

1. Introduction

- 1.1 A new Local Plan for North Warwickshire will replace the North Warwickshire Local Plan 2006. It will help plan for and manage new development in the Borough over the next fifteen years.
- 1.2 This new Local Plan will be made up of a number of Documents including:
 - The Core Strategy 2014. This provides the over-arching strategy and policies for the long term vision of North Warwickshire and was adopted in late 2014.
 - The Site Allocations Plan. A pre-submission draft is currently being prepared. It will allocate sites for housing and employment uses together with designation of sites for other uses.
 - Development Management Plan (DMP). The DMP will set out policies – the Development Management policies - against which planning applications will be assessed, if not already covered by the Core Strategy.
 - The Gypsy and Traveller Plan. This will allocate sites for Gypsy and Travellers and set out policies for dealing with related applications.
 - The Proposals Map. This will illustrate a number of allocations, boundaries and the extent of some policies in geographic form.
- 1.3 The DMP supports the Core Strategy by setting out the Council's policies for managing new development and so it will be used in the assessment and determination of planning applications.
- 1.4 It will also accord with national planning policy as set out in the National Planning Policy Framework (NPPF). It will not repeat national policy, but local circumstances can mean that a local interpretation of this higher level policy is appropriate where this is compatible with the Core Strategy and provided that there is the evidence to support its inclusion.
- 1.5 The Core Strategy sets out the spatial vision and objectives for managing new development in the Borough through a series of strategic policies. Development Management policies will then expand on these at a more detailed level where that is appropriate. However each planning application will be assessed on its own merits, taking account of all relevant material considerations.
- 1.6 As a consequence, anyone who is proposing development is encouraged to discuss their proposals before actually submitting their application. This will help identify any issues and concerns at an early stage, such they can be addressed with amendments being made as early as possible in the process. Such discussions will also highlight

the supporting evidence and documentation which will need to accompany the application.

- 1.7 Prior to preparing Development Management policies, the Council undertook a consultation on how to approach their formulation. The results of that consultation showed that the starting point should be the Core Strategy and the NPPF as they are the most up to date planning policies applicable to the whole of North Warwickshire. It was also clear that they should be supplemented with more local policies reflecting the particular characteristics of the Borough.
- 1.8 This current discussion paper is to be treated as relevant background information to show how the preferred pre-submission policies set out in the DMP have been prepared. The policies are organised by reference to each of the Core Strategy policies in turn. Each is introduced with a short discussion about the issues involved including where appropriate, whether there are alternative ways of approaching those issues.

2. Consultation on the Issues and Options Report

- 2.1 The Council has already published a consultation paper suggesting different approaches to the preparation of Development Management planning policies. The responses to that paper need to be reflected in drawing up the preferred pre-submission policies.
- 2.2 The final policies will need a series of objectives to provide appropriate indicators against which the success of the Core Strategy can be monitored. Draft objectives were included in the recent consultation paper. The responses showed overriding support for these objectives. Slight adjustments have been made as a consequence and the final set of objectives is set out in the following section.
- 2.3 The responses to the consultation paper showed that there was a mixed view on how best to approach the preparation of development management policies. A few thought that the existing Local Plan should be the starting point, but more respondents pointed out that this was now out of date and that the Core Strategy, or indeed the NPPF, was the logical starting point. It is agreed that the Core Strategy should be the best starting point so as to provide “sound” policies. It after all sets out the strategic approach towards spatial planning in the Borough until 2029; it complies with the NPPF and it has been produced in co-operation with neighbouring Local Planning Authorities. The development management policies that will guide the determination of planning applications should be consistent with it. However this does not mean that existing Local Plan policies which are still appropriate in terms of the NPPF and the Core Strategy should not be continued, or, as is more likely, adapted to recognise changed circumstances. The preferred pre-submission policies that are discussed in this paper are

derived from developing the Core Strategy so as to meet North Warwickshire's own more detailed requirements; to reflect its own spatial portrait and objectives and to assist in the interpretation of the NPPF as it affects the Borough and from the success of existing Local Plan policies.

- 2.4 The earlier consultation paper asked for views on how the development management policies should be grouped together. Very few respondents gave a view on this. Given that the Core Strategy is to form the basis of the policies, it seems entirely appropriate that the development management policies should be placed together with the respective Core Strategy policy that they support. As such there should be consistency of approach throughout.

3. Strategic Objectives

- 3.1 There are nine strategic objectives set out in the adopted Core Strategy. Each is repeated below together with the list of objectives that have directed the preparation of the preferred pre-submission Development Management policies.

Strategic Objective 1

To secure a sustainable pattern of development reflecting the rural character of the Borough by:

- seeking the development of previously developed land
- concentrating the majority of 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, including for the elderly, 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 re-cycling
- 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 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, contaminated land and other forms of pollution
- safe-guarding 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, and sport 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
- enhancing the overall well-being of the community
- 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

4. The Draft Preferred Policies

- 4.1 The preferred pre-submission development management policies are set out in the remainder of this paper. They are ordered by reference to the respective Core Strategy policy that they support. For convenience each Core Strategy policy is included in full at the start. There then follows a short introduction explaining the reason for the approach taken in the policy together with the supporting evidence where appropriate. Some of these draft policies will be “bespoke” to North Warwickshire in order to address particular local matters not referred to by the Core Strategy, and others will help clarify NPPF policies. Alternative ways of approaching issues pertinent to the Core Strategy are also referred to. It is always important to understand that the Core Strategy and the Development Management policies should be read together and that they are therefore not mutually exclusive.
- 4.2 In some cases, there is no need to supplement the Core Strategy Policy. Instances will be identified.

5. Core Strategy NW1 – Sustainable Development

Planning applications that accord with the policies in this Core Strategy (and where relevant, with other policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council, will grant permission unless material considerations indicate otherwise - taking into account whether:

1. Any adverse impacts of the proposal would significantly and demonstrably outweigh its benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
2. Specific policies in the Framework or other material consideration indicate that development should be restricted.

a) Discussion

- 5.1 This policy sets out the overall approach towards new development. It is taken directly from the NPPF and states that there is a presumption in favour of the grant of planning permission for sustainable development. The remainder of the NPPF and adopted Core Strategy then enlarge on how that translates into a North Warwickshire context. As a consequence there is no need to elaborate with additional development management policies.

6. Core Strategy Policy NW2 - Settlement Hierarchy

Development within the Borough will be distributed in accordance with the Borough's settlement hierarchy as given in Appendix C. Where necessary, changes to development boundaries will be made in the appropriate Development Plan Document, or once development has taken place, whichever is the earlier

Category 1: Market Towns (outside of Green Belt) – Atherstone with Mancetter, Polesworth with Dordon

Development for employment, housing (including affordable housing), services and other facilities will be permitted within the development boundaries of the Market Towns. It is expected that over the plan period, more than 50% of the housing and employment requirements will be provided in or adjacent to the Market Towns and their associated settlements.

Category 2: Green Belt Market Town - Coleshill

Within the development boundary of Coleshill, the Green Belt Market Town, development for employment, housing (including affordable housing), services and other facilities will be permitted.

Category 3A: Local Service Centres (outside of Green Belt) – Baddesley with Grendon, Hartshill with Ansley Common

Development will be permitted in or adjacent to development boundaries that is considered to be appropriate to its place in the settlement hierarchy.

