

Kenilworth Neighbourhood Plan (Submission Plan Dated March 2018)

Response by KTC to queries raised at Examination – June 2018

Preamble

We note a comment under Policy KP4 that the map is difficult to read in black and white. We do not know in what form the plan has been sent to you but in both electronic and hard copy this document is intended to be full colour. This is particularly important for the A3 maps at the back. If you have not been provided with a bound colour version please let us know and we will send you one. All the text is however in black using different fonts when relevant.

KP1: Town Centre

The area called Smalley Place and bordered in red dashed line with the words Pol Sta in it is the site of both the proposed Arts Centre/Theatre and the existing medical facilities. The old Police Station is already a multi-use facility (including the Town Council) and the District Council who own much of the site, working with the other interests, have investigated various schemes to make better use of the area including replacing the existing tired and maintenance-heavy 1960s medical clinic. It would be prejudging the layout of possible future developments to allocate particular uses to specific areas.

We had not spotted that the map uses very similar colours for the Primary Retail frontages and Smalley Place. One needs to be changed to a distinctly different colour key. The frontage does not include the area defined as Smalley Place, where there are no shops.

The feasibility of development is one of the matters determined by WDC in the investigations referred to above.

Yes. The Policy is intended to reference the current Guidance but we assume that should the Guidance be updated the Policy will apply to the latest version.

The current requirements referred to are those of WDC as the LPA which are under revision.

The proposals which improve air quality will be transport related rather than land use, whether parking provision or through traffic routing.

KP2: Station Road

When this Plan was submitted the opening of the station had been put back twice. The phrase in paragraph 5.16 lines 2&3 should now read something like “which opened in April 2018”. We think that covers the update of the Policy?

The intention is that any development in that area should encourage visitors and residents to make that journey along an attractive route. Unfortunately it is as built in the 1880s and did not anticipate the motor car so is one-way traffic.

KP3: Warwick Road Special Policy Area

Your suggestion probably makes the policy clearer and stronger.

KP4: Land East of Kenilworth

This is the area which probably convinced the Town Council of the need for a Neighbourhood Plan.

We have been advised on the wording of this Policy by WDC who appeared content with it. We have been liaising with WDC to ensure that our Neighbourhood Plan is supportive of and not in conflict with their emerging Development Brief, which in turn has reflected some of the local input from our Town consultations. It may well be therefore that the interested development parties will have similar issues with that Development Brief.

On the specific matter of (e) we agree with you that more detail to justify the 5% figure and to reflect the emerging WDC Development Brief may be necessary.

The Concept Plan was a step in bringing various interested parties together as explained in paragraph 5.21. It is included to illustrate the positive approach taken and was particularly relevant at the Examination of the WDC Local Plan two years ago. It is now being superseded by the WDC Development Brief and it is not intended to update it. It is not a Policies Map. Amendments may be needed to that paragraph if this is not clear, possibly involving more use of the past tense. It was first written some time ago!

We see no need for any reference here so we request that (See Appendix D) be deleted, but suggest that “new” be added in front of “Local Plan” as has been done in other parts of the Neighbourhood Plan.

We appreciate your puzzlement concerning paragraphs 5.25 and 5.27. At least the two paragraphs about education should not be split by medical facilities. We believe paragraph 5.27 was added following the public consultation to reflect concern about the highly-valued existing primary schools in that area. We will consider further how those paragraphs could be better worded.

We will be particularly interested in the WDC response to your issues on this Policy.

KP5: Kenilworth School sites.

This policy is intended to deal with the redevelopment (for housing) of the two existing school sites though some confusion was caused at the Public Consultation and comments were made referring to the proposed school site. It looks therefore as though (a) is in the wrong Policy and should be in Policy KP4 as part of the new school site. Currently there are a Sports Hall and an all-weather pitch on the existing Leyes Lane School site which are jointly operated by the District Council and the School and are available to the general public. They are popular and the wish (and intention) is that similar if not improved facilities are created on the proposed School site.

The key link is to the Rouncil Lane one, which is in the Policy. At Leyes Lane the shops are directly across the road from the allocated housing site and there is an existing zebra crossing so provided routes link to this the last sentence in paragraph 5.28 would seem unnecessary. The second sentence probably needs an additional phrase “ ideally on the new School site. (see Policy KP4)”

KP6: Land East of Warwick Road.

Although outline planning permission may have been agreed by the WDC Planning Committee no Grant has yet been made and with reserved matters still to be determined sometime in the future we do not see the need to change any of the Policies at this stage. However the supporting text does need updating and we will look carefully at it.

KP7: Abbey Fields

We note and agree the necessary correction to read Scheduled Monument wherever it may appear in the Report. We also note that pm Map 2.3 Historic Features, originating at WDC they are referred to as Ancient Monuments!

As you may have gathered from the Survey Results and other evidence Abbey Fields are very highly valued features in the Town. In many ways they are more valued than even the Castle. One reason for this is that they have so many different uses and interests to different people whether historical, sporting, recreational or any other leisure activity. In view of this many people might have anticipated much more policy in the Neighbourhood Plan regarding Abbey Fields but for the reasons you suggest we agree that they are unnecessary because of the protection existing.

The Fields extend beyond the actual Abbey ruins, much of which are only underground, but the whole area is Scheduled. There is development such as a swimming pool and a children's playground. There are schemes to redevelop such features and this Policy is intended to influence and manage such schemes notwithstanding that Historic England are always heavily involved. You will note that, for example, the policy is against additional permanent car parking also some would seek it. The critical wording is "will only be supported" but we would suggest that a phrase something like "and are in line with national policy" could be added after the first sentence to indicate there is no intention of non-compliance.

