

Warwick District Local Plan 1996 - 2011
Topic Response Analysis – Revised Deposit Version

Topic: Chapter 7 (Town Centre Policies) - Introduction

Summary of matters raised in objections.

1. Specific policies that protect small independent retailers are missing, unless this is done the existing centres will change their character resulting in a loss of trade from visitors. *ref 283 /RAP Ancient Monuments Society.*
2. Concern that there is no reference to the quantum levels of convenience floorspace that is required in the District as identified by the DTZ Study 2004. *ref 225 / RAA. W H Morrisons*
3. St Johns museum should be used as a base for the County Museum as a way of creating visitor interest/ potentially more footfall in the vicinity of the Smith Street retail area. *ref 354 / RAE Roger Higgins*
4. Objects to paragraph 7.8 as it does not provide any clarification on the status of Chandos Street car park. Until such times as the feasibility study is completed the reference should be deleted. *ref 350 / RBC Tesco Stores Ltd*
- 5 Recommends that paragraph 7.18 is amended to accurately reflect the findings of the DTZ Study to include the convenience floorspace requirement and a reference to the £72 million 'bulky goods' spend available. *ref 265 / RAC The Crown Estate.*
6. Neither Warwick Town Council or the Chamber of Trade accept the DTZ Study findings. In the town Council's view the policies are too directed to retail development in the 'main town centre' of Leamington Spa. *ref 266 /RAD Warwick Town Council.*
- 7.Would like to see an additional sentence added to para 7.18 stating that any retail development at Chandos Street will need to incorporate sufficient parking for the new development as well as that displaced from the existing car park. *ref 195 /RBE Leamington Society.*

Response of Head of Planning & Engineering to matters raised

1. The plan has policy to defend the A1 retail character and integrity of both the Primary and Secondary retail frontages in all of the town centres, plus TCP 2 resists the change of existing A class town centre uses to other (non A class) use categories. It would be very difficult to promote a manageable policy that could specifically preserve independent retailer representation, ultimately the success or otherwise of a particular business enterprise will be the factor that will dictate if such uses remain locally.
2. The level of convenience goods floorspace set out in the DTZ Study could be added to the introductory section of this chapter, however it is considered that this figure (as it

is relatively insignificant) will offer little to the range of the issues that the Planning Policies seek to address in this chapter, as these figures give an indication of growth potential in economic terms but will be subject to further more detailed analysis in the future.

3. This idea may have some merit but would not be best promoted by inclusion in this development plan.

4. The Chandos Street car park work is deemed to be important to the retail / town centre strategy for the District. Albeit this work has not been concluded it is considered important to mention it to afford the development industry the opportunity to consider its potential impact/ relevance in the formulation of any future retail proposals for the District and in particular Leamington Town centre.

5. Paragraph 7.18 of the DTZ study sets out the findings in relation to comparison goods shopping requirements for Leamington Town centre as this is seen to be a particular challenge (to try and meet a substantive amount of comparison need within the Districts 'main town centre'). The convenience goods figure is not quoted as it is seen to be of far less consequence to the needs of this centre. It is not necessary to include the detail of the bulky good figure as this is indicative of part of the comparison goods floorspace estimate. Setting out the overall floor space outputs for the District identified in the DTZ study (convenience and comparison) is considered not to add much to the introductory paragraphs of this chapter. It is likely that such figures would be used as 'targets' that must be met, when they are most valuable as an indication of the magnitude of growth potential that could possibly be required. The overall figures are likely to be refined / revisited during the plan period and beyond to continually update/ monitor the analysis and enable the Council to review its position.

6. It is considered that the range of policies for the town centres in the Revised Deposit plan provide an appropriate framework necessary to inform development proposals for each of the three town centres whilst maintaining the hierarchy of town centres identified by the Structure Plan (RSS). Warwick Town Council/ Chamber of trade fail to accept the different retail nature/ function of Leamington town centre that has needed a specific policy (TCP3) to set the criteria for any large scale development proposals (over 2500 sq m gross).

7. It should not be necessary to make a detailed reference to car parking proposals/ levels relating to the Chandos Street work, if any development proposals are ever submitted in relation to this land they will be considered against current Government advice in relation to car parking (including a consideration of any net loss of existing spaces). The addition of further text in paragraph 7.8A could mention the fact that the work of the Chandos Street feasibility study will take account of the future need for car parking to maintain the retail attractiveness of the Town Centre overall.

