

**North Warwickshire
Local Development Framework**



**Development Management
Development Plan
Document**

Issues and Options Report

June 2012

1 Introduction

Purpose

- 1.1 This is a consultation document. It is intended to provide an opportunity for you to think about the places where you live, work, shop and relax, and how those places might be shaped in the future. The Council is still at the stage where there are different options and approaches as to how it deals with new development proposals and how they can help shape places in North Warwickshire. We want to hear from you before decisions are made. This introductory chapter should help in setting the background for that consultation.
- 1.2 A number of issues will always revolve around how we deal with new housing or economic development proposals; how we protect and conserve the rural character of the Borough and its heritage, as well as how we strengthen our local communities through protecting community services and facilities. We are seeking comments on these options and are asking a series of questions as a way of encouraging debate. We will of course always consider responses which do not directly answer the questions raised.
- 1.3 All of the responses received will go to inform the decisions about which options the Council will take forward to the next stage in the preparation of the Development Management Development Plan Document (“the DM DPD”).

Development Management Development Plan Document

Just what is this document?

- 1.4 Planning is changing and changing fast. A new type of forward planning system is now in place. This replaces the old-style Local Plans. So the North Warwickshire Local Plan which was adopted in 2006 is soon to be replaced. The new plan will be known as the Local Development Framework, and it will be made up of several documents. The Council has already published a draft of one – the Core Strategy. As the title suggests, this sets out the Council's overall strategy towards new development. It will plan for housing and economic growth up to 2028, by setting the amount of new development to be planned for and where it should go. Because it deals with general strategy it does not identify new development sites or describe what kind of detail we should be looking for. That is left to other documents, and these will be known as Development Plan Documents (“DPDs”). The allocation of new development will be dealt with through an Allocations DPD. The detail of how we look at Gypsy and Traveller requirements will be dealt with in a second DPD. The details of what we will be looking for in all new development proposals will be dealt

with in a third – the Development Management DPD. In particular this will set out the guidance and criteria by which planning applications will be considered. As its name suggests, the Council wants to “manage” new development such that it is of high quality and so that it accords with the overall approach set out in its Core Strategy. It will be no surprise that it is being prepared at the same time as the Allocations DPD.

- 1.5 The Core Strategy and these three DPDs will, once adopted, largely replace the 2006 Local Plan. It will therefore be essential that all of the existing policies in that Plan will need to be reviewed and assessed to see if they should be taken forward into the new Documents. This will be dealt with later in this paper.
- 1.6 It is necessary to ensure that the DM DPD accords with national planning policy as set out in the National Planning Policy Framework (NPPF) as well as the Core Strategy, together with the Council's Sustainable Community Strategy. The DPD can not contain policies that do not accord with these higher level policies. The contents should therefore aim to deliver the overall objectives of the Community and Core Strategies and provide the context for coordinating the actions of our partners in achieving the objectives of these two Strategies.
- 1.7 North Warwickshire is a rural area without a large urban area or the sorts of development pressures that are experienced in the more built-up parts of the country. Nonetheless, there is always pressure for development and there is a clear need to “manage” new development so that environmental quality is maintained and enhanced, social needs are met and economic growth benefits everyone. Different scenarios call for different solutions and the management of development is often a balancing act to find the best overall outcome, whilst minimising negative impacts. To ensure that the main priorities and concerns of North Warwickshire's communities are reflected in the DM DPD, the Council is seeking resident's views on a number of options as set out later in Section 3.
- 1.8 The Draft Pre-submission Core Strategy includes a “spatial portrait” of North Warwickshire which outlines and describes our location; physical characteristics, bio-diversity, heritage, population, housing, economy, resources and transport. It is not repeated here, but it is important to recognise that it describes what makes North Warwickshire the place we know – in other words its local character and distinctiveness. The DM DPD will need to ensure that this portrait is reflected in its policies. This might be to take forward existing Local Plan policies, or it might introduce completely new policies on subjects such as design, new homes, parking, domestic extensions and conservation.
- 1.9 This paper continues by looking at the strategic objectives of the Core Strategy and then to see how these might be achieved through

managing new development proposals. There are different ways or options as to how this can happen, and these are explained. This stage in the process is intentionally broad-brushed and therefore this consultation paper does not propose detailed wording for policies. Once we have received all responses to the different options, the next stage will be to set out a preferred set of policies, explaining how and why they been drafted. They too will then be circulated for consultation later in the year.

