

Warwick District Local Plan 1996 - 2011

Topic Response Analysis – First Deposit Version

Topic: DAP1 – Protecting The Green Belt

Summary of matters raised in objections.

1. The Green Belt should be extended from the south west of Warwick to the east of Leamington to offer Green Belt status/ protection to the land south of Warwick. *ref: 199 /BA James Mackay.*
2. Policy is far to general and fails to refer to the expansion of Coventry airport into the Green Belt. *ref: 195 / AP The Leamington Society.*
3. The Green Belt should be extended from the south west of Warwick to the east of Leamington to offer Green Belt status/protection to the land south of Warwick. *ref: 193 /BR The Coten End and Emscote Road Residents Association.*
4. The Green Belt boundary surrounding Lapworth should be the subject of further review, particularly in the vicinity of Broom Hall Lane, as indicated on a plan submitted with the objection. Consideration should also be give to the village being removed from the Green Belt in totality. *ref: 170 / AC Mr. Martin Wood.*
5. Object as DAP1 should not apply within large rural settlements (in this instance Offchurch), the objection also identifies a revised settlement boundary with the purpose of providing land for infill. *ref: 155 / AE Punch Taverns.*
6. If the final version of PPS7 allows limited new-build in the Green Belt for farm diversification then this should be included in DAP1 *ref: 154 / AO National Farmers Union.*
7. Green Belt should be extended to cover the entire rural area (specific concerns have been raised about the 'pressure' on the non-GB areas to the south and east of Warwick/ Leamington. If agriculture does not include equestrian there should be a statement to this effect in DAP1. Park and ride must not be permitted in the Green Belt, therefore criterion (g) should be deleted. *ref: 148 /BJ Campaign for the Protection of Rural England.*
8. Policy DAP1 needs to add a criterion stating that limited extensions to existing buildings in the Green Belt (providing local employment) may be acceptable where such sites are not identified as major developed sites. *ref:147 /AE Sundial Conference and Training Group.*
9. The final sentence of paragraph 9.8 should be deleted and replaced with a sentence which states that new buildings will be permitted in the Green Belt where they replace existing buildings of equal or greater size, thus enabling rural diversification proposals in Green Belt areas. An explicit cross reference to RAP9 should be made stating that farm diversification is not unacceptable development in the GB(a new criterion should be added to DAP1 which states that farm diversification is acceptable in accordance with policy RAP9).The

words' in appropriate instances' should be deleted from the last sentence of the first paragraph of policy DAP1. The policy should be rewritten in a manner more consistent with PPG2. This should involve splitting the first five instances from the remaining three. The text should read 'new buildings for the following purposes are acceptable', and before the final three that 'the following uses of land are also acceptable'. *ref: 127 /AB Mr D.H. Smith.*

10. There should be a site specific policy to afford the University of Warwick a policy framework on which to pursue the revision of its 1994 Development Plan (SPG). To supplement this approach, there should be an amendment to Policy DAP1 to introduce an appropriate reference to the need for "very special circumstances" to justify inappropriate development in the Green Belt. *ref:107 / AC Warwick University.*
11. Both North Leamington and Manor Hall Schools should be excluded from the Green Belt. Ultimately they would like to have the North Leamington school site allocated for housing, with the proceeds funding a new school on the site of the existing Manor Hall establishment. *ref:104 / AC Warwickshire County Council (Property Services Department).*
12. The Green Belt boundary should be extended to include areas to the south and west of Warwick. (The objector has asked for an extra policy to be added to the plan to cover the above intention/objective). *ref: 66 / AW The Warwick Society.*
13. Objection to the inclusion of Baginton Bridge Nursery in the Green Belt as proposed by amendments in the Local Plan. The Plan should recognise the current commercial activities taking place that preclude the site being considered as Green Belt. *ref: 59 /AA_Baginton Bridge Nurseries.*

Response of Head of Planning & Engineering to matters raised

1. The correct vehicle for 'strategic' changes of the Green Belt is the Structure Plan for Warwickshire that was approved in 2002. PPG2 states that "where existing local plans are being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the Structure Plan have been approved, or other exceptional circumstances exist, which necessitate such revisions", clearly in this area the Green Belt was not the subject of such alterations in the SP, and it is the function of the Local Plan to only suggest 'minor' amendments required to rationalise local situations.
2. The policy is in line with PPG2, and sets out the instances where development will be permitted in the GB. There is no reason for the policy to make an explicit reference to the proposals being considered at Baginton (Coventry Airport). These applications will be determined with all relevant / appropriate policy areas being taken into consideration.
3. See 1 (above)
4. The extent of the Green Belt in the vicinity of Lapworth is of particular

value in addressing the encroachment of the West Midlands conurbation into our District, therefore it would not be in the interest of the Green Belts continued effectiveness to make any changes at this location. Similarly the wholesale removal of Lapworth from the Green Belt would be similarly against the aims/ interest of the purpose of the Green Belt designation. The current Green Belt area 'washes over' the rural settlements to be compliant with PPG2.

5. This objection states that DAP1 should not apply within large rural settlements (in this instance Offchurch), the objector has targeted Policy RAP2. It would be against the purpose of the Green Belt to allow the removal of the larger villages from the Green Belt, the policy clearly sets out the instances where development is appropriate and this approach is complimented by policy RAP2 that identifies limited growth villages. Offchurch was not considered to warrant inclusion in this category. Note; a large part of the land identified for growth at Offchurch would have a detrimental impact on the character and quality of the environment and the rest is clearly in the flood plain of the River Leam. This objection would be at odds with the sustainable objective of directing the majority of new development (housing) to the urban area.
6. PPS7 promotes the encouragement of suitable 'well -founded' farm diversification proposals, however PPS7's emphasis is for the re-use/ conversion of existing agricultural buildings. As such applications for new build would be required to demonstrate 'very special circumstances' for the policy against new build in the Green Belt to be set aside.
7. The Green Belt can not be extended to cover the entire rural area by this Local Plan (as requested by the CPRE), it is the function of the Structure Plan to consider such requests. The Structure Plan was received as recently as 2002 and has plan period to 2011. Whilst there is undoubtedly pressure on the rural locations south of Warwick and Leamington there are other designations / policies in place to protect the integrity of these locations. Equine related enterprises / activities are included in PPS7 within agricultural development. Park and ride can be accommodated if it is in accordance with PPG13 annexe E.
8. Policy RAP7 sets out the criteria for employment development in rural areas, and clearly states that the limited extension of existing employment uses is permissible **outside** the Green Belt. As such, this objection is against Government Policy that has shaped both DAP1 and RAP7. Any extension proposals within the Green Belt would be treated as a 'departure' from the policy and judged on the individual merits of the case put forward (special circumstances).
9. The criteria for new buildings and replacement ones are adequately covered by the approach set out in the policy. There are sufficient cross references to the appropriate RAP policies in both the policy itself, and the reasoned justification. I do not consider the policy requires redrafting as it already accords with the approach set out in PPG2.

