

Warwick District Council

PARKING STANDARDS



Standards for the amount of vehicle and cycle parking to be provided for all types of development, and guidance and design principles for how parking could be accommodated within schemes.

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CHAPTER 1

Introduction

This Supplementary Planning Document (SPD) sets out Warwick District Council's detailed policies on parking for both vehicles and bicycles. It supplements policy TR4 of the Local Plan adopted September 2017. It replaces the former WDC Parking Standards (2007), which required review in the context of the adoption of both the National Planning Policy Framework (NPPF) and the new Local Plan.

Policy context

1.1 With the adoption of the NPPF (2012) there has been a significant shift in national policy and advice in respect of car and vehicle parking. Before the NPPF, national policy required maximum parking standards, aimed at limiting car ownership with a view to encouraging alternative modes of travel. Current national policy and guidance recognises that this approach in isolation has little/no impact on car ownership, and has instead often created issues and tensions in neighbourhoods where parking provision does not meet demand. As such, paragraph 39 of the NPPF now requires Local Planning Authorities to take the following matters into account when developing parking standards:

- The accessibility of the development
- The type, mix and use of development
- The availability of and opportunities for public transport
- Local car ownership levels
- An overall need to reduce the use of high emission vehicles

1.2 The Ministerial Statement of March 2015 also specifically discourages the imposition of restrictive parking standards, unless there is evidence that they are required to address specific highway management and safety issues.

Vehicle ownership in Warwick District

1.3 Data from the 2011 Census demonstrated that the proportion of households with no access to a car/van had decreased from 19.4% to 18.4% since the 2001 Census, and the trend for increasing car ownership is anticipated to continue.

1.4 Tables detailing vehicle ownership data for the district are included in the supporting evidence paper, and this data has informed the Parking Standards set out in this document. Key points from the data can be summarised as:

- The percentage of households with no access to a vehicle is lower than in the national and regional context.
- The percentage of households with two or more cars is higher within the district than in the national and regional contexts.
- In predominantly rural wards, the % of dwellings with no cars can be up to a third less than the district average.
- Kenilworth wards also have a notably lower % of dwellings with no access to a car or van.
- Other more urban wards tend to have a higher % of households with no access to a vehicle.

- Brunswick ward has approximately double the no. of dwellings with no access to a car than the district average
- Clarendon and Crown wards have similar numbers of dwellings with no access to a car/van, at more than 50% above the district average
- Wards where the % of dwellings that have no vehicles is lowest; tend to have higher than average ownership of 2 or more cars.

Aims and scope

1.5 The principal objective of this SPD is to ensure delivery of sufficient cycle and vehicle parking to meet the demands of new developments. In addition to guiding the amount of vehicle and cycle parking provided in new developments, this document will also set out some basic design principles aimed at ensuring parking is provided as conveniently as possible for intended users, and at mitigating visual impacts of greater numbers of parking spaces. Research published in 'Space to Park' sets out that in multiple case studies, parking was cited by residents as problematic even where the amount of parking provided is sufficient in quantitative terms to meet demand. The 'problems' arise when residents choose to park in places where the design and layout had not intended (e.g. up kerbs, on footpaths and on grass verges), due to their designated parking spaces being perceived to be less convenient or inadequate. The research therefore concludes that the overall location and design of parking provision is arguably as important as ensuring sufficient supply.

As such this SPD will address:

- The amount of parking spaces to be provided
- The location, and therefore the convenience of the spaces relative to the properties they serve
- The practical usability of the spaces provided – e.g. are car parking spaces wide enough to park and open car doors without hitting a wall? Does the layout of the plot and its dimensions allow space to pass easily with a bicycle to reach the storage space provided, or drag a wheelie bin past a parked car where appropriate?

1.6 It is clearly desirable to encourage travel by means other than the private car. However it is clear from the outcomes of the previous policy approach nationally, that restricting car parking alone will have little to no effect on modal choice. It is now widely accepted that whilst residents may choose to make certain trips by alternative modes, they are likely to continue to retain a car for others. Therefore demand for space to park cars at home is considered unlikely to diminish in the foreseeable future. In light of this, it is concluded that whilst this SPD will set clear objectives for cycle parking standards as part of a wider objective of encouraging other modes, it is beyond the scope of this SPD to go further in this agenda.

CHAPTER 2

Residential parking

How much parking?

2.1 Table 1 below sets out the parking standards for residential development, incorporating a mix of parking allocated to a particular property (usually on plot), and a proportion of unallocated (predominantly on street) provision. The evidence and justification used to develop these standards is set out in a separate supporting evidence paper, and design principles for accommodating vehicle and cycle parking are set out in detail later in this chapter.

Table 1

RESIDENTIAL DEVELOPMENT				
Type of development	Threshold/criteria	No. of allocated spaces	No. of unallocated spaces	Cycle parking spaces
New dwellings	1 bed	1	20% of total allocated parking space provision across the site, where a development includes 10 or more dwellings.	1
	2 bed	2		2
	3 bed	2		3
	4+ bed	3		1 space per bedroom
Houses in Multiple Occupation (HMOs)		1 / 2 bedrooms (rounded up to the nearest whole number where there are an odd number of bedrooms)		1 / 2 bedrooms
Purpose built student accommodation (PBSA)		Each case to be considered on merit*		
Sheltered housing for the active elderly	Residents	1 space per unit		1 space per 5 units
	Non-resident staff	1 space per 2 staff members		1 space per 5 people
	Visitors	1 space per 10 units		
Sheltered housing for frail elderly	Warden	1 space per resident warden		1 space per 5 people
	Non – resident staff	1 space per 2 staff members		
	Visitors	1 space per 5 units		1 space per 10 bedrooms

*Refer to Section 2.2 of the supporting evidence paper

NB: Where applicable, the number of prking spaces should be rounded up to the nearest whole number.

Applying the standards

2.2 The parking standards set out in Table 1 will be expected to be achieved on all new build residential development unless special circumstances can be demonstrated to justify a greater or lower provision. The standards apply equally to market and affordable housing, and where appropriate should apply to householder extensions where the number of bedrooms would increase.

2.3 There are two reasons why a scheme may not demonstrate the standards set out in Table 1:

- a) The applicant can reasonably justify either higher or lower parking provision than set out in the standard based on available evidence.
- b) It is not reasonably possible to achieve the parking standards as set out in table 1.

The second reason (b) is most likely to be the case where properties in established built up areas come forward for conversion or redevelopment, where other matters such as conservation impacts and Residents Parking Zones (RPZ) need to be considered. **Where allocated requirements cannot reasonably be achieved, the submission of a parking survey is required with any planning application** (see paragraphs 2.8-2.10, and the methodology set out in Appendix A).

2.4 4 Parking provision which falls below the prescribed standards may be considered appropriate where the applicant can demonstrate specific circumstances in respect of one or more of the following:

1. Lower provision may be justified where the application site is located within an area which is highly accessible (for example within the town centres as defined in the Local Plan)
2. There is evidence that significantly less/or significantly more parking demand would be generated than that specified in the standards.
3. The development meets other planning objectives and would not unacceptably worsen the parking situation.
4. There is sufficient capacity for on street parking (whether within a Resident’s Parking Zone or not) without detrimentally affecting the safety or convenience of other residents and occupiers.
5. It is in a RPZ but a S106 agreement** will be put in place to waive or reduce the resident’s rights to parking permits within the RPZ. Where this is proposed and the development site is within a RPZ but also within 200m of an area or areas where the street is not subject to a RPZ, a parking beat survey will be required of the area (or areas) outside the RPZ to demonstrate that any additional demand could be accommodated within reasonable walking distance of the development outside the RPZ.
6. There is no on-street parking permitted in the vicinity of the development, and therefore there is no potential for on-street parking to detrimentally affect the safety and convenience of other residents or occupiers
7. The development includes a ‘car club’ secured through S106 agreement**

** A template Unilateral Undertaking is included in Appendix B

2.5 If criteria (4), (6) or (7) are met then it is expected that the development will only appeal to those households with a level of car ownership that can be accommodated on-site. Alternatively, the applicant may be able to demonstrate that there is regularly sufficient off-street parking available without displacing significant numbers of vehicles (through provision of a parking survey). In any such cases, the Council will need to be satisfied that the development would not result in an overspill of car parking onto nearby streets where parking controls are weaker.

