

Table of Proposed Modifications to the Publication Draft Local Plan (part 2)

February 2016

Introduction

The proposed modifications to the Publication Draft shown in the table below were prepared in February 2016 to address emerging issues such as new government policy or updated evidence. The modifications do not seek to directly address the issues of soundness identified by the Inspector in his letter of 1st June. Instead they are proposed for completeness in anticipation of these areas being examined.

The proposed modifications are based on the text of the Publication Draft Local Plan published in April 2014 as amended by the Focused Consultation published in October 2014.

Subject to the agreement of the Local Plan Inspector to these modifications, any that are substantive in nature will form part of a future consultation following Examination hearings and prior to finalising and adopting the Local Plan.

Note: In the table below,

new text is shown as follows: [where this has been](#)

existing text to be retained is shown as follows: which are assessed as being

existing text to be deleted is shown as follows: ~~needs to identify sites for~~

Ref	Publication Draft Local Plan Page number	Paragraph Number	Proposed Modification	Reason
Development Strategy				
Policy H7 Providing the Homes the District Needs				
Mod 28	96	Policy H7	<p>Amend Policy H7 to add an additional paragraph to read</p> <p>H7 Meeting the Accommodation Needs of Gypsies and Travellers</p> <p>The Council will produce a Development Plan Document (DPD) that will allocate sufficient land on sustainable sites to meet the permanent accommodation needs of its Gypsy and Traveller community, satisfying an identified need for 31 pitches over the Plan Period a period of 15 years (25 of which should be within the first 5 years). <u>In preparing the DPD, the Council may require the proposed strategic housing allocations, set out in Policy DS15, to provide land for gypsy and traveller accommodation.</u> Monitoring of such sites will inform future requirements.</p> <p>The Council will support Warwickshire County Council in its proposal to provide emergency stopping places in the County, to assist in meeting the transit needs of the whole of Warwickshire. <u>However the DPD will ensure that the District's transit need of 6 – 8 pitches will be met by providing a transit site. This will be addressed by considering planning applications against the criteria in Policy H8 and/or by bringing further sites forward in line with this Policy.</u></p> <p>But will ensure meeting its own transit need of 6-8 pitches by providing a transit site. Monitoring may show that there are insufficient pitches available to meet need during the plan period. Planning applications will therefore be assessed against the criteria in Policy H8.</p> <p><u>The Council may require the proposed strategic housing allocations, set out in Policy DS15, to provide land for gypsy and traveller accommodation, in the event that monitoring shows a shortfall in pitches available to meet need during the plan period.</u></p>	To ensure the long term needs of Gypsies and Travellers are met

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Mod 29	96	4.67 to 4.70	<p>Amend paras 4.67 to 4.70 to read as follows:</p> <p><u>4.67</u> The Gypsy & Traveller Accommodation Assessment (GTAA), (November 2013) defined this Council’s permanent need as 31 pitches over a 15 year period. <u>The figure has since been updated (October 2015) to coincide with the Local Plan period and although the required number of pitches is unchanged, it is now required over the Local Plan period rather than 15 years as previously published.</u> Because the Council has no current provision and therefore a historic under-provision, 25 of those pitches must be found within the first five years, with the remainder being found over the following ten year period.</p> <p><u>4.68</u> In addition, the GTAA found a need for 12 <u>6-8</u> transit pitches over the same time period. The Council has been closely involved with Warwickshire County Council (WCC) with regard to the provision of such pitches <u>and the County Council has committed to the provision of emergency stopping places to help serve the transit need, however as these are likely to be too few to serve the whole of the County need, this Council will allocate land for a transit site to meet its own need.</u> and the County Council has committed to the provision of emergency stopping places (to serve the transit need) for the whole of Warwickshire. To do this, the County Council is looking for a site in the north of the county and one in the south which will satisfy the requirements for all local authorities in the county. To this end, WCC has already identified and gained permission to use a site in Stratford District as the site in the south. This site will satisfy Warwick District’s need for a transit site. This Council is therefore only looking to provide permanent sites i.e. 31 pitches over a 15 year period; 25 in the first 5 years. These pitches will be accommodated on a number of sites, each having a relatively small number of pitches.</p>	To reflect proposed changes to Policy H7

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			<p>4.69 Government advice suggests that a site size of between 5 and 15 pitches is the most appropriate in order to ensure successful management of the site. The Council will need to allocate sites at the upper end of this limit to reflect the lack of suitable, sustainable, available and deliverable land. Moreover, having exhausted all possible potential sites outside the green belt, the Council considers that exceptional circumstances now exist that demonstrate the need to consider releasing land currently in the green belt for this use. The Council prefers sites of a maximum of 10 pitches. In view of this, the Council intends to meet its need on a greater number of smaller sites.</p> <p>4.70 In order to ensure that any unfulfilled current need and future need is met, it may become necessary to include new Gypsy and Traveller provision within the larger strategic housing sites allocated in the Local Plan. Monitoring and updating the need assessment will provide the evidence for this requirement. The Council has already made considerable progress towards the production of the Development Plan Document and this will be submitted to the Secretary of State soon after the Examination into this Plan</p>	
New Policy: Custom and Self-build Housing Provision				
Mod 30	New	Policy H New1	<p>Insert new policy H New1</p> <p>Custom and Self-build Housing Provision</p> <p>To support the delivery of self- and custom build housing in Warwick District that meets the needs of local communities, sites providing more than 100 dwellings will allocate at least 5% of the dwellings for sale as self- build, custom-build or self-finish opportunities, through the provision of serviced and accessible plots of land. Unless otherwise specified, the self- and custom build plots in these circumstances will form part of the market housing allocation.</p>	To address the emphasis put on custom and self-build in the emerging Housing and Planning Bill