Localism

- 1.10 Before embarking on the issues and options, it is necessary to refer to the Localism Act of 2011. This Act will have an impact on the preparation of planning policy – for instance it will abolish Regional Planning and Structure Plans. As a result, the formation of planning policy will be determined locally far more than up to now.
- 1.11 For instance it will give opportunities to Parish and Town Councils in North Warwickshire to either individually or with their neighbours to produce their own Neighbourhood Plans and Orders. Checks will be needed to ensure that these Plans and Orders are compliant with EU Law, human rights obligations, the NPPF and Core Strategies. It is also necessary for them to carry genuine community support. The three mechanisms for locally-led planning are:

Neighbourhood Plans

- 1.12 These will provide either specific or generic planning policies to be used in the assessment of planning applications. It could set out priorities for the community, allocate land for development or protection, and seek to manage individual development proposals.

Neighbourhood Development Orders

- 1.13 These would pre-emptively grant planning permission for certain specified forms of development within a neighbourhood. This could be an outline or a full planning permission, and could be subject to conditions. It could grant permission for just one site, or be a generic consent for something like residential extensions.

Community Right to Build Order

- 1.14 This is a type of Development Order. It applies when a community organisation proposes a particular residential development on a particular site within specific limitations – e.g. affordable housing.
- 1.15 These new Plans must accord with the Core Strategy and the NPPF and are not intended to replace the Local Development Framework. So, for instance if the final Core Strategy says that “x” number of

houses should be built in a particular parish, the Parish Council if it chooses to do a Neighbourhood Plan, can not say it will only plan for less than “x”. It can say however, where that “x” should be located. Neighbourhoods have the choice of preparing their own Plan, or relying on the Core Strategy and the accompanying DPD’s. The Borough Council is preparing the Core Strategy, an Allocations DPD and this Development Management DPD together. The full involvement of neighbourhoods in their preparation is proposed and this may be sufficient for them to rely on these Documents if they reflect neighbourhood objectives. On the other hand they may decide to do their own Plan instead.

- 1.16 This Issues and Options Paper is the start of that involvement in looking at Development Management policies.

2 Objectives

- 2.1 The Development Management DPD will need a series of objectives. These will follow on from those set out in the draft Pre-Submission Core Strategy and help provide a framework for developing the focus of policies and to provide appropriate indicators against which the success of the Plan can be monitored.
- 2.2 There are nine strategic objectives set out in the draft Pre-Submission Core Strategy. Each is set out below together with a list of objectives that might direct the preparation of Development Management policies. We need to know if these objectives are right or indeed particularly if they are not, and what additional ones should be included.

Strategic Objective 1:

To secure a sustainable pattern of development

by:

- seeking the development of previously developed land
- promoting development within existing settlements
- recognising regeneration opportunities
- protecting the local character and appearance of our settlements
- reducing the need to travel
- protecting community facilities and services
- improving access to those facilities
- limiting exposure to flood risk and other constraints
- protecting the Borough's environmental assets

Strategic Objective 2

To provide for the housing needs of the Borough

by:

- ensuring that the type of housing built reflects local requirements
- ensuring that housing requirements are delivered
- providing for affordable housing throughout the Borough
- enabling specialist housing needs to be met in appropriate locations
- promoting the construction of energy efficient and sustainable homes
- promoting a high quality of design which reflects the local setting

Strategic Objective 3

To develop and grow the local economy for the benefit of local residents

by:

- providing new employment land
- improving infrastructure to support new development
- facilitating regeneration initiatives
- enabling local economic opportunities to benefit local residents
- protecting existing employment uses of buildings and land

- managing change within town centres so as to strengthen their vitality
- managing sustainable tourism where there is an economic and community benefit
- reducing the need to travel
- reducing adverse environmental impacts

Strategic Objective 4

To maintain and improve the vitality of the Market Towns

by:

- making the best use of land and buildings
- using regeneration opportunities when they arise
- building on their historic strengths
- protecting a range of facilities and services
- protecting their conservation and heritage assets

Strategic Objective 5

To promote rural diversification

by:

- supporting investment that maintains and extends services directly benefitting rural needs
- enabling appropriate farm diversification schemes
- encouraging appropriate re-use of rural buildings
- mitigating adverse environmental impacts

Strategic Objective 6

To deliver high quality development based on sustainable and inclusive design

by:

