



Report to Cabinet Council

**Report of** Director of City Development

**Title** Coventry Development Plan 2001: "Saving" Policies

## 1 Purpose of the Report

This report results from the transition arrangements arising from the changes to the planning system being rolled out following the 2004 Act. In particular it makes recommendations as to which of the policies in your adopted Coventry Development Plan 2001 should be "saved" until superceded within the Local Development Framework.

### 2 Recommendations

- 2.1 The Cabinet are asked to agree to the recommendations for "saved" and deleted policies being submitted to the Government.
- 2.2 Council is asked to agree to the recommendations of Cabinet

## 3 Information/Background

3.1 The Planning and Compulsory Purchase Act 2004, which introduced the new planning system of Local Development Frameworks, provided interim arrangements whereby LPA could "save" the policies of their existing development plan for a three year period commencing on 28 September 2004. This concept relates to the need for continuity during the change from the old to the new planning system. The Act also gave the Secretary of State power to make a direction to "save" policies beyond this 3-year period. Because progress on new-style plans had not been as quick as envisaged when the Act was passed, it became clear that the coverage of new planning policies across the country was small. Action was needed to ensure that relevant policies remain in force, thus avoiding a policy vacuum. Therefore, last year, the Government issued a protocol on the "saving" of development plan policies.

Date of meeting 20 March 2007 20 March 2007

## The Protocol

- 3.2 The protocol explains how requests to save policies in old-style plans will be handled and sets out how decisions will be made (by the Government and Local Planning Authorities) on whether or not to save policies.
- 3.3 If Local Planning Authorities want to retain specified policies beyond the expiry of the 3year period, they need to seek the Secretary of State's agreement to issue a direction. They need to demonstrate that the policies they wish to be saved reflect the principles of the new planning system; are consistent with current national policy; and that it is not feasible or desirable to replace them by 27 September 2007.
- 3.4 The table below shows the issues the Government says it will take into account in considering the matter.

PPS12 (Local Development Frameworks), paragraph 5.15, says that policies to be extended should comply with the following criteria:

- (i) where appropriate, there is a clear central strategy;
- (ii) policies have regard to the Community Strategy for the area;
- (iii) policies are in general conformity with the regional spatial strategy or spatial development strategy;
- (iv) policies are in conformity with the core strategy development plan document (where the core strategy has been adopted);
- there are effective policies for any parts of the authority's area where significant change in the use or development of land or conservation of the area is envisaged; and
- (vi) policies are necessary and do not merely repeat national or regional policy.

In addition, the government will also have particular regard to:

- policies that support the delivery of housing, including unimplemented site allocations, up to date affordable housing policies, policies relating to the infrastructure necessary to support housing;
- policies on Green Belt general extent in structure plans and detailed boundaries in local plans/UDPs
- policies that support economic development and regeneration, including policies for retailing and town centres;
- polices for waste management, including unimplemented site allocations;
- policies that promote renewable energy; reduce impact on climate change; and safeguard water resources.

3.5 Local Planning Authorities are expected to submit lists to Government Offices of (i) saved policies, with their intentions for them, and of (ii) policies they do not wish to save. The lists are to be submitted by 1 April 2007. The Government Offices will then assess the lists and the Secretary of State will direct accordingly. In direction the Secretary of State can agree with your recommendations or can decide to save a policy even where you have recommended deletion or alternatively decide that a policy will not be saved despite your recommendation

## 4 Proposal and Other Option(s) to be Considered

- 4.1 Your officers have assessed all policies in the CDP against the PPS 12 criteria and the Local Development Framework Advisory Panel has considered officers' recommendations.. It is important to note that the decisions available to Members are either to save or to delete a policy. The option of amending or revising a policy is not possible: this needs to take place through work on the Core Strategy and other Development Plan Documents through the statutory planning process. The effect of this exercise is to provide with the Regional Spatial Stategy the development plan until the Core Strategy is adopted which is expected to be 2009
- 4.2 Policies have been recommended for saving where they agree with at least one of the criteria above. They can form part of the CDP central strategy; they can express the priorities of the Coventry Community Plan; they can be allocation policies; and they can conform with or expand on the Regional Spatial Strategy; or expand on national policy. Criterion (iv) is not yet relevant to the Council's Local Development Framework.
- 4.3 It is recommending that all of the existing Overall Strategy, Housing, Employment and Green Environment policies should be saved. Policies recommended for deletion have generally been implemented; duplicate national guidance; duplicate other CDP policies or it is believed that there have been material changes in circumstances which suggest they are no longer appropriate and where greater flexibility is desirable.
- 4.4 Appendix 1 lists all CDP policies and indicates the recommendation. Appendix 2 provides detailed information on policies not recommended to be saved

