

Other Issues

Implementation

A.1 The Neighbourhood Plan will be implemented through a combination of the District Council's consideration and determination of planning applications for development in the town, and through steering public and private investment into a series of infrastructure proposals contained in the plan.

Development Management

A.2 Most of the policies contained in the Plan will be delivered by landowners and developers. In preparing the Plan, care has been taken to ensure, as far as possible, that the policies are achievable.

A.3 Whilst the local planning authority will be responsible for the development management, the Town Council will use the Neighbourhood Plan to inform and frame its representations on submitted planning applications. It will also work with the District Council to monitor the progress of sites coming forward for development.

Community Infrastructure Levy

A.4 There will be opportunities to invest CIL funds and, at present, the following have been suggested, in no particular priority:

- Improve road junctions at various places in the town
- Build small business units to encourage new employment
- Upgrade the Leisure facilities at Castle Farm and Abbey Fields
- Build a new theatre at Smalley Place as part of an Arts Centre and Hall
- Creating cycle routes linking around the Town
- Modify the main footbridges across the railway so that they are ramped and cycle-friendly
- Improve pedestrian access in the town more particularly pedestrian-friendly routes linking the Castle, the Town Centre and the Station
- Improve signage and information to encourage tourists and indicate cycle routes and footpaths.
- By part flooding the Mere or by alternative schemes reduce the flooding risk downstream
- Create public open space at Abbey End to replace Talisman Square for public meetings or open air performances.
- Create a performance area in Abbey Fields for band concerts, etc
- Create an inspiring Focal Point at Abbey End for open-air discussion, meetings and performances reflecting Kenilworth's historic past
- Create some additional car parking capacity in the town centre

The priority will have to be determined at the time when certain needs are better identified and available funds from CIL and other sources more accurately

determined. Of course there are other sources of funds for such projects. Two examples are identified in the paragraph on the HS2 railway on page 68 below.

Other Issues in Kenilworth

A.5 During the various consultations and discussions with organisations and members of the public a number of issues have been raised which whilst being very valid concerns in guiding the future of the Town are not totally within the spatial planning remit of the Neighbourhood Plan as explained in Section 1. Although many of the issues were mentioned in Sections 2 and 5 they are summarised here as they will need to be borne in mind during the implementation period.

Charity Shops

A.6 Although the proportion of vacant shops in Kenilworth Town Centre is low when compared with most other towns a number of the premises are charity shops and there is a general feeling that there are too many. Although they do maintain vibrancy they may also result in higher rents for other shops because of the rate relief they enjoy. Within the planning system charity shops are in the same use class, A1, as ordinary shops so there is no change of use involved and therefore no way of controlling them. The issue of business rates and charity relief is clearly not a planning matter.

Sustainable Transport

A.7 Given the compact nature of the town, walking and cycling should be the first choice way of getting around for all those for whom it is appropriate. This means developing a first class network of cycle routes, widening pavements and giving priority to pedestrians at busy junctions. The infrastructure should also allow the use of mobility scooters and should provide easy access to public transport.

A.8 The aim should be to create safe cycling routes between the centre of Kenilworth and the external cycle paths to Warwick University, Sustrans route 52 and the proposed K2L; enabling mobility scooters to move safely round the town; enabling families with prams and pushchairs to move safely round the town; walking and cycling should improve the health of the population, reducing demands on the local NHS services; and reducing traffic will reduce air pollution and noise, making the town centre a more attractive place to visit.

A.9 Wherever possible this has been incorporated within a number of the Policies. This is particularly the case with the major development areas, but without major redevelopment of the road and footpath structures implementation is obviously much more difficult in the established infrastructure of the town.

Road Safety

A.10 Many Highway issues such as speed limits, on-street parking, one way streets and other restrictions are managed by Traffic Regulation Orders rather than the Planning System. The Town Council will expect Warwickshire County Council, as the Highway Authority, to apply the relevant and appropriate TROs in

accordance with the various Policies. In particular the Town Council supports 20 mph or similar speed limits outside schools and in other appropriate areas of the Town, such as the Town Centre.