- raising the quality of design in all developments
- promoting sustainable construction practice in all new developments including energy efficiency and the use of recycling
- promoting sustainable design which mitigates and adapts to climate change
- managing development so as to reflect the local character and appearance of our towns and villages
- limiting adverse impacts on bio-diversity and ecology assets
- providing and enhancing the provision of open and green spaces
- reducing the perception of crime
- reducing adverse impacts such as on neighbourhood amenity
- promoting sustainable water and drainage management
- reducing the impact of traffic on the environment
- reducing the impact of contaminated land

Strategic Objective 7

To protect and enhance the quality of the natural and historic environment across the Borough

by:

- addressing adverse impacts arising from flood risk and contaminated land and other forms of pollution
- safeguarding designated environmental, historic and archaeological sites
- protecting and improving green infrastructure including wildlife habitats
- managing new development so as to integrate with its setting
- linking new development to the enhancement of the local natural and historic assets

Strategic Objective 8

To establish and maintain a network of good quality open spaces, sports and recreational facilities

by:

- protecting existing and promoting community facilities
- providing and promoting healthy and safe ways to relax and play through the design and layout of new developments
- linking new development to the enhancement of local facilities
- seeking sustainable design which minimises environmental impacts.

Strategic Objective 9

To ensure the satisfactory provision of social and cultural facilities

by:

- securing opportunities to link new development to the provision of new facilities and services
- linking new development where appropriate, to the improvement of health, education and life-long learning
- maintaining and enhancing the availability of key services and facilities within communities
- securing access to these services and facilities

Questions

1 Do you agree with these suggestions?

1a If not, why?

2 Are there others we should include?

- 2.3 It is important to acknowledge that the policies that eventually are included in the DM DPD, should not repeat those in the Core Strategy or those in the new National Planning Policy Framework. Additionally, the Council's Core Strategy and the Allocations DPD will deal with many of the strategic objectives and some of the detailed objectives outlined above. For instance the overall numbers of new houses and amount of employment land, where this will be built, the provision of affordable housing and the definition the boundaries of the Green Belt and of our settlements will already have been set out. The DM DPD will therefore deal with the remaining matters.

3 Options

The Issue

- 3.1 The central issue which this Paper has to deal with is how we approach and prepare Development Management Policies such that they can achieve the objectives set out in the previous section.
- 3.2 Which ever approach is taken, it has to be broad enough to deliver these objectives; deliver policies that accord with the Core Strategy, the Community Strategy, and with the National Planning Policy Framework, changes in technology and social policy as well as reflecting North Warwickshire's spatial portrait.

The Options

- 3.3 It is considered that there are three potential options:
- i) review and update the existing saved policies from the Local Plan;
 - ii) rely wholly on the policies in the NPPF and the Core Strategy, such that the DPD is only a "supplement", containing only very general criteria-led policies which fill any gaps, and
 - iii) as number (ii) but such that the DPD becomes a "supplement" of very detailed and specific policies picking up matters raised by neighbourhoods

Questions

- 3 Do you think that these are all relevant?**
- 4 Are there others?**

Option One – The Local Plan Option

The Issue

- 3.4 The saved policies from the North Warwickshire Local Plan 2006 are now out of date and they also reflect the approach to delivering the overall planning at that time. The issue is, are these policies still relevant to North Warwickshire and to delivering and achieving current strategic objectives?

Context

- 3.5 Since 2006, there has been major change in the way we approach new development; in planning legislation, and in the importance of issues such as climate change and sustainability. Moreover Community Plans provide the means of looking at planning in its wider community and spatial sense. These changes and themes need to be reflected in policies if North Warwickshire's spatial and community objectives are to be delivered. Existing policies need to be reviewed so that they accord with the new context. They too should reflect emerging strategy. The question also has to be asked as to how effective these policies have been? If they haven't been used are they still relevant? Do they still reflect local neighbourhood issues? Do they reflect matters that are particularly pertinent to North Warwickshire? This option will therefore start with all of the saved policies and review each to see if it could be taken forward into the new DPD, either verbatim or with alteration.

Other Matters

- 3.6 The current Local Plan is divided up into subject areas – e.g. housing; employment and transport. It is necessary to ask whether this is still the right approach for North Warwickshire, given the emerging Core Strategy. Alternatives might involve setting out DPD policies by emphasising different areas in the Borough – such as the Green Belt; what happens in town centres, or our residential areas. A further option is to divide new policies into more local areas, such that there is a general North Warwickshire “set” of policies supplemented by policies applicable to different settlements or should the Policies follow directly on from each of the Draft Pre-Submission Core Strategy policies?

