

## Warwick District Local Plan 1996 - 2011

### Topic Response Analysis – First Deposit Version

#### Topic: Proposal Map 1 - District Wide

##### Summary of matters raised in objections.

1. Hunningham Coppice and Broadwells Wood (the entire extant area) should be shown on the Proposals maps (Warwickshire Wildlife Trust ref: 1/AG, Warwickshire Field Services Ecology ref: 150/AM).
2. There should be a village envelope around Bubbenhall (Bubbenhall Parish Council ref: 10/AE).
3. Flood risk areas should be shown at larger scale and in more detail (Barford, Sherbourne and Wasperton Joint Parish Council ref: 52/AE).
4. Gaveston Cross and Warwickshire Golf Club should be shown as scheduled monuments on the proposals maps (Leek Wootton and Guys Cliffe Parish Council ref: 64/AC, Mr A Moore ref: 156/ AD).
5. The extent of the University of Warwick campus located within the district should be identified (Turley Associates ref: 107/AD).
6. Hatton Park should be removed from the green belt and special landscape designation (A C Lloyd ref: 142/AB, Mr. D Austin ref: 239/AP).
7. English Heritage gardens should be shown on the proposals maps (CPRE ref: 148/BP).
8. The status of 'The Pleasance' at Kenilworth should be clarified (CPRE ref: 148/BY).
9. The significance of the purple area at Wappenbury should be clarified (CPRE ref: 148/BY).
10. Land between Howes Lane and the A46 should be taken out of the green belt (Mrs E Brown ref: 167/AC).
11. Sites covered by SSP1, SSP2 and SSP3 should be more clearly labeled (Environment Agency ref: 226/AU).
12. Map should include strategic cross boundary cycle and pedestrian routes referenced to policy SC4 (Coventry City Council ref: 242/AH).
13. Transport Corridor between Kenilworth and Coventry should be removed from the map (Coventry City Council ref: 242/AJ).

### **Response of Head of Planning & Engineering to matters raised**

1. Add Hunningham Coppice and Broadwells Wood ( The entire extant area) to the proposals map
2. The local plan sets out the reason why only five limited growth villages have been identified in policy RAP2. In the context of the restraint to growth in rural areas required by the Structure Plan, it is not felt appropriate to identify more villages for further development.
3. The boundaries of the flood risk areas will be replaced with boundaries from more up to date flood zone maps. The Reasoned Justification in revised paragraph 4.59 will state that these boundaries may change over time and should be used as a basis for consultation rather than decision making. It will be the responsibility of the applicant to contact the local authority and Environment Agency to determine the most up to date information on the risk of flooding.
4. Gaveston Cross and Warwickshire Golf Club are not on the list of scheduled monuments produced by English Heritage and as such it would not be appropriate to identify these on the Proposals Map. Gaveston Cross is a Grade II listed building and therefore would be protected through other policies within the Local Plan.
5. I agree that the University of Warwick should now been identified as a “major developed site in the Green Belt” and this is done through an amendment to policy SSP2.
6. Along with the other settlements within the Green Belt in Warwick District , Hatton Park has always been included in the Green Belt. It was allocated in the previous local plan specifically in accordance with a policy in the (then) Warwickshire Structure Plan for the redevelopment of redundant hospital sites in the Green Belt. The development brief provided a framework for a development in a parkland setting to reflect the parkland setting of the former hospital. As such it is a “planned” development and is not appropriate for further expansion or development.
7. All of the scheduled parks and gardens of special historic interest are identified on the Proposals Map.
8. ‘The Pleasance’ is a scheduled Monument listed by English Heritage and is identified as such on the Proposals Map.
9. The purple edged area denotes the boundary of the scheduled ancient monument at Wappenbury.
10. The site is bounded by Howes Lane to the west, housing to the north and the A46 embankment to the east. The site has a large single dwelling with a number of outbuildings. There is a strong tree belt along the road frontage and the A46 embankment provides a backdrop to the site of trees and shrubs. The overall site is rural in character and provides a definite, rural edge to the built up area to the west and north.
11. I recognise that the scale of the Proposals Map makes some allocations difficult to

read. For this reason the local plan includes inset and information maps, particularly covering sites in policies SSP1, 2 and 3.

