

Warwick District Local Plan Examination
Inspector's note
Outline of main modifications required

- 1) Starting point is submitted Local Plan i.e. Publication Draft as amended by Focussed Changes (**not modifications set out in LP21 or in January 2016**)
- 2) Main modifications would be to the text of the submitted Local Plan
- 3) Unless referred to below, no modification required for soundness. No other modifications should be added. Minor modifications prior to adoption are entirely a matter for the Council and should be kept entirely separate from this process.
- 4) Single modification with single ref i.e. MM1 for all bullet points under DS2 etc. which may incorporate a number of specific amendments to a policy or explanatory text.
- 5) Main Modifications will not relate to the Policies Map as Inspector does not have remit to recommend modifications to it. Where the Policies Map needs to be amended from that in the submitted Local Plan, these amendments should be set out and included in consultation material published as an appendix to assist people. These should include additional sites, deleted sites and amended site boundaries.

Development Strategy

Policy DS2

- Amend Policy DS2 and para 2.6 as set out in Mod1 and Mod2 of Council's suggested modifications Jan 2016

Policy DS4

- Amend Policy DS4 to add initial section setting out clearly the locational strategy i.e. focus most growth on urban areas of Warwick/ Leamington/Whitnash and Kenilworth and urban extensions south of Coventry and then on Growth Villages.
- Amend rest of Policy DS4 as set out in Mod3 of Council's suggested modifications Jan 2016
- Amend Clause e) as set out in Mod D7 of LP21
- Amend Clause g) as set out in Mod D8 of LP21

Policy DS6

- Amend Policy DS6 to read
"Provision will be made for a minimum of 16,776 new homes between 2011 and 2029. The average annual housing requirement for 2011/12 to 2016/17 is 600 new homes and for 2017/18 to 2028/29 it is 1,098 new homes."
- Delete para 2.20 and replace with para which reflects the increased housing provision, explains that this is in part to accommodate some of Coventry's unmet needs and also explains that a staggered approach to annual housing requirements is appropriate due to the need for additional sites to have been identified relatively late on in the plan preparation process and the need to allow a realistic timescale for large urban extensions to be brought forward.

Policy DS7

- Amend Policy DS7 to reflect final position on figures for supply from different categories as set out in APP1a of EXAM 147 as amended **(see Policy DS11)**.
- Include table as set out in APP1a of EXAM 147 as amended **(see Policy DS11)**.
- Amend housing trajectory graph in line with above and to show staggered housing requirement.
- Amend paras 2.21-2.24 accordingly.

Policy DS8

- Amend Policy DS8 to read "Provision will be made for...."

Policy DS9

- No amendment to policy (Focussed Change 1 noted)
- Amend paras 2.31-2.36 accordingly

Policy DS10

- Amend Policy DS10 to reflect final position on housing allocations including reference to sites on edge of Coventry.
- Amend paras 2.37-2.40 accordingly.

Policy DS11

- Amend opening sentence of Policy DS11 to say "The following sites, as shown on the Policies Map, are allocated..."
- Retain all housing site allocations included in submitted Local Plan (including H39) apart from H04 Red House Farm which should be deleted.
- Delete site H15
- Delete sites H34-H36
- Delete any site allocations included in submitted Local Plan which have planning permission **and** are under construction or have been completed (ensuring dwelling figures included in assessment of commitments/completions).
- Amend estimated capacity of sites where appropriate to reflect Council's suggested modifications/discussions at hearings/latest position.
- Amend information on infrastructure requirements and other uses as appropriate
- Add the following sites set out in Council's suggested modifications Jan 2016:
 - H40
 - H41
 - H42
 - H43
 - H45
 - H46A
 - H46B
 - H48
 - H49
 - H51

- DSNEW3
- Do not add the following sites set out in Council's suggested modifications Jan 2016:
 - H44
 - H47
 - H50
 - H52
 - H53
- Amend paras 2.37 -2.53 accordingly.