10. We could consider adding a sentence requiring / referring applicants to the need to justify the 'very special circumstances' (in accordance with PPG2) that they believe would preclude the setting aside of Green Belt policy to enable development such as the University.
11. The release of these school sites from the Green Belt should only be considered following the submission of planning applications that detail the extent of the alteration of the two locations and ultimately the impact of the proposals on the Green Belt. They should then be dealt with as departures from the Plan and would have to demonstrate 'very special circumstances' for their removal/ approval.
12. The Warwick Societies objection has been dealt with (see 1 and 3).
13. The inclusion of the Baginton Nursery site will not unduly harm the current enterprise, but would ensure the future preservation of the environmental openness and character of this area of land from the threat of intensive development/ re-development.

Recommended revision(s)

1. No change required.
2. No change required.
3. No change required.
4. No change required.
5. No change required.
6. No change required.
7. No change required.
8. No change required.
9. No change required.
10. A reference to the need for applicants to justify the 'very special circumstances' required to set aside Green Belt Policy could be added to the DP1(in accordance with PPG2). A site Specific policy may be considered necessary for the Warwick University area, and if agreed should be added to the appropriate section of the plan.
11. No change required.
12. No change required.
13. No change required.

Topic: DAP2 - Protecting the Areas of Restraint

Summary of matters raised in objections.

1. The objector considers that the identification of the areas of restraint should be based on a robust analysis to fully understand the character of rural and urban areas and how they interrelate. The Council should give consideration to carrying out a comprehensive characterisation project (similar to the one being piloted at Lincoln) of its historic settlements and

their wider settings to better inform the implementation of this policy. *ref: 302 /BA English Heritage (West Midlands Region).*

2. Land at Stratford Road Warwick should be deleted from the area of restraint. The boundary should follow an alternative boundary defined by the watercourse known as Fishers Brook. This approach is endorsed by draft PPS 7 that should remove any existing local designations and replace with criteria based policies (para' 25 part 2 of PPS7). *ref: 291/ AH George Wimpey UK Ltd.*
3. Recommends that the area of Restraint between Whitnash and Bishops Tachbrook should be withdrawn with the golf course excluded. The objector argues that this land does not meet the requirements of paras 9.11 -9.13 of the Plan. The site should be designated as a reserve housing area. *ref: 227/AF David Wilson Homes(East Midlands) Ltd.*
4. This objection presumes that the Areas of Restraint are also Green Belt, in line with PPS7(Draft) these local designations should be deleted. *ref: 154/ AP National Farmers Union.*
5. Remove land at Woodside Farm, Whitnash (Harbury Lane/ Tachbrook Road) from Area of Restraint. *ref: 153 /AA Thomas Bates and Son Ltd.*
6. The aim of the Policy should be to prevent all urban sprawl therefore "uncontrolled" should be deleted from the final sentence of para 9.11. The ' Longbridge Triangle' should be designated as an Area of Restraint to preserve it's rural character. *ref: 148 / BK Campaign for Rural England – Warwickshire Branch.*
7. Should be a new Area of Restraint designated between Harbury Lane and Gallows Hill. Also objects to the inclusion of a park and ride facility in the area of restraint. *ref: 135 /AB Bishops Tachbrook Parish Council.*
8. Area of Restraint should be extended to cover the area south of Harbury Lane to prevent Leamington joining Bishops Tachbrook. *ref: 67 /AA R. J. Vickers.*
9. Considers the Area of Restraint should be extended south of Harbury Lane both sides of Europa Way to extend as far as the Banbury Road B4100. *ref: 45 /AA Graham Leeke.*

Response of Head of Planning & Engineering to matters raised

1. The objector would like to see the identification of the areas of restraint considered against a robust analysis similar to the one being piloted by Lincoln. In this instance we are dealing with areas of Restraint that have been identified by the Council and ratified by the inspector as part of the previous Local Plan process. At that point in time their particular aesthetic, structural and strategic value was recognised and the designations were well supported by the local population as a preventative measure to ensure the continued protection of these potentially vulnerable areas. It was accepted that the boundaries of the areas of

restraint could be changed in the longer term if there was a particular (strategic) need to do so. The Government in PPS7 recognises and accepts that there are areas of landscape outside nationally designated areas that are of particular local value. It may be that we have to 'invest' in a formal and robust assessment of the landscapes concerned to underpin these designations. (this may be required to inform any future strategic release required for development in these areas).

2. The deletion of the area of land at Stratford Road Warwick would not be necessary to support the housing or employment land needs of this District over the forthcoming plan period. If this area were (following any possible analysis) to fail to meet the required criteria for inclusion in the area of restraint it may be appropriate to consider it for deletion at the next review of the Development Plan, but only if it was required as an allocation specifically to meet development targets/ requirements. This may be unlikely as the area in question and land further south on Stratford road also serve the purpose of acting as a development buffer to defend the undoubted quality of the historic environment of Castle Park on the other side of the River Avon.
3. I disagree with the statement submitted by David Wilson Homes, the value of the Whitnash / Bishops Tachbrook area of restraint lies in securing the separation of Whitnash from Bishops Tachbrook (Green Belt policy serves a similar function in the north of the district). The landscape at this location does appear to have particular value in its own right, however if following a rigorous assessment (that may possibly be commissioned in the future) it should fail to meet the required criteria it should not be allocated to meet future housing need before all future alternatives have been explored and the best local options decided upon (as and when such supply is required).
4. The NFU objection has incorrectly assumed that areas of restraint are all within the green belt and are therefore afforded protection under DAP1.
5. Until such times as a comprehensive re-assessment of the landscape quality of this area has been undertaken (and if this site is found not to be adequate/ appropriate). This area should continue to be included as an area of restraint. The areas of restraint should only be deleted as specific designations to meet future development plan objectives.
6. We could delete the word uncontrolled from the last sentence of 9.11. The Longbridge Triangle area has a considerable area covered by an existing Severn Trent plant (employment use) and is not considered to be of sufficient environmental quality or strategic importance to warrant protection above that afforded by rural area policies.
7. The suggested area does not warrant specific strategic protection above and beyond that afforded by the rural area policies. The location of a park and ride facility is a positive reaction to the need for such a facility with a reasonable link to the urban centres of both Warwick and Leamington town centres.
8. The current area of restraint maintains a meaningful separation between Whitnash and Bishops Tachbrook, I note the concerns of the objector but the rural area policies are adequate to defend the land south of Harbury Lane /

<p>Warwick Gates from any further incursion in the forthcoming plan period.</p> <p>9. As above.</p>
<p>Recommended revision(s)</p> <ol style="list-style-type: none"> 1. No change 2. No change 3. No change 4. No change 5. No change 6. Delete the word 'uncontrolled' from paragraph 9.11 of the reasoned justification. 7. No change 8. No change 9. No change

Topic: DAP3 – Protecting Special Landscape Areas.

