

## Warwick District Local Plan – Revised Deposit Version

### Topic Response Analysis

#### Topic: Chapter 6 Introduction (Urban Area Policies)

##### Summary of matters raised in objections.

1. In paragraph 6.5 replace Conoco with National Grid Transco  
*66/RBA The Warwick Society; 199/RAH James Mackay*
2. In paragraph 6.1 reference should be made to the fact that for some people there is no alternative to the private car and so applicants should make provision for off-street parking, taking into account social and environmental considerations  
*191/RAS Robin A Richmond; 195/RAT The Leamington Society; 349/RAS Mr D G Goodyear*

##### Response of Head of Planning & Engineering to matters raised

1. Agree to replace Conoco with National Grid Transco
2. The Council's Supplementary Planning Document on Parking Standards will set out maximum parking standards in line with PPG13. The reasoned justification to policy DP8 will be amended to 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. It is not considered necessary to insert these details on parking standards in this introductory paragraph, the purpose of which is to set the scene for the urban area policies. See response to objections to Policy DP8.

##### Recommended revision(s)

1. In paragraph 6.5 replace Conoco with National Grid Transco
2. See recommended revisions to Policy DP8.

#### Topic: UAP1 Directing New Housing

##### Summary of matters raised in objections.

1. Objects to inclusion of reference to Policy SC8a  
*4/RAA Arlington Planning Services; 119/RAJ Bloor Homes; 222/RAA Mr J Burman*
2. In the second line of paragraph 6.8 replace "minimise" with "prevent"  
*66/RBB The Warwick Society*
3. Policy should plan for a 10 year supply of housing and a 15 year plan horizon and

allocate greenfield land for housing on the edge of the built up area  
*119/RAJ Bloor Homes; 120/RAF Miller Homes; 214/RAJ Janet Biles; 227/RAA David Wilson Homes (E. Midlands) Ltd; 239/RAE Mr David Austin; 322/RAJ J G Land & Estates*

4. Para 6.8 should be amended to include reference to need to avoid town cramming and to take account of social and environmental considerations.  
*119/RAT Mr R A Richmond; 195/RAU Leamington Society; 349/RAT Mr D G Goodyear*
5. The Plan should calculate housing figures using the application of Structure Plan proportions to the RSS figures and should plan for housing up until at least 2017  
*David Wilson Homes (E. Midlands) Ltd*
6. Site at Kenilworth Rugby Club should be allocated for housing  
*235/RAA Kenilworth Rugby Club*

**Response of Head of Planning & Engineering to matters raised**

1. Policy SC8a allows for the regulation of windfall site development in the event of an over supply of housing. This is in accordance with Planning Policy Guidance 3 : Housing paragraph 8 which requires local authorities to keep under review the housing requirements if there are signs of an under or over supply of housing. Similarly, the West Midlands Spatial Strategy Policy CF6 requires Development Plans to incorporate policies which allow for the managed release of housing and which ensure that the spatial strategy of the RSS is not undermined. Policy SC8a allows the Council to respond to such eventualities. It is considered appropriate to include reference to Policy SC8a in this policy as the general policy for directing new housing will be dependant upon the results of annual monitoring exercises in terms of housing completions, housing commitments and any review of housing requirements. This approach accords with the “plan, monitor, manage” approach in PPG3.
2. There are a number of committed housing sites on greenfield land so it would be inaccurate to state that development on greenfield land would be **prevented** by directing housing to previously-developed land.
3. Please refer to the Council’s response to objections to Issue 2 of Appendix 2.
4. The term “town cramming” incorporates a number of potential undesirable elements of a development including a lack of open space, insufficient functional areas around a site, poor design and so on. These aspects of housing development are covered in the Development Policies, specifically, Policies DP1,2 and 3. The purpose of Policy UAP1 is to outline the locational aspects of housing development. The same principles apply to references to “social and environmental considerations”.
5. Please refer to the Council’s response to objections to Issue 1 of Policy SC8a
6. The Council does not accept that the need to fund a new club house represents an exceptional circumstance whereby greenfield land should be released for housing development.