Policy DS12

- Amend Policy DS12 as set out in Mod12 of Council's suggested modifications Jan 2016
- Amend paras 2.54 – 2.57 accordingly

Policy DS13

- Amend Policy DS13 to say land "is allocated"

Policy DS14

- Amend Policy DS14 (as in focussed changes) to say land "is allocated"
- Amend paras 2.60-2.65 to reflect focussed change

Policy DS15

- Amend Policy DS15 as required by other main modifications, to ensure consistency between policies and to set out up to date position regarding infrastructure/service requirements
- Include site reference numbers
- Amend paras 2.66-2.68 accordingly

Policy DS16

- Amend Policy DS16 to say land "is allocated"

Policy DS18

- Delete Policy DS18 and paras 2.77-2.78

Policy DS19

- Amend second sentence of Policy DS20 to say "The Council will apply national planning policy to proposals within the Green Belt"
- Amend para 2.81 to reflect other modifications

Policy DS20

- Delete Policy DS20 and replace with policy as set out in EXAM72 and EXAM118.
- Delete paras 2.82-2.87 and replace with paras 2.82-2.83 as set out in EXAM72.

Policy DSNEW1

- Add new Policy DSNEW1 as set out in EXAM120 parts 1-4 and part 5 i-iv. (N.B. part 5 v-xi not required)
- Add explanatory text as appropriate.

Policy DSNEW2

- Add new Policy DSNEW2 as set out in Mod22 of Council's suggested modifications of Jan 2016 subject to removing references to S2 Land North of Milverton
- Add explanatory text as appropriate.

Policy DSNEW3

- Add new Policy DSNEW3 and explanatory text as set out in EXAM159

Policy DSNEW4

- Add new Policy DSNEW4 and explanatory text as set out in Mod26 of Council's suggested modifications of Jan 2016.

The Economy

Policy EC1

- Amend 1st para under Urban Areas to refer to criteria a) and b) only as criteria c) relates to sites within town centres
- Amend criterion a) to delete "..as part of the strategic urban extensions.."
- Amend criterion c) to delete first phrase and start with "within town centres..."
- Amend para below criterion c) – last sentence to read "An impact assessment will be required for out of town **centre** proposals over 2,500sq.m."
- Delete final para under Urban Areas relating to non-office employment development
- Amend criterion d) under Rural Areas to refer to Policy DS16
- Delete para 3.17

Policy EC3

- Amend Policy EC3 and explanatory text as set out in EXAM74 (N.B. ensure changes to submitted plan are shown clearly)

Retail and Town Centres

Policy TC2

- Delete second para and points a) and b) and third para from Policy TC2
- Amend fourth para to read "Where suitable sites are not available in the retail areas, sites on the edge of the retail areas will be considered and, if....."
- Amend final para to read "Where sites on the edge of the retail areas are considered..." and refer to "retail area" rather than "town centre"
- Amend explanatory text accordingly.

Policies TC6 and TC7

- Add paras after 3.75 and 3.77 as set out in EXAM138 to refer to issue of vacant units.

Policies TC8 and TC9

- Add to paras 3.79 and 3.81 as set out in EXAM138

Policy TC11

- Add to end of para 3.86 to confirm that proposals will also be considered in light of the sequential approach set out in Policy TC2.

Culture, Leisure and Tourism

Policy CT1

- Amend Policy CT1 as set out in LP21

Policy CT3

- Amend Policy CT3 as set out in LP21

Policy CT5

- Delete Policy CT5 and explanatory text

Policy CT7

- Amend Policy CT7 and explanatory text as set out in Council's hearing statement/Statement of Common Ground for Matter 10

Major sites in the economy

Policy MS1

- Amend Policy MS1 and explanatory text as set out in EXAM157

Policy MS2

- Amend Policy MS2 as follows:
 - Delete first para
 - Amend second para as set out in EXAM156 "Due to the importance of..."
 - Delete third para
 - Add fourth para as set out in EXAM156 "In order to ensure..." subject to reference to "...masterplans, planning applications or development briefs... which demonstrate..."
 - Add fifth para as set out in EXAM156 "In the case of..." subject to amending end of second sentence to "...in the Green Belt, very special circumstances may exist."
 - Retain final para "In the case of the former Honiley Airfield..."
- Amend explanatory text accordingly.