12. It would be useful to show implemented cycleways which form part of route 41 of the National Cycle Network on the Proposals Maps. In the case of proposed routes it is considered inappropriate to show these until the defined routes are known.
13. The identification of a transport corridor between Leamington and Kenilworth simply reflects identification of this route in the Local Transport Plan. There are no policies in the local plan which would encourage development within the rural area along this route.

#### **Recommended revision (s)**

1. Add Hunningham Coppice and Broadwells Wood.( the entire extant area).
2. No changes required.
3. The Flood Plain boundaries will be replaced with boundaries based on more up to date information.
4. No changes required.
5. Include the University of Warwick as a Major Developed Site as defined in policy SSP2.
6. No changes required.
7. No changes required.
8. No changes required.
9. No changes required.
10. No changes required.
11. No changes required.
12. Include the implemented sections of route 41 on the Proposals Maps. Amend Para 5.20 of the reason justification to refer to routes 41 and 52 of the National Cycle Network.
13. No changes required.

#### **Topic: Proposal Map 2 - Leamington and Warwick Urban Area.**

##### **Summary of matters raised in objections.**

1. Objects to the absence of land use allocations on areas left white on the proposals maps (John Turner ref: 66/BC).
2. Castle Lane Car park should be deleted from the area of restraint – the boundary should be repositioned to the south eastern edge of the car park (Warwick Castle ref: 122/AA).
3. Site at Leigh Foss should be excluded from the area where rural policies apply (KB Benfield Group Holdings ref: 132/AC).
4. Area of restraint between Radford Semele and the Leamington Urban area

should be deleted (Coventry Diocesan Board of Finance ref: 139/AA, A C Lloyd LTD ref: 142/AA).

5. Land adjacent to Woodside Farm should be deleted from the area of restraint (Thomas Bates and Sons Ltd ref: 153/AA).
6. Object to non specific designation of land on proposals maps (James Mackay ref: 199/AT, Coten End and Emscote Residents Association ref: 193/AT).
7. North Leamington school should be deleted from the green belt (Cala Homes ref: 220/AA).
8. Sites covered by SSP1, SSP2 and SSP3 should be more clearly motivated (Environment Agency ref: 226/AV).
9. Area of restraint between Whitnash and Bishops Tachbrook should be redrawn to exclude Leamington Golf Course and the site identified at Fieldgate Lane (David Wilson Homes ref: 227/AE).
10. Land at Milverton should be deleted from the Green Belt (George Wimpey Strategic Land ref: 240/AE).
11. Site at Gallows Hill should be removed from the area where rural area policies apply (Hallam Land Management ref: 245/AB).
12. Land west of Europa Way should be excluded from the area of restraint (The Europa Way Consortium ref: 246/AA).
13. Land south of Harbury Lane and both sides of Tachbrook Lane should be designated as an area of restraint (Andrew and Julie Day ref: 250/AD).
14. Land south west of Radford Semele should be excluded from the area of restraint and rural area policies should not apply (T & N Limited ref: 256/AA).
15. Land south of Thwaites should be excluded from the green belt (Arlington Planning Services LLP ref: 277/AA).
16. The flood risk areas are incorrect in the Offchurch Bury area and should be altered (H E Johnson ref: 290/AA).
17. Rural area policies should not apply to Land at Stratford Road (George Wimpey UK ref: 291/AE).
18. The area of restraint should bisect the middle of Warwick Racecourse to omit the grandstand and associated buildings (Warwick Racecourse ref: 303/AJ).

#### **Response of Head of Planning & Engineering to matters raised**

1. The absence of a designation on some land within the urban areas does not mean that there are no policies to control development in these areas. The key

to the Proposals Map makes it clear that all "Urban Area Policies" apply throughout this area.