Category 3B: Local Service Centres (in Green Belt) – New & Old Arley, Kingsbury, Water Orton

Within the development boundary development will be permitted that is considered to be appropriate to its place in the settlement hierarchy.

Category 4: Other Settlements with a development boundary - Ansley, Austrey, Curdworth, Fillongley, Hurley, Newton Regis, Piccadilly, Shuttington, Shustoke, Warton, Whitacre Heath, Wood End

Development will be limited to that identified in this Plan or has been identified through a Neighbourhood or other locality plan. In Green Belt settlements development will not be supported outside the current development boundaries.

Category 5: Outside of the above settlements

Development in settlements without a development boundary and except where other policies of the Plan expressly provide, development will be limited

to that necessary for agriculture, forestry or other uses that can be shown to require a rural location.

Development for affordable housing outside of development boundaries will only be permitted where there is a proven local need; it is small in scale and is located adjacent to a village.

a) Discussion

- 6.1 This policy sets out the Council’s strategic approach for the future distribution of development throughout the plan period. It thus sets out the Council’s approach for a pattern of sustainable development. It is based on the identification of a settlement hierarchy and ensuring that new development is proportionate to that hierarchy.
- 6.2 The issue here is whether the wording of the policy will suffice on its own. It is considered that it does because it clearly sets out the overall approach to all new development; introduces the importance of the development boundaries and other designations which are defined elsewhere in the DMP. No further explanation is required.
- 6.3 Policy NW2 also refers to housing outside of development boundaries outlining exceptions. These will need to be defined more closely if they are to accord with the overall thrust of the policy. The alternative is to leave each case to its own merits as assessed against NW2 and the NPPF. Given the significance of the overall strategy in identifying a settlement hierarchy and restricting new general housing in the countryside, it is considered that greater definition would assist in supporting the Core Strategy here. The preferred policy below does this.

b) Preferred Policy

DM1 Housing Outside of Development Boundaries

Outside of development boundaries only housing for agricultural and forestry purposes or for other uses requiring a rural location will be permitted, subject to the need being justified in terms of demonstrating all of the following criteria:

- a) an essential functional need and business link to the proposed location and scale of the dwellings(s);**
- b) that there are no other suitable and viable options including the re-use of existing buildings to meet this need, and**
- c) that the business is viable such that it can sustain the number and scale of the dwelling(s) proposed.**

In the event that planning permission is granted, then occupancy restrictions will be attached to reflect the nature of that functional need. Permitted development rights relating to future enlargement will be withdrawn

Occupancy restrictions will only be removed where it can be shown that they are no longer appropriate or needed; that a robust marketing process has been undertaken to verify that the dwelling(s) can not provide for another functional need and that the property can not be reasonably used for affordable housing.

Applications for subsequent dwellings in connection with a business will attract occupancy restrictions on earlier dwellings if none exist already.

7. Core Strategy NW3 - Green Belt

1. The outer extent of the West Midlands Green Belt in North Warwickshire is shown on the Proposals Map.
2. Areas within Development Boundaries are excluded from the Green Belt.
3. Infill boundaries in the Green Belt will be brought forward to indicate where limited infill and redevelopment would be permitted.
4. Settlements surrounded or washed over by the Green Belt will be able to pursue the Community Right to Build. Housing sites would have to be locally affordable in perpetuity. A community or other use would be required to show how it would remain in community use in perpetuity.

a) Discussion

- 7.1 This policy defines the area of the Green Belt in North Warwickshire and makes it explicit that this boundary will not be altered. However it does not explain how the Council will approach and manage new development proposals within the Green Belt. It is the purpose of the Development Management policies to do this.
- 7.2 The starting point has to be the NPPF as it provides nationally consistent policies across all Green Belts, and after all the Borough Council's approach has to accord with its approach. Hence the preferred policy set out below makes this explicit. It is not considered that there are other options here.
- 7.3 Taking this approach therefore leads to the question as to whether the NPPF alone is all that is necessary for the management of new

development proposals in North Warwickshire's Green Belt. It is considered not. The spatial vision and the strategic objectives set out in the Core Strategy, emphasise that it is the rural character of North Warwickshire that distinguishes it from its neighbours. That character is to be retained by safeguarding that countryside and protecting its openness from encroachment. The Council therefore has to have robust and consistent policies to implement these objectives. The NPPF provides the background to do so, but it lacks definition when it comes to some of the details of handling planning applications. The preferred policy below provides that definition. The alternative would be to rely on the wording of the NPPF and thus determine each application on its merits. This could result in an inconsistent approach, but the on the other hand the use of stricter definitions could be seen as being too prescriptive.

- 7.4 In particular it is some of the adjectives used in the NPPF that are considered to lack precision and it is the purpose of the policy below to make these explicit. It therefore addresses the main definition issues that are likely to arise when dealing with new development proposals in the Green Belt. There are two key areas to look at – whether to introduce a quantitative definition for adjectives such as “disproportionate” and “materially larger” or not, and secondly whether to deal with previously developed land in the same way regardless of the proposed end user. These two are explained below.
- 7.5 The present saved Local Plan policy ENV13 includes a figure of 30% as a guide in order to assist in the assessment as to whether extensions are disproportionate or not. This has been applied consistently since that Plan was adopted; it is well understood, it has been upheld throughout that period on appeal, and it has impacted on new development proposals. It is not considered that there is reason to vary this figure, however the policy below does address a constant issue arising with its use and that is the relationship with permitted development rights. Each application will be dealt with on its merits against this policy. However there may be circumstances whereby larger extensions might be deemed acceptable. Examples could include the existing building's setting, proximity and relationship with other buildings; its prominence in the landscape and whether there would be a substantial improvement in the overall design of the building. These considerations would also need to be assessed against the 30% figure set out in the policy.
- 7.6 The figure of 30% also is included in the present Local Plan in respect of replacement houses in the Green Belt. In order to remain consistent, the draft policy below retains this figure across all replacement buildings. However because of the different definitions in the NPPF – “disproportionate” and “materially larger” there could be case for different quantitative figures. The term “not materially larger” might suggest a lesser amount of development than “disproportionate”.

There may be a case therefore for reducing the 30% for replacements. It is also important to assess each application on its merits using the same considerations as set out above where appropriate. An additional consideration would be looking at the merits of replacing a building either on the same footprint as the existing or another.

- 7.7 It is considered that the use of a quantitative measure in these instances is a very useful indicator as to what the Council considers to be the meaning of these adjectives. Given the importance of retaining the Green Belt to the Council and to the consistent successful use of the measure since the adoption of the 2006 Local Plan, it is considered that it should be retained.
- 7.8 The NPPF gives guidance on how to deal with applications for the partial or complete redevelopment of previously developed land. The requirements or conditions set out are well-understood, but there is no guidance on how to deal with different end users. Redevelopment within the lawful use of the previously developed land is acknowledged as being appropriate development. It is proposed alternative uses that raise the issue. A redevelopment proposal for an alternative use that is itself appropriate within the Green Belt by definition in the NPPF is clearly acceptable. However it is the redevelopment by a use that would normally not be appropriate development that is at issue here – particularly a residential redevelopment scheme. A residential scheme that is put forward as a Rural Exceptions Site or under the Community Right to Build is not the issue here – it is the open market housing proposal that is.
- 7.9 There are three key factors in North Warwickshire that are important in exploring this issue. Firstly there are a significant number of previously developed sites in commercial use that have historically been operating in the Borough – the great majority through established use. Many are in isolated locations; outside of settlements, have poor road connections, limited accessibility by other modes of transport and are in areas where there are planning constraints. Their residential redevelopment would be in unsustainable locations and result in small and medium size pockets of isolated housing with no nearby services or facilities. Secondly, the whole development strategy of the Core Strategy is to concentrate new housing within settlements thus enhancing their own services and safeguarding their facilities. The potential number of previously developed sites could impact on this Strategy because of their number and location. Thirdly, the house building targets for the plan period are relatively low and this is reflected in the allocations for some of the villages and smaller settlements. The number and size of these previously developed sites if redeveloped residentially would impact on the overall housing targets and be provided outside of the settlement hierarchy set out in the Core Strategy. In short for the three reasons set out above, the impact of agreeing residential after use on these sites is considered to adversely

impact on the sustainable development principles of the Core Strategy itself.