Housing

Policy H0

- Amend criterion a) of policy H0 as set out in LP21
- Amend para 4.1 as set out in EXAM143

Policy H1

- Amend policy H1 as set out in EXAM143A subject to adding “as shown on the Policies Map” to 1b)
- Amend explanatory text as set out in EXAM143A (N.B. para nos. incorrect and third para under what is shown as para 4.4 has additional/missing text at end?)

Policy H2

- Amend Policy H2 as set out in EXAM 143 subject to adding “The amount of affordable housing, the form of provision...” to second para
- Amend explanatory text accordingly and to explain about contribution to meeting Coventry’s affordable housing needs.

Policy H3

- Amend Policy H3 as set out in EXAM143 and subject to further amendments to relating to c)i and c)iii as set out in LP21

Policy H4

- Amend Policy H4 as set out in EXAM 143
- Amend explanatory text accordingly

Policy H5

- Amend Policy H5 as set out in EXAM143

Policy H7

- Amend Policy H7 as set out in EXAM144
- Amend explanatory text accordingly

Policy H8

- Amend Policy H8 as set out in EXAM143 and amend criterion a) to include ref to emergency services and add criterion on co-location as set out in LP21

Policy H10

- Amend Policy H10 as set out in EXAM143
- Amend explanatory text as set out in EXAM143 subject to amending wording of new para to make it clear that a collaborative approach will be **encouraged**.

Policy H11

- Amend Policy H11 as set out in LP21 to make reference to Policies Map

Policy H12

- Delete last sentence of para 4.83

Policy H13

- Amend Policy H13 as set out in EXAM143

Policy HNEW1

- Include new policy on custom and self-build housing to **encourage** all housing schemes to include an element of custom build or self-build housing and to set out positive approach in principle to proposals that come forward in appropriate locations i.e. urban areas, edge of Coventry sites, Growth villages and limited infill villages.

Built Environment

Policy BE1

- Amend criterion i) as set out in EXAM167
- Amend criterion l) as set out in LP21
- Add criterion q) as set out in LP21
- Amend paras 5.11 and 5.12 as set out in LP21

Policy BE2

- Amend Policy BE2 as set out in LP21

Policy BE5

- Amend first sentence of Policy BE5 to read "Residential and employment developments will be encouraged to provide..."
- Delete second sentence of Policy BE5
- Amend explanatory text accordingly

Policy BE6

- Add new Policy BE6 as set out in LP21 subject to amendments set out in EXAM169
- Add explanatory text accordingly

Transport

Policy TR1

- Amend criterion b) of Policy TR1 to add reference to emergency services
- Add "where practical" to start of criterion d) of Policy TR1
- Amend para 5.40 as set out in EXAM160 subject to first sentence beginning "The National Planning Policy Framework states that, where practical, development should..." and penultimate sentence ending with "...recharging points where practical."

Policy TR2

- Amend first para of Policy TR2 with addition of "(both residential and non-residential)" after "developments"
- Amend fourth para of Policy TR2 to say "A Transport Statement may be required for development..."
- Amend para 5.49 as set out in LP21 subject to first sentence reading "Where appropriate, Travel Plans will be required for developments in line with..."