**Recommended revision(s)**

1. No change
2. No change
3. No change
4. No change
5. Amend and update housing figures in Appendix 2
6. No change

**Topic: UAP2 Directing New Employment Developments****Summary of matters raised in objections.**

1. Sites that may be encompassed by the policy that would not readily fit into the sequential approach should be identified. Amend policy in light of allocations in SSP2 and SSP3 168/RAP Advantage West Midlands.
2. Changes to the policy now restrict the size of town centre sites for office use, to an unacceptable minimum. Few sites of this size exist on previously developed sites in the town centers, especially when linked to the requirement for a location within existing employment areas and high accessibility for walking and cycling 348/RAA Merrill Lynch

**Response of Head of Planning & Engineering to matters raised**

1. The policy is written to apply to all sites, however, those mentioned in SSP2 and SSP3 are those which are identified as 'special cases'. These are areas which would not normally be acceptable as employment sites if it were not for a long history of occupation and use of the site. They are sites which, it is agreed, should be subject to their own policy and acknowledged as long standing sites with special needs and requirements since they are major developed sites in the green belt where it would normally be inappropriate to develop. It would therefore be inappropriate to mention these sites specifically within the context of this policy.
2. Reference to 'within established employment areas' has been removed in the second draft version of the plan. Policy UAP2 does not restrict office development office uses in town centres to a minimum threshold of 2,500 sq m of gross floor space. The policy states that offices of this size should be located in the town centres, but if there are no such sites available, then the sequential test should be applied to sites on the edge of town centres. This does not preclude smaller sites from being developed for office use. The policy simply restricts where this size of office development may be located.

**Recommended revision(s)**

1. No change
2. No change

## Topic: UAP3 – Directing New Retail Development.

### Summary of matters raised in objections.

1. How can major retailing be directed to Warwick Town Centre as it is physically impossible to locate such uses here (the objector has assumed/ stated that the policy refers to supermarket type retailing). New mini 'supermarkets' should be directed to the centre of housing estates. The objector questions the legitimacy of prioritising town centre shopping that may attract the residents from outside of the immediate locality (from the South West Warwick development in particular) that will increase traffic problems in the town centre. *ref 354 / RAA RogerHiggins.*
2. Object to the policy as it is inconsistent with national policy contained within PPS6 and PPG13 (see paras 6.17 and 6.18) Object to the 1,000 metre threshold (same reasons as in DP7 objection). Also objects to the requirement for a proposal to reduce the number and length of car journeys. The objection considers that greater emphasis should be placed on references to the primary shopping area rather than town centres per se for new retail development. Suggests policy should be reworded to read: - "Retail development will be encouraged towards the town centres and permitted in accordance with national planning policy guidance contained within PPS6. Retail development will therefore be permitted providing:- a) there is a proven quantitative need for the proposal. b) it satisfies the sequential approach. d) It delivers accessibility by a choice of means of transport and reduces the need to travel. d) It does not result in adverse impact either in terms of retailing or traffic. .... Development proposals over 2,500 sqm (gross floorspace) will be required to demonstrate how they comply with this policy by means of a Retail Impact Assessment. Paragraph 6.17 should clarify that not all new retail extensions will be subject of Policy UAP3 in accordance with PPS6. Paragraph 6.18 is inconsistent with PPS6. Firstly there is no justification for the 1000 sqm gross threshold for Retail Impact Assessments and why this differs from the 2,500 sqm figure in PPS6. The paragraph should refer to 'easy walking distance (up to 300 m of the primary shopping area) in the context of the sequential approach. Finally the objector does not agree that it is necessary to demonstrate that all the need indicators need to be satisfied in order to justify new retail proposals. The objector believes that need consists of a number of factors, of varying relevance according to the nature of the development proposed, paragraph 6.18 should be changed to reflect the comments above. 'ref 350 / RAZ Tesco Stores Ltd.
3. The objector believes that there are circumstances where the provision of retail floorspace outside of town centres provides an ancillary function to other major uses serving the catchment of that use. The text should be amended to reflect such amendments and the following should be added to the end of paragraph 6.15 – " The policy recognises that ancillary retail development outside town centres can provide an ancillary function to major uses and will be supported where appropriate". *ref 321/ RAN West Midlands International Airport Ltd.*

4. Objects to paragraph 6.19 in that there is no justification that the same criteria should apply for proposals of less than 1000 square metres of retail space as applies to larger proposals. The first sentence of paragraph 6.19 should therefore be deleted. *ref 321/ RAP West Midlands International Airport Ltd.*