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			<p><u>In exceptional circumstances, the Council may accept contributions of equivalent value in lieu of on-site delivery. This may include serviced land for an equivalent number of custom and self-build plots in another suitable, sustainable location. In such cases, the developer will be required to demonstrate why on-site delivery is not practical.</u></p> <p><u>Where it can be robustly demonstrated that the provision of on-site plots is unviable or cannot be achieved for some other reason and the developer is unable to make off-site provision, the Council will waive the requirement and will accept a financial contribution in lieu.</u></p> <p><u>Where clear and robust evidence can be provided to demonstrate that plots have been made available and marketed appropriately for at least 2 years and have not sold, they may either remain on the open market as self- / custom build / self-finish opportunities or be built out by the developer.</u></p> <p><u>Proposals for custom and self-build housing in other parts of the district will be approved in suitable, sustainable locations (such as brownfield sites, growth villages and appropriate locations within infill villages) subject to compliance with all other relevant policies of this plan.</u></p> <p><u>Where appropriate, sites within certain settlements may be identified for self- and / or custom build in a neighbourhood plan; the neighbourhood plan may also provide necessary guidance through a locally derived design code. Such sites should accord with all other relevant policy requirements in the Local Plan and national policy, including green belt and historic and environmental designations.</u></p>	
Mod 31	New	Para 4.New1	Explanation for Policy H New1	To support policy H New1

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			<p><u>4.New1 National policy identifies that local authorities should plan for a mix of housing, including for people who wish to build their own home. In March 2015, the government enacted legislation (Self-build and Custom Housebuilding Act 2015) that places a requirement on local councils to maintain a register of people seeking to acquire land to build a home themselves. The government is keen to promote the self- and custom build housing sector as a means of increasing the general housing supply and encouraging the construction of sustainable, environmentally sensitive and more affordable properties.</u></p> <p><u>4.New2 In the case of Warwick District, the Council is keen to support increased delivery to promote greater diversity in the local housing stock, the use of innovative design and the provision of more affordable and sustainable construction. It has set up a register of people interested in building their own homes; preliminary information indicates that most people are looking for individual plots for detached houses or bungalows with three to four bedrooms. Most people currently on the list are applying broad locational criteria, with sites within a 10 – 20 mile radius of Warwick, Leamington and Kenilworth as the preferred target. Some of the reasons people cite for wanting to build their own homes are: -</u></p> <ul style="list-style-type: none"> <u>• closer to family / personal links to area</u> <u>• ability to stipulate higher build quality and specification</u> <u>• higher environmental performance / lower running costs</u> <u>• eco-friendly design and materials</u> <u>• sense of community</u> <u>• individual / bespoke home to meet personal needs</u> <u>• ability to specify locations</u> <p><u>4.New3 To help sustain this process this policy encourages landowners and developers to offer a range of plots and development opportunities to the</u></p>	

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			<p><u>custom and self-build market. This will assist both in the provision of a range of opportunities on larger development sites and in the identification of suitable smaller scale opportunities. In some cases, neighbourhood plans may be a suitable vehicle to help identify and promote suitable and sustainable small-scale self / custom build, especially where people want to maintain personal and social links to a particular local area. Registered Providers and other social housing promoters can also help to deliver group self-build schemes in appropriate areas, whereby people who cannot currently afford to enter the housing market can contribute “sweat equity”, in the form of physical labour on site, towards the purchase of a more affordable dwelling.</u></p> <p><u>4.New4 It may be that an element of commuted funding could be used to purchase and service plots in suitable areas as a means of offering opportunities to local people. The Council will generally control access to custom / self-build housing schemes by establishing and maintaining a Register of Interest of those who wish to become custom builders and meet the relevant legislative criteria.</u></p> <p><u>4.New5 Plots on larger development sites that have been made available and marketed appropriately for at least two years, but which have not sold, may either remain on the open market as self-build or be built out by the developer. Self- or custom build development subject to planning permission will need to be built out within three years of the sale of the plot.</u></p>	
Mod 32	159	Policy NE4	<p>Amend policy NE4 Landscape to add an additional clause j</p> <p>New development will be permitted which positively contributes to landscape character. Development proposals will be required to demonstrate that they:–</p>	To address increasing pressures on the best and most versatile agricultural land as a result of increasing development allocations

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			...j) minimise the loss of the best and most versatile agricultural land.	
Mod 33	160	Policy NE5	<p>Amend Policy NE5 Protection of Natural Resources (Clause d) as follows</p> <p>...</p> <p>d) avoid or minimise loss of the best and most versatile agricultural land unless the benefits of the proposal outweigh the need to protect the land for agricultural purposes;</p>	To address increasing pressures on the best and most versatile agricultural land as a result of increasing development allocations
Mod 34	161	5.198	<p>5.198 ...This need is increasing due to the anticipated reduction in the ability of countries continuing to export food to the UK due to increased flooding, erosion or drought. A number of housing allocations have been identified on agricultural land, with the result that the remaining resource is considered to be of increasing importance and vulnerability. Development affecting the best and most versatile agricultural land will not be permitted unless there is an overriding demonstrable need for the development and it can be shown that development of lower grade land would have overriding adverse sustainability impacts, such as on biodiversity, natural resources, landscape character or conservation of heritage assets or in an unsustainable location.</p>	To address increasing pressures on the best and most versatile agricultural land as a result of increasing development allocations
Mod xx	Policies Map 29	Policies Map 29	Amend the Kingswood Growth Villages Envelope (see Policy H10) to the South of Old Warwick Road as shown on revised Policies Map 29	To address drafting error that was overlooked following representations received in 2014