	Implications (See below)	No Implications
Best Value		<b>♦</b>
Children and Young People		*
Comparable Benchmark Data		*
Corporate Parenting		•
Coventry Community Plan		*
Crime and Disorder		•
Equal Opportunities		•
Finance		•

## 5 Other specific implications

	Implications (See below)	No Implications
Health and Safety		•
Human Resources		*
Human Rights Act		*
Impact on Partner Organisations		*
Information and Communications Technology		•
Legal Implications	$\bowtie$	
Neighbourhood Management		*
Property Implications		*
Race Equality Scheme		•
Risk Management		•
Sustainable Development		•
Trade Union Consultation		•
Voluntary Sector – The Coventry Compact		•

## 5.2 Legal implications

Section 86 of the 2004 Act requires that in determining applications for planning permission decisions shall be made in accordance with the development plan (ie the Regional Spatial Strategy and the Coventry Development Plan).

## 5.3 Monitoring

Nothing specific

# 6 Timescale and expected outcomes

6.1 The Government will consider the Council's response.

	Yes	Νο
Key Decision		$\checkmark$
Scrutiny Consideration (if yes, which Scrutiny meeting and date)		
Council Consideration (if yes, date of Council meeting)	√ 20 March 2007	

List of background papers					
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## **APPENDIX 1 : SUMMARY OF RECOMMENDATIONS FOR CDP POLICIES**

Part 1 Policies are shown in Upper Case

- Part 2 Policies are shown in Lower Case
- ⊕ indicates policy implemented
- $\varnothing$  indicates policy recommended to be deleted

all other policies are recommended for saving

#### **Overall Strategy**

OS 1:	THE OBJECTIVES AND OUTCOMES OF THE PLAN

- OS 2: STRATEGIC REGENERATION SITES
- OS 3: LOCAL AREA REGENERATION
- OS 4: CREATING A MORE SUSTAINABLE CITY
- OS 5: ACHIEVING A HIGH QUALITY CITY
- OS 6: CHANGE OF LAND USE
- OS 7: MIXED LAND USE
- OS 8: EQUAL OPPORTUNITY
- OS 9: ACCESS BY DISABLED PEOPLE
- OS 10: PLANNING OBLIGATIONS

Environmental Management

- EM 1: Alternative Energy Resources
- EM 2: Air Quality
- EM 3: Water Resources and Quality
- EM 4: Flood Risk and Development
- EM 5 POLLUTION PROTECTION STRATEGY
- EM 6: Contaminated Land
- EM 7: Hazardous Installations and Nearby Development
- EM 8: Light Pollution
- EM 9: WASTE STRATEGY
- EM 10: Re-use and Recycling
- EM 11: Materials Recycling Facilities
- EM 12: Composting
- EM 13: Ø Landfill

Housing

- H 1: PEOPLE AND THEIR HOUSING NEEDS
- H 2: BALANCING NEW AND EXISTING HOUSING
- H 3: THE IMPROVEMENT OF THE HOUSING STOCK
- H 4 Residential Extensions
- H 5: Conversion from Non-residential to Residential use
- H 6: Conversion to Multiple Occupation
- H 7: HOUSING LAND PROVISION
- H 8: Principal Housing Sites
- H 9: Windfall Additions to Housing Land Supply
- H 10: Affordable Housing
- H 11: Housing for People with Special Needs
- H 12: Design and Density of Housing Development
- H 13: Care Homes and Nursing Homes