Recommended revision (s)

1. No changes required
2. No changes required.
3. No changes required
4. No changes required

5. No changes required
6. No changes required
7. Paragraph 7.8A should be amended as follows to attempt to meet objection 7 and to clarify the status of the statement in this paragraph with regard to Kenilworth town centre.

7.8A Following from the work undertaken by DTZ the Council is presently undertaking further work to address some of the key issues within the town centres. Within Leamington town centre it has commissioned work to assess the feasibility and opportunities for a retail – led redevelopment of Chandos Street car park. ***This work will also take account of the future need for car parking in maintaining the retail attractiveness of the Town Centre overall.*** In Kenilworth it, ***alongside Warwickshire County Council and Kenilworth Town Council, has developed traffic management measures, these have not yet been agreed and will be subject to public consultation as part of the consideration of a wider framework of improvements to the town centre. The framework for improvements to the town centre also includes environmental improvements and the possible redevelopment of a number of sites and in particular of a Public Service Centre at Smalley Place.*** ~~agreed a series of traffic management measures that will be subject to further public consultation and a framework of wider improvements to the town centre.~~

Topic: TCP1 – Protecting and Enhancing the Town Centres

Summary of matters raised in objections.

1. How can major retailing be directed to Warwick Town Centre as it is physically impossible to locate such uses here (the objector has assumed/ stated that the policy refers to supermarket type retailing). New mini 'supermarkets' should be directed to the centre of housing estates. The objector questions the legitimacy of prioritising town centre shopping that may attract the residents from outside of the immediate locality (from the South West Warwick development in particular) that will increase traffic problems in the town centre. *ref 354 / RAB Roger Higgins.*
2. Objects to this policy as the reference to scale should also consider the relationship to the catchment area as set out in PPS6. The revised policy TCP1 should read "development for retail, entertainment and leisure proposals will be permitted where they are of an appropriate scale relative to the role and function of the centre and its catchment". *ref 350 /RBD Tesco Stores Ltd.*
3. The objector has issues in relation to the land that is currently the area of (and immediately surrounding) the current Magistrates Court. He would like to see an additional paragraph as follows 7.11a - " Any new building to replace the existing magistrates court in Newbold Terrace, Leamington will be required to integrate with and compliment the neighbouring listed buildings without dominating them,

and will exceed their height. *ref 195 / RB The Leamington Society*

4. In relation to paragraph 7.9 the objector states that most vacant sites in Warwick have been infilled with residential proposals – and that this precludes expansion for alternative resources. *ref 312 /RAD Mrs Cherry Dodd.*
5. TCP1 should contain additional text requiring the Council to prepare enhancement schemes for the main shopping areas, including Old Town as well as for a number of important residential areas (architecturally) in Leamington , Warwick and Kenilworth. In relation to paragraph 7.8 the following should be added ' it is essential that plans for possible redevelopment take into consideration existing pressure for car parking in addition to new parking requirements that will be generated by any new retail development as well as the result of recent planning permissions which have been granted'. Para 7.11 the word ' support' should be replaced by 'consider', and the reference to 2500 sq m floorspace should be reduced to a smaller area. *ref 283/ RAQ The Ancient Monuments Society*

Response of Head of Planning & Engineering to matters raised

1. The purpose of UAP3 is to direct retail development to the most appropriate locations within the District. Clearly echoing the principles of PPS6 this policy seeks to emphasise the importance of a 'town centre first' strategy in order to sustain and enhance town centres by making them the preferred focus for new retail development. The objector has assumed that this policy is specifically relevant to ' supermarket' type development. This is not the case and the policy is intended to address all retail development proposals (whatever the format/ type of retailer). The objector is of the opinion that 'major' retail development can not be directed to Warwick Town Centre because of its physical limitations. Whether or not this is the case, the policy sets out an approach that requires the thorough investigation of town centre options, and outlining the criteria under which other circumstances will be considered (broadly reflecting the sequential site selection approach / justification) for retail locations required in line with PPS6. The objector questions the legitimacy of prioritising town centre shopping in that it may attract residents from outside the immediate locality causing environmental problems (albeit this approach is contrary to Government Policy – sustainable planning objectives). It is suggested that an alternative strategy directing mini – supermarkets to the centre of housing estates as an alternative. It should be stated that where necessary this authority supports the provision of new local centres with appropriate convenience shopping/ service opportunities to provide for local need (Namely Heathcote and South West Warwick). Policy UAP4 seeks to preserve / maintain Local Centres.
2. The primary purpose of TCP1 is to protect the existing town centre hierarchy and to ensure that any growth proposals (in line with the Structure Plan Hierarchy for Warwickshire) can be assimilated within the Districts three town centres without a detrimental impact to their character, form and function. The retail role and function of the town centres has helped to dictate the hierarchy. The Council