2.6 In some instances, there may be particular urban design or conservation issues such as the reuse of a listed building which, in accordance with criteria (3), might justify car parking below the standard set out in this SPD. Each case will be considered on its own merits.

2.7 Unallocated parking spaces in addition to the allocated provision should be provided as set out in the standards where:

- Development of more than 10 new dwellings (with new adoptable standard highway) – it is anticipated that these are likely to be provided on street
- All developments of new flats where parking is allocated to particular flats – these should be included within parking areas associated with the flats. A lower overall provision may be acceptable where all parking for flats is unallocated and therefore more flexible and efficient.

Undertaking a Parking Survey

2.8 Parking surveys should be undertaken using the methodology set out in appendix A. The methodology is based on that developed by the London Borough of Lambeth (a widely recognised methodology nationally) but with some local adaptations. The methodology requires that other permitted schemes be taken into account when calculating available parking.

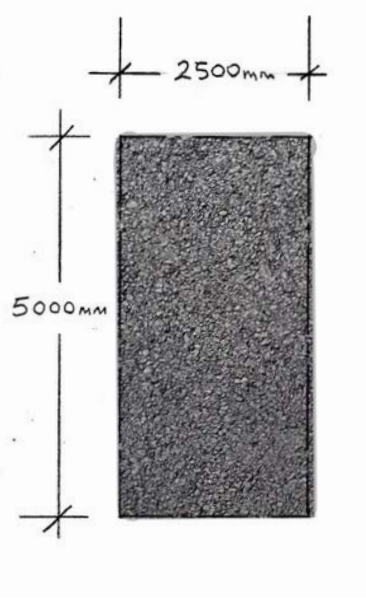
Leamington Spa

- 2.9** The methodology in appendix A identifies an additional requirement for schemes being put forward in the six wards of Leamington Spa. Namely that parking surveys undertaken within the town should be undertaken only within Higher Education term-time (principally the University of Warwick). This is designed to reflect the large concentration of HMOs in this area, which led to the imposition of an Article 4 Direction in 2012 in order to give the Council greater control over the development of HMOs.
- 2.10** Approximately 81% of HMOs within Warwick District were found to be occupied by students. Whilst it is challenging to evidence the level of car parking demand generated specifically by students, it is likely that some demand does exist, and in order that this is factored into survey results, surveys undertaken within the 6 wards of Leamington Spa (i.e. the area covered by the Article 4 Direction) should be completed within Higher Education term-time only.

Residential parking accommodation

Parking space dimensions

2.11 In line with emerging WCC advice, parking space dimensions required by this SPD are greater than those that have been sought in the past. The dimensions below are **minimum** requirements for parking spaces (NB these are different from theoretical space dimensions for on street parking set out in the parking survey methodology - Appendix A, as those dimensions have to take account of manoeuvring space and gaps between parked vehicles).



Bay parking: 2.5m (W) x 5 m (L)

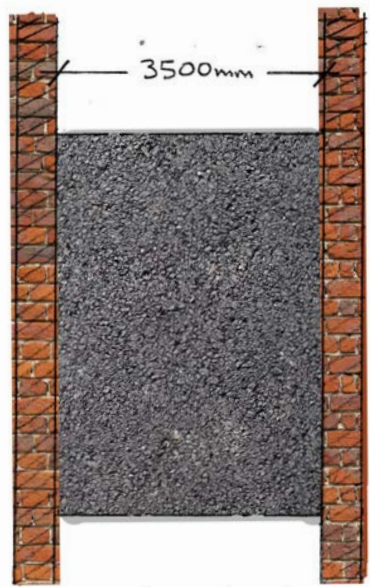
***please note that minimum dimensions for an electric vehicle parking space are 2.8m wide – see page 24 for electric charging requirements



If a parking space is located against a wall or other boundary structure, additional width should be provided:

Driveway width 3m (W) x 5.5m (L)
(11m long for a tandem driveway)

3.0m (W) x 5m(L)



And between two boundaries this should be increased further to 3.5 (W) x 5.0m (L)

Best Practice

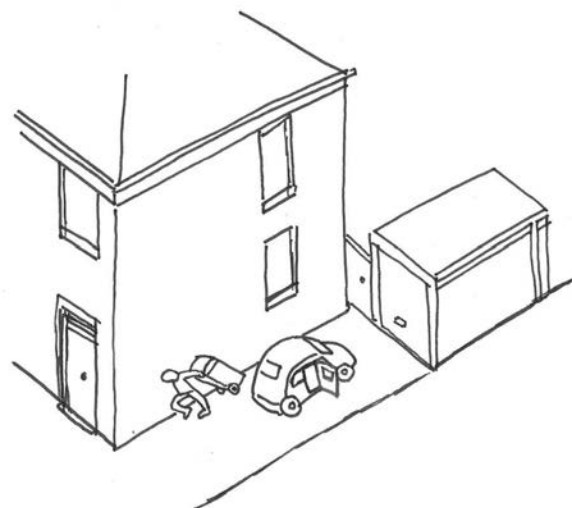
2.12 'Lifetime Homes' specifications regarding residential parking are considered to be best practice and will be supported. These standards aim to provide parking that makes it as easy as possible to get into or out of a vehicle for the widest range of people possible, including those with reduced mobility and/or those with children. Lifetime Homes standards outline principles and dimensions to be provided, or measures that would ensure space could be cost effectively adapted should need arise.

Other considerations

2.13 The space dimensions cited above address only the space required to park a car with relative ease and open the doors on each side. Dependent on the layout of a plot, it is possible that additional space (width) may be required to enable residents to pass a parked car or cars with for example a bicycle or a wheelie bin. This might be necessary for example to access cycle storage in a shed/garage/back garden or to access designated bin store or preferred discrete bin space near for example a kitchen door.

- Width of a cyclist pushing a bike – 1100mm
- WDC 240litre wheelie bin dimensions –
H: 1100mm W: 580mm D: 740mm

2.14 Where the layout of any plot is likely to necessitate the movement of a wheelie bin or a bicycle past cars parked in allocated parking spaces to storage locations, it must be demonstrated that sufficient space/width has been designed in to allow for this to occur without hindrance. It may also be appropriate to consider the movement of prams, pushchairs and mobility scooters.



Allocated parking provision – how should it be incorporated?

2.15 There are a number of options for how allocated spaces can be accommodated as set out below. Allocated parking spaces are not usually acceptable within the adopted/adoptable highway in new build development. Each of the typical methods of accommodating allocated parking (as set out in Car Parking – What Works Where?) has pros and cons, which are set out below and illustrated with local examples as much as possible.

2.16 In the cases of rear parking courts and parking on plot at the rear, the cons are generally considered to be of sufficient weight that they are specifically discouraged, and should only be used where all other options have been exhausted.

2.17 A mix of allocated parking solutions across any residential development is advocated, and over-reliance on a single solution will usually be resisted.

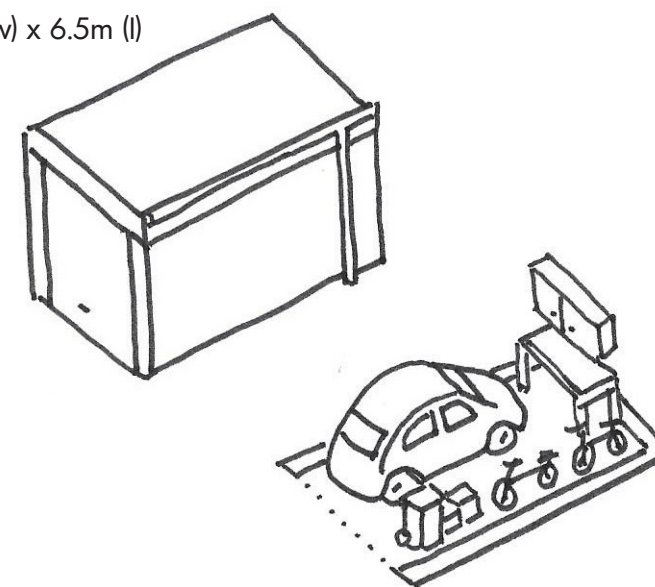
Garages

2.18 Garages should be considered **in addition** to the parking standards set out in this document, and should not usually form part of the allocated parking provision. This recognises that garages are not regularly used for car parking. As a result of excluding garages from the overall parking provision, garage parking typologies have been excluded from on plot parking typologies discussed in the table on the following pages.