2. I agree that the boundary of the Area of Restraint should be redrawn to exclude this piece of land. The boundary of the registered park is, however, correct.
3. There is no requirement to allocate this land for housing, and therefore no reason to include it within the village envelope and exclude it from the designated rural area.
4. There is not considered to be any reason for amending the Area of Restraint boundary between Radford Semele and Leamington from that contained in the adopted local plan.
5. It is considered that this land should still remain within the Area of Restraint. There is no reason why it should be released for development during the period of this local plan and it continues to play an important role in containing the urban area in this location.
6. See comments on 1 above. It is the role of all relevant policies to control the overall level of housing development throughout the district.
7. This objection has been met through the designation of the land as a major developed site in the Green Belt in accordance with policy SSP2.
8. I recognise that the scale of the Proposals Map makes some allocations difficult to read. For this reason the local plan includes inset and information maps, particularly covering sites in policy SSP1.
9. There is not considered to be any reason for amending the Area of Restraint boundary in this location from that contained in the adopted local plan. Identifying this land as a reserve site is not considered necessary given the level of housing proposed by the Regional Planning Guidance and in any event, if such land was to be required, the Council would wish to undertake a thorough exercise to identify the most suitable area considering all possible sites.
10. Government guidance is clear that Green Belt boundaries should only be amended in exceptional circumstances. As noted above, there is not considered to be any requirement for identifying land as a reserve housing site given the level of housing proposed by the Regional Planning Guidance and in any event, if such land was to be required, the Council would wish to undertake a thorough exercise to identify the most suitable area considering all possible sites.
11. I am not of the view that further land for employment purposes need to be identified at Gallows Hill for employment use and therefore there is no requirement to amend the boundary of the rural area at this time.
12. The purpose of the areas of restraint is to provide clear separation between Warwick and Leamington. It was supported by the Inspector at the last local plan inquiry and I see no reason to amend the boundary now.

13. It is not considered that this area requires a further area of restraint designation. The other areas of restraint protect edges of built development that are otherwise more vulnerable. Harbury Lane is by contrast a strong defensive boundary and it is felt that further protection through area of restraint is unnecessary.
14. This area is rural in character and it is entirely appropriate that rural area policies should be applied to it. Furthermore, it forms part of a wider Area of Restraint that has strong Council support in protecting the setting of both Leamington and Radford Semele.
15. It is entirely appropriate that this land should now be included in the Green Belt. It is in agricultural use and forms an important buffer to the Thwaites factory to the north. It has no consent for employment use.
16. The information on areas of flood risk has been provided by the Environment Agency. The Council has been commended by the Government Office for including it on the Proposals Map. The Council will ensure that in producing all subsequent drafts of the local plan, the boundary of any flood risk areas shown reflect the most up to date information available from the Environment Agency.
17. This site is rural in character and entirely appropriate as “rural area” for the purposes of this policy.
18. A review has been made of the Area of Restraint in this area and a revised boundary has been proposed. The boundary is now proposed to exclude the main racecourse buildings that form a continuous mass of development (often at 2 or more storeys). Their bulk prevents there being any views into the St. Mary’s Land area. Some of the buildings are of a poor quality, and were these to come forward for redevelopment it is considered that there would be no justification in principle for opposing development under the terms set out in policy DAP2. The aim of DAP2 is to protect “the generally open nature of the area” and it is considered that this area does not contribute towards this objective. To remove it would improve the robustness of the designation of the remainder of the Area of Restraint in this area.

**Recommended revision (s)**

1. No change
2. Amend Area of Restraint boundary to the north of Warwick Castle.
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. No change
14. No change

15. No change
16. No change
17. No change
18. Amend boundary of Area of Restraint at Warwick racecourse.

### **Topic: Proposal Map 3 - Leamington Town Centre Map.**

#### **Summary of matters raised in objections.**

1. 1 to 2 Clarendon Square should be taken out of the town centre employment area and included in the area to be primarily in residential use (Scottish Widows Investment Partnership ref: 143/AA).
2. Telephone exchange site is more appropriate for A2 / A3 uses and housing and should be labeled as such (Leamington Chamber of Trade ref: 192/AB).
3. The Leamington Primary Retail Frontage should be extended to include the rest of Warwick Street and all of Park Street / Regent Street (Leamington Chamber of Trade ref: 192/AD).

#### **Response of Head of Planning & Engineering to matters raised**

1. 1-2 Clarendon Square could be deleted from the protected employment area by virtue of its relationship with opposite / neighbouring residential uses. This change would also reflect the residential consent ( now granted for this property) and rationalise the residential character of this elevation/ block.
2. The telephone exchange has is not within the defined retail areas and as such ( subject to it not being part of a much larger scheme within the area of search boundary) change of use to A class uses would currently be unacceptable. Change of use to residential would accord with the policies of this plan.
3. It is the function of the primary retail frontage to protect the 'core' shopping street to maintain their A1 retail predominance and in doing so protect the A1 retail function of the town centre overall. It is considered that the proposals included in the objection would lead to a dispersal of the primary retail frontage that would be contrary to their purpose. It must be noted that the secondary retail frontage allows for a more mixed range of A class uses (however this has been tightened by the proposed new policy TCP5).