has subsequently engaged consultants to consider an assessment of growth potential within the District. The DTZ Retail study has looked at the relevant issues in relation to catchment and has given an indication of potential capacity across the District (this has been disaggregated between the town centres. The purpose of TCP1 is to assist in ensuring that the current hierarchy is not prejudiced and that the scale of development proposals does not undermine the particular environmental characteristics / infrastructure of the quality town centre environments that are evident in the District.

3. The objector has identified concerns regarding the area surrounding the Magistrates Court in Leamington Spa. Being within the area of search any retail proposals would be subject to the considerations of TCP3. Policy DP1 would be the correct vehicle for assessing design based criteria of any scheme at this location.
4. The objector states that recent residential proposals / permissions have precluded expansion for alternative uses in town centres. However, should sites become available the importance of TCP1 is to ensure that the current hierarchy is maintained and that the environmental qualities of our existing town centres is not prejudiced.
5. It is not the purpose of TCP1 to identify and prepare potential enhancement schemes. Car parking requirements would be carefully assessed as part of any future proposals. I accept that it may be better to replace 'support' in para 7.11 with 'give 'consideration'.

Recommended revision (s)

1. No changes required
2. No changes required
3. No changes required
4. No changes required
5. Change the second sentence of paragraph 7.11 to read, - "It will however ~~support~~ **consider**, in principle....

Note: A further change is proposed to paragraph 7.11: "....detrimental impact on the quality of those environments. ***For the purposes of considering such proposals within Warwick and Kenilworth town centres, the Council will expect applicants to seek to meet the requirements contained in criteria b) to e) of policy TCP3.*** Further guidance on the"

Topic: TCP2 – Directing Retail Development .

Summary of matters raised in objections.

1. Part of this policy seeks to restrict Changes of Use in retail areas so that they sit within uses Class A. There are no exceptions to this policy. It cannot be reasonable or correct to have a blanket policy restricting all development in shopping centres to class A. Not proper planning / not reasonable. The policy should be amended to allow other changes accordingly. *ref 224 /RAC Mr R Orr Bigwood Associates.*
2. Objects to this policy as it seen to be clearly inconsistent with the sequential approach advocated in PPS6 and fails to take into account the issue of retail impact. It is suggested that paragraph 1 of TCP2 is deleted. *ref 350 / RBE Tesco Stores Ltd.*
3. There are circumstances where the provision of retail floorspace outside town centres provides an ancillary function to other major uses, serving the catchment of that use. This should be recognised in the policy. The following should be inserted “ancillary retail development outside town centres which provides an ancillary function to other major uses will be supported where appropriate”. Para 7.12 of the reasoned justification should have the following added to the end of the paragraph ‘ the policy recognises that ancillary retail development outside town centres can provide an ancillary function to major uses and will be supported where appropriate’. *ref 321/ RAQ West Midlands International Airport.*

Response of Head of Planning & Engineering to matters raised

1. This policy seeks to maintain the predominantly retail function of the primary retail shopping areas within the Districts Town centres. This is to ensure that the retail (A class) levels of floorspace are maintained / enhanced in order to protect the retail function of the town centres, thus ensuring that the benefits of a defined retail core are not lost. It is accepted that town centres have to home other important uses to ensure their success, however the current levels of retail offer should be maintained if the vitality and viability of the retail function is to be maintained.

2. The primary function of this policy is to direct new retail development to the primary shopping areas of the town centres, in doing so it is intended to maintain/ enhance existing retail offer whilst ensuring that the benefits of a well defined/ tightly focused retail core are not prejudiced. The policy also restrict changes of use from A- Classes to alternative uses to help maintain overall retail floorspace levels and encouraging the re-use / re cycling of vacant opportunities. Applications for retail floorspace that are not well related to the primary shopping area will be expected to comply with the requirements of PPS6 in order to establish their appropriateness in terms of need/ sequential

requirements.