Summary of matters raised in objections.

1. In view of the emerging Government Guidance on landscape character in draft PPS7, DAP3 should be deleted and replaced by a character based policy framework for the District's landscapes (utilising the Warwickshire Landscape Guidelines and the County's Historic Landscape Characterisation Project). *ref: 302 / BB English Heritage (West Midlands Region).*
2. Stoneleigh Park should be included as part of the Special Landscape Area covered by policy DAP3. *ref: 304 / AB Stoneleigh and Ashow joint Parish Council.*
3. It is suggested that the extent of the Special Landscape Area surrounding Lapworth be the subject of further review, particularly in the vicinity of Broom Hall Lane. *ref: 170 / AF Mr Martin Wood.*
4. Recommends that Policy DAP3 is deleted as it is inconsistent with draft PPS7 and is therefore contrary to Government Policy. *ref: 187 / AX The Countryside Agency (West Midlands Region).*
5. Policy DAP3 should be deleted as it does not accord with Government advice in draft PPS7. *ref: 154/ AQ National Farmers Union.*
6. Paragraph 9.15 has an identified wording error that should be rectified. *ref: 148 / BL Campaign to Protect Rural England (Warwickshire Branch).*
7. The policy is too restrictive and Woodside management centre (Kenilworth) should be excluded from the Special Landscape Area to enable limited infill development. *ref: 147 / AF Sundial Conference and Training Group.*

8. Policy DAP3 should be deleted as it does not provide adequate justification for the maintenance of Special Landscape Areas and is contrary to PPS7. *ref: 119 / AB Bloor Homes Ltd.*
9. As above (objection 8). *ref:118 /AB Mr and Mrs G.Bull.*
10. Policy DAP3 is contrary to PPG7 and draft PPS7 and should be deleted. *ref 110 / AH Government Office for the West Midlands.*
11. Special Landscape Areas have not been tested against a 'character based' approach. *ref: 109 /AX Warwickshire County Council (Planning Transport & Economic Strategy).*
12. Objects to the boundary of the Special Landscape Area to the west of Lapworth / Kingswood. *ref 25 /AB M. J. Maguire.*

Response of Head of Planning & Engineering to matters raised

1. This objection suggests the deletion of the Special Landscape Designation (DAP3) and for it to be replaced with a criteria based policy that has explicit reference to the Warwickshire Landscape Guidelines and the County's Historic Landscape Characterisation Project. The existing policy (in the reasoned justification) does make reference to the Warwickshire Landscape Guidelines. However, advice in PPS7 (which has been published since the draft local plan was prepared clearly states that 'Local Landscape designations should only be maintained or, exceptionally extended where it can be clearly shown that criteria based policies cannot provide the necessary protection'. It also states that "when reviewing their local area wide development plans and LDD's planning authorities should rigorously consider the justification for retaining existing local landscape designations." I consider that in this instance, policy DP3 - "Natural and Historic Environment and Landscape" (as proposed to be amended) will provide adequate and appropriate protection as previously provided by this policy. Policy DP3 has been amended to make specific reference to the Warwickshire Landscape Guidelines and explain their continued role as supplementary planning guidance covering all the rural area. It would also be appropriate to make specific reference to the designation of the Special Landscape Areas in the Structure Plan. With these changes, the protection offered by DP3 is equal to that previously offered by DAP3 and as such DAP3 is superfluous. The policy can therefore be deleted in accordance with PPS7.
2. As stated by PPS7 local landscape designations should only be maintained or extended where it can be clearly shown that criteria based policies cannot provide the necessary protection. It is my opinion that the areas' Green Belt status and the Rural Area Policies are sufficient to provide adequate protection to Stoneleigh Park. Stoneleigh Park is the product of an artificial 'parkland' programme and not the result of the natural geology and historic farming practices that are identified by the Special Landscape areas.
3. The thrust of this objection is to secure the removal of the special landscape designation (in part) at Lapworth as part of a process to enable a revised village boundary. This would then be a precursor to a revised village boundary as an

<p>alternative approach to RAP2 – 9 thus bringing forward a substantive amount of future land for expansion. Whilst this is predominantly an issue for RAP2, if we were to delete / amend our approach to special landscape issues the area in question would still have to be considered against Green Belt and or RAP policies.</p> <ol style="list-style-type: none"> 4. Agree that we could probably delete this policy in light of the new Government advice in PPS7. 5. As above (see 4) 6. I agree that there is a wording error in para 9.15, if the policy is retained we should adjust the mistake ‘take protect’ accordingly. Suggest ‘take steps to protect’ as an alternative. 7. The Woodside management centre would like to see this designation deleted from their area to allow infill development. If we were to delete this policy the Woodside centre would still be thwarted by current Green Belt Legislation/ DAP1. 8. Bloor Homes regard DAP3 as contrary to PPS7, it may be that we agree with that position. 9. As above. 10. As above. 11. I do not agree with the County’s objection, however this would be irrelevant if we delete the policy. 12. This is a specific request to delete the special landscape area from part of the area in the vicinity of Lapworth/ Kingswood. If the entire policy were to be deleted the objectors would still have to satisfy Green Belt policy if they were to pursue development options at this location. 	<p>Recommended revision(s)</p> <p>The policy should be deleted from the plan to comply with the Government Offices objection to ensure the policy complies with PPS7. Reference to the importance of landscape character should be dealt with within revisions to Policy DP3.</p>
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Topic: DAP4 – Protecting Nature Conservation and Geology.

Summary of matters raised in objections.

1. Object to the wording of criterion d) of DAP4 in that appropriate mitigation and/ or compensation should always be sought where development outweighs the importance of a local designation. They have suggested an alternative wording for criterion d). *ref: 226 / AD Environment Agency.*
2. For reasons of accuracy the reference to Oak Tree Farm Meadows at Rowington should be adjusted to read Oak Tree Farm Meadows (**part**). The current wording is also considered inadequate as the policy refers only to those designated sites shown on the Proposals Maps, it should be revised to include designations that may be made during the plan period. Welcomes the thinking behind paragraph 9.24, but objects to the omission of reference to potential SINC's and the emerging Geodiversity Action Plan and has suggested alternative wording to incorporate these items. There is also objection to the fact that paragraph 9.23 does not present the full picture in relation to non-statutory sites, it is suggested that it is reworded to include RIGS (Regionally Important Geological Sites). Paragraph 9.18 should include specific reference to European protected species. *ref: 210 /AO English Nature.*
3. The Policy should be reworded to include reference to geomorphological sites, and does not take into account emerging nature conservation designations that may take place over the plan period suggested textual revisions have been provided/ suggested. *ref: 150 / AF Warwickshire County Council (Museum Field Services – Ecology).*
4. Objects to policy DAP4 in that the word adversely should be removed as it implies that development can take place when the area should be left alone. *ref: 115 / AJ Alan Roberts.*
5. The policy should be amended to take into account the relative significance of National and Local Designations (apparent conflict with PPG9). *ref: 110 / AJ Government Office for the West Midlands.*
6. The policy should apply to any other designations made over/ during the plan period, a suggested amendment has been forwarded. *ref:1 /AC Warwickshire Wildlife Trust.*