- 7.10 The NPPF also refers to “limited” infilling in settlements washed over by the Green Belt. The policy defines “limited” through the use of a boundary rather than by a number or indeed leaving the matter open to interpretation on a case by case basis. It is considered that the option selected provides consistency and is in line with the approach adopted for settlement and town centre boundaries.

b) The Preferred Policy

DM2 Green Belt Considerations

Within the Green Belt boundary as defined by the Proposals Map, development proposals will be determined in line with the NPPF. Regard should also be had to the following:

- a) Facilities appropriate to outdoor sport and recreation will be assessed on whether the scale and provisions proposed are essential for the function of the parent use concerned, and that they are the minimum size necessary in order to fulfil that essential function.**
- b) Extensions will be considered to be disproportionate if they individually or cumulatively exceed 30% in volume of the original building, inclusive of extensions permitted under the General Permitted Development Order. For the purposes of this policy, the building is defined as that which was present on 1 July 1948 or that which came into being after this date as a result of the original planning permission.**
- c) A replacement building will be considered to be materially larger if it is 30% larger in volume than the building it replaces. Replacements should be located on the same footprint as the existing building unless there are material benefits to the openness of the Green Belt or, when environmental and amenity improvements indicate otherwise.**
- d) Limited infilling in settlements washed over by the Green Belt will only be allowed within the infill boundaries as defined on the Proposals Map.**
- e) Development proposals involving the partial or complete redevelopment of previously developed sites through residential use will be considered not to accord with Core Strategies NW1 and NW2.**

- f) In all cases, consideration will be given to the removal of permitted development rights to prevent sequential enlargement.

8. Core Strategy NW4 - Housing Development

- Between 2011 and 2029 at least 3,650 dwellings (net) will be built (of which 500 are to meet needs arising in Tamworth).
- All housing sites will be allocated in accordance with this Core Strategy.
- There should be a variety of types and tenures that reflect settlement needs.
- Development will only occur if the appropriate infrastructure is available or can be made available and sites will be released in order to ensure a consistent delivery of housing for the Borough.
- Site specific proposals or allocations will be identified in future Development Plan Documents.

a) Discussion

- 8.1 This policy sets out the overall housing requirements for the Borough in the plan period. The Site Allocations Plan will then identify the sites to be allocated to meet this requirement. The overall strategy is to have this within settlements or as extensions to them. There is no further need to expand on the Core Strategy on this.

9. Core Strategy NW5 – Split of Housing Between Settlements

Housing (both market and affordable housing) will be directed to settlements in the following way. The remaining housing requirement will be split in the following way and are minimum figures:

Category 1: Market Towns

Atherstone & Mancetter	600
Polesworth & Dordon	440

Category 2: Green Belt Market Town

Coleshill	275
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Category 3A: Local service Centres - (outside of Green Belt)

Grendon & Baddesley Ensor	180
(together, as a single network of villages)	
Hartshill with Ansley Common	400
(together, as a single network of villages)	

Category 3B: Local service Centres - (in Green Belt)

Old & New Arley	90
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(together, as a single network of villages)

Kingsbury	50
Water Orton	50

Category 4: Other Settlements with a development boundary

The following settlements will cater for the following amount of development usually on sites of no more than 10 units and at any one time depending on viability. A Neighbourhood Plan may allocate more

Ansley	40
Austrey	40
Curdworth	15
Fillongley	30
Hurley	30
Newton Regis	15
Piccadilly	5
Shuttington	10
Shustoke	15
Warton	45
Whitacre Heath	20
Wood End	30

Category 5 – Outside of the above settlements

Only affordable housing where there is a proven local need and it is small in scale and does not compromise important environmental assets and development necessary for agriculture, forestry or other uses that can be shown to require a rural location.

a) Discussion

9.1 These policies define the overall housing requirement for the plan period and then show how this is to be distributed between the Borough's settlements according to a settlement hierarchy. The Site Allocations Plan is clearly the most appropriate document to follow on from these policies as it will identify the actual sites in each of the named settlements. As such, they do not require further expansion or clarification from additional Development Management policies.

10. Core Strategy NW6 - Affordable Housing Provision

Schemes of 15 or more dwellings

1. 30% of housing provided on-site will be affordable
2. Except in the case of Greenfield (previously agricultural use) sites where 40% on-site provision will be required.

Schemes of between 1 and 14 inclusive units

20% affordable housing provision will be provided. This will be achieved through on site provision or through a financial contribution in lieu of providing affordable housing on-site. This will be calculated using the methodology outlined in the Affordable Housing Viability report or subsequent updated document and is broadly equivalent to on-site provision.

The Council and other partners will continue to maximise numbers of affordable housing on other sites.

Proposals to provide less than the targets set out above should be supported by a viability appraisal to verify that the targets cannot be met and the maximum level that can be provided without threatening the delivery of the scheme.

Affordable Housing Mix

A target affordable housing tenure mix of 85% affordable rent and 15% suitable intermediate tenure will be provided wherever practicable.

a) Discussion

- 10.1 This policy sets out the detailed requirements for affordable housing provision within the Borough. It is not considered that it needs further clarification.
- 10.2 However following the adoption of the Core Strategy, the Government published new guidance on the provision of affordable housing on small sites – those proposing less than ten units. In essence no provision either on-site or through an off-site contribution in lieu should be required. This therefore affects policy NW6. It will need to be addressed at the first review of the Core Strategy. However until that time, the new guidance is a material planning consideration of significant weight and it needs to be factored into the assessment of housing proposals of less than ten units. Policy NW6 however will still apply for proposals of over ten units. In this regard the provision will be assessed against the full proposal not the excess development over ten.
- 10.3 Existing Section 106 Agreements can now be reviewed under new Government legislation. Any application to do so should be justified with full financial evidence.

11. Core Policies NW7 and NW8 - Gypsy and Travellers Sites

NW7 Gypsy & Travellers

9 residential and 5 transit Gypsy and Traveller pitches will be provided between 2011 and 2028 based on current information.