3. The District Council accepts that there are certain circumstances where ancillary retail provision outside of Town Centres may be appropriate. In line with PPS6 (para 3.30) the Local Planning Authority should ensure that the retail element is limited in scale and genuinely ancillary to the main development. Consideration of the scale, range of goods etc will also be relevant. I do not consider that it is necessary to add a specific reference to UAP3 in relation to ancillary retail uses, and each individual case should be considered on its particular merit/ relative issues. I do not feel that it is appropriate to offer 'support' for such uses as they will be considered appropriately in line with the Government Guidance.

Recommended revision (s)

1. No changes required
2. No changes required
3. No changes required

An amendment has been made to criterion (c) as follows: ***(c) within the mixed use area of Warwick Town Centre defined on the Proposals Map.***. For the justification for this, see policy TCP8.

Topic: TCP3 - Providing for Shopping Growth in Leamington Town Centre.

Summary of matters raised in objections.

1. Paragraph 7.18 confirms that an additional capacity for 37,300 sqm of comparison goods floorspace capacity is identified for Leamington Town Centre (from the DTZ Study). The local Plan should also confirm the quantative need for convenience retail development in the District required within the retail centres. ref 225 / RAB W H Morrison Supermarket.
2. Object to this policy for the reasons cited in objections to DP7 and UAP3 Paragraph 7.22 should refer to large scale or major retail proposals of 2500 sq m gross or over. Object to the policy as it is inconsistent with national policy contained within PPS6 and PPG13 (see paras 6.17 and 6.18) Object to the 1,000 meter threshold (same reasons as in DP7 objection). Also objects to the requirement for a proposal to reduce the number and length of car journeys. The objection considers that greater emphasis should be placed on references to the primary shopping area rather than town centres per se for new retail development. Suggests policy should be reworded to read: - "Retail development will be encouraged towards the town centres and permitted in accordance with national planning policy guidance contained within PPS6. Retail development will therefore be permitted providing:- a) there is a proven quantative need for the proposal. b) it satisfies the sequential approach. d) It delivers accessibility by a choice of means of transport and reduces the need to travel. d) It does not result

in adverse impact either in terms of retailing or traffic. Development proposals over 2,500 sqm (gross floorspace) will be required to demonstrate how they comply with this policy by means of a Retail Impact Assessment. Paragraph 7.17 should clarify that not all new retail extensions will be subject of Policy UAP3 in accordance with PPS6. Paragraph 6.18 is inconsistent with PPS6. Firstly there is no justification for the 1000 sqm gross threshold for Retail Impact Assessments and why this differs from the 2,500 sqm figure in PPS6. The paragraph should refer to 'easy walking distance (up to 300 m of the primary shopping area) in the context of the sequential approach. Finally the objector does not agree that it is necessary to demonstrate that all the need indicators need to be satisfied in order to justify new retail proposals. The objector believes that need consists of a number of factors, of varying relevance according to the nature of the development proposed , paragraph 6.18 should be changed to reflect the comments above. *ref 350/ RBF Tesco Stores Ltd*

3. The Crown Estate suggests that the allocations should be made to meet the forecast need in accordance with the sequential approach as stated in PPS6. Where specific town centre and edge of centre sites are not allocated to meet such need, future retail growth should be guided to sites within or adjacent to existing out of centre retail locations to maximize the opportunity for linked trips. *Ref 265 /RAC The Crown Estate*

Response of Head of Planning & Engineering to matters raised

1. The Local Plan could set out the quantative need for convenience floorspace requirements for the District, however as it is so minimal the Plan has focused on the comparison goods requirement as this is seen as the major challenge to be addressed (particularly in relation to Leamington Town Centre). The purpose of TCP3 is to guide / assist the provision of any such growth to an appropriate location thus ensuring that it assimilates with the existing retail core and does not prejudice the environmental quality / infrastructure capacity of the TC (which in itself is an intrinsic attractor of visitors/ investment).

2. I do not consider that this policy is inconsistent with Government Policy. There are particular concerns at the local level to ensure that any potential substantive growth to Leamington Town Centre's retail offer is well considered in order to make sure that it does not harm the existing environmental qualities that currently form an important part of the town's attraction as a retail destination. The area of search has been identified as the Councils preferred location for new development in order to give the development industry a clear indication of the most acceptable locations. The policy also sets out the criteria that new proposals should seek to address. In setting locally recognised requirements the Council has attempted to be pro- active. Alternatively, other proposals would have to be considered on their own particular merits in line with the requirements of PPS6. Furthermore the Council has appointed consultants (Colliers) to explore the potential of the Chandos Street Area in detail. An examination of the sequential possibilities within the District will also be required before realistic alternatives can be considered.