Response of Head of Planning & Engineering to matters raised

1. The Environment Agency has suggested that in criterion d) losses to development should always be effectively mitigated /compensated. Whilst there is merit in considering this approach it may not always be practical as alternative compensatory / mitigation measures may not always be possible. Perhaps the reasoned justification should be amended to add a statement to the effect that where development proposals are submitted they will be encouraged to submit details of possible proposals to mitigate / compensate for any loss or harm to

<p>features of local importance/ designation.</p> <ol style="list-style-type: none"> 2. English Nature have submitted a range of comments, all of which should be absorbed by the policy/ reasoned justification to produce a more robust and all embracing policy. 3. Warwickshire County Council has asked for an explicit reference to emerging nature conservation sites that may be identified during the forthcoming plan period and to geomorphological sites, (both of the above form part of the English Nature request above in 2.). The proposed changes are appropriate additions to the policy. 4. This objection implies that the word adversely is too loose and could afford some development proposals hope. Adversely in this context refers to unfavourable development which would relate to virtually any proposal / impact on these sensitive locations. It is for the Council and the applicant to determine whether or not an adverse effect is going to occur and then take appropriate steps. 5. The policy as set out does not differentiate between National and Local designations and their relative importance. The Gov Office therefore believes that as it stands, our policy is contrary to PPG9. To satisfy this may require the policy to be split with '<i>not be permitted</i>' being applied to National Designations and '<i>strongly resisted</i>' being applied to the other sites / Local Designations. The reasoned justification could also enhanced by a reference to the relative importance of sites (as per PPG9). 6. I agree with this objection which is also dealt with in English Natures submission. 	<p>Recommended revision(s)</p> <ol style="list-style-type: none"> 1. No change required. 2. Reference to Oak Tree Farm Meadows in paragraph 9.20 to include the word (part) should be made to ensure accuracy. Paragraph 9.24 is revised to include reference to nature conservation and geological and geomorphological assets that are identified during the plan period as part of evolving studies. Potential SINCs and the emerging Geodiversity Action plan are now referred to in paragraph 9.24 of the reasoned justification. Paragraph 9.23 is amended to include reference to Regionally Important Geological sites. Paragraph 9.18 is revised to include reference to European protected species. 3. The suggested textual alterations have been included in the policy/ reasoned justification, in particular reference to geomorphological sites and emerging nature conservation designations have been added. 4. No change required. 5. The policy has been amended to ensure that the relative significance of national and local designations has been given due accord in line with PPG9.
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6. Para 9.24 has been reworded to ensure that appropriate designations made over the plan period are protected by this policy.

Topic: DAP5 – Trees, Woodlands and Hedgerows.

Summary of matters raised in objections.

1. There should be more emphasis in paragraph 9.28 regarding the retention of hedgerows, rather on procedure for their removal. *ref: 223 /BA Kenilworth Town Council.*
2. As they stand the provisions of paragraph 9.27 and 9.28 give prospective developers an incentive to destroy hedges before they are surveyed and declared 'important'; paragraph 9.28 should be deleted. *ref: 221 /BE Kenilworth Society*
3. The Plan should protect important green areas, such as the Jephson Gardens from intrusion by cycle – tracks. *ref: 195 / AK The Leamington Society.*
4. The Plan should make a clear commitment to protect and maintain the green environment. *ref: 171 /AB Portland Place Residents Association.*
5. This policy should include the encouragement of planting of trees, shrubs, hedgerows etc. The reference to hedgerows should be strengthened and should read "removal of important hedgerows will only be permitted in the most exceptional circumstances. *ref: 148 /BM Campaign to Protect Rural England (Warwickshire Branch).*
6. General support for the policy but it should make reference to the need to encourage the planting of trees, woodland and hedgerows in appropriate developments to help maintain the Warwickshire character. *ref: 115 /AK Alan Roberts.*
7. The first part of the policy is considered unnecessary as TPO trees, or trees within conservation areas are covered by other provisions (apparent conflict with PPG12). A Local Plan policy is therefore not considered necessary. Perhaps the second part of the policy regarding hedgerows should be incorporated elsewhere in the plan, for example DP3 Natural Environment. *ref: 110 /AK Government Office for the West Midlands.*
8. Policy should be re-worded to better address the preservation of hedgerows. *Ref: 54 /AM Conservative Group of Councillors.*

Response of Head of Planning and Engineering to matters raised.

1. The objector has asked for a stronger emphasis in para 9.28 regarding the retention of hedgerows, the objector argues that the current emphasis of this

<p>paragraph is too strongly biased on the regulations required to remove hedgerows. It would be relatively simple to strengthen the reasoned justification accordingly.</p> <ol style="list-style-type: none"> 2. The Kenilworth Society believes that the current provisions as set out in para 9.28 'inform' developers that they could remove hedgerows before they are surveyed and registered as being important. As such the Ken' Society thinks para 9.28 should be deleted, however this would appear to be the wrong course of action. The policy clearly states that there is a presumption against their removal. The reasoned justification does recognise the importance of hedgerows, and sets out the Governments provisions in dealing with applications for removal. 3. This objection is against any proposals for the imposition of cycle routes through the Green Belt and Jephson Gardens, I do not consider this policy is the correct vehicle for this submission, such proposals should be judged against DP1,DP2,DP3 and SC4. 4. This objection is dealt with by the provisions of DP1 and DP3. 5. The plan should not make reference to 'encouragement' (under the new provisions for concise policy documents). In any case adequate landscaping arrangements are a requirement of DP1. As far as the second part of this objection is concerned the plan already states that 'important' hedgerows should not be removed. 6. Statements that serve to merely 'encourage ' actions such as tree planting etc are not appropriate under the new planning/ development plan framework. 7. The Government Office has objected on the basis that the provisions for works to TPO trees and trees in Conservation Areas are already catered for under alternative provisions. A reference to trees could be added to DAP10 'Protection of Conservation Areas'. Also, TPO trees and the related regulations that apply could be referred to within Policy DP3. This would remove the requirement for DAP5 as the hedgerow regulations etc could also be absorbed by DP3, this would seem the most appropriate course of action to ensure conformity with PPG12. 8. The Conservative group of Councillors believes that the policy is too biased in outlining the techniques for removing hedgerows. My response is similar to that in point 2 above. 	<p>Recommended revision(s)</p> <ol style="list-style-type: none"> 1. Reference to Hedgerows and valid objections can be met within revisions to DP3. 2. See response to 1. 3. No change 4. No change 5. See response to 1. 6. No change 7. The policy should be deleted as Trees covered by TPO's are covered by
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alternative provisions. A reference to trees should be added to policy DAP10 (Protection of Conservation Areas). General tree issues and regulations relating to hedgerows could be absorbed by DP3. This would ensure conformity with PPG12.