#### **Response of Head of Planning & Engineering to matters raised**

1. The purpose of UAP3 is to direct retail development to the most appropriate locations within the District. Clearly echoing the principles of PPS6 this policy seeks to emphasise the importance of a 'town centre first' strategy in order to sustain and enhance town centres by making them the preferred focus for new retail development. The objector has assumed that this policy is specifically relevant to 'supermarket' type development. This is not the case and the policy is intended to address all retail development proposals (whatever the format/ type of retailer). The objector is of the opinion that 'major' retail development can not be directed to Warwick Town Centre because of its physical limitations. Whether or not this is the case, the policy sets out an approach that requires the thorough investigation of town centre options, and outlining the criteria under which other circumstances will be considered (broadly reflecting the sequential site selection approach / justification) for retail locations required in line with PPS6. The objector questions the legitimacy of prioritising town centre shopping in that it may attract residents from outside the immediate locality causing environmental problems (albeit this approach is contrary to Government Policy – sustainable planning objectives ). It is suggested that an alternative strategy directing mini – supermarkets to the centre of housing estates as an alternative. It should be stated that where necessary this authority supports the provision of new local centres with appropriate convenience shopping/ service opportunities to provide for local need (Namely Heathcote and South West Warwick). Policy UAP4 seeks to preserve and maintain existing Local Centres / facilities.
2. I do not consider that Policy UAP3 is inconsistent with Government Guidance. The 1000 sq m threshold for retail impact assessments ( para 6.18) has been set as it is considered that any retail developments outside of the Town Centre that are above this size, are contrary to Policy TCP2 of the Warwickshire Structure Plan. It is considered that retail proposals that are above 1000sq m could (individually or cumulatively) have a detrimental effect on the Districts Town centres (particularly Warwick and Kenilworth). The requirement to thoroughly assess such proposals in my opinion reflects paragraphs 3.20 and 3.23 of PPS6 in that it is the responsibility of any potential developer to satisfy the Local Planning Authority that their proposals will not adversely affect the existing retail hierarchy / town centres. This is particularly relevant as there have recently been several substantive applications/ pressure to create further out of centre retail floorspace. The reasoned justification could make a reference (para 6.15) to the particular importance of the primary retail areas, albeit I consider that they are easily identifiable on the Proposals Map. I do not consider that the suggested alternative criterion add any particular benefits to the general aims of the policy in as much as they ( in my opinion) replicate the sense of the contents of PPS6. The current wording of UAP3 states that retail impact assessments and sequential analyses should be in accordance with Government guidance. As far as deleting criterion c is concerned, it is considered to be in line with paragraph 3.27 of PPS6 that states "in assessing new developments LPA's should consider

<p>whether the proposal will have an adverse impact on the overall distance travelled by car". Criterion (d) of UAP3 then asks for an examination of accessibility by alternative means. I agree that criterion (d) would benefit from a minor amendment to bring it in line with new wording in PPS6. I also agree that paragraph 6.17 would benefit from a reference to the fact that extensions to existing retail uses that are below 200 sq m gross do not require a sequential analysis.</p> <p>3. The District Council accepts that there are certain circumstances where ancillary retail provision outside of town centres may be appropriate. In line with PPS6 paragraph 3.30, the Local Planning Authority should ensure that the retail element in such circumstances is 'limited in scale and genuinely ancillary to the main development'. Consideration of the scale and range of goods will be relevant. I do not consider that it is necessary to add a specific reference to UAP3 regarding ancillary retail uses, instead the consideration of each case on its particular merits would appear more appropriate. It would not be correct for the Authority to offer support for such proposals until such times as each case has been thoroughly assessed.</p> <p>4. I consider that it is reasonable for smaller proposals to be assessed against the same broad criteria as major proposals, even where a formal Retail Impact Assessment is not required.</p>
<p><b>Recommended revision (s)</b></p> <p>1. No changes required</p> <p>2. Amend criterion (d) of the policy to read: "The development is, or can be made, <del>highly</del> <b>genuinely</b> accessible <b>and well served by a choice of means of transport, especially public transport, walking and cycling as well as by car</b> <del>by foot, cycle, and public transport."</del></p> <p>Also, amend part of paragraph 6.17 to read: "This policy is applicable to all proposals for new retail development including new build, redevelopments, change of use, intensifications and extensions <b>in accordance with Government guidance.</b>"</p> <p>3. No changes required.</p> <p>4. No changes required</p>