NW8 Gypsy & Travellers Sites

Sites will be allocated and/or permissible inside, adjoining or within a reasonable safe walking distance of a settlement development boundary outside of the Green Belt. Site suitability will be assessed against relevant policies in this Core Strategy and other relevant guidance and policy. Sites will also be assessed using the following criteria:

- The size of the site and number of pitches is appropriate in scale and size to the nearest settlement in the settlement hierarchy and its range of services and infrastructure, limited to a maximum number of 5 pitches per site.;
- The site is suitably located within a safe, reasonable walking distance of a public transport service, with access to a range of services including school and health services;
- Avoiding areas with a high risk of flooding or affected by any other environmental hazards that may affect the residents' health and welfare;
- The site has access to essential utilities including water supply, sewerage, drainage and waste disposal;
- The site can be assimilated into the surroundings' and landscape without any significant adverse effect.

a) Discussion

11.1 These policies identify the requirement for new gypsy and traveller pitches in the Borough through the plan period as well as outlining criteria for new sites. The Gypsy and Traveller Document will allocate land to meet this requirement and to set out guidance on how to deal with planning applications for other related developments. There is therefore no need for the DMP to provide further clarification or assistance.

12. Core Strategy NW9 – Employment

Between 2011 and 2029 a minimum of 60 hectares of local employment land will be provided.

Employment land will be directed towards settlements appropriate to their size and position in the hierarchy:

Development will be appropriate to the scale and size of the settlement; and, In all cases development will only occur if the appropriate infrastructure is available.

All employment land will be protected unless it can be demonstrated that there is no realistic prospect of the site being used for employment purposes. Evidence would need to demonstrate that:

- The site is no longer commercially viable; and,
- It has been marketed for an appropriate period of time, usually no less than 12 months; and,
- There are no alternative employment uses that could use the site.

Support and encouragement will be given to small scale rural businesses to expand where this does not impact detrimentally on the countryside character in environmental or sustainable terms.

a) Discussion

- 12.1 This policy sets out the overall requirement for new employment land within the Borough over the plan period. The actual location for this requirement will be shown in the Site Allocations Plan and thus there is no need to provide further Development Management policies in this respect. However there is a need to take forward saved Local Plan policy ECON 1 as it deals with uses on identified major employment sites. The replacement policy below – DM3 – enables changes of use between the industrial and distribution land uses on these sites. However, because one of them is located in a rural area and does not benefit from good highway access – Arley - and the access to a second is directly through significant housing estates – Mancetter - some changes of use are currently restricted. It is considered that this approach should be retained as it will prevent substantial heavy vehicle movements to these estates. Moreover as there has recently been further relaxation of the need to submit planning applications for changes of use since the Local Plan policy was adopted as a consequence of new Government Regulations, then these two areas will continue to need special attention.
- 12.2 The Council is keen to encourage job opportunities and thus the Core Strategy makes this explicit. This has consequences in respect of the potential impact on the local highway network and the environment. The preferred policy below therefore provides guidance as to the pertinent factors that need to be in place to balance the objective of increasing employment density.
- 12.3 The Borough has two significant rail freight terminals at Hams Hall and at Birch Coppice. These facilities are essential in order to maintain sustainable freight transport. They should be safeguarded. Employment uses will be encouraged on these two estates which link to and are dependant upon these facilities.
- 12.4 There are existing employment sites throughout the Borough that are not identified in preferred policy DM3. They provide local employment opportunities and enable a stronger rural economy. They are often

historic sites and applications are submitted for their redevelopment and/or modernisation through new buildings. Those that are located in the Green Belt will have such proposals governed by preferred policy DM2. It is considered that the same approach should be adopted for all other sites. This provides a consistent approach throughout the Borough and provides a balance between the need to protect the countryside from encroachment and the need to encourage growth and re-generation. Preferred Policy DM4 does this. The alternative might be to be more relaxed about their futures. However they are often in unsustainable locations with poor accessibility, no public transport links and where intensification could have adverse highway and environmental impacts.

- 12.5 As indicated above, recent changes in the Regulations governing the need for a planning application have resulted in more flexibility enabling future changes of use. The policies below deal with developments that exceed permitted development rights at the time of submission. The Council has the option of making Article 4 Directions securing the effective removal of this flexibility should matters warrant such an approach.

b) The Preferred Policies

DM3 Employment Sites

The following existing industrial estates together with sites allocated in the Site Allocations Plan are sites designated for local employment purposes to support the functioning of the Market Towns and Local Service Centres:

- **Holly Lane, Atherstone**
- **Carlyon Road, Ratcliffe Road and Netherwood Estate, Atherstone**
- **Manor Road, Mancetter**
- **Coleshill Industrial Estate**
- **Kingsbury Link**
- **Colliers Way, New Arley**
- **Kingsbury Road, Curdworth**
- **Hams Hall, Coleshill**
- **Birch Coppice, Dordon**

Within all of these estates, changes of use between the B1 light industrial, B2 general industrial and B8 warehouse and distribution Use Classes will be permitted, except at Colliers Way, New Arley and at Manor Road, Mancetter. In these two locations, B8 uses will not be permitted.

The rail freight terminals at Birch Coppice and Hams Hall are of strategic significance. Developments on these two estates will be encouraged to

use the terminals. Existing rail sidings on other sites will be safeguarded.

DM4 Existing Employment Land

Proposals for limited infilling and the partial or complete redevelopment of existing employment land outside of development boundaries for employment purposes will be treated in the same way as set out in Policy DM2 (e) of this Document in order to retain the rural character, appearance and openness of the countryside throughout the Borough in line with Core Strategies NW1 and NW2.

13. Core Strategy NW10 - Development Considerations

Development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to. Development should:

1. Be targeted at using brownfield land in appropriate locations reflecting the settlement hierarchy; and,
2. be adaptable for future uses and take into account the needs of all users; and,
3. maintain and improve the provision of accessible local and community services, unless it can be demonstrated that they are no longer needed by the community they serve; not needed for any other community use, or that the facility is being relocated and improved to meet the needs of the new, existing and future community; and,
4. promote healthier lifestyles for the community to be active outside their homes and places of work; and,
5. encourage sustainable forms of transport focussing on pedestrian access and provision of bike facilities; and,
6. provide for proper vehicular access, sufficient parking and manoeuvring for vehicles in accordance with adopted standards; and,
7. expand or enhance the provision of open space and recreation facilities, including contributing to the implementation of the Green Space Strategy and Playing Pitch Strategies before proposals will be supported
8. not lead to the loss unless a site of equivalent quality and accessibility can be provided, or shown that it is surplus to needs; and,
9. avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, fumes or other pollution; and,
10. protect and enhance the historic environment; and,
11. manage the impacts of climate change through the design and location of development, including sustainable drainage, water efficiency measures, use of trees and natural vegetation and ensuring no net loss of flood storage capacity; and,

12. protect the quality and hydrology of ground or surface water sources so as to reduce the risk of pollution and flooding, on site or elsewhere; and
13. not sterilise viable known mineral reserves; degrade soil quality or pose risk to human health and ecology from contamination or mining legacy and ensure that land is appropriately remediated, and,
14. seek to maximise opportunities to encourage re-use and recycling of waste materials, both in construction and operation

a) Discussion

- 13.1 This policy sets out the criteria for matters which need to be addressed for new development to be acceptable. It is an extensive policy and particularly draws on saved policies in the 2006 Local Plan – eg ENV11, and from the NPPF. The Preferred policy below therefore does not repeat criteria if they are already mentioned in NW10 – for example, those on protecting amenity. It picks up on matters that have been omitted and particularly expands on a number of matters where more detail is required.
- 13.2 As a consequence, Preferred Policy DM5 deals in more detail with open space provision; Travel Plans and parking issues.
- 13.3 The Borough has a wide scale coal mining legacy and other minerals have also been extracted. A large number of landfill sites have been in operation too, and there are a number of other historic industrial sites. As a consequence these matters do represent significant constraints on new development and they require detailed mitigation and remedial measures to be put in place. The NPPF satisfactorily describes the matters that should be addressed in these circumstances and together with the objectives as set out in policy NW10 there is no need for additional policy.
- 13.4 The NPPF also provides guidance on the risk of flooding. It includes a Technical Note which provides the basis for the evidence to be submitted with new development proposals in order to satisfy the objectives of policy NW10.
- 13.5 The sustainable management of waste is not only a matter for Waste Planning Authorities. New developments should enable the efficient collection of waste and materials ready for recycling. This has to be designed into those developments such that space is made available for storage and that the layout enables easy access for collection. It is important that this issue is dealt with as a material consideration within the planning process.