2.19 Where garages are provided in addition to the relevant parking provision set out in table 1, it is recommended that they should be designed to be capable of accommodating a parked car and other general storage commonly accommodated within garages, including bicycles, garden tools, and children's play equipment.

2.20 Where special circumstances have been demonstrated and agreed with the LPA so that some garages are specifically designed as part of the parking

****4m (w) x 6.5m (l)**



solution (i.e. are to be counted part of the provision required in table 1), the minimum internal** dimensions are set out below will be required:

2.21 This is designed to maximise the potential for it to be used for regular car parking, by ensuring that it is easy to get the car into and out of the garage and open the doors once parked in the garage, whilst still providing some space for storage of other common items such as bicycles, garden tools, white goods etc.

2.22 Minimum garage set back from the rear of the footway is 6m, and for a tandem driveway arrangement this should be 11.5m. This is to ensure that a car might park in in front of the garage without overhanging the highway.

On plot

2.23 There are numerous configurations for providing parking spaces on plot. A mix is advocated with pros and cons considered below. Over reliance on a single solution will be resisted.

Configuration	Pros	Cons	Recommendations
SIDE (SINGLE OR TANDEM)	<ul style="list-style-type: none">· Convenient for residents· Cars usually visible from habitable rooms within the property· Creates activity at the front of the property and helps to animate the street.	<ul style="list-style-type: none">· Tandem driveways can be less convenient as cars may need to be swapped around. This can sometimes lead to cars being left on the street.· If there is not sufficient width to comfortably open car doors, move around the vehicle and manoeuvre wheelie bins and bicycles past a parked car, they are unlikely to be used.	<ul style="list-style-type: none">· Ensure that an element of soft landscaping is included at the front of the properties and/or within the street scene.· Ensure that driveways to the sides/in between properties meet the minimum dimensions set out above, and that where necessary there is sufficient space to manoeuvre wheelie bins and bicycles etc.

Configuration	Pros	Cons	Recommendations
CAR PORT	<ul style="list-style-type: none">· Assist in providing a sense of enclosure to the street· Enclose the vehicle but cannot be used for secure storage of other items	<ul style="list-style-type: none">· Sometimes used for wheelie bins	

Configuration	Pros	Cons	Recommendations
IN FRONT SINGLE OR DOUBLE	<ul style="list-style-type: none">· Convenient for residents· Cars usually visible from habitable rooms within the property· Creates activity at the front of the property	<ul style="list-style-type: none">· Creates large areas of hard landscaping which can adversely impact on the street scene.	<ul style="list-style-type: none">· Hardstanding across the entire frontage of the property should be avoided.· Ensure frontage includes elements of soft landscaping – ideally a 50/50 ratio.



Configuration	Pros	Cons	Recommendations
REAR	<ul style="list-style-type: none">· Convenient for residents to access their properties.· Can remove need to park at the front, where this is desirable – e.g. where the street frontage forms part of the strategic network.	<ul style="list-style-type: none">· Can reduce activity to the street at the front where residents can more conveniently use the back door.· Can be more challenging to locate the relevant property from the back (e.g. how do you know you have located property no. 22?)· Can reduce the size of the rear garden· Often observed being used for bin storage	<ul style="list-style-type: none">· This approach should be avoided unless other options have been exhausted. They are often observed to be under-used.· If they need to be used the following should apply:<ul style="list-style-type: none">- Space dimensions should be generous (see dimensions above) with convenient access direct to the host dwelling.- Lighting of the spaces should be incorporated- High quality boundary treatments should be used

Configuration	Pros	Cons	Recommendations
CUT OUT OR DRIVE THROUGH	<ul style="list-style-type: none">· Cut out or drive through provide continuous enclosure to the street· Can be utilised to assist in the creation of a continuous sense of enclosure to the street, where this is a design objective.· Reduces need for hard standing within the street scene· Subject to appropriate width, provides a convenient route to move bicycles and wheelie bins etc. between the front a rear of the property.	<ul style="list-style-type: none">· It can become more convenient to access the properties from the back, thus reducing activity within the street.	<ul style="list-style-type: none">· Use gates not doors to discourage use of the space for storage· Ensure sufficient width allowed – see minimum dimensions above.

CONS

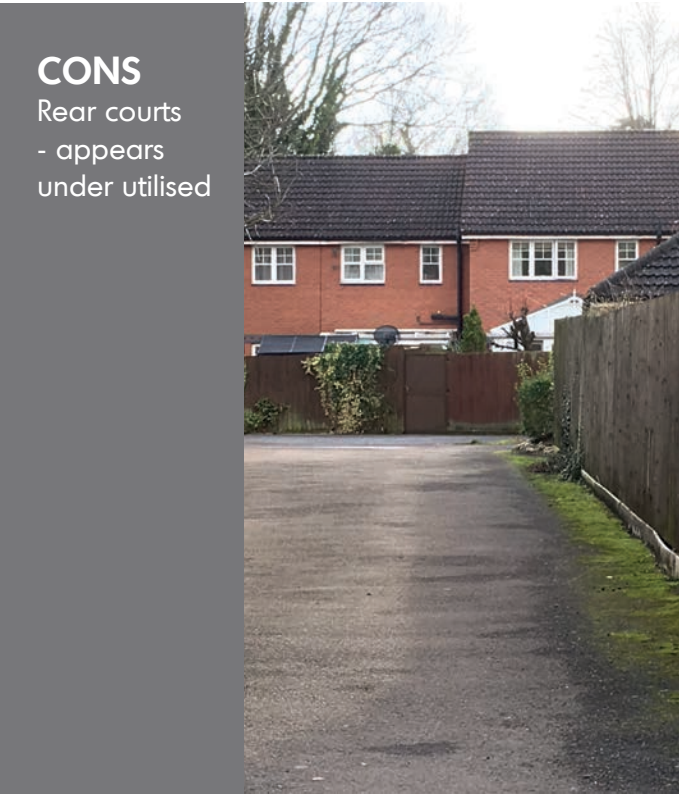
Rear spaces can often be left empty with residents preferring to park at the front.



Configuration	Pros	Cons	Recommendations
FRONT COURT	<ul style="list-style-type: none">Convenient for residentsCars usually visible from habitable rooms within the propertyForms a threshold between the street and the dwelling	<ul style="list-style-type: none">Can create significant areas of hard landscaping which can appear unattractive if not adequately mitigated by soft landscaping	<ul style="list-style-type: none">Include boundary treatments and landscaping which create definition between the street and semi-private space



Configuration	Pros	Cons	Recommendations
REAR COURTS	<ul style="list-style-type: none">Have the potential to reduce the amount of hard landscaping areas in the street scene.	<ul style="list-style-type: none">Often not used in favour of parking at the front – perceived to be more convenient and often better overlooked.Often poorly overlooked from the properties they serve, leading to perceived and actual security concerns.Lack of perceived ownership of the space can lead to use for rubbish storage.Require lighting	<ul style="list-style-type: none">Rear parking courts should generally be avoided. They should only be utilised when all other options for accommodating parking have been exhausted.Where they are used, they should:<ul style="list-style-type: none">be small (less than 10 spaces),use high quality boundary materialshave a narrow access to create defensible space. This should however enable two cars to pass each other taking into account any utilities in the area such as flues or meter boxes



Off street frontage parking

Configuration	Pros	Cons	Recommendations
PERPENDICULAR TO THE STREET (usually utilised in front of rows of terraced properties)	<ul style="list-style-type: none">· Convenient for residents to reach their front doors.· Usually well overlooked by habitable rooms.· Generates activity within the street	<ul style="list-style-type: none">· Can create long expanses of hard standing, and be dominant within the street scene· Can create a sense of disconnection with the street, as parked cars form a 'barrier' between dwellings and the highway.· Possible conflict between vehicles and pedestrians as cars have to cross footpaths· Can blur the boundaries between public and private space.	<ul style="list-style-type: none">· No more than 4 spaces should be located together in a block without a break· Groups of spaces should be separated by soft landscaping with vertical emphasis – e.g. trees and shrubs.· Ensure that good pedestrian routes to front doors are established – wide and direct – bear in mind that people may walk from the footpath, and will not always be arriving by car!· High quality materials should be used· Provide an area of defensible private space to the front of dwellings.· Ensure there is pedestrian visibility for drivers and pedestrians

PROS

Established example in Leamington Spa utilises railings to define parking spaces, which are interspersed with soft landscaped areas.