3. The Council is undertaking a feasibility study to explore the possibility of a retail-led

development in the vicinity of Chandos Street , it is currently too premature to allocate this or other alternatives until this work has been concluded.

Recommended revision (s)

1. No changes required
2. No changes required
3. No changes required

Topic: TCP4 – Primary Retail Frontages

Summary of matters raised in objections.

1. Some allowance needs to be better defined in relation to levels of A3/ A5 uses introduced and the balance of numbers relative to retail (A1) units. *ref 354 / RAD Roger Higgins.*

Response of Head of Planning & Engineering to matters raised

1. It would be very difficult to discern between levels of A3, and A5 uses, ultimately the market will determine, bearing in mind that many frontages already have a proportion of units in non A1 usage it is likely that competition and the market will determine the appropriate levels that can be sustained within this framework.

Recommended revision (s)

1. No changes required.

Topic: TCP5 – Secondary Retail Areas

Summary of matters raised in objections.

1. The qualifications set out in a) and b) are arbitrary and do not have any reasoned justification. There may be good reasons why alternative uses should be allowed. *Ref 224 / RAD Mr Orr.*
2. Some allowance needs to be better defined in relation to levels of A3/ A5 uses introduced and the balance of numbers relative to retail (A1) units. *ref 354 / RAD Roger Higgins.*

Response of Head of Planning & Engineering to matters raised

1. The qualifications are not arbitrary but are based on previous cases where the adopted Local Plan Policy has been challenged. It was considered more appropriate by Planning Inspectors to consider the percentage of the street elevation as a linear measurement rather than as a percentage of the overall units by usage (as previously done). The 50% level offers the tertiary areas a degree of flexibility that enables the introduction of non A1 uses to a level that will not prejudice the retail character. The level is considered apt as Policy TCP4 has tightened the amount of non A1 uses that are allowed in the primary retail frontages. The 16m reference has been set as it is considered to represent the equivalent of 2-3 'traditional' independent retailer shop frontages.
2. It would be very difficult to discern between levels of A3, and A5 uses, ultimately the market will determine, bearing in mind that many frontages already have a proportion of units in non A1 usage it is likely that competition and the market will determine the appropriate levels that can be sustained within this framework.

Recommended revision (s)

1. No changes required
2. No changes required

Topic: TCP – 6 Café Quarters

Summary of matters raised in objections.

1. Use of the word café is misleading, requiring greater definition, the objector believes that the Market Place has become biased to the evening economy to the detriment of the day time locals and visitors (family and elderly age group orientated economy). ref 354 / RAF Roger Higgins.
2. The town has certain constraints such as parking and lack of late night public transport, this coupled with the residential uses within the town centre are at odds with this policy. ref 226 / RAB Warwick Town Council.
3. The café quarter is fine for the summer months of the year but will leave a square that is a bleak void in the winter months. ref 312 / RAE Mrs Cherry Dodd

Response of Head of Planning & Engineering to matters raised

1 The basis for the introduction of the café quarter is centred on the outputs of the DTZ study that promoted the introduction of a café quarter as a way of introducing a central attraction to this part of the town centre. Ultimately the type and operation of further A3 and A4 uses would have to be assessed against the criteria in Policy DP1 to ensure that the protection of other interests is given proper consideration.

2. The District Council has with this policy attempted to be pro-active in an attempt to try and introduce more vitality into this part of the town centre. The constraints identified by the objector in relation to car parking may prove unfounded if for instance public car parking is better utilised. Public transport and taxis are available from this location.

3. The café quarter should present an attractive environment that will provide an attraction for visitors and local residents on a year round basis. This will be particularly so if links between the Castle and this area of the town are strengthened.

Recommended revision (s)

1. No changes required
2. No changes required
3. No changes required

Topic: TCP 7 Opportunity Sites in the Old Town, Leamington Spa

Summary of matters raised in objections.