b) The Preferred Policy

DM5 Development Matters

a) Open Space, Sport and Recreation Facilities

Development proposals will be expected to provide new on-site open space, sport or recreation facilities if appropriate to the area and to the development. The design and location of these spaces and facilities should be accessible to all users; have regard to the relationship with surrounding uses and link to surrounding areas where appropriate. The Council will require the proper maintenance of these areas and facilities to be agreed. Where on-site provision is not feasible, off-site financial provision contributions may be required where the developments use leads to a need for new or enhanced provision.

b) Travel Plans

Development will be expected to link with existing road, cycle and footpath networks. Larger development proposals as defined at DM14 will be expected to encourage the use of public and shared transport. This will be secured through a Travel Plan and/or financial contributions to enhance or to introduce new public or bespoke transport schemes.

c) Parking

Adequate vehicle and parking provision commensurate to the use will be expected, as guided by the standards at Appendix A. Greater emphasis will be placed on parking provision in areas not served by public transport, whilst lower provision within the main towns may be appropriate.

d) Waste Management

Adequate space should be provided within all new developments to enable the storage of waste and for materials to be recycled. Guidance is provided at Appendix B.

14. Core Strategy NW 11 - Renewable Energy and Energy Efficiency

Renewable energy projects will be supported where

They respect the capacity and sensitivity of the landscape and communities to accommodate them. In particular, they will be assessed on their individual and cumulative impact on landscape quality, sites or features of natural

importance, sites or buildings of historic or cultural importance, residential amenity and the local economy.

New development will be expected to be energy efficient in terms of its fabric and use. Major development will be required to provide a minimum of 10% of its operational energy requirements from a renewable energy source subject to viability. Smaller schemes will be encouraged to seek the introduction of renewable energy and energy efficiency schemes at the outset to avoid costly retrofit.

Viability and suitability will be considered when renewable energy provision is being planned for developments in order to provide the most suitable type.

a) Discussion

- 14.1 The Core Strategy outlines that generation of renewable energy by a range of technologies is appropriate in principle. The NPPF encourages Local Planning Authorities to identify suitable areas for renewable and low carbon energy sources. In North Warwickshire there are areas and sites of natural, ecological, or historic importance and value; a number of settlements along with many isolated dwellings and various modes of transport and communication. The Council will therefore look to the less constrained areas of the Borough as the appropriate locations for such installations. .
- 14.2 The Borough has the potential for zero and low energy production installations, primarily focussed on bio-mass and waste disposal. All installations need to satisfactorily link to existing infrastructure and/or be close to necessary fuel sources and suitable delivery routes so as not to cause unacceptable harm. Furthermore the impacts of large scale renewable energy schemes are likely to be wide ranging such that development proposals will need to achieve wide environmental benefits. In these cases the early involvement of the local community can help reduce conflict.
- 14.3 With almost half of emissions coming from the use of existing buildings, and many properties within North Warwickshire connected to conventional supplies, there is a need for new development to be designed, built and used in an energy conscious way. All new development will eventually be expected to be Zero Carbon, which will require not just a reduction in energy demand but also “clean” energy generation. This approach is in line with the Government’s Hierarchy towards Zero Carbon buildings; the NPPF new housing standards and other related Regulations.
- 14.4 As the Government is introducing other means of achieving zero carbon it is considered that the Core Strategy policies and in particular NW11 is currently sufficient and so no policy will be include in the Development Management Plan.

15. Core Strategy NW 12 - Quality of Development

All development proposals must;

- demonstrate a high quality of sustainable design that positively improve the individual settlement's character; appearance and environmental quality of an area;
- deter crime;
- sustain, conserve and enhance the historic environment
- provide, conserve and enhance biodiversity; and,
- create linkages between green spaces and wildlife corridors.

Development should protect the existing rights of way network and where possible contribute to its expansion and management.

a) Discussion

15.1 This policy reflects a requirement for high quality of design throughout all new development proposals. It sets the general standard and follows from the planning principles set out in the NPPF.

15.2 The Preferred policy DM6 below expands on this by introducing a set of criteria against which design issues can be assessed. The basis for this policy is the existing saved Local Plan policies. In particular design guides are referred to in order to illustrate these matters. Policy D6 applies to agricultural and equestrian buildings in particular as these can have substantial visual impacts. It too retains the approach taken in the existing Local Plan. Rather than include these draft policies, an option would be to rely wholly on the Core Strategy NW12, the NPPF and any Supplementary Guidance as and when published by the Council.

15.3 Planning applications should be submitted with evidence to show how the design, scale and layout match the historic pattern of the surrounding development, its built form, density and overall appearance.

b) The Preferred Policies

DM6 Built Form

a) General Principles

All development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. All proposals should therefore:

- a) ensure that all of the elements of the proposal are well related to each other and harmonise with both the immediate setting and wider surroundings;
- b) make use of or enhance views into and out of the site,
- c) make appropriate use of landmarks and local features,
- d) reflect locally characteristic architectural styles, patterns and features taking into account their scale and proportion,
- e) reflect the predominant materials, colours, landscape and boundary treatments in the area,
- f) ensure that the buildings and spaces connect with and maintain access to the surrounding area and with the wider built and natural environment,
- g) are designed to take into account the needs and practicalities of servicing and the long term management of public and shared private spaces and facilities,
- h) reduce opportunities for crime, and
- i) reduce sky glow, glare and light trespass from external illumination.

Where Design Briefs are adopted for allocated sites and Neighbourhood Plans address design matters, then all development proposals will be expected to accord with the principles set out therein.

b) Specific Development Types

Infill development should reflect the prevailing character and quality of the surrounding street scene. The more unified the character and appearance of the adjoining buildings and built form, the greater the need will be to reproduce the existing pattern.

Back-land development should be subservient in height, scale and mass to the surrounding frontage buildings. Access arrangements should not cause adverse impacts to the character and appearance, safety or amenity of the existing frontage development.

c) Shop Fronts, Signage and External Installations

Development proposals involving change to existing, or the introduction of new shop fronts will be expected to have regard to the host building and the wider street scene in terms of their scale, proportion and overall design. The design criteria set out in Appendix B to this Plan or that set out in a Neighbourhood Plan will need to be satisfied.

External signage will be expected to adopt a scale, detail, siting and type of illumination appropriate to the character of the host building, the wider street scene and longer distant views. The design criteria set out in Appendix B to this Plan or that set out in a Neighbourhood Plan will need to be satisfied.