#### **Recommended revision (s)**

1. Change plan to make 1-2 Clarendon Square part of the area to be primarily in residential use as per policy TCP10.
2. No change required.
3. No change required.

## **Topic: Proposals Map 4 - Warwick Town Centre Map**

### **Summary of matters raised in objections.**

1. Land bounded by Northgate Street, Northgate, The Butts and the Church of St Mary's should be deleted from the town centre employment area (The Tyler Parkes Partnership ref: 158/AD).
2. Object to non specific designation of land on the proposals maps (James Mackay ref: 199/BW, Coten End and Emscote Residents Association ref: 193/BW).
3. Retail area should be extended to include Sainsbury's store car park and adjacent Council owned car park (Sainsbury's Supermarkets Limited ref: 258/AA).

### **Response of Head of Planning & Engineering to matters raised**

1. This objection is similar to the one made with reference to TCP9. In this instance it is considered that examination of the proposal by the submission of a planning application would be the best way to ascertain the future use. It may prove that the 'first use may prove to be the best' and in the interests of the Listed Buildings that the current designation is set aside. Details of such a proposal would be necessary to investigate this change of use and therefore it is considered premature to re-designate this area in advance of a detailed planning application.
2. The plan does not require blanket coverage of every property or piece of land within the town centre, where specific uses or designations are apparent they are identified. Other areas will be subject to the policies of the plan as and when any proposed changes of use or re-development schemes are forthcoming.
3. If designated as retail it may be construed that the full coverage of the site for retail use may be acceptable. As it stands any proposals to extend the existing store would be judged against the appropriate policies of the plan.

### **Recommended revision (s)**

1. No change required.
2. No change required.
3. No change required.



## Topic: Proposals Map 5 - Kenilworth

### Summary of matters raised in objections.

1. The triangle of land between Highland Rd and Woodland Rd should be deleted from the green belt (George Wimpey Strategic Land ref: 136/AA, Michel and Barbara Hague ref: 276/AA).
2. The town centre boundary should be redrawn to include Smalley Place, Abbey Hill, the whole of Abbey Fields and the High Street (Kenilworth Society ref: 221/AY).
3. Kenilworth Town Council (ref: 223/AM) raise the following objections:
  - Key should be changed to indicate that flood areas are not shown comprehensively.
  - Existing employment areas (Princes Drive, Farmer Ward Road and Common Lane) should be identified as employment land.
  - The National cycle network should be marked on the map.
  - The transport corridor should be amended and renamed as a public transport corridor
  - Key should refer to all town centre policies not just TCP2.
  - Open space should be identified on the map.
  - Tainters Hill is wrongly identified and should be designated as an area of restraint.
  - Land at Thickthorn should be included in the special landscape area so it completely surrounds Kenilworth.
  - Map should show current boundaries of scheduled monuments at St Mary's Abbey.
4. The town centre boundary should be extended to include the land to the rear of Talisman Square/ Bertie Road (Sainsbury's Supermarkets ref: 258/AC)
5. Land at Rouncil Lane should be excluded from the green belt, special landscape area and area where rural policies apply (Mr. M F Dodd ref: 277/AB).
6. Kenilworth Rugby Football Club should be removed from the green belt (Kenilworth Rugby Football Club ref: 235/AA).
7. The Kenilworth town centre boundary should be amended to include the area adjacent to Talisman Square (Cobalt Estates ref: 264/AA).

### Response of Head of Planning & Engineering to matters raised

1. This land was omitted from the Green Belt in the previous local plan however I am of the opinion that the land should properly be considered as Green Belt given its character, appearance and use. It's designation in the draft local plan was supported by a number of local people.