8. See response to 1.

Topic: DAP6 – Protection of Listed Buildings

Summary of matters raised in objections.

1. DAP6 should be reworded to more accurately reflect Government guidance in PPG15. The policy should include a clear statement of the Council's statutory duty to preserve listed buildings. The policy and supporting text should more closely reflect the terminology used in PPG15. Specifically the use of 'special architectural or historic interest' is preferred to references to character. The clarity of the policy with respect to preserving the setting of a listed building could be approved, to address this it is suggested that the policy includes a statement along the lines of 'development will not be permitted which adversely effects the settings of listed buildings. EH welcomes the strong stance of the policy when dealing with the demolition of listed buildings; however it is suggested that the exceptional circumstances (as outlined in PPG15) should be noted. *ref: 302 / BC English Heritage(West Midlands Region).*
2. Delete paragraph 9.32 and include a reference to Scheduled Ancient Monuments within paragraphs 9.29 – 9.32. *ref: 221 / BJ The Kenilworth Society.*
3. The policy should be made more flexible to refer to the fact that certain alterations and extensions are allowed in certain circumstances. *ref: 214 /AA Mrs.J Biles.*
4. Policy should state that neighbouring development should not affect the setting of a listed building and the word granted should replace 'permitted' in the second sentence of the policy. *ref:148 / BN Campaign to Protect Rural England (Warwickshire Branch).*
5. Reference should be made to the requirement for neighbouring development to have due regard to the setting of a listed building. *ref: 115 /AL Alan Roberts.*

Response of Head of Planning & Engineering to matters raised

1.The reasoned justification could be 'beefed –up' to add reference to our statutory duty to preserve Listed Buildings, paragraph 9.31 mentions this, but additional text could be inserted to set out that our duty is derived from the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. I do not believe there would be any particular merit in adding the former statement to the policy. The policy should be changed to reflect the wording of PPG15 by the addition of '*special architectural or historic interest and their settings*' in place of historic integrity, character or setting. The references in the reasoned justification should also be altered to reflect the former

with the use of 'special architectural or historic interest' replacing references to character throughout. A statement could be added to the policy to ensure that development will not be permitted which adversely affects the setting of listed buildings (this should also be amplified sufficiently in the reasoned justification). Could also add to the policy that demolition of listed buildings will not be permitted, except in exceptional circumstances. It has been decided not to add the exceptional circumstances / criteria for considering demolition as set out in PPG15 in the reasoned justification as promoting the exceptional circumstances may weaken the stance of this 'protective' policy.

2. Paragraph 9.32 is seen as alarmist and only appropriate to non-domestic buildings, the objector has asked that this paragraph and the cross reference to DP14 are deleted. I do not consider that this course of action is justified. The objection also asks for a reference to Scheduled Ancient Monuments to be added to this policy; however this is already dealt with by Policy DP4 'Archaeology'.

3. The policy does not prevent the extension or alteration of listed buildings, its purpose is to prevent those development proposals that would prove to be detrimental to the listed building in question or its setting.

4. The neighbouring development issue will be dealt with in objection 1 (above), I do not feel that there is any merit in substituting 'permitted' with 'granted' in the policy itself. Granted implies decisions made by the Council, permitted will also incorporate any works done without consent.

5. Dealt with in objection 1 (above).

Recommended revision(s)

1. The policy wording should be changed to reflect the terminology referred to in PPG15. A statement should also be added to the policy to restrict other development that may have an adverse impact on the setting of a Listed Building.
2. No change
3. No change
4. The policy wording should be changed to reflect the terminology referred to in PPG15. A statement should also be added to the policy to restrict other development that may have an adverse impact on the setting of a Listed Building.
5. The policy wording should be changed to reflect the terminology referred to in PPG15. A statement should also be added to the policy to restrict other development that may have an adverse impact on the setting of a Listed Building.

Topic: DAP7 – Changes of Use of Listed Buildings

Summary of matters raised in objections.

1. The terminology in the policy wording should be altered to more closely reflect that used in PPG15. Specifically the use of terms 'special architectural or historic interest' is preferred to references to character in order to avoid the inference that the requirement for preservation relates only to the conspicuous external features / appearance of a building. *ref: 302 /BD English Heritage (West Midlands Region).*
2. Objects to the policy on the grounds that priority has not been given to affordable housing as an acceptable re-use of such buildings. *ref: 228 /BN West Midlands RSL Planning Consortium.*
3. The policy is considered unnecessary. Paragraph 2.18 of PPG15 (Planning and the Historic Environment) considers that in general the same provisions on change of use should apply to historic buildings as to other buildings. *ref: 110 /AL Government Office for the West Midlands.*

Response of Head of Planning & Engineering to matters raised

1. The English Heritage request to use wording that directly ties back to PPG15 is appropriate therefore the terms 'special architectural or historic interest' should be preferred to character and historic integrity
2. The policy is not the correct vehicle to promote the re-use of listed buildings for affordable housing as there may be many instances where the scale and architectural detail does not lend itself to domestic uses (market housing or otherwise).
3. The Government Office considers this policy unnecessary as para 2.18 of PPG15 considers that in general the same provisions on change of use should apply to historic buildings as to other buildings. Having consulted with Alan Mayes it is considered that this policy approach is justified as there is a stronger reason for maintaining the original before an alternative. The original use is often the best option when considering Listed Buildings. Applicants should have to demonstrate that the original use is not viable before an alternative proposal is considered.

Recommended revision(s)

1. The wording of the policy and the reasoned justification should be altered to reflect the wording used in PPG15.
2. No change
3. No change.

Topic: DAP8 – Upper Floors within Listed Buildings and Conservation Areas.

Summary of matters raised in objections.

1. All representations were supportive for this policy.

Response of Head of Planning & Engineering to matters raised

Recommended revision(s)

None.

Topic: DAP9 – Restoration of Listed Buildings

Summary of matters raised in objections.

1. The general intention of this policy is welcomed; however it is considered that the overall aim of DAP9 would be better incorporated as part of an expanded policy DAP7 on the alteration, extension and change of use of a listed building. The requirement for the use of traditional materials should comprise one of a series of criteria against which proposals should be judged. This would further rationalise the number of policies and clarify their implementation. English Heritage recommends that Policy DAP9 is incorporated as part of an amended Policy DAP7. ref: 302 / BG English Heritage (West Midlands Region).