Examples

- 3.7 Some examples of the need to review existing Local Plan policies are Policy ENV10 which deals with energy generation and conservation. This certainly needs to be updated and make reference to new developments happening in the Borough as well as to new building standards. Policy ECON9 deals with the re-use of rural buildings – just how successful has this been in improving sustainability? Policy HSG4 deals with housing densities and policy TPT6 deals with vehicle parking, but Government advice no longer prescribes expected standards – new local approaches are needed.
- 3.8 Some examples of how policies might be divided or grouped together are illustrated above – paragraph 3.6 Other approaches might include enlarging on existing Local Plan Policy ECON1 on industrial estates by including design and parking requirements in the same policy as controlling the type of commercial uses that might be appropriate to that estate.

- 3.9 Some examples of looking at settlements would be to have a policy for the larger settlements and to introduce “design” guidance to reflect local character, and perhaps to preserve particular local views or open areas.

Questions

5 Is it best to start with our existing Local Plan policies?

5a If so, how do we the group the reviewed policies?

Option Two – The General Approach

The Issue

- 3.10 The NPPF, and the DPD must accord with one another. The issue is whether the starting point should be these policies as set out in that NPPF.

Context

- 3.11 The National Planning Policy Framework sets out national planning policy and the Government’s approach to the management of new development. It can not be ignored or set aside. The Borough Council’s own Core Strategy has to accord with the general principles of the Framework. Given this, it may not be considered necessary to go much further in developing our own Development Management Policies. The Core Strategy will have set out the Council’s overall approach and it too will set out how local considerations have been taken on board in that approach – e.g. the settlement hierarchy.

Examples

- 3.12 In this option the Core Strategy would set out the overall approach. This would be supplemented by the Allocations DPD setting out general areas for new types of development as well as identifying particular protected and designated areas. The Development Management DPD would then take a particular development type or subject and identify a number of general criteria by which planning applications would then be assessed. For instance, it would identify criteria for new housing developments referring to matters such as setting; design, amenity and access. New employment development would include similar criteria together with others referring to how opportunities might be directed to the local community and how sustainable transport options might be introduced. In respect of enhancing the natural and historic environment, then criteria such as the need to identify the significance of the setting of a development site

and to describe the impacts on that significance on that setting. In respect of Core Strategy policies on the quality of development, this could be supplemented with criteria relating to identification of the context; the identification of local character and how that has been interpreted, together with guidance on separation distances and amenity space. This option therefore would be general in character, expressing North Warwickshire's character through a list of criteria rather than being specific. This then leaves the way for the particular local elements to be taken up through Neighbourhood Plans and Orders, by Parish and Town Councils.

Questions

6 Is it best to rely on National Planning Policies and the Core Strategy in order to determine planning applications?

6a Is this approach too general?

Option Three – The Local Approach

The Issue

3.13 Given the increasing emphasis on localism and deriving policy from the community level, is it not better to start with this approach for the outset?

The Context

3.14 As outlined above, the Localism Act introduces opportunities to neighbourhoods to be actively involved in the shaping of planning policy in order to relate it to their own local area. The Core Strategy will outline the overall approach to new development in the Borough and the Allocations DPD will identify the main strategic sites. Should not the Development Management DPD thus start at the local level and effectively provide local neighbourhoods with their own planning policies without the need to develop their own Neighbourhood Plans?

Examples

3.15 This might start with some local criteria in respect of general development types much as we have already in the Local Plan – ENV11 on neighbour amenities and ENV12 and 13 on design. These would then be supplemented by local policies particular to certain area or settlements. Thus there might be a policy on how infilling might be dealt with in settlements; on important views in settlements and villages, those areas that need to be protected in villages, and design guidance on new developments for different settlements.

Questions

7 Is this the best starting point?

7a Would this be a bit “hit and miss” if some neighbourhoods do not engage?

7b Is this too detailed an approach?

4 Conclusions

- 4.1 We now need to hear from you. Will these options each meet the objectives set out in Section 2, and if so, which approach that is preferred?
- 4.2 This DPD has to accord with the Core Strategy and the new NPPF. However even given these parameters there are options as to how we develop planning policies to deal with all sorts of development proposals that will be submitted in the future. The question is to decide on the best option and importantly the one that best fits North Warwickshire's interests and its character.
- 4.3 Please respond to this consultation paper replying to the questions raised. If you prefer to respond generally or not in the format of the questions then please still do so.
- 4.4 You can forward your replies to:

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