CONS

South of Leamington Spa- long run of frontage parking dominates the street scene.




Unallocated parking – how should it be accommodated?

- 2.24** Unallocated parking spaces can be provided in shared car parking areas or within the street. The pros and cons of shared court parking are outlined above. On street parking for visitors and occupants with higher than average numbers of vehicles at their properties is advocated as the preferred method of accommodating unallocated requirements set out in table 1, as this type of parking is considered to have the greatest sense of shared ownership.
- 2.25** Any parking spaces provided within the adopted/adoptable highway are not permitted to be allocated for the exclusive use of any particular property. As such, on street/unallocated parking is considered to be a more efficient means of car parking. The types of on street parking arrangements are from the typologies set out in ‘Car Parking –What Works Where?’ and discussed using local examples as far as possible.

Configuration	Pros	Cons	Recommendations
PARALLEL TO (IN LINE WITH) THE STREET (Bays may be marked or unmarked)	<ul style="list-style-type: none">· Flexible and efficient to use· Well surveyed from activity within the street and surrounding properties· Generates activity within the street· May assist traffic calming	<ul style="list-style-type: none">· Streets need to be sufficiently wide to ensure people don't park on the footpaths.· Some bays have been observed not being used in favour of parking on the pavement – perceived convenience important to usage.	<ul style="list-style-type: none">· Landscaping (preferably vertical) is a benefit to soften the appearance.

PROS

parallel parking bays in Kenilworth are well overlooked in the street.



RIGHT ANGLED TO THE STREET	<ul style="list-style-type: none">· Flexible and efficient means of accommodating parked vehicles· Well surveyed from activity within the street and surrounding properties· May assist traffic calming	<ul style="list-style-type: none">· Requires generous street widths to accommodate reversing space (therefore building heights and enclosure need to be considered accordingly)· Can become visually dominant within the street scene.	<ul style="list-style-type: none">· Landscaping (preferably vertical) should be utilised to break up blocks of parking bays, at least every 4 bays.· Ensure good pedestrian routes to front doors of buildings, ensuring that parking does not become a barrier to people travelling on foot.
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PROS
Right angled
to the street in
Leamington Spa

Configuration	Pros	Cons	Recommendations
ANGLED TO THE PAVEMENT (i.e. less than a right-angle to the pavement)	<ul style="list-style-type: none">· Flexible and efficient to use· Well surveyed from activity within the street and surrounding properties· Generates activity within the street· May assist traffic calming	<ul style="list-style-type: none">· Requires space for reversing within the street (though less space than right-angled parking)· Can create some awkward spaces at the ends of the rows· Can become dominant in the streetscene· Cars can overhang the pavement	<ul style="list-style-type: none">· Landscaping (preferably vertical) should be utilised to break up blocks of parking bays.· Ensure good pedestrian routes to front doors of buildings, ensuring that parking does not become a barrier to people travelling on foot.· Need to ensure sufficiently wide footpath as vehicles likely to overhang the footpath.

Configuration	Pros	Cons	Recommendations
CENTRAL RESERVATION Kerbside parking arranged around both sides of a strip dividing traffic flows with marked bays for parking in same direction as the traffic flow.	<ul style="list-style-type: none">· Potential to provide additional capacity· Well overlooked by surrounding properties· Potential traffic calming effect.	<ul style="list-style-type: none">· Additional highway space required· Greater pedestrian movements across the carriageway to get to and from parked cars.	<ul style="list-style-type: none">· Building heights and proportions need to be designed to reflect the wider street requirements.· Comprehensive street design required to ensure appropriate and safe crossing opportunities to and from parked cars.
HOUSING SQUARE (Kerbside parking arranged around a central landscaped space. Further parking on the opposite side of the streets.)	<ul style="list-style-type: none">· Flexible and efficient means of accommodating parked vehicles· Well surveyed from activity within the street and surrounding properties· May assist traffic calming	<ul style="list-style-type: none">· Requires additional pedestrian movement across the carriageway to and from parked vehicles	<ul style="list-style-type: none">· Ensure there is natural surveillance from habitable rooms in the properties surrounding the space.· Street design to be carefully considered to ensure vehicles are encouraged to travel at appropriate speeds.



PROS
Landscaped
space with
parking in
Kenilworth

2.26 As indicated a mix of allocated and unallocated spaces is required by these standards. In addition, a mix of arrangement for both allocated and unallocated provision is encouraged.

Electric charging facilities

2.27 Policy TR1(d) of the adopted Local Plan requires, where practical, the incorporation of facilities for charging plug-in and other ultra-low emission vehicles where the development proposals include provision for off street parking and is for one or more dwelling. Recharging points should be provided in line with the Low Emissions Strategy Guidance for Developers (April 2014) or any subsequent revision.

For residential development:

PARKING TYPE	PROVISION RATE
Allocated parking	1 charging point per unit (house with dedicated parking)
Unallocated parking	1 charging point per 10 spaces (unallocated parking)

2.28 To prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the Council.

Designing for Electric Vehicles

2.29 It is important that there is sufficient grid capacity, and infrastructure in the ground and across the site is sufficient to meet additional energy demands.

2.30 The location of Electric Vehicle charging points should be considered early in the masterplanning process, so that the most suitable locations are identified i.e. hub sites for public access charging points. Provision of public infrastructure to accommodate visitors and opportunities for pooling of Electric Vehicles will be supported.

2.31 Equipment provision should be in accordance with the 'IET Code of Practice for Electric Vehicle Charging Equipment'.

2.32 The following issues should be considered when designing for the provision of Electric Vehicle bays/Charging points:

- EV Bays should be a minimum of 2.8m wide.
- EVCPs must be protected from collision and should be positioned to avoid becoming an obstruction or trip hazard.
- They should not be in the immediate vicinity of trees or other street furniture.
- They should avoid existing utilities cabling and equipment in the vicinity.
- Electric Vehicle Charge Points and cable enabled points should be shown on the layout plan.

CHAPTER 3

Residential
cycle parking

How much cycle parking?

3.1 The standards for the amount of cycle parking required for residential development are set out in Table 1. Residential developments of all types and scales will be expected to achieve these standards. This, plus the principles below, recognise the assertion of Manual for Streets (para 8.2.1 p99) that “..providing enough convenient and secure cycle parking at people’s homes and other locations for both residents and visitors is critical to increasing the use of cycles. In residential developments, designers should aim to make cycle storage at least as convenient as access to car parking.”

Cycle parking – how should it be incorporated?

3.2 Residential cycle storage should be both convenient (in terms of siting and ease of use) and secure. The pros and cons of different types of cycle storage are explored below.