Bus Routes

A.11 The restricted road network in the Town Centre will make bus re-routing to serve both the Abbey End and the new Station a difficult task, and will need very careful consideration by Warwickshire County Council and the relevant bus operators.

A.12 Much of the western side of the Town is badly served by bus services but attempts to introduce new services in recent years have been commercial failures. In due course new routes or route extensions to serve the extensive East of Kenilworth development will have to be considered and justified.

New Buildings Fabric First

A.13 All new buildings are designed to the standards set out in the Building Regulations. These standards are based on compliance to a design standard. Research has demonstrated that the actual energy efficiency of new buildings falls well short of the design performance in use. The Passivhaus Standard is a fabric-first performance in use-based standard which has a minimal requirement for energy. Demonstration projects have shown that buildings constructed to this standard need be no more expensive to build than construction in compliance with the current building regulations. The benefit to the environment, including air quality, and savings by occupiers in their energy costs means that this or similar approaches should be encouraged. There would also be a benefit in terms of internal comfort, traffic noise reduction and the health of the occupants.

A.14 Fabric First should be used in addition to the provision of on-site renewable energy and not instead of. However the Government have stated that Councils cannot require developers to go beyond the Building Regulations on land that they do not own, and there is very little Local Authority land with the area of the town which is to be developed. This does not mean that the Plan cannot take a leadership approach in this matter, and Policy KP16 reflects this.

Flooding

A.15 Whilst Kenilworth as a town is not liable to major flooding of properties, there are a small number of properties which are at risk of flooding or which have indeed flooded in recent years. For the residents this is disastrous. Both Finham Brook and Canley Brook are classed as Main Rivers and are therefore the ultimate responsibility of the Environment Agency. The Town Council is working with the EA and the Local Authorities to examine possible solutions which might involve partial flooding of the Mere at times of heavy rain. The matter is of increasing importance not only because of Climate Change but also because of the effects of the amount of development planned in the area, including Canley Brook which although mostly outside the Town has a big influence on the natural drainage. Following the Consultation an additional Policy, KP22, has been added specifically on Flooding.

Foul Sewer System

A16 Kenilworth had an original Victorian combined sewer system which extended over much of the current town but which became overloaded by all the infilling development leading to a moratorium on further building in the 1960s. After various works including a major project a few years ago all issues were solved, but major housing developments are now imminent. Many of these are over the watershed and will require pumping of foul sewage. We do not wish for a return to problems.

HS2 Railway

A.17 The route of the HS2 railway passes through a short section within the boundary of Kenilworth Town between the A46 and Dalehouse Lane but then passes very close to houses in Crackley and on to Burton Green.

A.18 The passing of the Act has given HS2 powers beyond the control of the normal planning system. Warwick District Council, as a Qualifying Authority, will have some influence over details of design and has agreed to consult with affected Town and Parish Councils.

A.19 The Town Council petitioned Parliament on the Bill and remains particularly concerned about the effects on residents and businesses of the Town during the long construction period as several key roads are crossed by the HS2 route. There are two funds now available, the Community and Environment Fund (CEF) and the Business and Local Economy Fund (BLEF), to support communities during the construction period and organisations are being encouraged to apply. It has been intimated that Kenilworth is clearly eligible to benefit. The Town Council are also very concerned that diversion work on Canley Brook could possibly exacerbate the flooding risk. HS2 have been very clear that they have no responsibility or intention to reduce the risk below the current level.

Air Quality

A.20 Improving air quality in the town is a complex matter. Technical improvements in vehicles will be one solution, but is mostly outside the scope of this Plan. The exception is encouraging electric vehicles and relevant policies now include a requirement for charging facilities. Creating a Low Emission Zone is another but unlikely to be justified. More positively a number of the policy requirements in this Plan for the encouragement of more cycling and walking to reduce reliance on car usage will reduce pollution. Similarly improving traffic flow to prevent pollution build up at junctions such a New Street or stop-start queues in Warwick Road would help, but the difficulty then is to avoid better flow encouraging additional traffic.