warwick Society 66/RAN).</p> <p>2. The wording of the policy is too prescriptive compared to the supporting text (Tesco Stores Ltd 350/RAU).</p>
<p>Response of Head of Planning & Engineering to matters raised</p> <p>1. I consider the issue of energy efficiency to be covered adequately in the revised plan policy DP12 which will be balanced with policies requiring good design (DP1) and protecting listed buildings and conservation areas (DAP6 and DAP10). It is stated in the reasoned justification to Policy DP12a (para 4.71H) that SPD will be produced to give further guidance on the implementation of policy DP12a Renewable Energy Developments.</p> <p>2. I do not consider it necessary to soften the wording of the policy to reflect the fact that minor developments and changes of use may have little or no impact on energy conservation and will not therefore be required to comply with this policy. Equally, para 4.71 clarifies that the policy's objective may not accord with other policy objectives and that in such cases applicants must demonstrate how they have sought to balance competing objectives. I accept deletion of the word 'the' from the middle of the first sentence.</p>

Recommended revision (s)
<ol style="list-style-type: none">1. No changes required.2. Change 'the energy efficient buildings' in the first sentence of the policy to say simply 'energy efficient buildings'.

Topic: DP12a – Renewable Energy Developments
Summary of matters raised in objections.
<ol style="list-style-type: none">1. Objection to the omission of a proposal to produce SPD covering the installation of Solar Panels and the provision of other alternative energy sources. Solar panels are to be encouraged but inappropriate installations on listed buildings and in the conservation areas should be avoided (The Warwick Society 66/RAN).2. The policy needs justification in the context of Warwick District. The plan also needs to set out what developments would be appropriate rather than leave this matter to SPD (Government Office for the West Midlands 110/RAB).3. The policy should state that permission will not be granted for the use of renewable energy installations in areas or buildings of historic value (The Ancient Monuments Society 293/RAH).4. The British Wind Energy Association supports the introduction of this policy but has some objections to the detailed wording. In part A: the words 'visual intrusion' should be changed to 'visual appearance' in criterion a); indication should be given of how the impact on local character will be assessed; reference should be made to the EIA process to clarify the reference to the natural environment in criterion d) Also, the part A of the policy should highlight the importance of community involvement for all schemes, regardless of their scale or location. In part B: 'appropriate development' should be clarified. Size thresholds should be introduced for compliance with the policy. Para 4.71b: the reference to the lower target in the region should be deleted. Para 4.71f: recognition should be given to the fact that those effects identified are very subjective. (British Wind Energy Association 351/RAA).5. Part B of the policy should not require production on site, but rather on site 'or in

the locality' to reflect the fact that the biomass might be grown locally but not on site (National Farmers Union 154/RAD).

Response of Head of Planning & Engineering to matters raised

1. I consider the issue of energy efficiency to be covered adequately in the revised plan policy DP12 which will be balanced with policies requiring good design (DP1) and protecting listed buildings and conservation areas (DAP6 and DAP10). It is stated in the reasoned justification to Policy DP12a (para 4.71H) that SPD will be produced to give further guidance on the implementation of policy DP12a Renewable Energy Developments.
2. I consider that the policy complies with PPS22. Warwick District Council is, however, keen to do further work on the implementation of the policy with the County and other local partners. Any additional detail will be set out in an SPD.
3. See response 1. above.
4. I am willing to agree to certain changes to Part A of the policy but in relation to the objector's comments on Part B, I reiterate the point made at response 2. above.

In Part A: The word 'intrusion' can be changed to 'appearance'. The objectors second and third suggestions can both be met by reference to EIA in the reasoned justification (para 4.71F). Regarding local consultation, while this will always be important, it is only in the case of large schemes that active involvement can be expected at the pre-application stage in the development of proposals (as stated in para 4.71F).

I consider the text in para 4.71B to be appropriate in stating the lower regional target and its derivation.

5. I agree that the policy should acknowledge that the energy may be produced on site or in the locality.

Recommended revision (s)

1. No changes required.
2. Amend final sentence of para 4.71H to state that: Further guidance on the implementation of this policy will be set out in a Supplementary Planning Document.
3. No changes required.
4. Change the words 'visual intrusion' to 'visual appearance' in criterion a). Amend the first sentence of para 4.71F to state:
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.
5. Part B of the policy to be extended to state: The Council will require 10% of the predicted energy requirements to be produced on site, or in the locality, from renewable energy sources.

Topic: DP13 Crime Prevention**Summary of matters raised in objections.**

1. Object to the omission of policy to control the development of exclusive gated closed communities
66/RAP The Warwick Society

Response of Head of Planning & Engineering to matters raised

1. Policy DP13 deals in general terms with crime prevention. It is a matter of detail that would be considered at the time of a planning application as to how developers' best address this in consultation with the police authority.

Recommended revision(s)

1. No change