1. OPP site 1, there should be a policy for the land between the Station and the houses on Avenue Road this should cover all the intervening land between Lower Avenue and the western end of the former goods yard. TCP7 and SSP1 (A) cover only parts of the overall site. It should be rewritten to include, provision for a town side entrance to the railway station (from Station Approach), new station facilities in keeping with the Listed status of the railway station, a bus turnaround and facilities for a rail to bus interchange to serve the town and District; cycle parking and facilities to encourage cycling to and from the station. Office and Commercial on the Quicks Garage site, restrictions on the height of any buildings on the land because of the relationship with Listed buildings / residential uses. Objects to extensive car parking because of its intrusive effects on surrounding residential properties/ creation of traffic congestion if routed off Avenue Road. Car parking is more suited to the south of the station off Old Warwick Road. *ref 148 / RBA Campaign to Protect Rural England.*
2. Proposals for the opportunity sites should be more specific about the types and mix of uses that would be provided and allowed for in such areas. *ref 120 / A0 Miller Homes.*
3. Paragraph 7.33a should be deleted from the plan and addressed via a Supplementary Planning Document. *ref 350 / RBG Tesco Stores Ltd.*
4. Suggest new wording as follows “ 7.31a Any redevelopment of the area between lower Avenue and Station Approach on the North side of the railway, should incorporate a North side entrance to the station together with a pedestrian entrance from Lower Avenue “ (as per Taylor Young report 1977). *ref 195 / RBG*

Response of Head of Planning & Engineering to matters raised

1. The land between Avenue Road and the former goods yard is outside the Town Centre boundary. It has previously been considered in the SPG that was prepared by Taylor Young and the Council (this study reflected its current Local Plan designation as employment land). The purpose of the inclusion of the Opportunity sites is to identify broad development principles that will be supported by the Council, thus affording the development industry some degree of certainty to bring forward development that will enhance these locations. The uses identified for site A are considered appropriate. An appeal against a housing scheme by Miller Homes on the Quicks Garage site is to take place, however the principle of the use is not to be debated it is the particular details (density and layout) that are being questioned. With regard to the railway station this has also been explored in the Taylor Young study, however the rail operators have committed themselves to (and subsequently executed) enhancements to the existing station forecourt/ arrival area on the South side of the station complex. I would agree that it is appropriate to include a reference to the provision of a town site access to the station as an aspiration, should it be possible to achieve this within the area of land available to the east of the Miller Homes site. The concerns about extensive car parking are noted, however any rail related car parking proposals that may come forward will have to conform with Development Policy principles, that would consider any potential intrusive effects and traffic issues.
2. The uses identified for the opportunity sites are broad so as to not preclude imaginative solutions/ proposals. Applications wishing to promote residential options would be well served to engage with the appropriate development policies and development control officers when formulating proposals.
3. TCP7 C sets the general context for this area, the additional paragraph 7.33a expands on this giving potential developers further information lines to pursue that may assist their endeavours..
4. I feel that the suggested wording may be considered too prescriptive for this type of policy, the Taylor Young exercise identified this possibility however the rail operatives have chosen to invest in improvements to the existing concourse on the southern side of the building. It is, however, appropriate to include a reference to accepting potential improvements to the station's access arrangements in addressing the town's northern side.

Recommended revision (s)

Site A .

1. Amend the reference to site A within the policy to read: Station Area – Housing / commercial & business uses (B1, B2, B8)/ **improved access to the railway station** / improvements to rail related car parking / pedestrian accessibility.

Insert new paragraph 7.33A as follows:-

Leamington railway station lies immediately to the south of the railway line within site A. This site also includes land to the north of the railway line and opportunities may exist here to improve rail related car parking and create a northern pedestrian access to the station to improve links between the station and the rest of the town centre. The Council will support proposals to achieve these aims where they would enhance the overall attractiveness of the station and accord with policy SC3.

2. No changes required
3. No changes required
4. See 1 above.

Topic: TCP8 – Warwick Town Centre Mixed Use Area.

Summary of matters raised in objections.

1. Encouraging offices B1 is at odds with encouraging the everyday visitor by providing specialist shops that will add benefits to the town residents and visitors. *ref 354 / RAJ Roger Higgins.*
2. The retail element of the mixed use area should be subject to the proper application of the sequential approach – this relationship should be clarified. *ref 350 / RBH Tesco Stores Ltd*

Response of Head of Planning & Engineering to matters raised

1. This area of the town centre is seen as being ‘transitional’ between the two defined retail areas of Swan Street / Market Place and Smith Street. There is no predominant land use and this policy reflects that giving the flexibility for the introduction of a variety of uses. Should demand request it, Mr Higgins desire for the introduction of specialist shops could be a possibility. It is felt that B1 and A2 uses would also prove acceptable give the transitional status of this sector of the town centre.
2. It should be understood that within the “mixed use area” identified by this policy, retail development is acceptable. In this sense, the area does form part of the retail area identified in policy TCP2 for the purposes of directing new retail into Warwick Town Centre. To clarify this point, a reference within TCP2 should be made to this policy.