## Topic: UAP4 – Protecting Local Shopping Centres

### Summary of matters raised in objections.

1. Albion Street should be included as a Local Shopping Centre. *ref 223 / RAE Kenilworth Town Council*

2. It is noted that the policy relates to changes of use and no other proposals. The policy in seeking to limit changes of use is out of line with Government Guidance and out of line with market requirements where some of these changes of use would in fact benefit local shopping centres. There does not appear to be any reasoned justification for the specific restrictions. Furthermore, a reading of paragraph 6.21 would not justify the restrictions sought by policy UAP4. *ref 224 / RAA Mr Orr. Bigwood Associates.*

#### **Response of Head of Planning & Engineering to matters raised**

1. Although Albion Street shops do not meet the definition of a Local Centre as set out in the Plan at present (six continuous units in an elevation), it is recognized that the centre does contain six shops in a clustered formation and does have an important function as a local service centre within Kenilworth. It is important for the integrity of the policy that there is a minimum size threshold for local centres, however I consider that the policy should recognize the important role of this centre and agree that the centre should be included within the policy.
2. PPS6 ( para 2.55) that the mix of uses should be carefully managed. It is the intention of UAP4 to preserve the existing A1 function to ensure that local day to day (convenience) needs are suitably provided for. The policy is about maintaining an appropriate balance of uses (but unlike the current Local Plan Policy) seeks to set out the circumstances where this may have to be re-assessed so as to not undermine the long term success of such areas.

#### **Recommended revision (s)**

1. Include Albion Street, Kenilworth as a new local centre on the proposals map. Amend sentence in paragraph 6.22 to read: "For the purposes of this policy, local centres are defined as a small group of shops consisting of **a cluster of** six or more units (**normally** in a continuous elevation), usually comprising a newsagent, general grocery store, post office and other small shops of a local nature."
2. No changes required

#### **Topic: UAP5 Protecting Local Shops – No objections received.**

#### **Topic: UAP6 Motor Vehicle Sales**

##### **Summary of matters raised in objections.**

1. Paragraph 6.29 proposes that an embargo be placed on permitted changes from car showrooms to A1 use. This should not be applied within existing centres (Tesco – 350/RBA).

**Response of Head of Planning & Engineering to matters raised**

1. It is not the intention of the policy to seek to place such a restriction which I consider should only be proposed on motor vehicle sales sites outside of existing centres. I therefore agree that the policy should be clarified.

**Recommended revision(s)**

1. Amend para. 6.29 to read: ***"This policy only applies to proposals to locate motor showrooms and repair centres within existing or allocated employment areas. In these locations, and in all other locations outside of defined retail areas, it*** should be noted that the showroom or retail element of the proposed use will be controlled through a planning condition ....."

**Topic: UAP7 – Directing New Tourism Development****Summary of matters raised in objections.**

1. Object that the wording of paragraph 6.32A is not clear and should be amended to state the areas where the council will require the submission of a travel plan i.e. not located within or adjacent to a town centre (Warwick Castle ref: 122/RAC).
2. Supports policy but would welcome a reference to the Regional Visitor Economy Strategy in the reasoned justification (Advantage West Midlands ref: 168 RAQ).
3. Objects to inconsistency between the policy which states the Council may require the submission of a travel plan and Para 6.32A which states that the Council will require the submission of a travel plan (Racecourse Holdings Trust 303 RAE).

**Response of Head of Planning & Engineering to matters raised**

1. It is accepted that for clarity the final sentence of Para 6.32A should be amended to specify that in all other locations (outside the town centre) the submission of a travel plan may be required.
2. In keeping with a style consistent with the new planning framework it is not possible to refer to every document which may have informed the preparation of the plan. However the policies have been drafted where appropriate to reflect the objectives of relevant strategies.
3. It is agreed that paragraph 6.32 should be amended to avoid confusion between the reason justification and the policy. Paragraph 6.32A should state that travel plans may be required for development in all locations other than town centres.