On plot

Configuration	Pros	Cons	Recommendations
INTEGRAL TO THE PROPERTY FABRIC (ACCESSED FROM AN EXTERNAL ELEVATION)	<ul style="list-style-type: none">· Convenient for residents· Secure (subject to appropriate lock)· Sheltered	<ul style="list-style-type: none">· Potential urban design considerations· Risk of cycle storage being converted and used for other purposes	<ul style="list-style-type: none">· Ensure the location is as accessible as possible· Use mortice locks for greater security

Configuration	Pros	Cons	Recommendations
GARAGE	<ul style="list-style-type: none">· Secure storage	<ul style="list-style-type: none">· May need to manoeuvre bicycles past any cars parked in front of the garage.· May need to manoeuvre bicycles around a car or cars parked in the garage.	<ul style="list-style-type: none">· Ensure there is sufficient space to manoeuvre a bicycle past any parked vehicles that might park in front of the garage.· Ensure there is sufficient space within the garage to manoeuvre bicycles even when there is a car parked in the garage.· Ideally cycle storage should be located as near to the front of the garage as possible to maximise convenience· Where cycle storage is proposed at the rear of a garage, additional manoeuvring depth may be required (i.e. to turn the bicycle 90 degrees around a parked car).

Configuration	Pros	Cons	Recommendations
FREESTANDING BESPOKE CYCLE STORE OR SHED	<ul style="list-style-type: none">Secure sheltered storage spaceLarger scale stores likely to be useful for flats/apartments or other types of multiple occupancy properties.	<ul style="list-style-type: none">Potential urban design considerations if freestanding shelter is to be located in front of a property.Potentially less convenient in terms of access if located at the rear of the property	<ul style="list-style-type: none">Freestanding storage sited in front of a dwelling must be carefully positioned so as not to have an undesirable visual impact or to block inter-visibility between the dwelling and the street.Where sheds or freestanding storage is to be sited at the rear, careful consideration should be given to the route to this storage. It should:<ul style="list-style-type: none">Keep the route as short as possibleAvoid steep gradients and stepsAvoid sharp turns / ensure sufficient space to manoeuvre a bicycle through the routeUse mortice locks to provide greater security

Configuration	Pros	Cons	Recommendations
INTERNAL STORAGE SPACE (IN RESPECT OF APARTMENT BLOCKS AND MULTIPLE OCCUPANCY PROPERTIES)	<ul style="list-style-type: none">SecurePotentially convenient to access	<ul style="list-style-type: none">Manoeuvring a bicycle through an internal space is likely to require additional space and wider doors for example.	<ul style="list-style-type: none">Ensure designated storage space is located on the ground floor (avoid the need to move bicycles up or down stairs)It should be located as close as possible to the main point of access.Ensure that access requires minimal doors to negotiate with a bicycle and ensure that relevant doors are sufficiently wide to pass through with a bicycle without hindrance.Avoid consecutive doors internally.

Shared cycle storage

- 3.3** In some residential developments there may be a need/desire for shared external cycle parking for visitors and/or residents. Where this is to be provided (e.g. in the form of Sheffield Stands or cycle sheds), the following principles should be applied:
- It should be sited in a legible location, ideally close to a principal route
 - Stands should be sited so they do not obstruct pedestrian or cycle desire lines along a street
 - Cycle storage should benefit from natural surveillance from surrounding properties, and other movement activity.
 - Storage provision should be secure and lit as appropriate.

CHAPTER 4

Non-residential parking

How much parking?

- 4.1** Table 2 below sets out the amount of car parking and cycle parking expected as standard for developments in different use classes. These standards aim to take account of the need to provide sufficient parking for vehicles so that parking does not have a detrimental impact on the local economy, but also to recognise that alternative transport modes exist and there is an element of choice which could be exercised across many parts of the district.
- 4.2** The standards set out in table 2 apply to all developments that result in the creation of non-residential floorspace, including the extension of existing non-residential premises and changes of use. They are generally anticipated to be off street.
- 4.3** The floor areas expressed in table 2 are Gross Floor Area (GFA), calculated using the external measurements.

Table 2

USE CLASS	LAND USE	VEHICLE PARKING SPACES	CYCLE PARKING SPACES
A1	Non-food retail	1 space/14sq.m	1/150sq.m
	Food retail	1 space/14sq.m	1/150sq.m
A2	Financial and business services	1 space/ 25sq.m	1/150sq.m
A3	Restaurants and cafes	1 space / 20sq.m	1/150sq.m
A4	Drinking establishments	1 space/20sq.m	1/150sq.m
A5	Hot food takeaway	1 space / 20sq.m	1/150sq.m
B1(a)	Offices	1 space/20sq.m up to 1000sq.m, then 1 space/30sq.m additional floor space.	1/200sq.m
B1(b)	Research and development	1 space/20sq.m up to 1000sq.m, then 1 space/30sq.m additional floor space.	1/200sq.m
B1(c)	Light Industrial	1 space/40sq.m	1/200sq.m
B2	Light Industrial	1 space/50sq.m	1/500sq.m
B8	Storage and distribution	1 space /80sqm	1/850sq.m
C1	Hotels and guest houses	1 space / bedroom	1/4beds
C2	Residential care home	1 space/3 residents + provision for an ambulance	To be considered on merit

USE CLASS	LAND USE	VEHICLE PARKING SPACES	CYCLE PARKING SPACES
D1	Consulting rooms (doctors, dentists, vets)	4 spaces / consulting room	1/3 consulting rooms
	Crèche, day nursery, day centre	1 space / FTE staff + space for dropping off and collecting children as appropriate.	1/5staff + 1/200sq.m for visitors
	Schools	2 spaces / classroom for staff and visitors. + facilities for picking up and setting down children or as determined by Travel Plan.	1/5staff + 1/3 students Appropriate space for the storage of push propelled scooters will be supported.
	Higher and further educational establishments	2 spaces / classroom for staff and visitors; Student/parent parking to be determined on merit or according to Travel Plan	1/5staff + 1/3 students
	Art galleries, museums and libraries	1 space / 30sqm	1/4staff + 1/50sq.m for visitors
	Places of Worship	1 space / 10sqm or 5 seats/person spaces	To be considered on merit
D2	Cinemas, conference facilities, concert halls, theatres and other similar spectator facilities	1 space /5 seats	1/5staff + 1/100sq.m
	Swimming pools, sports halls, health clubs and gymnasias	1 space / 10sqm + 1 space / 4 spectator seats	1/5staff + 1/100sq.m
	Golf courses	3 spaces / hole	To be considered on merit
	Playing fields	12 spaces / pitch plus motor coach space **other facilities such as club houses and bars must be considered separately	To be considered on merit
Sui Generis	Vehicle repair, garage and spares stores	1 space / 20sqm	To be considered on merit
	Car sales establishments	1 space / 50sqm car display area	To be considered on merit
	Exhaust and tyre centres	1 space/3 residents + provision for an ambulance	To be considered on merit

Applying the standards

4.4 The standards set out in table 2 aim to address the more common types of development proposals in different use classes. It is not possible to identify parking standards for every potential type of development/land-use. Where a particular land-use does not have a defined parking standard, likely parking requirements will be considered on a case by case basis based upon the intended use, location of the site, availability of parking in the vicinity and other relevant factors.

Mixed use developments

- 4.5 Where a development proposal is mixed use (i.e. comprises different use classes), the amount of car parking required for each component part should be calculated to quantify the total amount of parking required. The location and arrangement of the car parking shall be designed according to the site layout requirements, but should incorporate the design principles set out in this document.
- 4.6 Shared use provision may be appropriate if this would not cause conflict, for example where uses operate at different times of the day or on different days of the week.

Flexing the standards

4.7 It is recognised that a degree of flexibility may be required due to the specific circumstances of a development proposal. Where it can be demonstrated that parking demand is likely to be lower than the prescribed standard, or indeed in excess of the prescribed standard, a flexible approach will be taken. Deviation from the standards may be deemed appropriate where the applicant can demonstrate specific circumstances in respect of one or more of the following:

Lower Provision

1. The presence of capacity for additional demand to be accommodated on street without detrimentally affecting the safety and convenience of residents and occupiers
2. The presence of sufficient capacity in local off street car parks to accommodate any increase in parking demand
3. The development is located in an area that is demonstrably accessible by alternative modes of transport (e.g. the town centres of Leamington, Warwick and Kenilworth as defined in the Local Plan)
4. The development will not generate any (or negligible) parking
5. The development will generate significantly less parking than prescribed in the standard (e.g. meeting a specific local need)
6. The development meets other planning objectives and would not unacceptably worsen the parking situation.