Response of Head of Planning & Engineering to matters raised

1. DP7 deals with change of use, there is particular merit in having this (DP9) as a separate policy as restoration works are often a completely separate issue.

Recommended revision(s)

1. None.

Topic: DAP10 – Protection of Conservation Areas

Summary of matters raised in objections.

1. The policy should be amended to highlight the need for development to respect the setting of a conservation area and important views into or out of the area. To better accord with PPG15 the policy should be revised to read 'preserve' rather than 'protect' in the first sentence. The term 'historic quality' is similarly questioned, and could be best dealt with by expanding in the text on the various types of historic or architectural features that contribute towards the character or appearance of conservation areas. The relevance/ status of the Rock Townsend Study is also questioned. ref: 302 /BH English Heritage (West Midlands Region).

2. Conservation area status should be afforded to areas of 1930's quality townscape in north Leamington. *ref: 263 / AB Rev'd Christopher Wilson.*
3. The policy should be reviewed to consider a possible conservation area in Baginton. *ref: 260 /AB Baginton Parish Council.*
4. There should be a clear statement to resurvey Leamington Conservation Area so as to include Northumberland Road and certain parts of Lillington. *Ref: 296 / AA Clara.*
5. The Plan should include more design controls to protect the historic character of the District, including the imposition of many more Article 4 Directions to control the appearance of the Conservation Areas / development. *ref: 283 /AA The Ancient Monuments Society.*
6. Leamington Conservation Area should be extended to include Northumberland Road, Woodcote Road and Cloister Crofts. *ref: 272 /AA Alison Sanders.*
7. Leamington Conservation Area should be extended to include Northumberland Road and the greater majority of north Leamington. *ref: 254 /AA Steven and Claire Twigger.*
8. Leamington Conservation Area should be extended to include a number of areas of townscape worth in north Leamington. *ref: 231 / AA John Moss.*
9. Supports Kenilworth Conservation Area ,but would like to see it extended to cover more of the town. *ref: 223 / BB Kenilworth Town Council.*
10. The policy should be amended to reflect the fact that there is no requirement for development proposals to protect **and** enhance the character of a conservation area only a duty to preserve **or** enhance. *ref: 214 /AE Mrs J Biles.*
11. This policy is regarded as weak, refer to earlier comments with regard to paragraph 3.20. *ref: 199 /BB James Mackay.*
12. There are a series of anomalies in the Leamington Conservation area that should be resolved to strengthen the policy. Kimberley House(north side of Lillington Avenue) should be added along with a group of 1930's houses to the south side of Lillington Ave, between Kenilworth Road and Arlington Avenue. The 1930's group (Magnolia House, Little Croft and 39 Arlington Avenue) should also be added. The following should be removed; modern flats (east side of junction of Binswood Avenue and Kenilworth Road, modern house in Wootton Court (north side of Lillington Avenue), modern houses (Oaks Corner) on east side of junction of Arlington Avenue and Lillington Avenue. *ref: 198 / AH John Henderson.*
13. Leamington Conservation Area should be extended to cover Northumberland Road, Woodcote Road, Lillington Road, Lillington Avenue and Cloister Crofts. *ref: 195 /AJ The Leamington Society.*
14. Leamington Conservation Area should be extended to include the 1930's

<p>architecture /houses on the south side of Lillington Road and Lillington Avenue together with the houses on both sides of Arlington Avenue. <i>ref: 194 /AE Vernon Lawton.</i></p> <p>15. DAP10 should be revised to reflect the previous comments submitted that also refer to paragraph 3.20. <i>ref: 193 /BB Coten End and Emscote Residents Association.</i></p> <p>16. Leamington Conservation Area should be extended to include Cloister Crofts, Lillington Avenue, Lillington Road, Northumberland Road and Woodcote Road. <i>ref: 163 /AB Roger Copping.</i></p> <p>17. The Conservation Area in Leamington should be extended to protect the character of the northern part of the town. <i>ref: 146 /AA Bruce Paxton.</i></p> <p>18. The Conservation Area should be extended to protect the character of north Leamington. <i>ref: Mrs Phylis & Dr Peter Davies.</i></p> <p>19. Leamington Conservation Area should be extended include sections of Lillington Road, Sandy Lane, Kenilworth Road and Northumberland Road. <i>ref: 129 /AA Sheila Faulkner.</i></p> <p>20. Leamington Conservation Area should be extended to include Beverley Road, Woodcote Road and Northumberland Road. <i>ref: 128 /AB Mr and Mrs Devereux.</i></p> <p>21. Policy DAP10 is inflexible, and should be reworded in line with the suggested alternative. <i>ref: 122 /AC Warwick Castle.</i></p> <p>22. Supports the policy but, but the Plan should include further supporting information on Conservation Areas. <i>ref: 115 /AM Alan Roberts.</i></p> <p>23. Leamington Conservation Area should be extended to cover more of north Leamington (and should include urban areas of restraint). <i>ref: 105 /AA Alison Spalding.</i></p> <p>24. The Conservation Area boundary should be changed to include the properties along the east side of Lillington Road to Sandy Lane, along Sandy Lane to the Kenilworth Road, encompass the properties on the west side of Kenilworth Road to Northumberland Road and cover the west side of Northumberland Road until it meets up with the current boundary. <i>ref: 55 /AA Andrew Faulkner.</i></p>	<p>Response of Head of Planning & Engineering to matters raised</p> <p>1. The policy and supporting text should be reviewed to make reference for the requirement of development outside a conservation area to safeguard the setting and important views into or out of a conservation area (as per paragraph 4.14 of PPG15). Paragraph 9.44 mentions the Rock Townsend Study and its continued use. English Heritage questions the continued relevance of this document (I believe that AM regards it of particular worth albeit some locations have changed over time and the document is dated in parts). English Heritage would rather use the word preserve rather than protect in the first sentence of the policy (this</p>
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- better reflects PPG15). Similarly EH question the use of the term historic quality and suggest the reasoned justification is altered to expand on the types of historic or architectural features which contribute towards the character and appearance of conservation areas e.g. street furniture, floorscape materials, trees etc.
2. The aforementioned objections all wish to see Leamington Conservation Area extended to embrace more of the north of the town (focussing predominantly on the Kenilworth Road area). An extensive review has recently been undertaken in conjunction with English Heritage (Spring 2004), and an extensive area of north Leamington has been given Conservation area status accordingly. Alan will possibly have to look at the detail of some of the requests submitted in the objections in case the resurvey has overlooked some of the proposed areas with potential merit.
 3. The Conservation Architect will be able to consider if a Conservation area in Baginton is a possibility / appropriate, the Plan sets out its intention to review current and consider new areas as appropriate.
 4. The aforementioned objections all wish to see Leamington Conservation Area extended to embrace more of the north of the town (focussing predominantly on the Kenilworth Road area). An extensive review has recently been undertaken in conjunction with English Heritage (Spring 2004), and an extensive area of north Leamington has been given Conservation area status accordingly. Alan will possibly have to look at the detail of some of the requests submitted in the objections in case the resurvey has overlooked some of the proposed areas with potential merit.
 5. The objector would like to see the imposition of more specific design controls, in my opinion DP1 deals sufficiently with this (and in relation to domestic properties further design guidance is being formulated). DP10 also makes reference in the reasoned justification to the Councils ability to impose further Article 4 Directions over the plan period as necessary.
 6. As point 4
 7. As point 4
 8. As point 4
 9. This objection would like to see Kenilworth Conservation Area extended, the plan indicates a willingness review conservation areas as appropriate, and Kenilworth Conservation Area has been the subject of a re-survey that has been recently undertaken.
 10. The policy could be changed to reflect the wording as per the Planning (Listed Buildings and Conservation Areas) Act 1990 section 72. In doing so, the policy should read 'preserve or enhance' in the first sentence.
 11. Mr Mackay believes the policy is weak as it does not state an intention to serve Article 4 directions to limit permitted development rights and the policy does not (in his opinion) serve an intention to update and strengthen conservation area statements. The reasoned justification does make reference to the Councils ability to serve Article 4 Directions and a willingness to review Conservation Area boundaries as appropriate.
 12. As point 4
 13. As point 4
 14. As point 4
 15. Same as 11(above).
 16. As point 4
 17. As point 4

