

Kenilworth Neighbourhood Area Designation

Public Participation Report

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<i>Representations</i>	<i>Nature</i>	<i>Summary of Main Issue/Change to Plan</i>	<i>Council's Assessment</i>	<i>Action</i>
<i>Kenilworth Neighbourhood Area Consultation</i>				
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68073 - High Speed Two (HS2) Limited (Laura Williams) [13551]	Comment	While HS2 Ltd has no specific comments to make on the proposed designation, should a neighbourhood plan be produced for the area it should take account of the proposed Phase One line of route of HS2 which passes through this Neighbourhood Area. Further advice is provided in paragraphs 22-27 of the guidance for Local Planning Authorities to accompany the adopted safeguarding direction, which can be found at the link below. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/379788/HS2_Phase_One_safeguarding_directions__June_2014_.pdf	Duly noted.	
68075 - Health & Safety Executive (Allison Chippendale) [13007]	Comment	The proposed Neighbourhood Plan Area is within a consultation zone of a Major Accident Hazard Pipeline (MAHP). HSE enclose general advice with regard the consultation zones, the compatibility of different land uses and where to find more detailed information on their website.	Duly noted.	
68070 - Warwickshire County Council (Jasbir Kaur) [9602] 68072 - The Coal Authority (Miss Rachael A. Bust) [1532]	Comment	No comments.	Duly noted.	

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68076 - Natural England (Kayleigh Cheese) [13555]	Comment	<p>Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required.</p> <p>The following is offered as general advice which may be of use in the preparation of the plan.</p> <p>Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: https://www.gov.uk/consulting-on-neighbourhood-plans-and-development-orders</p>	Duly noted.	
68071 - Warwickshire Public Health (Emily Fernandez) [11753]	Comment	Public Health Warwickshire offer detailed advice in the enclosed guidance note regarding planning for health in Neighbourhood Development Plans.	Duly noted.	
68069 - Environment Agency (Kazi Hussain) [13598]	Comment	There are known flooding issues (Flood Zone 2 and 3) within the boundary of the Neighbourhood Plan area that may affect the viability of any future site allocations or developments in that particular location.	Duly noted.	
68074 - Historic England (Mr Peter Boland) [11316]	Comment	<p>Historic England has no objection to this proposal.</p> <p>The proposed neighbourhood plan area contains a varied range of designated and undesignated heritage assets including a grade II* Registered Park and Garden and the Kenilworth designated conservation area. The Township also hosts numerous grade II listed buildings whilst two are listed at grade II* and three at grade I. The township also hosts five Scheduled Ancient Monuments. Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan proposals. Consideration should also be given to the protection of undesignated heritage assets and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Warwickshire County Council Historic Environment Record (HER).</p>	Duly noted.	

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68077 - Network Rail (Diane Clarke) [8760]	Comment	<p>The proposal area includes railway land within its boundary. Whilst Network Rail has no objection in principle to the Kenilworth Neighbourhood Plan, we are concerned developments within the boundary red line will not require planning permission. Network Rail is a statutory undertaker and as such LPAs consult our Town Planning Teams on a wide variety of proposals that may impact upon Network Rail land and infrastructure. We are consulted about proposals next to, near to, on, under or over the railway as well as schemes for stations, mining and mineral extraction and also proposals that might impact upon Network Rail access points, level crossings etc.</p> <p>We are concerned that the Kenilworth Neighbourhood Plan which includes railway land may result in proposals being undertaken near to or next to the operational railway / Network Rail land which may impact upon its safety and operation as we will not have had the opportunity (as via the current planning application notification process) to review and pass comments on vital asset protection measures to the council and developer / applicant. Equally we would be concerned if any Network Rail rights of access were affected by proposals, as these require unblocked access around the clock including emergency vehicles.</p> <p>In light of the above we would request that the Kenilworth Neighbourhood Plan group should contact Network Rail for any proposals within the area to ensure that:</p> <p>(a) Access points / rights of way belonging to Network Rail are not impacted by developments within the area.</p> <p>(b) That any proposal does not impact upon the railway infrastructure / Network Rail land</p> <p>We would very strongly recommend that the Kenilworth Neighbourhood Plan Area authority / group are made aware that any proposal within 10m of the operational railway boundary will also require review and approval by the Network Rail Asset Protection Team, and such schemes should be accompanied by a risk assessment and a method statement.</p> <p>We would request that the Kenilworth Neighbourhood Plan Area authority / group when submitting proposals for a development contact Network Rail's Town Planning Team and include a location plan and a description of the works taking place for review and comment.</p>	Duly noted.	

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68078 - Gladman Developments (John Fleming) [13600]	Object	<p>Full representations highlights a number of key requirements to which the development of the emerging Neighbourhood Plan should have regard. Gladman wish to participate in the Neighbourhood Plan's preparation and to be notified of further developments and consultations in this regard.</p> <p>Gladman question how the Kenilworth Neighbourhood Plan can progress at this time when there is no up-to-date, robust strategic policies for the wider area, nor will there be for some time (Warwick District Local Plan)</p> <p>Although the Neighbourhood Plan PPG indicates that Neighbourhood Plans can be advanced before an up-to-date Local Plan is in place, Gladman would strongly question the ability of the Neighbourhood Plan to be prepared on this basis. Given the Inspector's initial findings it cannot be considered sound to prepare a Neighbourhood Plan on the provision of policies found to be significantly flawed and out of-date.</p>	<p>Duly noted.</p> <p>It is considered possible to prepare a neighbourhood plan in advance of the adoption of Warwick's new Local Plan. This approach has proven to be found sound at numerous examinations, including locally for Whitnash Neighbourhood Plan.</p>	
68053 - Mr Kim Matthews [1898]	Support	Kenilworth represents a distinct neighbourhood and it is wholly appropriate it is treated as a neighbourhood with its own plan.	Duly noted.	