Higher Provision

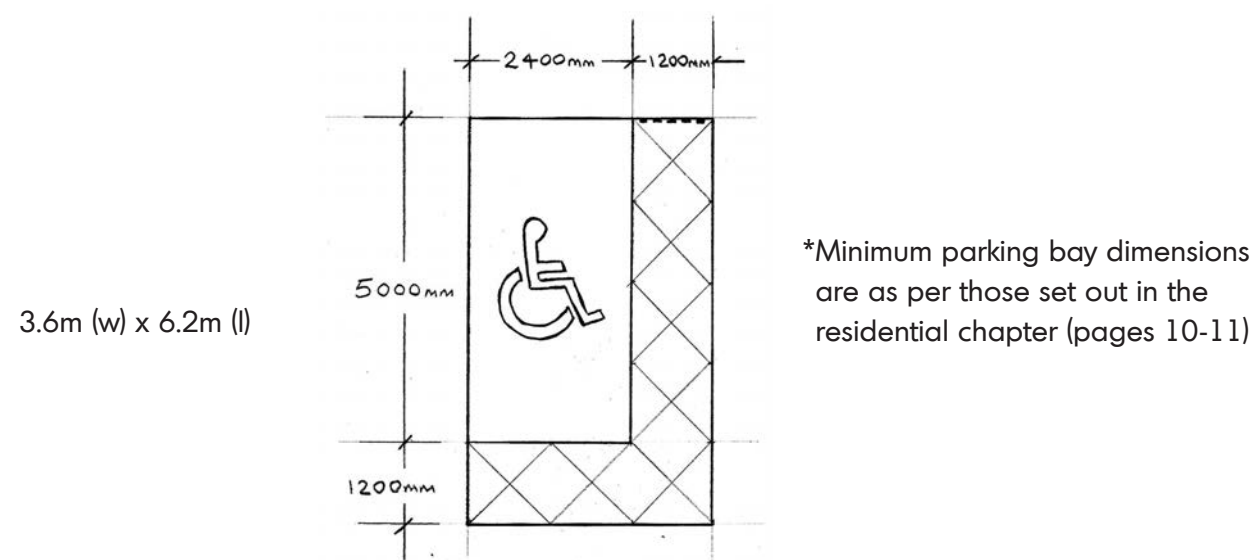
7. The needs of the business require higher parking, despite demonstrably promoting alternative modes of travel

- 4.8 As an illustration of criterion 6, the standards may be reduced in Conservation Areas in order to ensure that the development respects the character of the area.
- 4.9 Where applicants seek to satisfy criteria 3 or 4, the council will expect, where appropriate, this to be demonstrated through a travel plan.
- 4.10 Where an applicant seeks to demonstrate a proposal would meet criterion 5, surveys based on comparable sites and locations may be submitted.

Inclusive parking provision

Parking for people with disabilities

- 4.11** A minimum of 5% of the total number of spaces should be provided to the standards set out below for use by people with disability.
- 4.11** Where a car park designed with less than 10 spaces, at least one space should be designed to these specifications. A rounding up principle should be applied where the calculation of disabled parking provision does not result in a whole number.
- 4.13** The minimum dimensions for disabled parking provision are as follows:



- 4.14** These dimensions provide for additional space for getting into and out of a vehicle both through the driver and passenger doors, and also additional length space to access the rear of a vehicle.
- 4.15** Other design requirements:
- Spaces should be located as close as possible to the entrance(s) of building(s) as possible and signposted as clearly as possible
 - Spaces should be marked with lines and the international symbol for access
 - Spaces should be on level ground
 - Dropped kerbs should be positioned to allow convenient access and routes to and from the building(s) should be free from steps, steep gradients and obstructions such as bollards
 - Spaces should be well lit.

Parent and child parking

- 4.16** Parent and child parking requirements are broadly similar to those set out above for inclusive mobility. This is due to the additional space required to get infants and children into and out of car seats, and convenient access needed to manoeuvre prams and pushchairs to and from the building(s).

- 4.17** The amount of parent and child parking to be provided will need to be considered on a case by case basis, based on the intended land use and its attractiveness to families. Parent and child spaces however should be provided **in addition** to those required for users with a disability and marked appropriately.

Motorcycles and other Powered Two-Wheelers (PTW)

- 4.18** All non-residential developments should provide a minimum of 1 space for the parking of powered two wheeled vehicles for every 25 car parking spaces derived through application of the vehicle parking standard set out in table 2.
- 4.19** PTW spaces should be secure, well-lit and situated in prominent, accessible locations, which benefit from natural surveillance from surrounding properties and activity from people in the vicinity. For security, the use of anchor points based on steel rails or hoops is recommended as a minimum.
- 4.20** PTW spaces should measure 1.4 x 2.4 metres, marked out by white lining and the words 'Motorcycle Parking Only'. They should be covered, on a flat surface, on good quality hard standing that does not become soft in hot weather (a problem with tarmacadam), and, where not covered, they should be away from the canopies of existing or proposed trees.

Electric charging facilities

- 4.21** Recharging points should be provided in line with the Low Emissions Strategy Guidance for Developers (April 2014) or any subsequent revision. For all retail/commercial/industrial land uses, this is currently **10% of all parking spaces**. The 10% provision may be phased with 5% provision initially and a further 5% trigger.
- 4.22** To prepare for increased demand in future years, appropriate cable provision should be included in scheme design and development in agreement with the local authority.
- 4.23** It is important that there is sufficient grid capacity, and infrastructure in the ground and across the site is sufficient to meet additional energy demands.
- 4.24** The location of Electric Vehicle charging points should be considered early in the masterplanning process, so that the most suitable locations are identified i.e. hub sites for public access charging points. Provision of public infrastructure to accommodate visitors and opportunities for pooling of Electric Vehicles will be supported.
- 4.25** Equipment provision should be in accordance with the '**IET Code of Practice for Electric Vehicle Charging Equipment**'.
- 4.26** The following issues should be considered when designing for the provision of Electric Vehicle bays/Charging points:
- EV Bays should be a minimum of 2.8m wide.
 - EVCPs must be protected from collision and should be positioned to avoid becoming an obstruction or trip hazard.
 - They should not be in the immediate vicinity of trees or other street furniture.
 - They should avoid existing utilities cabling and equipment in the vicinity.
 - Electric Vehicle Charge Points and cable enabled points should be shown on the layout plan.

Design principles for non-residential car parking

4.27 The extent of the car parking required for different non-residential land-uses will vary significantly. However, it is likely that where new parking is to be provided on site, it will usually be grouped together. Where a 'car park' is to be provided, the following design principles should be incorporated as far as possible.

The overall objective

4.28 As an overarching objective, car parking areas should be designed as 'spaces' in their own right, and pay at least equal regard to the movement of pedestrians and cyclists and the quality of the environment created for people outside of the car.

Layout and design

(a) Relationship to the building or buildings –

Car parking areas are expected to be sited close/ adjacent to the properties they serve. They should be well overlooked by these properties and any other nearby properties as appropriate. In the interest of maximising surveillance from the buildings and of facilitating convenient access (see (b) below), parking is most likely to be located in front of the building(s).



(b) Pedestrian

routes – whether there are routes/pedestrian desire lines across a parking area, or there is simply a need to move from the vehicle to access an associated building or buildings, pedestrians (and sometimes cyclists) will need to navigate the space. As such routes should:

- Be as direct as possible and reflect pedestrian desire lines – for example a straight and direct route to the entrance/entrances
- Be sufficiently wide
- Be designed to give pedestrians priority over the movement of vehicles – through for example the use of materials, ensuring that the level of the crossing is flush with the remainder of the route.