Recommended revision (s)

1. No changes required

2. Add a further criterion to policy TCP2 to read: ***(c) within the mixed use area of Warwick Town Centre defined on the Proposals Map.***

Topic: TCP9 – Protecting Employment Land and Buildings

Summary of matters raised in objections.

1. The policy is generally supported, however it is considered that this should be extended much wider than just the town centres. The wording should reflect PPG3 at paragraph 42a that states that Local Planning Authorities should consider favourably planning applications for housing or mixed use developments which concern land allocated for industrial or commercial use or redundant land or buildings in industrial or commercial use but which are no longer needed for that use. *ref 239 /RAD Mr D Austin.*
2. The protected employment areas will inhibit the ability to develop more retail or residential opportunities in the town centres. *ref 354 /RAH Roger Higgins.*
3. Exactly the same points as raised in objection 1 above. *ref 120 /RAE Miller Homes.*
4. As in 3 and 1 (above) *ref119 /RAK Bloor Homes.*
5. Objects to paragraph 7.37 as it fails to clarify the confusing interrelationship of policy SC2 and TCP9. Objects to para 7.37a as it is too vague and aspirational and appears to introduce a conflict with paragraph 7.38 with regard to the protection of employment sites. – paragraph 7.37a should be re-worded and clarified. *ref 350 /RBJ Tesco stores.*
6. Identical to 1,3, and 4 (above) *ref 214 / RAK Mrs J Biles.*
7. As above (see 1,3,4, 6) *ref 322 / RAK J. G. Land and Estates*
8. The over development of apartment blocks in and around the town centre has blighted any opportunity to expand the employment sector/ opportunities. *Ref 312 /RAF Mrs Cherry Dodd.*

Response of Head of Planning & Engineering to matters raised

1. This policy is only concerned with town centres, the requirements of UAP2 across the rest of the Districts urban area are necessary to ensure that appropriate levels of employment land/ opportunities are available. In town centres the Council has promoted this more flexible approach as a response to trends that have seen some B1 uses in the town centre changing to residential (particularly within upper floors).

The policy does however itemise and protect the most valuable town centre employment areas so as to ensure a continued supply of land / buildings for employment opportunities. Paragraph 42a of PPG3 will be considered on a case by case basis as and when particular development proposals are submitted for consideration.

2. It is considered very important to maintain an appropriate balance of uses within the Districts Town Centres. Therefore TCP9 is essential to preserve the most valuable areas. This policy is however more flexible than UAP2 and will permit the introduction of other uses into town centres.

3. See response to point 1.

4. See response to point 1.

5. It is not considered necessary to elaborate on the reasons why this policy is necessary in paragraph 7.37 to remove any confusion about its relationship with UAP2.

6. See response to point 1.

7. See response to point 1.

8. The development of apartments has taken place in line with policy, however it is considered that this policy will protect the designated employment areas whilst enabling some flexibility for other development in town centres.

Recommended revision (s)

1. No changes required
2. No changes required
3. No changes required.
4. No changes required.
5. No changes required.
6. No changes required.
7. No changes required.
8. No changes required

Topic: TCP10 – Protecting the Residential Role of Town Centres

Summary of matters raised in objections.

1. Would like to add the following to the policy and maintains the residential character of the area “ and is not detrimental to social, environmental and safety considerations”. This is because para 7.39 understates the detrimental effects that past planning decisions have had on the amenity of town centre communities. Pressure from alternative uses such as dentists and children’s day care nurseries have exacerbated existing car parking problems. *ref 191 / RAU Robin A Richmond.*

2. The Local Plan policies do not promote safety and fairness as well as they could (see argument for 1 above). *ref 349 /RAU Mr D G Goodyear.*
3. See above 1 and 2 *ref 195 /RAV The Leamington Society*
4. Objects to 7.39 the type of town centre housing is not sufficiently diverse – mainly one or two bedroom apartments, families are precluded, leaving the town centre with either the elderly or the young singles, who work away from Warwick. *ref 312 /RAG Mrs Cherry Dodd.*

Response of Head of Planning & Engineering to matters raised

1. All of the above objections are particularly concerned with the impact on residential areas in relation to the availability of car parking caused by the introduction of alternative uses / creation of apartments. The policy clearly states that there is a presumption against changes to non- residential uses unless the retail character is protected. The impact of car parking provision / levels related to any new development / changes of use will always be assessed against and compliant with relevant DP policies and Government Guidance within PPG13.
2. See response to point 1.
3. See response to point 1.
4. Not relevant to this policy issue, merely an opinion, however the objector should be supportive of this policy that seeks to defend the residential stock that already exists in the town centre.