- 18. As point 4
- 19. As point 4
- 20. As point 4
- 21. The Castle states that it has no intention of promoting development that would have an adverse impact on the Conservation Area. They state that if a scheme does not 'preserve or enhance' then it should be considered whether other material considerations outweigh the harm to the Conservation area. I do not feel that this approach is consistent with PPG15 and therefore propose no change as a result.
- 22. Mr. Roberts has stated that Conservation Areas should have a supporting document to emphasise the area qualities; the importance of retaining open spaces should be mentioned and there should also be reference to neighbouring developments outside of the Conservation Area (in that they should have due regard/ not conflict with the Conservation Area). The Council does prepare leaflets on Conservation Areas, development is required to preserve or protect the Conservation area (from within or beyond the boundaries). Open spaces are integral to Conservation Areas and their quality, and are protected by the Conservation Area designation and other policies of this plan.
- 23. As point 4

Recommended revision(s)

- 1. The policy wording be changed to reflect the wording in accordance with PPG15. A reference should be added regarding the protection of important views. The status of the Rock Townsend Study should be confirmed as well as a commitment to review/ replace it in due course.
- 2 – 23 No change required.

Topic: DAP11 – Unlisted Buildings in Conservation Areas.

Summary of matters raised in objections.

- 1. English Heritage has some concerns regarding the detailed wording of DAP11, they have reservations over the use and interpretation of the term 'historic integrity' and suggest that this should be revised as follows ... 'affect the character, appearance or setting of the Conservation Area'. The policy should refer to the presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a conservation area. The policy and supporting text should be reworded and expanded to accord with PPG15 and the criteria relating to the demolition of unlisted buildings in conservation areas, and the necessary supporting information. *ref: 302 /BJ English Heritage (West Midlands Region).*
- 2. Development near a conservation area should be in sympathy with it, also road and traffic signs erected by the District and County Council's should come under the definition of 'development'. *ref: 148 / BO Campaign to Protect Rural England (Warwickshire Branch).*

Response of Head of Planning & Engineering to matters raised

1. The detailed wording of this policy could be altered to more closely follow that used in PPG15 therefore 'historic integrity' should be replaced with 'affect the character, appearance or setting of the Conservation Area'. The policy should be revised to refer to the presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a conservation area. It is considered that expanding the policy and reasoned justification as set out in the objection will weaken the objective of the policy.
2. The CPRE would like to see signs and road signs erected by the District and County Council included in the definition of development in Conservation Areas. This (unfortunately) is not possible due to the Highways Regulations, Alan Mayes / the Conservation team attempt to liaise as and when possible with highways personnel to try and minimize street clutter and negative impacts on Conservation Areas.

Recommended revision(s)

1. The wording of the policy should be reworded in accordance with the objection to comply with PPG15. The policy should also be expanded to refer to the presumption in favour of the retention of unlisted buildings in Conservation Areas.
2. Road signage / statutory signage concerns are best dealt with by reference to Policy DAP10 (Protection of Conservation Areas). This objection has required an additional paragraph 9.44a in the reasoned justification.

Topic: DAP12 – Control of Advertisement Hoardings**Summary of matters raised in objections.**

1. Policy DAP12 should include road signs and information signs that are erected by the Council. *ref: 115 /AN Alan Roberts.*

Response of Head of Planning & Engineering to matters raised

1. Road and directional information signage are required by the Highways legislation.

Recommended revision(s)

1. This objection has been dealt with by the addition of a reference within DAP10 (Protection Of Conservation Areas).

Topic: DAP13 – Protecting Historic Parks and Gardens.

Summary of matters raised in objections.

1. English Heritage has a number of concerns regarding the policy's detailed wording and the content of the supporting text. 'Designated' in parts a) and b) of the policy should be replaced by 'included'. The supporting text at paragraph 9.48 is considered misleading and should be deleted. The clarity of the last part of paragraph 9.49 should be improved in terms of highlighting that all landscapes included in the English Heritage Register are considered to be of national interest and there should be further detail added to the reasoned justification setting out the three Grades (see objection topic file). The supporting text para 9.5 refers to work that would 'restore the landscape to an appropriate point in history'. This approach is said not to reflect current landscape philosophy and it is suggested that alternative wording is introduced 'it will be necessary for the applicant to show that the work proposed would not detract from the character and significance of the landscape as set out in an agreed conservation statement or conservation plan'. It is further suggested that the supporting text also encourages the undertaking of historic parkland evaluations and the preparation of management and conservation plans in line with the County Structure Plan policy framework. *ref: 302 /BK English Heritage (West Midlands Region)*

2. Warwickshire Gardens Trust would like to be recognised as an official consultee on the content of the Local List and the development of garden land, and particularly of historic parks and gardens within Warwick District. The trust would also like to see provision for the extension of the Local List, both within the consultation period and at other times when such gardens are found to be significant. *ref: 189 /AA Warwickshire Gardens Trust.*

3. Would like to see the inclusion of management plans, the national importance of the English Heritage Register should be noted as well as the three categories of entry. The objector has supplied some additional / revised text to be considered. *ref: 149 /AH Warwickshire County Council (Museum Field Services – Archaeology).*

4. Policy DAP13 should not afford equal protection to Parks and Gardens on the EH Register and those on the Local list. This is apparently in conflict with PPG15 and the policy should only apply to parks and gardens on the English Heritage Register. *ref: 110 /AM Government Office for the West Midlands.*

5. Welcomes the Policy but would like to see Castle Park added to the list of gardens (paragraph 9.49), as Castle Park and Warwick Castle are 'separate entities'. *ref: 66 /AX The Warwick Society.*

Response of the Head of Planning and Engineering to matters raised

1. The policy wording should be amended accordingly with reference to the three categories of garden included in the English Heritage Register.