(c) **Sustainable Urban Drainage(SUDs)** – should be an early consideration in the design process, to establish the types and principles of the SUDs requirements. There is potentially a strong relationship between SUDs and the detailed landscaping requirements of (d) below.

(d) **Landscaping** – Hard and soft landscaping design should evolve concurrently, having regard to the quality of the space and its security. The following points should demonstrably be addressed in any planning submission:

- Definition of key pedestrian and cycle routes – level routes and material choices and ensuring that natural surveillance to and from these routes is not inappropriately obscured.
- Definition of boundaries and perimeters – sense of enclosure and the quality of the boundary. These are considerations in the quality of the space and the actual and perceived security of the car park.
- Hard landscaping should employ the highest possible quality materials, and different surfacing materials might usefully assist in defining different spaces for different priorities – e.g. pedestrian walking spaces
- Soft landscaping should be appropriately sited and where possible include vertical planting. Low level planting should be avoided in spaces where people may cut across it or where adjacent to parking spaces where people may step on it whilst exiting their vehicle.

(e) **Lighting** – Lighting design should respond to the layout of the space and the hard and soft landscaping. It should ensure that pedestrian routes are easy to navigate after dark, and appropriately illuminate the space. There should be no 'dark spots' which could contribute to a sense of insecurity.



CHAPTER 5

Non-residential cycle parking

How much cycle parking?

5.1 The minimum standards for the amount of cycle parking for different types of development are set out in table 2. Non-residential developments of all types and scale will be expected to achieve these standards.

Cycle parking – how should it be incorporated?

5.2 The following principles for siting and designing cycle parking should be demonstrably incorporated into development proposals:

- Shared cycle storage should be sited in a location that is easily legible from the point(s) of entry to the site.
- It should be as closely sited to the main entrance or entrances as possible, with a clear, safe and attractive route to the entrance(s) on foot. It should not in itself however obstruct pedestrian desire lines/routes to and from the building or buildings
- Cycle storage should be sited to benefit from natural surveillance from the associated building or buildings, and any external activity/movement.
- Cycle storage provision should be secure
- External storage should be lit for convenience and security, and routes to and from the building or buildings should also be lit as appropriate
- Storage space should be covered to protect bicycles from the elements wherever possible, and always for long stay provision.

Other considerations

- Where cycle storage provision may be used by workers and commuters, provision should be made for shower and changing facilities to be integrated into the development.

APPENDIX A

Residential parking survey methodology

The following guidelines should be followed when undertaking a survey, as required by the Parking Standards SPD and the Local Validation List. The guidelines are based upon the Lambeth Methodology, which is a widely accepted methodology for such surveys. If these guidelines are not followed, the Council and the Local Highway Authority may not be able to make a full and proper assessment of the planning proposal. This in turn could result in further survey work being required and delays in the determination of a planning application. It could also result in refusal of planning permission.

Extent of the survey

The parking survey should cover the area in which residents of a proposed development may want to park. The criteria set out below should demonstrably inform the extent of the survey area. However, common sense should be applied in all cases and the extent of the survey area and justification for any amendments should be included with the survey information submitted. If inadequate justification is provided for a survey area, then amendments may be required or a recommendation made accordingly.

- Any area of a street which lies within 200m walking distance (approximately a 2 minute walk) of the site. Note that this distance should be measured along the street(s) up to a point of 200m from the site, and **NOT** illustrated as a 200m isochrone (circle) radiating from the site.
- In addition to the above, where a distance of 200m would be part way along a street, the survey should be extended to the nearest junction, or other appropriate location along the street. This is in recognition of the fact that people are unlikely to stop part way along a street at an imaginary 200m line.
- Any off street or public car parks as appropriate within 200m walking distance of the site.

Exclusions from the survey

- If the site is in a **Residential Parking Zone (RPZ)**, any parking bays in adjoining RPZs should be excluded as future residents would not be eligible to park/apply to park in these.
- If the site lies adjacent to, but not in, a **RPZ**, then all streets within that RPZ must be excluded, as residents would not be eligible to park in them.
- Locations where residents are unlikely to be able to/want to park. For example where access may be restricted, or where actual or perceived safety concerns exist.

Survey times

Residential parking surveys should be undertaken when the highest numbers of residents are at home; generally late night during the week. Therefore as a minimum, the following is required:

- Two snapshot surveys on two separate weekday nights (i.e. Monday, Tuesday, Wednesday, or Thursday)
- The snapshot surveys should be undertaken between the hours 00:30 – 05:30

Leamington Spa

- In addition to the other criteria set out, any survey undertaken within the six wards of Leamington Spa must be undertaken in the Higher Education term-time (University of Warwick principally though University of Coventry, and Mid Warwickshire College may also be relevant)

Surveys should not be undertaken:

- In weeks that include one or more public holiday – it is also recommended that the weeks immediately following or preceding public holidays should be avoided.
- In school holidays - it is also recommended that the weeks immediately following or preceding school holidays should be avoided
- On or close to a date when a local event is taking place, as this may impact the results of the survey.

Additional surveys

Additional surveys may be required where a proposed development would be located close to land uses which may increase parking demand at certain times. For example:

- Town centre locations
- Regular specific uses close to the site (e.g. Place of Worship, community hall, sports club): additional surveys should be undertaken when these are in operation.
- Commercial uses close to the site: morning and early evening surveys may also be required due to conflict with residential parking. In these cases, surveys between the hours of 07:00 – 08:30 and 18:00 – 19:00 may be required, noting the amount of parking on a 15 minute basis over this time.
- Railway stations/other areas of commuter parking: additional morning and evening peak hour surveys will be required to assess the impact of commuter parking. These should be done between 07:00 – 08:00 and 17:30 – 18:30.

Applicants should contact Local Highway Authority prior to undertaking a survey if there is any doubt about the requirements.

It should be noted that some factors may not become apparent until the survey has been submitted to the Council for consideration. For example, the survey itself might reveal anomalies that require further investigation, or a subsequent officer site visit may reveal circumstances that require amendments.

Required information

The following information should be included with the survey results, to be submitted with a planning application:

- The date and time of the survey
- A description of the area noting any significant land uses in the vicinity which may affect parking within the survey area (e.g. Places of Worship, restaurants, pubs, bars, hospitals, large offices, town centres)
- Any unusual observations (e.g. suspended parking bays, spaces out of use because of road works or presence of skips etc)
- A drawing (preferably 1:1250) showing the site location and the extent of the survey area. All other parking and waiting restrictions such as Double Yellow Lines, bus lay-bys, kerb build outs, and crossovers (vehicular accesses etc should also be shown on the plan.
- The number of cars parked on each road within the survey area on each night should be counted and recorded in a table as shown below. It would be helpful to note the approximate location of each car on the plan (marked with an X).
- Photographs of the parking conditions in the survey area can be provided to back-up the results. If submitted, the location of each photograph should be clearly marked.

Areas within a Residents Parking Zone (RPZ)

Details of RPZs can be found **here**. As noted above, only streets within the RPZ in which the development site is located should be counted in the parking survey.

Only Permit Holder Bays (PHB) and shared bays which allow resident parking (these may be shared with Pay and Display parking and/or Business Permit Holders) should be counted.

To calculate parking capacity each length of parking bay must be measured and then converted into parking spaces by dividing the length by 6 (each vehicle is assumed to measure 6m), and rounding down to the nearest whole number.

For example: A parking bay measures 47m in length.

$47/6 = 7.83$

7.83 spaces should be rounded down to the nearest whole number.

Therefore the number of parking spaces is calculated to be 7.

The capacity of each separate parking bay must be calculated separately and then added together to give the total number of parking spaces on each street in the survey area.

The results should generally be presented in the following format (figures given as an example):

STREET NAME	TOTAL LENGTH (M) OF PARKING SPACES	NO. OF PHB SPACES	NO. OF CARS PARKED IN PHB BAYS	PHB PARKING STRESS (%)
A	350	58	58	100
B	250	41	31	75.6
C	150	25	10	40
TOTAL	750	124	99	79.8

A separate note should be made of any areas where cars can legally park overnight. These are generally Single Yellow Lines or Single Red Lines (SYL/SRL) or short term parking or Pay-and-Display bays. The number of cars parked in these areas should be counted and presented separately.