External installations and security measures should be integrated into the overall design of the host building with the aim of avoiding harm to the appearance of the building and the street scene. The design criteria set out in Appendix B to this Plan, or that set out in a Neighbourhood Plan will need to be satisfied.

d) Alterations, Extensions and Replacements

Extensions, alterations to and replacement of existing buildings will be expected to:

- a) respect the siting, scale, form, proportions, materials, details and overall design and character of the host building, its curtilage and setting;
- b) retain and/or reinstate traditional or distinctive architectural features and fabric,
- c) safeguard the amenity of the host premises and neighbouring occupiers,
- d) leave sufficient external usable private space for the occupiers.
- e) satisfy the design criterion set out in Appendix C

Proposed replacements of rural buildings which have been converted to an alternative use will not be permitted in order to retain the historic, architectural and visual character, design and appearance of the original building.

Extensions should be physically and visually subservient to the host building including its roof form so as not to dominate it, by virtue of their scale and siting.

DM7 New Agricultural, Forestry and Equestrian Buildings

New, or extensions to existing agricultural, forestry and equestrian buildings or structures will be supported if it can be demonstrated that they are reasonably necessary both in scale, construction and design for the efficient and viable long-term operation of that holding; that there are no other existing buildings or structures that can be used, altered or extended, that they are located within or adjacent to a group of existing buildings, the site selected and materials used would not cause visual intrusion and in the case of livestock buildings their location would not cause loss of residential amenity.

16. Core Strategy NW13 - Natural Environment

The quality, character, diversity and local distinctiveness of the natural environment will be protected and enhanced. In particular within identified landscape character areas development will conserve, enhance and where appropriate, restore landscape character as well as promote a resilient,

functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife and historic features which contribute to local character will be protected and enhanced.

a) Discussion

16.1 This policy sets out how important the natural and historic environment is to North Warwickshire. The basic approach set out therein follows on from the existing Local Plan; the spatial portrait and objectives of the Core Strategy as well as the planning principles set out in the NPPF. It specifically refers to the need for the impact of development on the landscape to be addressed with reference to Landscape Character Areas. There is no need to elaborate further. However more detail in respect of landscaping measures would assist in guiding new landscaping proposals.

16.2 Preferred Policy DM8 is included in response to particular issues in the Borough – in particular the creation of fishing ponds and lakes. The issues raised include the change to the landscape, particularly the cumulative impact; the number and extent of HGV movements involved in their excavation and associated earth movements particularly if these vehicles have to use a common highway network, and the deposition of mud on those roads. Many question the motives behind the proposals – whether they are just a means for waste disposal rather than farm diversification projects seeking economic and/or recreation opportunities. The Preferred policy below addresses the planning impacts of these proposals. Whilst it is not the place of the planning process to interfere with other regimes – such as that governing waste management - it is considered that these proposals should be more fully scrutinised, and the preferred policy DM8 is designed to do so.

b) The Preferred Policies

DM8 New Landscape Features

The landscape impact of development proposals which themselves directly alter the landscape, or which involve associated physical change to the landscape such as re-contouring, terracing, new bunds or banks and new water features such as reservoirs, lakes, pools and ponds will be assessed against the descriptions in the Landscape Character Areas. Particular attention will be paid in this assessment as to whether the changes are essential to the development proposed; the scale and nature of the movement of all associated materials and deposits, the cumulative impact of existing and permitted schemes and to the significance of the outcome in terms of its economic and social benefits.

DM9 Landscaping Proposals

New development should retain existing trees, hedgerows and nature conservation features with appropriate protection from construction where necessary and strengthen visual amenity and bio-diversity through further hard and soft landscaping solutions.

Development proposals should be designed such that existing and new trees and hedgerows are allowed to grow to maturity without causing undue problems of visibility, shading or damage.

Development will not be permitted where demonstrable harm to protected or ancient woodland, trees and hedgerows would occur, unless suitable mitigation or management measures can secure their protection.

17. Core Strategy NW14 – The Historic Environment

The Council recognises the importance of the historic environment to the Borough's local character, identity and distinctiveness, its cultural, social, environmental and economic benefits. The quality, character, diversity and local distinctiveness of the historic environment will be conserved and enhanced. In particular:

- Within identified historic landscape character areas development will conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific historic features which contribute to local character will be protected and enhanced and,
- The quality of the historic environment, including archaeological features, Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas and any non-designated assets; buildings, monuments, archaeological sites, places, areas or landscapes positively identified in North Warwickshire's Historic Environment Record as having a degree of significance meriting consideration in planning decisions, will be protected and enhanced, commensurate to the significance of the asset.
- Wherever possible, a sustainable reuse of redundant historic buildings will be sought, seeking opportunities to address those heritage assets identified as most at risk.

a) Discussion

17.1 The NPPF has summarised earlier guidance relating to the protection of the historic environment and it is considered that the general principles outlined there should be endorsed. The cultural and historic heritage of the Borough is significant. The preferred policy explains in

more detail how this can be retained and enhanced. In particular, it is the supporting evidence and documentation that is often lacking with the submission of this kind of development proposal. There is a general lack of understanding of the significance of the Borough's historic, architectural and archaeological assets and thus how development proposals impact on those assets. Preferred Policy DM10 seeks to address this omission. All development proposals affecting a heritage asset should be accompanied by a Significance Statement which sets out the heritage significance of the affected asset and the likely impact of that development on that significance should then be described. The alternative would be to rely on Core Strategy Policy NW14 and the NPPF. Because of the importance of the Borough's heritage to its spatial portrait, it is considered that full weight has to be given to these matters through the DMP

b) Preferred Policy

DM10 The Historic Environment

a) Understanding the Asset

All development proposals that affect any heritage asset will be expected to demonstrate, through the submission of a statement which sets out an understanding of the significance of the asset and how that development would impact on that significance.

b) Conserving the Asset

Where a proposal affects the significance of a heritage asset, including a locally listed asset, or its wider setting, the applicant will be expected to demonstrate that:

- i) All reasonable efforts have been made to sustain the existing use, find new uses or mitigate the extent of the harm to the significance of the asset;**
- ii) The works proposed are the minimum required to secure the long term use of the asset, and**
- iii) The features of the asset that contribute to its heritage significance and heritage interests are retained.**

Additional evidence, such as marketing details and/or an analysis of alternative proposals, will be required where developments involve changes of use, demolitions, sub-division or extensions.

Where a proposal would result in the partial or total loss of a heritage asset or its setting, the applicant will be required to instigate a programme of recording that asset and ensuring the publication of that record in an accessible form.

The Council will use its Conservation Area Appraisals and the North Warwickshire Historic Towns Appraisal, to assist in the assessment of the significance of heritage assets and the likely impacts arising from development proposals.

18. Core Strategy NW15 - Nature Conservation

Sites of Special Scientific Interest (SSSI's) will be subject to a high degree of protection, in view of their national importance. Development adversely affecting a SSSI will only be permitted where the benefits of the development at these sites clearly outweigh the likely impacts on the site and any broader impacts on the national network of SSSI's.

Development that affects Sites of Regional and Local Importance for Nature Conservation will only be permitted where the benefits of the development outweigh the nature conservation value of the site and the contribution it makes to the Borough's ecological network.

Development that damages habitats and features of importance for nature conservation will only be permitted where there are no reasonable alternatives to the development taking place in that location. Where appropriate, developments will be required to help enhance these features and/or secure their beneficial management. Development will be resisted where it leads to the loss of irreplaceable habitats and features, such as ancient woodland or veteran trees unless it can be demonstrated there are overriding reasons and benefits that outweigh the loss.