2. The boundary of the town centre has been drawn to encompass those uses that are essential to the effective operation of the town centre in providing a focus for shopping, service and civic functions within Kenilworth. To draw the town centre boundary too narrowly would prevent areas from playing a part in this role, however to draw it too widely would potentially dissipate the range of uses that would potentially wish to locate in the town centre. The Abbey Fields area has little relationship with the functioning of the town centre and the High Street area offers a different type of shopping to that offered in the town centre. Its designation as a local shopping centre is the most appropriate way of protecting its character. The Plan should be changed in accordance with this objection to encompass the Police Station/ Library site at Smalley Place is within the town centre.
3. With regard to the objections from Kenilworth Town Council:-
  - The boundaries of the flood risk areas will be replaced with more up to date flood zone maps. The Reasoned Justification in revised paragraph 4.59 will state that these boundaries are not necessarily comprehensive and that they may change over time and should be used as a basis for consultation rather than decision making. It will be the responsibility of the applicant to contact the local authority and the Environment Agency to determine the most up to date information on the risk of flooding
  - The approach taken in the local plan (policy SC2) has been to protect ALL employment land, not just that covered by the former protective designation in the adopted local plan. Until such time as this local plan is approved, the protective designation in the adopted local plan will remain.
  - There are two National Cycle Network routes which run through Warwick District; route 41 between Rugby and Stratford upon Avon which is partially completed and proposed route 52 between Derby and Stratford upon Avon. It is agreed that it would be useful to show on the Proposals Maps those sections of Route 41 which have been implemented. In relation to the proposed sections (including the line of proposed route 52) it is considered inappropriate to show these until the defined routes are known.
  - It is accepted that to improve clarity the transport corridor should be renamed to refer to 'public transport corridor'.
  - It is agreed to aid clarity the key should refer to all relevant town centre policies. These are TCP2, 4, 5, 9, 11, 12 and 13.
  - Open space is not being identified on the Proposals Map in view of the audit of open space that is presently being carried out. Policy SC5 gives protection to all open space in the district.
  - The reference to Tainters Hill is on the base map supplied by Ordnance Survey, however we will amend this if we are able. There is no rationale for creating an Area of Restraint for this area. It already receives full protection since it is within a conservation area and is protected by policy SC5.
  - The Special Landscape designation is being withdrawn from the whole of the district for reasons set out elsewhere in this report.
  - On completion, the Council's open space audit will identify areas of open space across the district and it may be useful to highlight these on the

proposals maps or within a supplementary planning document at a later stage.

4. It is considered premature to encompass this area within the town centre boundary, if the Supermarket/ Cobalt House proposals had been completed it would have made sense to rationalise this boundary in accordance with the objection. As the re-development of this area has not been completed we should maintain the existing boundary.
5. I consider that the area referred to in the objection (which included land both land in the Green Belt in the adopted local plan and land brought into the Green Belt in this local plan) should be maintained within the Green Belt. The land fulfills some of the purposes of including land in Green Belt noted in PPG2 (paragraph 1.5) and once in the Green Belt the land fulfills some of the objectives outlined in paragraph 1.6. The special landscape area designation is being deleted from the whole local plan.
6. This land was included in the Green Belt for the first time in the draft local plan. I consider that this land does fulfill the requirements for Green Belt designation identified in PPG2. Its designation would help to check the unrestricted sprawl of the urban area and preserve the character and setting of this part of Kenilworth. As land within the Green Belt the site retains attractive landscapes close to where people live. Accordingly, I consider that the site should remain within the Green Belt.
7. The Council has now resolved to approve, subject to the completion of a legal agreement, the erection of a food store on the site of the Youth Centre in Talisman Square car park. I consider that at such time as the store is built, it would then be appropriate to amend the boundary to include it within the town centre. However, until such time as this happens, it would be premature to do so. The application for the store was considered against planning policy as being on the edge of, but largely outside, the town centre. This enabled a proper consideration of all the planning issues pertinent to these circumstances. If the store was not to be built for whatever reason, it would be proper to consider any future application in just the same way, and not to change the context within which such a proposal was to be considered.

#### **Recommended revision (s)**

1. No change
2. Change Town Centre boundary to encompass the Police Station / Library site at Smalley Place.
3. Changes as follows:-
  - The flood risk are will be amended in the revised draft local plan by more up to date plans supplied by the Environment Agency.
  - No change
  - Include the implemented sections of Route 41 on the Proposals Maps. Amend the reference to the National Cycle Network in Para 5.20 to refer to routes 41 and 52.
  - Rename transport corridor to state 'public transport corridor'

- Amend key to this Proposals Map as indicated.
  - No change
  - Amend OS base map with reference to Tainters Hill is this is technically possible.
  - Delete Special Landscape Area designation from the whole of the local plan.
  - No change.
4. No change
  5. No change
  6. No change
  7. No change.