## H 14: Gypsies and Travellers

### **Economy and Employment**

- E 1: OVERALL ECONOMY AND EMPLOYMENT STRATEGY
- E 2: Consolidating and Strengthening the City's Existing Economic Base
- E 3: Diversification of the Local Economy
- E 4: Hotels, Conference and Training Accommodation
- E 5: Office Development
- E 6: Principal Employment Sites
- E 7: Site Reserved for the Expansion of Jaguar/Ford Cars
- E 8: Redevelopment of Existing Employment Sites
- E 9: Windfall Additions to Employment Land Supply
- E 10: Accessibility to Job Opportunities
- E 11: Employment and Training Initiatives to Assist the Priority Areas
- E 12: Warehousing Development
- E 13: General Industrial Development (B2) in Residential Areas

### Shopping

S 1:	SHOPPING STRATEGY

- S 2: Major District Centres
- S 3 Foleshill Gasworks Major District Centre
- S 4: District Centres
- S 5: Local Centres
- S 6: Ground Floor Units in Defined Centres
- S 7: Ø Primary Retail Frontages
- S 8 Ø Upper Floor Units in Defined Centres
- S 9: Local Shops
- S 10: Catering Outlets
- S 11: Edge-of-Centre and Out-of-Centre Retailing

### Access and Movement

- AM 1: AN INTEGRATED, ACCESSIBLE AND SUSTAINABLE TRANSPORT STRATEGY
- AM 2: PUBLIC TRANSPORT
- AM 3: Bus Provision in Major New Developments
- AM 4: Bus Priority Measures
- AM 5: Bus Park and Ride
- AM 6: Hackney Carriage Ranks
- AM 7: Rail Services
- AM 8: IMPROVING PEDESTRIAN ROUTES
- AM 9: Pedestrians in New Developments
- AM 10: Traffic Calming
- AM 11: IMPROVING CYCLING FACILITIES
- AM 12: Cycling in New Developments
- AM 13: Cycle Routes
- AM 14: ROADS
- AM 15: Highway Authority Road Schemes
- AM 16: Other Road Schemes
- AM 17: Ø Car Parking
- AM 18: Ø Car Parking in Defined Centres
- AM 19: Off-Street Car Parking Areas
- AM 20: Road Freight
- AM 21: 
   Rail Freighting at Keresley
- AM 22: Road Safety in New Developments

### **Built Environment**

- BE 1: OVERALL BUILT ENVIRONMENT STRATEGY
- BE 2: The Principles of Urban Design
- BE 3: Ø Design Statements as Part of Major Planning Applications
- BE 4: Road Corridors
- BE 5: The Canal Corridor
- BE 6: The West Coast Main Line Railway Corridor
- BE 7: Gateways
- BE 8: Conservation Areas
- BE 9: Development in Conservation Areas
- BE 10: The Retention of Buildings in Conservation Areas
- BE 11: Alteration or Extension of Listed Buildings
- BE 12: Changes of Use to Listed Buildings
- BE 13: Demolition of Listed Buildings
- BE 14: Locally Listed Buildings
- BE 15: Archaeological Sites
- BE 16: Telecommunications
- BE 17: Ø Outdoor Advertisements
- BE 18: Public Art
- BE 19: Lighting
- BE 20: Landscape Design and Development
- BE 21: Safety and Security

#### **Green Environment**

- GE 1: GREEN ENVIRONMENT STRATEGY
- GE 2: Green Space Enhancement Sites
- GE 3: Green Space Corridors
- GE 4: Protection of Outdoor Sports Facilities
- GE 5: Protection of Allotment Gardens
- GE 6: Control over Development in the Green Belt
- GE 7: Industrial or Commercial Buildings in the Green Belt
- GE 8: Control over Development in Urban Green Space
- GE 9: Green Space Provision in New Housing Developments outside the City Centre
- GE 10: Proposals for New Outdoor Sport or Recreation Facilities in Urban Green Space
- GE 11: Protection of Sites of Special Scientific Interest, Local Nature Reserves and Coventry Nature Conservation Sites
- GE 12: Protection of Other Sites of Nature Conservation Value
- GE 13: Species Protection
- GE 14: Protection of Landscape Features
- GE 15: Designing New Development to Accommodate Wildlife