Development should help ensure that there is a net gain of biodiversity and geological interest by avoiding adverse impacts first then providing appropriate mitigation measures and finally seeking positive enhancements wherever possible. Where this cannot be achieved, and where the development is justified in terms of the above criteria, the Local authority will seek compensation and will consider the use of biodiversity offsetting as a means to prevent biodiversity loss. In doing so, offsets will be sought towards enhancements of the wider ecological network in the Borough or sub-region in line with local, regional and national priorities for nature conservation

a) Discussion

18.1 This policy seeks to identify the significance of nature conservation and bio-diversity issues to the promotion of sustainable development within North Warwickshire. The Borough is a rural Borough and this issue is essential to the continuation of that essential character. The Core Strategy is thus quite detailed in itself.

18.2 Development proposals should be accompanied by relevant background survey information and this should be proportionate to the conservation issues involved and the potential impacts of the proposal.

19. Core Strategy NW16 – Green Infrastructure

Development proposals must where appropriate, demonstrate how they contribute to maintaining and enhancing a comprehensive and strategically planned Green Infrastructure network, where appropriate. With reference to the sub-regional Strategy for Green Infrastructure and the local Green Infrastructure resource development should:

- Identify, maintain and enhance existing Green Infrastructure assets;
- Optimise opportunities to create links between existing Green Infrastructure within the district and to surrounding sub-regional networks;
- Help deliver new Green Infrastructure assets where specific need has been identified.

Where new Green Infrastructure cannot be provided on site, or where an existing asset is lost or adversely affected, contributions will be sought towards wider Green Infrastructure projects and improvements within the district or, where appropriate, in the sub-region.

a) Discussion

19.1 This policy supplements the one above on nature conservation. It is detailed in its assessment of how green linkages and corridors should be pursued through development proposals thus complimenting the planning principles of the NPPF and expanding on existing local plan policy.

19.2 It is not considered that further policy guidance is required.

20. Core Strategy NW17 - Economic Regeneration

The delivery of employment generating uses, including the redevelopment of existing employment sites and farm diversification, should reflect the need to broaden the employment base, improve employment choice and opportunities for local people.

a) Discussion

20.1 This policy supports economic regeneration. Development Management policy DM3 provides more flexibility to change uses and activities within existing estates. More can be done. Farm diversification can widen the employment base and improve

opportunities for local people particularly where there are no adverse environmental or highways impacts. In this way too farm holdings can become more sustainable and thus retain the rural character and appearance of the Borough. Similarly the re-use of rural buildings can add to the overall employment floor-space provided and the choice of employment opportunity. However it has to be recognised that farm holdings and rural buildings are located outside of development boundaries and often in isolated locations with poor accessibility. A balance needs to be arrived between the encouragement of employment opportunity and the overall protection of the Borough's rural character. Policy DM11 identifies the considerations that will be taken into account in arriving at this balance. They are based on saved Local Plan policies which have shown to be effective and supported through appeal decisions. In this respect they show continuity, but they also are up to date in that they respect the position of the NPPF in establishing that there has to be an overall balance between social, environmental and economic factors in order to promote sustainable development.

- 20.2 Alternatives, given the content of the NPPF would suggest a more flexible approach to consideration of alternative proposals for rural buildings. However this flexibility is now available through recent changes to the General Permitted Development Order enabling substantial changes of use of existing buildings without the need for a planning application. These changes themselves can involve “flexible” uses. The policy below set out below affects proposals that go beyond these “permitted developments”.

b) The Preferred Policies

DM11 Rural Employment

1 Farm Diversification

Proposals for farm diversification through the introduction of new uses onto established farm holdings will be supported where it can be demonstrated that:

- a) the development in terms of its scale, nature, location and layout would contribute towards sustaining the long term operation and viability of the farm holding;**
- b) it would not cause an additional adverse impact to the safe and free movement of pedestrian, vehicular or other traffic on the rural road network, particularly as a result of heavy vehicle usage,**
- c) there would be no adverse impacts arising from increased noise or other form of pollution, and that**
- d) there would be no adverse impact on the character of the surrounding natural or historic environment.**

2) The Re-use of Existing Rural Buildings

Proposals for the re-use and adaptation of existing rural buildings will be supported provided that the following three pre-conditions are all satisfied.

- a) The buildings have direct access to the rural distributor road network and are readily accessible to the Main Towns and Local Service Centres via a range of modes of transport;
- b) they are of sound and permanent construction, and
- c) are capable of adaptation or re-use without recourse to major or complete re-building, alteration or extension.

If the building is a Listed Building or one that is recognised formally as being a locally important building, then irrespective of the foregoing pre-conditions, the re-use or adaptation of that building will be considered if the proposal is the only reasonable means of securing its retention. The criteria set out above in section (1) of this policy will however still apply in these cases.

Provided that the building meets these pre-conditions, the preferred re-use of the building is for a rural business or other employment opportunity, or one that would provide a community facility or service. Only where demonstrable adverse impacts would arise or such a use can be evidenced to be unviable, would an alternative use be considered. Tourism uses and locally affordable housing provision may be appropriate in this situation in accordance with Core Strategy polices NW2, NW3 and NW6 and policy DM1 of the DMP. Open market housing will only be considered if it can be shown that a tourism use or a locally affordable housing use would be demonstrably inappropriate or unviable to sustain.

21. Core Strategy NW18 – Atherstone

Proposals that assist in the continued regeneration of Atherstone will be supported and encouraged. Partnership schemes, which allow the bringing together of services and releasing sites for redevelopment, will be sought, where these result in an improvement of services and facilities

Partnership working, with both the public and private sector, will be central in the delivery of regeneration of Atherstone. Key sites in the town centre and industrial estates, as well as other redevelopment sites within the existing development boundary, will be pursued where they achieve the following outcomes:

- Improved community facilities in more sustainable buildings (low maintenance/energy efficient)

- Improved energy efficiency
- Creation/protection of jobs
- Improved historic environment in terms of maintaining local distinctiveness, respecting historic settlement morphology and retaining and enhancing the historic fabric.

Further growth of the Atherstone and Mancetter area, outside of the current boundaries, will be focused in the broad direction north of Holly Lane Industrial Estate and South of the Anker Valley floodplain

a) Discussion

21.1 This policy identifies key issues for the regeneration of Atherstone. It is very much an “enabling” policy identifying opportunities and prospects. It is not considered necessary to develop further Development Management policies in this respect as development proposals will be assessed against other policies in this Plan. The policy itself will give added weight to such proposals.

21.2 The policy sets out the future strategic direction for growth in Atherstone and this will be followed through in the Site Allocation Plan.

22. Core Strategy NW19 – Polesworth and Dordon

The Broad location of growth will be to the south and east of the settlements subject to there being no unacceptable environmental impacts from surface mining and that viable and practicable coal reserves are safeguarded.

Any development to the west of Polesworth & Dordon must respect the separate identities of Polesworth and Dordon and Tamworth and maintain a meaningful gap between them.

a) Discussion

22.1 This policy addresses the key strategic issues affecting Polesworth and Dordon. It is not considered that it needs clarification or amplification through additional Development Management policies. The Site Allocations Plan will address the detailed locations for growth.

22.2 The policy however does refer to there being a “meaningful gap” between the two settlements and Tamworth. This has to be defined. A separate consultation has been carried out by the Council in order to address the extent of the “gap” and this has informed the designation as shown on the Proposals Map. In order to retain the separate identity of these settlements, new development should not visually or physically reduce the size of this gap.

b) Preferred Policy

DM12 The Meaningful Gap

The Meaningful Gap between Tamworth and Polesworth and Dordon is defined on the Proposals Map.