Recommended revision (s)

1. No changes required
2. No changes required
3. No changes required
4. No changes required

Topic: TCP11 - Protecting Residential Uses on Upper Floors

Summary of matters raised in objections.

1. Para 7.42 does not provide sufficient protection for the community. The policy should be amended to include reference for the requirement for additional parking needs being met where flats are introduced (involving the release of Council owned car parking

capacity if required). (191 / RAV- Robin Richmond, 195 /RAW - The Leamington Society.

2. Same argument as above “fairness and safety” are not properly considered to protect the Districts environmental quality. *ref 349 / RAV Mr D G Goodyear.*

Response of Head of Planning & Engineering to matters raised

1. All of the above objections are particularly concerned with the impact on residential areas in relation to the availability of car parking caused by the introduction of alternative uses. The impact of car parking provision / levels related to any new development / changes of use will always be assessed against relevant DP policies and Government Guidance within PPG13.
2. See response to point 1.

Recommended revision (s)

1. No changes required
2. No changes required.

Topic: TCP12 - Upper Floors within Town Centres

Summary of matters raised in objections.

1. Sets out that living over the shop should be better defined, and that only small extensions (subordinate to such properties should be allowed). Entrance to upper floors should not be allowed via side or rear accesses that require open external staircases. Comments are submitted about the appropriateness of residential uses above flats that may prejudice neighbouring amenity. *ref 283 /RAR Ancient Monuments Society.*
2. Para 7.43 should have added “However, development must take account of social and environmental considerations, particularly those of enhancing the quality of the environment for residents”. This addition is suggested on the basis that para 7.42 does not provide sufficient protection for communities. Paragraph 7.43 should have additional text requiring the provision of adequate / appropriate car parking in relation to upper floor uses. *ref 191 / RAW Mr R Richmond.*
3. See above (2) *ref 349 / RAW Mr D. G. Goodyear*
4. See above 2 and 3 *ref 195 / RAX. The Leamington Society.*

Response of Head of Planning & Engineering to matters raised

1. Applications involving upper floor access rights will be carefully assessed against DP Policies to ensure that the amenity of surrounding properties is not prejudiced.

2. These objections all seem to focus on the intensification of residential uses and their impact on parking/ existing residential amenity. In such instances car parking and other relevant matters will be given due consideration under the DP policies and Government guidance.

3. See response to point 2.

4. See response to point 2.

Recommended revision (s)

1. No changes required.

2. No changes required

3. No changes required.

4. No changes required.

Topic: TCP13 - Design of Shopfronts

Summary of matters raised in objections.

1. Suggests stricter wording to TCP13 in relation to the enhancement and design of shop fronts particularly signage. *ref 283 /RAS Ancient Monuments Society.*

Response of Head of Planning & Engineering to matters raised

1. It is considered that the policy and the reference to existing design guidance are strong enough to enable a thorough examination of the relevant issues when considering applications for shopfronts.

Recommended revision (s)

1. No changes required.

Topic: Chapter 7 Omissions

Summary of matters raised in objections.

1. As the Kenilworth Town Council has requested the District Council to encourage the development of a new Public Service Centre on Smalley Place this should be reflected in the Local Plan. *ref 223 /RAH Kenilworth Town Council.*

Response of Head of Planning & Engineering to matters raised

1. This reference could be added to the introductory section of the Town Centres Chapter.

Recommended revision (s)

1. Paragraph 7.8A should be amended as follows to attempt to meet this objection.

7.8A Following from the work undertaken by DTZ the Council is presently undertaking further work to address some of the key issues within the town centres. Within Leamington town centre it has commissioned work to assess the feasibility and opportunities for a retail – led redevelopment of Chandos Street car park, ***this work will also take account of the future need for car parking in maintaining the retail attractiveness of the Town Centre overall.*** In Kenilworth it, ***alongside Warwickshire County Council and Kenilworth Town Council, has developed traffic management measures, these have not yet been agreed and will be subject to public consultation as part of the consideration of a wider framework of improvements to the town centre. The framework for improvements to the town centre also includes environmental improvements and the possible redevelopment of a number of sites and in particular of a Public Service Centre at Smalley Place.*** ~~agreed a series of traffic management measures that will be subject to further public consultation and a framework of wider improvements to the town centre.~~