## Social, Community and Leisure

- SCL 1: SOCIAL, COMMUNITY, LEISURE AND INDOOR SPORTS FACILITIES
- SCL 2: Large Social, Community, Leisure and Indoor Sports Facilities
- SCL 3: Small Social, Community, Leisure and Indoor Sports Facilities
- SCL 4:  $\varnothing$  Childcare Facilities
- SCL 5: ① The Butts Stadium
- SCL 6: EDUCATIONAL FACILITIES
- SCL 7: Schools and Colleges of Further Education
- SCL 8: Coventry University
- SCL 9: University of Warwick
- SCL 10: HEALTH AND SOCIAL CARE
- SCL 11: ⊕ Hospitals
- SCL 12: Local Health and Social Care Facilities
- SCL 13:  $\varnothing$  Enhanced Facilities
- SCL 14: Re-use or Redevelopment of Facilities

### **City Centre**

CC 1:	CITY CENTRE STRATEGY
CC 2:	A Vibrant and Entertaining Market Place
CC 3:	A Living Heart
CC 4:	New Housing Sites
CC 5:	Sites and Areas with a Substantial Housing Element
CC 6:	Warm and Welcoming Public Spaces
CC 7:	Major Environmental Improvement Schemes
CC 8:	Accessible to All
CC 9: Ø	Car Parking and New Developments
CC 10:	Public Car Parking
CC 11:	Sparkling through Good Quality Design and Management
CC 12:	Distinctive Areas
CC 13:	The Central Shopping Area
CC 14: ⊕	Lower Precinct Refurbishment
CC 15:	Smithford Way Redevelopment
CC 16:	Barracks Redevelopment
CC 17: Ø	Primary Frontages
CC 18:	The West End Area
CC 19: ⊕	Belgrade Theatre Extension
CC 20: ⊕	Site at Upper Well Street / Bond Street
CC 20. 0	The Southside Area
CC 22: ∅	Sites at New Union Street/Little Park Street
CC 22: Ø	The Queens Road/Butts Area
CC 23: CC 24:	Queens Road/Butts Area - Social, Community and Leisure Uses
CC 25:	The Station Area
CC 26:	Station Area Sites
CC 27:	The Parkside Area
CC 28:	Parkside 2
CC 29: ∅	Parkside 3
CC 30:	The Coventry University Area
CC 31: ⊕	Gulson Road Site
CC 32 ⊕	Whitefriars Street Site
CC 33:	The Cathedral Area
CC 34:	The Phoenix Area
CC 35: ⊕	Phoenix 1
CC 36: ⊕	Museum of British Road Transport
CC 37: Ø	Phoenix 2
CC 38:	Phoenix 3
CC 39:	Pool Meadow
CC 40:	The Ring Road Area
CC 41:	Subways
CC 42:	Bridges
CC 43:	"At-grade" Crossings
CC 44:	The Swanswell Area
CC 45:	The Coventry and Warwickshire Hospital Site
CC 46: ⊕	The Drapers Fields Area
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## APPENDIX 2 : COVENTRY UNITARY DEVELOPMENT PLAN POLICIES PROPOSED NOT TO BE SAVED

Policy Number	Policy Name (and purpose).	Request to save Policy beyond Sept 2007. YES/NO	CDP POLICY	If "NO" reason why Policy is not requested to be saved.
CC 9	Car Parking and New Developments	NO	<ul> <li>Private car parking provision for new developments will be limited to that necessary for essential operational needs and provision for "blue (orange) badge" holders.</li> <li>The balance of demand will be expected to be met through developer contributions to new public car parking, "Park and Ride" schemes or other transport measures.</li> <li>Supplementary Planning Guidance will implement these principles in detail.</li> </ul>	and referral to GOWM did
CC 14	Lower Precinct Refurbishment	No	The refurbishment of the Lower Precinct area shown on the Proposals Map for predominantly shopping uses will be promoted and encouraged.	The Policy has been implemented