Policy TR3

- Delete Policy TR3 and explanatory text

Policy TR4

- Delete criterion a) from Policy TR4

Policy TR5

- Amend reference to "Policies Map"
- Delete point b)
- Delete para 5.59.2
- Amend para 5.59.3 to explain need for one P&R facility to the south of Warwick/Leamington and one to the north. Explain that need for one to the south has been met by planning permission at the Asps and so area of Search to the south is no longer required. Explain that two Areas of Search to the north are identified and briefly describe where they are (i.e. those on Policies Map for Submitted Plan)

Healthy, safe and inclusive communities**Policy HS6**

- Add "age, health or disability" to end of criterion c) of Policy HS6

Policy HS8

- Amend para 5.90 as set out in LP21

Climate Change**Policy CC2**

- Amend criterion c) of Policy CC2 as set out in LP21
- Add criteria h) and i) relating to wind energy proposals to Policy CC2 as set out in Council's Matter 13 Hearing Statement
- Amend explanatory text accordingly

Policy CC3

- Delete first para of Policy CC3 relating to residential buildings
- Delete heading for "Non-residential buildings" (as ref to CHP relates to strategic housing sites?)
- Amend second para as set out in EXAM166
- Delete third para and points 1)-3)
- Delete final para
- Amend explanatory text accordingly
- Consider amending policy title given wider scope than buildings standards?

Flooding and Water

- Delete section of Plan relating to Flooding and Water and replace with that set out in App 4 to LP21 subject to deletion of second para of Policy FW3 and update to para 5.139h to reflect implementation of optional standards nationally and updated Water Cycle Study 2016.
- Update other paras of explanatory text as appropriate

Historic Environment

Policy HE1

- Delete Policy HE1 and replace with

"HE1 Designated Heritage Assets and their setting

Development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or it is demonstrated that all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found that will enable its conservation; and
- Conservation by grant funding or charitable or public ownership is not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use."

- **Amend explanatory text to Policy HE1 to**

- ensure consistent with amended policy
- make reference to statutory requirements for LBs and Cons Areas (s66 and S72 of Plg (LB and CAs) Act 1990
- explain what designated heritage assets are (see NPPF).
- explain that setting can form part of significance and policy covers this
- make clear that substantial harm should either be exceptional or wholly exceptional depending on importance of asset (see para 132 of NPPF)
- explain that policy includes proposals for extensions and alterations to LBs and buildings within Conservation Areas and that for LBs, traditional materials and appropriate colours and finishes will be required.

Policy HE2

- Delete Policy HE2 and replace with

"HE2 Conservation Areas

There will be a presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a Conservation Area. Consent for total demolition of unlisted buildings will only be granted where the detailed design of the replacement can demonstrate that it will preserve or enhance the character or appearance of the Conservation Area.

Measures will be taken to restore or bring back into use areas that presently make a negative contribution to Conservation Areas."

- Amend explanatory text to Policy HE2 accordingly

Policy HE3

- Delete Policy HE3 and explanatory text

Policy HE4

- Delete Policy HE4
- Retain explanatory text but amend to ensure consistent with policy approach

Policy HE5

- Delete first sentence and replace with that set out in LP21 subject to amendment to say "...of harm or loss **and** the significance of the asset."

Policy HE6

- Amend as set out in EXAM165
- Amend para 5.172 as set out in LP21
- Amend explanatory text accordingly

Natural Environment

Policy NE2

- Amend Policy NE2 as set out in LP21
- Amend explanatory text as set out in LP21

Policy NE3

- Amend Policy NE3 as set out in LP21

Policy NE5

- Amend criterion c) as set out in LP21
- Add new criterion f) as set out in LP21

Policy NE6

- Amend Policy NE6 as set out in LP21
- Amend explanatory text as set out in LP21

Neighbourhood Planning

Policy NP1

- Delete Policy NP1 and explanatory text

Policy NP2

- Delete Policy NP2 and explanatory text

Waste

Policy W1

- Delete Policy W1 and explanatory text

Policy W2

- Delete Policy W2 and explanatory text

Delivery and Monitoring

- Amend Delivery and Monitoring Activity table as set out in EXAM 163 and EXAM171

Superseded policies

- Add a schedule of policies in the extant Development Plan that would be superseded by policies in this Local Plan i.e. ref of existing policy and which policy in this Local Plan would supersede it.