All new development within this gap should be small in scale and not intrude visually into the gap or physically reduce the size of the gap.

23. Core Strategy NW20 – Services and Facilities

Proposals that would have a detrimental impact on the viability and vitality of town centres will not be permitted.

The loss of existing services or facilities which contributes to the functioning of a settlement will only be supported where the facility is replaced elsewhere or it is proven that its loss would harm the vitality of the settlement.

Town Centres will be the focus for new retail development.

Disproportionate concentration of uses will be avoided. Robust justification using a sequential approach will be required to avoid a disproportionate concentration of uses.

a) Discussion

23.1 This policy seeks to retain existing services and facilities. The spatial portrait of the Borough in the Core Strategy sets out how important these local and community facilities are to the settlements of North Warwickshire in contributing to their sustainability. The Strategic Objectives of that Strategy reflect the need to protect and retain them as well as to ensure that they remain accessible. Inevitably proposals will come forward seeking alternative uses. This can either be as a consequence of economic considerations or as a consequence of changing social habits. The policies below set out the criteria by which such applications should be assessed. Alternative solutions and shared uses/sites are often seen as way forward. The loss of these facilities can be significant to a community, and thus the criteria set a number of tests that need to be undertaken. Key to these is evidence from the results of the marketing of the facility at a realistic and proportionate value which reflects the nature of the existing facility, together with local survey information on the requirements and needs of the local community. In this latter respect, the Register of Local Community Assets will be treated as a material planning consideration.

- 23.2 Additionally, there is a need to look at the provision of new services and facilities. The Core Strategy directs these to existing settlements and particularly to town centres. It also refers to how proposals that may arise outside of town centres will be dealt with. It gives full and explicit weight to the NPPF. The alternative is to introduce a new approach but one which still accords with the NPPF. Given that there have been very few planning applications submitted since the adoption of the 2006 Local Plan for these types of development it seems unnecessary to introduce any “new” tests. It is important to retain the sequential test as it is nationally recognised and provides a proportionate approach to the issues involved. The issue is whether by including it within the policy it would carry more weight and thus place the Council in a stronger position to ensure that new development does indeed accord with the proposals of the Core Strategy.
- 23.3 The 2006 Local Plan defined floor space thresholds in order to assist in the definition of what might be appropriate or not. In practice these have not been used in the determination of planning applications and there is little evidence to justify them as opposed to any other threshold. They are thus not taken forward. Each case will be considered on its merits; the content of Core Strategy policy NW2 and the NPPF.

b) Preferred Policy

DM13 Services and Facilities

a) The Loss of Services and Facilities

Proposals resulting in the loss of an existing service or facility, including retail uses, which contribute to the functioning of a settlement, will only be supported if:

- a) an equivalent facility or service is wholly or partially provided elsewhere, in an equally or more accessible location within that settlement;**
- b) the land and buildings are shown to be no longer suitable for continued use in terms of their location, design and/or construction,**
- c) it can be demonstrated that there is no realistic prospect of an alternative service or facility using the site, and that**
- d) its loss will not harm the vitality of the settlement.**

Dual or multiple uses of sites or “hubs” providing services and facilities for individual or groups of settlements will be encouraged.

In particular the loss of retail uses within town centre boundaries and particularly within defined neighbourhood centres and primary shopping frontages as defined elsewhere in this DMP, will only be

supported if it can be shown that there is no reasonable prospect of retention of the use; occupation by an alternative retail or mixed community/retail use, or that there would be no adverse impact on the retail choice and availability. Mixed use proposals, including those with residential use, will be appropriate.

The disproportionate concentration of uses will not be supported. The following factors will be taken into account: the existing mix of uses; the impact on customer behaviour, the proximity of education establishments, the deprivation levels in the area and the cumulative highway and environmental impacts.

b) New Services and Facilities

Development proposals for new shopping, office, entertainment, hotel and leisure uses together with new community, social and education facilities or mixed residential/commercial uses should be directed towards the town centres of the Market Towns or within the development boundaries of the Local Service Centres. Each such development should be commensurate in scale and nature with the role and function of the settlement concerned and the size of its catchment area such that it does not result in adverse highway, environmental or viability and vitality impacts.

24. Core Strategy NW21 – Transport

Opportunities for securing improvements will be sought, particularly through the A5 Strategy and the re-use of redundant railway lines/corridors where appropriate.

The traffic implications and impact of growth in adjoining area and from development related to High Speed rail will need to be addressed and mitigated through encouraging sustainable transport solutions and measures, including traffic calming and access constraints on the rural road network.

a) Discussion

24.1 This policy highlights the two significant transportation issues affecting the Borough – the capacity of the A5 and the potential impacts from the proposed HS2 rail line. Consultations with Highways England in respect of the allocations set out in the Site Allocations Plan and on planning applications will address the former issue. In respect of the second then the route of this railway line is to be safeguarded through national legislation. That needs to be identified by the Borough in its future plans – see DM14 below.

- 24.2 Transport impacts need to be identified and clear assessments are needed from the outset. Policy DM14 does this and follows saved Local Plan policy TPT1. It is often the case that appropriate mitigation measures are identified at this pre-application stage so that these can be accommodated within a proposal in order to meet the objectives under Core Policy NW10.
- 24.3 Whilst it is recognised that growth of passenger usage of Birmingham Airport can bring significant employment and economic benefits to the Borough, it too brings traffic impacts. The location of associated car parks distant from the airport encourages less sustainable forms of transport to the airport, particularly given its availability to public transport alternatives. Moreover much of the land within close proximity to the airport complex is within the Green Belt.

b) Preferred Policies

DM14 Transport Considerations

a) Transport Assessments

Transport Assessments will be required to accompany development proposals which will generate significant amounts of movement as outlined in Appendix D to this Plan. Assessments will also be required where there is a cumulative effect created by the floor space on the site or in the vicinity, or where there are demonstrable shortcomings in the adequacy of the local transport network to accommodate development of the scale proposed.

Travel Plans will be required to be submitted alongside these Assessments, as set out in Policy DM5 of this Document.

b) Airport Parking

Proposals for remote car parking of passengers or visitor vehicles in the Borough will not be permitted.

c) High Speed Rail

The line of the High Speed 2 rail line through North Warwickshire will be safeguarded.

The line of the High Speed 3 rail line through North Warwickshire will be safeguarded when it is published by a Parliamentary Bill. Until this time, the line will be treated as a material planning consideration of significant weight.

25. Core Strategy NW22 – Infrastructure

The Strategy's policies and proposals will be implemented by working in constructive partnership with funding agencies and service providers; by the grant or refusal of planning permission, and by the use of planning conditions and obligations, in order to secure the following key priorities:

- Provision of affordable housing;
- Protection and enhancement of the environment and mitigation of the environmental impact of past and proposed development of land;
- Provision of necessary services, facilities and infrastructure to meet the demands of new development and communities to include Green Infrastructure, open space, sports and recreation and transport; and,
- Provision of training and upskilling opportunities

25.1 This policy identifies a number of different approaches in order to secure the delivery of new development. Additionally it sets out the Council's priorities in respect of infrastructure provision to accompany such development. There is no need to expand on the current position as set out here.