CC 17	Primary Frontages	No	<ul> <li>Primary Frontages are shown on the Proposals Map and will remain predominantly in Class A1 use to protect their shopping role.</li> <li>Proposals for Class A3 use will be permitted if they contribute to the vitality and viability of a Frontage, subject also to Policy S 10. Proposals for increases in the number of Class A2 or other uses in a Frontage will not be permitted.</li> <li>A window display or open frontage will be required.</li> <li>Outside the Primary Frontages any mix of Class A uses will be accepted.</li> </ul>	The policy is over prescriptive. PPS 6 give more flexibility particularly in A2 uses and provides sufficient policy base Para 2.17 of PPS 6 states that primary and secondary frontages should be realistically defined. "Having regard to the need to encourage diversification of uses in town centres as a whole, primary frontages should contain a high proportion of retail uses, while secondary frontages provide greater opportunities for flexibility and a diversity of uses
CC 19	Belgrade Theatre Extension	No	Proposals for the extension of the Belgrade Theatre on land south of Bond Street shown on the Proposals Map will be promoted and encouraged.	The Policy has been implemented
CC 20	Site at Upper Well Street/Bond Street	No	Proposals for the development of the site at Upper Well Street/Bond Street shown on the Proposals Map for a mix of uses including a substantial housing element, hotel, leisure, business offices, small retail units and car parking will be promoted.	The Policy has been implemented

CC 22	Sites at New Union Street/ Little Park Street	No	Proposals for development of sites shown on the Proposals Map at: 1 1-8 Union Buildings; 2 Cheylesmore car park; should be mainly four storeys in height. Acceptable uses will include business offices and hotel with small retail units on the ground floor of 1-8 Union Buildings.	The policy is over restrictive in terms of design requirements and other policies exist to require quality development eg CC11, BE 1
CC 28	Parkside 2	No	Proposals for the redevelopment of the Parkside 2 area shown on the Proposals Map for business office, research and development, residential and Urban Green Space together with ancillary uses will be encouraged.	Almost fully developed
CC 29	Parkside 3	NO	Proposals for the redevelopment of the Parkside 3 area shown on the Proposals Map for predominantly business offices and research and development uses together with a public house/restaurant will be promoted and encouraged.	Not allocated in E6 – CDP Inspector deleted. Permission granted for residential development on part of site.
CC 31	Gulson Road Site	No	Proposals for the redevelopment of this site shown on the Proposals Map by Coventry University for a mix of academic, administrative and residential uses will be encouraged.	The Policy has been implemented
CC 32	Whitefriars Street Site	No	Proposals for the redevelopment of the site shown on the Proposals Map by Coventry University for academic, administrative or residential use will be encouraged.	The Policy has been implemented

CC 35	Phoenix 1	No	Proposals to link the Cathedral Area with the Museum of British Road Transport through a sequence of major public spaces shown on the Proposals Map will be promoted and encouraged. Proposals will also include redevelopment for small shop units, a significant housing element, business office and hotel uses.	The Policy has been implemented
CC 36	Museum of British Road Transport	No	Proposals for the refurbishment and expansion of the Museum of British Road Transport on the site shown on the Proposals Map will be promoted and encouraged.	The Policy has been implemented
CC 37	Phoenix 2	no	Within the Phoenix 2 area, shown on the Proposals Map, redevelopment for an overall mix of uses including the improvement of access from the Ring Road, a substantial housing element, hotel, business offices and leisure and tourism uses will be promoted and encouraged.	Over prescriptive in context of extent of housing now delivered within the ring road.
CC 46	The Drapers Fields Area	No	The Drapers Fields Area is shown on the Proposals Map. Within this Area, further residential development will be encouraged as well as further enhancement of the Canal Basin and surrounding buildings.	The Policy has been implemented
S 7	Primary Retail Frontages	No	Primary Retail Frontages are shown on Text Maps in the Ball Hill, Earlsdon and Far Gosford Street	Recent committee decisions have disregarded policy in

			Centres at:		Earlsdon and Far Gosford Street
			Ball Hill	: 173-239 Walsgrave Road.	Sileer
			Earlsdon	: 1-11 Earlsdon Street; 41 Moor Street and 13-45	
			Earlsdon Street;		
				2-20 Earlsdon Street; 22-64 Earlsdon Street;	
			Far Gosford Street 116	: 52-60 Far Gosford Street; 61-73 Far Gosford Street; -133 Far Gosford Street.	
			uses in a Frontage t	ould result in more non-retail han the number in that Frontage it of the Plan will not be	
S 8	Upper Floor Units in Defined Centres	No	Proposals to use the upper floors of units within defined Centres for shopping, residential, employment, social, community or leisure uses will be permitted, subject to:		elements of Policies
			compatibility with n     compatibility with c	•	
SCL4	Childcare Facilities	No	Proposals for childc be considered on th	are and pre-school facilities will e basis of:	Childcare facilities are, by definition, a social community or leisure use.
			compatibility	with nearby uses;	Policies SCL2 and SCL3 set out the position in respect of