KP8: Castle Farm

The intention to extend and develop certain sporting facilities at Castle Farm is probably the most contentious policy (other than the scale of additional housing) affecting Kenilworth in the WDC Local Plan and in many ways the purpose of this Policy is to attempt to mitigate the effects on existing residents. The problem with a boundary blending in or creating a soft edge to the Green Belt (which the extended area remains within) is that further expansion is more easily justified. We would like to ensure that the limit of expansion is very clear.

KP9: Traffic

On the contrary a traffic survey report relating to the various developments in the Town has been commissioned by County Council as the Highway Authority in conjunction with the District and Town Councils and is about to be published.

KP10: Cycle Routes

We agree that the word "priority" is confusing and "designated" would perhaps be more appropriate in the first two paragraphs of the Policy. Similarly substituting "notional connections" for "corridors" would be more consistent.

We agree that the sentence starting "In analysis undertaken..." does not make a lot of sense. The analysis was within the document "Cycling Issues in the Kenilworth and Burton Green Area, Kenilworth Community Forum, 2012" listed in the Additional Evidence and References and meetings held with Sustrans and WCC.

KP12: Footpaths

The phrase “with cyclists” should be deleted. It has not been properly edited after mobility scooters were added.

KP13: Parking Standards

Yes, as mentioned in the supporting text the minimum standards in the new WDC SPD for both parking spaces and EV provision are anticipated, although the drafts were not available at the time of writing. The problem we face is that although that draft admits that car ownership is higher in Kenilworth than in the other towns in the District it still applies a one-size fits all policy. In the light of the draft we will look at the wording of these policies and see if they can be clearer without altering their meaning.

KP14: General Design Principles

We have been under pressure from consultation responses to impose even higher standards than those written here and being aware of limitations have ignored some of these ideas. We appreciate that some may still be unacceptable and will take guidance here.

In regard to this and particularly the relationship to Local Plan Policies HE1 – HE6 (HE4?) we will be interested to have the feelings of WDC. It will be appreciated that the first drafts of the Neighbourhood Plan had to be drawn up against the previous Local Plan and a number of changes were necessary when the new Local Plan was adopted. We liaised with WDC on this but there may still be amendments necessary.

We indeed think that in paragraph 5.12 the first “principles” should be “proposals”.

The map referred to in paragraph 5.53 should indeed be to Maps 5.5.

The index map at Maps 5.5 should indeed be to Character areas.

KP14A – 14S

Perhaps the throwaway line would be better incorporated in the general overview paragraphs 5.50 to 5.53 as it universal.

We struggled with the mapping of these Character Areas, reflecting the different parts of the Town. We did not wish to be too prescriptive by defining hard boundaries and yet we tried to avoid having the unacceptable confusion of overlapping policies. We will rethink the presentation.

KP15: Local Heritage Assets

We are somewhat confused here as the specific wording was written by our Consultant. We will need to refer to him and come back on this one,

We appreciate you point about more precise definition of the extent of some of the listings and will consider some additional wording where appropriate to solve that problem.

The WDC references in Policies Map 5.4 are to the ownership and reference number of the timber bus shelters. We note the discrepancy and suspect that the reference “WDC K4” on item 27 in Appendix A should be deleted. We will check and verify. If you feel that these references are confusing they are not essential and could be removed.

KP 16: Environmental Standards of New Buildings

Similar situation to our response at KP14

KP17: Industrial Estates

Yes it is recognised and accepted, hence the “As an exception...”

KP18: Tourism

The station is to the West of the railway in the direction of the Town Centre. Policy KP17 is to the East of the railway. We do not see a conflict.

KP19: Green Infrastructure

Perhaps this should be related to the urban area but the difficulty is that the new housing developments increase the urban area of the Town. We are keen to protect the existing public open space as well as expecting more in line with the WDC policies applied to major new developments.

KP20: Local Green Space

The separate Report required, which is referenced in the text, may have been overlooked. The whole proposed Local Green Space areas was designated in the previous Local Plan as an Area of Restraint notwithstanding the much higher protection already afforded to the Castle and Abbey Fields in particular. There is one area along this river corridor which currently enjoys no protection whatsoever not even being in a Conservation Area. The Area of Restraint has not for some reason been carried forward in the Local Plan and we are keen to continue the previous protection and see the Local Green Space designation as the way to do that.

KP22: Flooding

“All developments “ was really to clarify that this policy applied to all those throughout the town and not just in the areas allocated in the WDC Local Plan. We accept that small developments cannot provide SuDS but the cumulative effect is of concern, and 10 houses is indeed a major development in this context, which is being seen of increasing importance because of houses at risk of flooding in the Town. Is it possible to stipulate any figure lower than 10? If not it will be necessary to add “major” in the first line of the second paragraph of the Policy and replace “all” by “such” on the last line.

The comments in 5.86 – 5.88 do not appear to be affected.

6.Implementation

We agree that the Title has become confusing as this section has grown and would have no problem with moving it to an Annex, as this would retain it within the document. To some extent it is concerned with managing expectations. For example should you be minded to remove policies within KP14 and KP16 for the reasons you have given then it will be necessary to edit the section on New Buildings Fabric First (6.13 – 6.14) or possible add a new section.

In paragraph 6.10 perhaps “expect” should be replaced by “rely on”? We do have a constructive dialogue with County Highways who appreciate many of the traffic issues arising from future developments.