2. The Register can be added to during the course of the plan if deemed necessary/ appropriate.

3. The policy wording should be ammended accordingly with reference to the three categories of garden included in the English Heritage Register.
4. The policy should be ammended in accordance with the objection so as to set out the relative level of protection for national and local designated parks and gardens
5. Add Warwick Castle Park as a separate entry on the list of Gardens/ parklands.

Recommended revision(s)

1. Change text to accord with the objection form English Heritage.
2. Reference to the ability to add to this list of parks and gardens is added to the reasoned justification.
3. Change text to accord with the objection form English Heritage.
4. The relative significance /level of protection afforded to the two registers should be made clear.
5. Castle Park should be added as a separate entry to the list of parks/ gardens.

Topic: DAP14 – Protecting Safeguarded Areas

Summary of matters raised in objections.

1. Objects to the inclusion of this policy as it suggests that the airport can expand and wind farms can be built (are acceptable development). Major development like these should only be after public consultation. *ref:115 /AO Alan Roberts.*
2. Safeguarded areas should not create unreasonable constraints on habitat areas, it is suggested that the second sentence of paragraph 9.52 should be amended to read ‘ restrictions may be imposed..... on development which the airport operator can clearly demonstrate will create an increased risk of bird-strike. *ref: 1 /AD Warwickshire Wildlife Trust.*

Response of Head of Planning and Engineering to matters raised

1. The policy is required to protect existing aerodromes or technical sites it does not suggest these uses can expand or be built without going through the due processes. The policy intends to prevent new development of a size and scale that would cause problems of safety to existing uses.
2. The reasoned justification could be changed in line with the recommendation of Warwickshire Wildlife Trust so as to require sufficient evidence of the threat of birdstrike before habitat creation or expansion is prevented.

Recommended revision(s)

1. No change
2. Adjust the reasoned justification in line with the Wildlife Trust objection.

Topic: CH 9 OM – Chapter 9 Omissions

Summary of matters raised in objections.

1. The plan should contain a specific policy to protect and enhance the canals and their surroundings. ref 148/AU Campaign to Project Rural England (Warwickshire Branch).
2. Plan should restrict extent of development at Warwick University to that approved in the development brief. ref 148/CA Campaign to Protect Rural England (Warwickshire Branch).
3. The designated Areas chapter should include a policy on scheduled ancient monuments. ref 149/AE Warwickshire County Council (Museum Field Services – Archaeology)
4. The plan should include policy to protect river corridors for reasons other than flooding including biodiversity, landscape, access and recreation. ref 187 /AE The Countryside Agency (West Midlands Region).
5. The plan should include a policy which lists all scheduled ancient monuments throughout the District. ref 223/BC The Kenilworth Society.
6. The plan should include a policy which acknowledges Baggots Castle, Fishponds and Lunt Roman Fort. ref 260/AA Baginton Parish Council.
7. The plan should include an overarching policy on Listed Buildings incorporating a clear statement on the Councils statutory duty to preserve Listed Buildings. Ref 302/BE English Heritage(West Midlands Region).
8. The plan should include a policy on scheduled ancient monuments that is cross referenced to Chapter 4. ref 302/BL English Heritage (West Midlands Region).
9. Plan should include a policy on unlisted buildings which are considered important heritage features at a local level ref 302/ BM English Heritage (West Midlands Region).

Response of Head of Planning & Engineering to matters raised

1. It is felt that the provisions of the DP Policies (in particular DP1) can be applied to the canal network in the district and that a specific policy is not required. The importance of the canal network is emphasised in SC4 and policy SC10.
2. The plan has itemised Warwick University as a Major Developed site in the Green Belt (see policy SSP2). This policy reflects Government Guidance that supports the development of Higher Education establishments. This policy affords the University no further development potential than that in the existing development brief. Any proposals for future expansion beyond the boundary defined by the brief will be subject to consideration against all of the relevant policies in the plan.
3. Scheduled Ancient Monuments are considered by policy DP4. It was deemed to be more appropriate in the DP section as this policy protects Scheduled and other (non-scheduled) features from development.
4. The plan protects River corridors from development pressure adequately by virtue of policies in the DP chapter (1 and 3). The majority of the river corridor within the urban context is also protected from development by policy Dap2 Areas Of Restraint.
5. The plan shows all of the Scheduled Ancient Monuments on the Proposals Map.

<p>They are protected by policy DP4. A reference is made to the County Council who manage the definitive list.</p> <p>6. The Lunt Roman Fort, the fishponds and Baginton Castle are all Scheduled Ancient Monuments (shown on the proposals map) and are protected by DP4.</p> <p>7. Policy DAP6 refers to the Councils Statutory duty to preserve Listed Buildings (in particular paragraph 9.31.</p> <p>8. Same argument as objection 3 (above).</p> <p>9. Warwick District has extensive Conservation areas and buildings of merit have been surveyed and Listed accordingly. This Authority does not have an alternative register for non-statutory buildings of merit, however they may be protected by Conservation Area designations DAP10, or the generic policies within the Development Policies section (DP).</p>
<p>Recommended revision (s)</p> <p>1. No change</p> <p>2. No change</p> <p>3. No change</p> <p>4. No change</p> <p>5. No change</p> <p>6. No change</p> <p>7. No change</p> <p>8. No change</p> <p>9. No change</p>

Topic: CH 9 INTRO – Chapter 9 Introduction

Summary of matters raised in objections.

1. English Heritage would like to see the wording amended to better reflect the contribution of the historic environment to the quality of the District's environment. The following amendments to the wording of paragraphs 9.1 and 9.2 are recommended. 'The wildlife, landscapes, and historic buildings, monuments and places, all contribute to the quality of the environment of Warwick District'. 'Much of the District is protected by designations that seek to ensure the continued preservation of the natural, built and historic environment'. It is suggested that the sub heading on page 9.7 should be changed to read The Historic and Built Environment. Ref 302/AZ English Heritage.

Response of Head of Planning & Engineering to matters raised

1. The changes requested could be added to the text of the Designated Areas chapter for the reasons set out above.

Recommended revision (s)

1. Change the text as set out above.