**Recommended revision (s)**



1. Amend final sentence within Para 6.32A to state '***In all other locations*** the Council ~~will~~ **may** require the submission of a travel plan to ensure the impact of development on accessibility is minimised'.
2. No change required.
3. Amend the final sentence of Para 6.32A as outlined in point 1.

## Topic: UAP8 – Directing New Visitor Accommodation

### Summary of matters raised in objections.

1. Objects on the grounds that the policy is more restrictive than in the rural area (Kenilworth Town Council ref: 223/RAF).
2. Supports the promotion of hotels in the town centres and suggests three opportunities in Warwick:
  - The conversion of the County Council's Barrack Street offices
  - The conversion of Northgate Street houses into an exclusive high quality exclusive hotel.
  - The conversion of the northern part of the County Council Offices, the area originally the old prison and later barrack block.
 (Roger Higgins ref: 354/RAG).

### Response of Head of Planning & Engineering to matters raised

1. It is recognised that in some respects the approach to rural areas is more flexible than that taken to urban areas. The conversion of appropriate buildings for visitor accommodation is considered to be appropriate in rural areas where the proposal is small scale and can meet a local need. It is considered that this can promote the re-use of redundant rural buildings contributing towards local job creation and the diversity of the rural economy. In urban areas new build development may be allowed which would not be permitted in rural areas. As such the approach of this policy seeks to balance the need to direct hotels to the most sustainable locations and encourage new uses for rural buildings in accordance with PPS7.
2. Although the plan directs new visitor accommodation to within town centres in the absence of conclusive evidence to suggest the need for additional visitor bed spaces in the district it would be inappropriate to allocate land for this use. If in the future a study identifies the need to retain visitor accommodation within the district the position could be reconsidered accordingly and such uses may be supported if appropriate proposals come forward.

### Recommended revision (s)

1. No change required.

2. No change required.

## Topic: UAP 9 – Directing New Leisure Development

### Summary of matters raised in objections.

1. Object on the grounds that the sequential approach set out in Para 6.36A is not in accordance with PPS6 (The Crown Estate ref: 265 RAA, Tesco Stores Ltd ref: 350/RBB).
2. Object to the lack of reference to edge of centre sites in criteria b) as it is considered that historic centres may not be appropriate for leisure development (Racecourse Holdings Trust ref: 303 RAE).
3. Objects to the inclusion of the word 'highly' in para 6.39 and criteria c) as it is inconsistent with national policy guidance (Tesco Stores Ltd ref: 350/ RBB, Racecourse Holdings Trust ref: 303/RAE).

### Response of Head of Planning & Engineering to matters raised

1. Para 6.36A is intended to reflect the approach of Para 2.44 of PPS6 at the local level. It is accepted however that PPS6 does not consider local centres to be an appropriate location for large scale development as applied through the sequential approach. On this basis it is agreed that the reference to local centres should be removed from Para 6.36A. The policy does not preclude out of centre locations but ensures that these are only considered in cases where no sequentially preferable sites are available and the development can be made accessible by foot, cycle and public transport.
2. In line with new criteria b) a sequential approach (as outlined in Para 6.36A) is adopted to assess the provision of new leisure development. In using this approach proposals would be considered on individual merit therefore it is unnecessary to specifically refer to edge of centre locations. However in response to point 1 the change to paragraph 6.36A of the reasoned justification will refer to edge of centre locations.
3. It is agreed that to better reflect the new approach of PPS6 criteria c) and Para 6.39 should be amended to remove the word 'highly'.

### Recommended revision (s)

1. Amend final sentence of Para 6.36A to remove the reference to local shopping centres 'In identifying sites a sequential approach should be adopted through which all potential town centre options are thoroughly assessed before less central sites are considered. First preference should be given to **the** town centre followed by **edge of centre locations**.\_
2. See response to point 1.
3. In order to reflect the wording of PPS6 the word 'highly' should be removed from

criteria c) and the wording of Para 6.39 should be amended to state: "Alternative locations ~~must also be highly accessible by public transport, cycling and walking~~ which ***should be well served by a choice of means of transport (including public transport, cycling and walking)*** and may include sites adjacent to public transport corridor."

**Topic: Chapter 6 Omissions – No objections received.**