Areas not in a RPZ

All areas of unrestricted parking should be counted. To calculate the parking capacity, each length of road between obstructions (such as crossovers, kerb build-outs, yellow lines etc) must be measured. Each length between obstructions must then be converted into parking spaces by dividing by 6m (each vehicle is assumed to be 6m in length), and rounding down to the nearest whole number – see the worked example above. The capacity of each section of road must be calculated separately and then added together to give the total number of parking spaces for each street in the survey area.

The distance between crossovers should be measured in units of 6m. For example, if the distance between two crossovers or a crossover and another obstruction is 14m, then only 12m should be counted in the survey, and any space between crossovers measuring less than 5m should be discounted from the calculation. For reasons of highway safety, the first 10m from a junction should also be omitted from the calculation.

A map or plan showing the measurements used in calculating parking capacity should be supplied so that this can be verified by the Council. The parking survey may not be accepted if this is not supplied.

The results should generally be presented in the following format (figures given as an example):

STREET NAME	TOTAL LENGTH (M) OF KERB SPACE	LENGTH OF UNRESTRICTED PARKING (M)	NO. OF PARKING SPACES	NO. OF CARS PARKED ON UNRESTRICTED LENGTH OF ROAD	UNRESTRICTED PARKING STRESS (%)
A	400	350	58	58	100
B	300	250	41	31	75.6
C	200	150	25	15	60
TOTAL	900	750	124	104	83.9

Understanding the results

The results of the survey will be analysed by the Local Planning Authority and the Local Highway Authority in accordance with the Local Development Plan, and any supplementary policy adopted by the above authorities.

The Council will also take into consideration the impact of any recently permitted schemes in determining the acceptability or otherwise of each proposed development. Applicants can review pending and approved planning proposals in the vicinity of their scheme using WDC’s interactive mapping.

Note that stress levels of over 100% stress (or 100% occupancy level) are possible. This is because small cars may need less space than 5m to park, meaning that additional cars can be accommodated.

APPENDIX B

Template
Unilateral
Undertaking

Dated 20

UNILATERAL UNDERTAKING

GIVEN BY

(1) []

TO

(2) WARWICK DISTRICT COUNCIL

and

(3) WARWICKSHIRE COUNTY COUNCIL

Pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended)

IN RESPECT OF

Land at

[]

THIS DEED is made on the day of 2017

BY:

(1) [] ("the Owner")

TO:

(2) Warwick District Council of Riverside House, Milverton Hill,
Leamington Spa, CV32 5HZ ("THE Council")

(3) Warwickshire County Council of Shire Hall Warwick CV34 4RL ("the County Council")

WHEREAS

- (A) The Council is the local planning authority for the District of Warwick for the purposes of the Act.
- (B) The Owner is the freehold owner free from encumbrances of the Land registered at HM Land Registry under Title Number [WK]
- (C) The Owner has submitted an application to the Council which was validated on [(ref: W/[))] to in relation to the Land (the "Application").
- (D) The Owner has determined to enter into a unilateral planning obligation by way of this Deed as hereinafter set out with the intent that the covenants by the Owner contained in the [Second] Schedule hereto shall be planning obligations for the purposes of Section 106 of the Act

NOW THIS DEED WITNESSES as follows:-

1. Definitions and interpretation

In this Deed:

- 1.1 "the Act" means the Town and Country Planning Act 1990 (as amended)
- 1.2 "Commencement of Development" means the date on which any material operation (as defined in Section 56(4) of the Act) forming part of the Development begins to be carried out other than (for the purposes of this Deed and for no other purpose) operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and any works to the listed building required in connection with or ancillary to the any such operations and "Commence Development" shall be construed accordingly.
- 1.3 "Development" the development of the Land described in the Application

- 1.4 "Index" means the All Items Retail Prices Index published by the Office of National Statistics contained in the Monthly Digest of Statistics (or contained in any official publication substitution therefore) or such other index as may from time to time be published in substitution therefore;
- 1.5 "Index Linked" means adjusted in accordance with the movements in the Index between the date of this Deed and the date of the relevant payment;
- 1.6 "Interest" means interest at 4 per cent above the base lending rate of the Bank of England plc from time to time
- 1.7 "the Land" means the land described in the First Schedule hereto
- 1.8 "Occupation and Occupied" means occupation for the purposes permitted by the Planning Permission but not including occupation by personnel engaged in construction, fitting out or decoration or occupation for marketing or display or occupation for security purposes
- 1.9 "the Planning Obligations" means the covenants by the Owner contained in the Second Schedule hereto
- 1.10 "the Planning Permission" means a planning permission granted (whether by the Council or otherwise) in respect of the Application
- 1.12 "Traffic Regulation Order Contribution" means the sum of £3,000.00 to be paid in accordance with the Second Schedule
- 1.13 Words importing one gender shall be construed as importing any other gender
- 1.14 Words importing the singular shall be construed as importing the plural and vice versa
- 1.15 The clause and paragraph headings in the body of this Deed and in the Schedules hereto do not form part of this Deed and shall not be taken into account in its construction or interpretation

2. The Planning Obligations

- 2.1 This Deed is made pursuant to Section 106 of the Act
- 2.2 The Planning Obligations are planning obligations for the purposes of Section 106 of the Act
- 2.3 The Council is the Local Planning Authority and the County Council the local highways authority by whom the Planning Obligations are enforceable
- 2.4 No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in the Land but without prejudice to liability for any subsisting breach arising prior to parting with such interest.

- 2.5 References to any party to this Deed shall include the successors in title to that party and to any deriving title through or under that party and in the case of the Council and County Council the successors to their statutory functions save where specifically provided to the contrary by this Deed.

3. Commencement

This undertaking shall come into effect upon the date written above but the obligations contained herein shall become effective only upon the grant of Planning Permission.

4. Conditionality

With the exception of clauses 2, 4, 7 and 10 (which take effect immediately), this deed is conditional on the grant and issue of the Planning Permission.

5. Owner's Covenants

The Owner covenants with the Council and the County Council to observe and perform the Covenants as set out in the Second Schedule.

6. Determination of deed

The obligations in this deed (with the exception of clause 7) shall cease to have effect if before the Commencement of Development, the Planning Permission:

- 6.1 expires;
- 6.2 is varied or revoked other than at the request of the Owner; or
- 6.3 is quashed following a successful legal challenge.

7. Council and County Council's costs

The Owner shall pay to the Council and County Council on or before the date of this deed the reasonable and proper legal costs incurred by the Council and County Council in connection with the negotiation, completion and registration of this deed.

8. Indexation

All sums of money payable to the County Council and the Council under this Deed shall be Index Linked

9. Interest

If any payment due under the Second Schedule is paid late Interest shall be payable from the date payment is due to the date of payment.

10. Miscellaneous

- 10.1 This Deed is registerable as a local land charge by the Council
- 10.2 No provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999

THE FIRST SCHEDULE

The Land

The freehold land being [] and shown edged red on the plan attached hereto.

THE SECOND SCHEDULE

The Owner's Covenants

1. The Owner covenants with the Council and the County Council to:
- a. pay to the County Council within the period of 8 weeks following the Commencement of Development the Traffic Regulation Order Contribution which shall be used for amending the Traffic Regulation Order governing the residents' parking scheme in the vicinity of the Land to exclude the Land as developed by the Development from the said scheme so that the occupants of the dwellings on the Land shall not be entitled to resident parking permits.
 - b. to notify the County Council in writing of first Occupation of the Land within 7 days of that first Occupation taking place such notice to be addressed to the Infrastructure Delivery Manager, Communities, Warwickshire County Council, Barrack Street, Warwick, CV34 4SX.

IN WITNESS whereof the parties hereto have executed this
Deed on the day and year first before written.

EXECUTED AS A DEED by
[]

acting by

Director

Director/Secretary



Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ
www.warwickdc.gov.uk