			<ul> <li>the provision or retention of a unit of residential accommodation if the facility is in a residential area; and</li> <li>compatibility with other Plan policies.</li> </ul>	such proposals and is therefore considered not necessary as it merely repeats the provisions of the aforementioned policies. In any event, residential criterion is covered by SCL 3
SCL5	Butts Stadium	No	The Butts Stadium is allocated for sport and leisure development, as shown on the Proposals Map.	The Policy has been implemented
SCL11	Hospitals	No	The location of new hospitals shall be determined in accordance with the sequential test set out in Government guidance.	The new hospital has been built on the site earmarked in this policy. Thus, the Policy has been implemented.
			The new general hospital to serve Coventry and the sub-region should be located on the enlarged Coventry & Warwickshire Hospital site or on the Walsgrave Hospital site.	
			Any proposals for a new hospital will require a comprehensive development scheme, including a Green Travel Plan, demonstrating that the site will be:	
			<ul> <li>readily accessible to its catchment area by public transport, walking and cycling;</li> </ul>	
			<ul> <li>provided with satisfactory site access arrangements to cope with emergency vehicles;</li> <li>compatible with nearby uses; and</li> </ul>	

			<ul> <li>compatible with other plan policies.</li> </ul>	
SCL13	Enhanced Facilities	No	Where housing or commercial development would add significantly to demand for social, community, leisure, sport, education, health or social care facilities, and there would be a deficiency or shortfall in those facilities resulting from the proposed development, the provision or improvement of facilities, or a related financial contribution, will be sought by negotiations.	Repeats, in almost its entirety, Policy OS10 (Planning Obligations). The direct comparisons with Policy OS10 have already been established in the 2006 AMR, which cross- referenced the operation of Policy SCL13 to policy OS10 in terms of its performance.
BE 3	Design Statements as Part of Major Planning Applications	No	Applicants for planning permission for major new developments or redevelopments will be expected to submit a written statement setting out the design principles adopted and how they are achieved in relation to the site and the wider context as well as illustrative material in plan and elevation.	Since August 2006, Design & Access Statements have been required to accompany most planning applications
BE 17	Outdoor Advertisements	no	Outdoor advertisements will be controlled in order to safeguard the interests of: • amenity; and • public safety. Detailed guidelines for the control of express consent to display outdoor advertisements will be set out in Supplementary Planning Guidance.	Merely duplicates statutory guidance
AM 17	Car Parking Maximum Car Parking	No	Maximum levels of car parking for new developments will be set out in Supplementary Planning Guidance and are determined on the basis	RSS policy T7 PPG 13 (paras 49-56) and PPS 3 provide sufficient

	Standards		of:	policy
			<ul> <li>the nature of the use(s);</li> <li>the operational requirements of the use(s); and</li> <li>the extent to which the site is or can be made accessible by a choice of means of transport.</li> </ul>	
			The levels of car parking must ensure that developments do not cause car parking problems in the vicinity.	
			In non-residential developments, 1 space suitably designed, located and reserved for "blue (orange) badge" holders should always be provided and, where 20 or more spaces are to be provided, 5% should be suitably designed, located and reserved for "blue (orange) badge" holders.	
			Separate agreed provision may also be appropriate for major developments such as universities and hospitals.	
AM 18	Car Parking in Centres	No	New car parking standards for defined centres will be set out in Supplementary Planning Guidance. If new car parking is required, it must be publicly available.	this way. Covered in Draft
AM 21	Rail Freighting at Keresley	No	The retention and use of rail freighting facilities will be required in the development of the Keresley Strategic Regeneration Site to avoid road traffic nuisance and should be considered at other locations.	