

## Publication Draft Representation Form 2014

For Official Use Only
Person ID:
Rep ID:

This consultation stage is a formal process and represents the last opportunity to comment on the Council's Local Plan and accompanying Sustainability Appraisal (SA) before it is submitted to the Secretary of State. All comments made at this stage of the process are required to follow certain guidelines as set out in the **Representation Form Guidance Notes** available separately. In particular the notes explain what is meant by legal compliance and the 'tests of soundness'.

This form has two parts:

- **Part A – Personal Details**
- **Part B – Your Representations**

**If you are commenting on multiple sections of the document, you will need to complete a separate Part B of this form for each representation on each policy.**

This form may be photocopied or alternatively extra forms can be obtained from the Council's offices or places where the plan has been made available (see the table below). You can also respond online using the Council's e-Consultation System, visit: [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan)

Please provide your contact details so that we can get in touch with you regarding your representation(s) during the examination period. Your comments (including contact details) cannot be treated as confidential because the Council is required to make them available for public inspection. If your address details change, please inform us in writing. You may withdraw your objection at any time by writing to Warwick District Council, address below.

All forms should be received by **4.45pm on Friday 27 June 2014**

To return this form, please deliver by hand or post to: **Development Policy Manager, Development Services, Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5QH**  
or email: [newlocalplan@warwickdc.gov.uk](mailto:newlocalplan@warwickdc.gov.uk)

### Where to see copies of the Plan

Copies of the Plan are available for inspection on the Council's web site at [www.warwickdc.gov.uk/newlocalplan](http://www.warwickdc.gov.uk/newlocalplan) and at the following locations:

<b>Warwick District Council Offices</b> , Riverside House, Milverton Hill, Royal Leamington Spa
<b>Leamington Town Hall</b> , Parade, Royal Leamington Spa
<b>Warwickshire Direct Whitnash</b> , Whitnash Library, Franklin Road, Whitnash
<b>Leamington Spa Library</b> , The Pump Rooms, Parade, Royal Leamington Spa
<b>Warwickshire Direct Warwick</b> , Shire Hall, Market Square, Warwick
<b>Warwickshire Direct Kenilworth</b> , Kenilworth Library, Smalley Place, Kenilworth
<b>Warwickshire Direct Lillington</b> , Lillington Library, Valley Road, Royal Leamington Spa
<b>Brunswick Healthy Living Centre</b> , 98-100 Shrubland Street, Royal Leamington Spa
<b>Finham Community Library</b> , Finham Green Rd, Finham, Coventry

**Where possible, information can be made available in other formats, including large print, CD and other languages if required. To obtain one of these alternatives, please contact 01926 410410.**

# Part A - Personal Details

	<b>1. Personal Details*</b>	<b>2. Agent's Details (if applicable)</b>
	<small>* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in section 2.</small>	
Title		Mr
First Name		Peter
Last Name		Waldren
Job Title (where relevant)		Director
Organisation (where relevant)	Ignis UK Property Fund	WYG
Address Line 1	C/o agent	5th Floor, Longcross Court
Address Line 2		47 Newport Road
Address Line 3		Cardiff
Address Line 4		
Postcode		CF24 0AD
Telephone number		02920 320 722
Email address		peter.waldren@wyg.com

### 3. Notification of subsequent stages of the Local Plan

Please specify whether you wish to be notified of any of the following:

The submission of the Local Plan for independent examination	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
The adoption of the Local Plan.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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## Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

### 4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Paragraph 3.63 - 3.65

Policy Number:

Policy TC4 & Policy TC2

Policies Map Number:

3 Leamington town centre & 2 Leamington, Warwick and Whitnash

### 5. Do you consider the Local Plan is :

5.1 Legally Compliant?

Yes



No



5.2 Complies with the Duty to Co-operate?

Yes



No



5.3 Sound?

Yes



No



### 6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:



Justified:



Effective:



Consistent with National Policy:



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**7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

Ignis UK Property Fund object to the allocation of the Chandos Street car park for major town centre development under policy TC4 and identified on the draft policies map.

The NPPF at Paragraph 23 advises that when preparing Local Plans, LPAs should 'allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism... development needed in town centres'. Ignis UK Property Fund argue that the site proposed to be allocated is not suitable to accommodate the needs for retail, leisure, office and other main town centre uses in the town centre.

The Council's most recent retail evidence is the Warwick District Retail and Leisure Study Update (April 2014) which provides an assessment of comparison floorspace capacity of the three main centres. The study indicates a floorspace capacity in Leamington Spa at 2013 of 5,364 sqm net sales, rising to a requirement of 16,674 sqm net sales by 2029.

The proposed site allocation relates to the Council's aspirations for a comprehensive redevelopment. The proposed draft policy TC4 reads; 'The Chandos Street car park, as shown on the Policies Map, will provide the focus of a major town centre development proposal to comprise of retail and other appropriate main town centre uses'. The allocation includes only the car park (measuring 0.8 ha) which would not provide the area required for the major town centre development envisaged by the Council. The publication draft reaffirms this point at Paragraph 3.65, stating; 'further land will be required beyond the confines of the allocated car park area. This will be necessary to create required quantum of floorspace...'. As such, the area identified on the proposals map and referred to in policy TC4 is not considered to allocate sufficient land to deliver the mixed use scheme and meet the identified need. The allocation is not considered to provide an appropriate strategy (still less the most appropriate strategy), is not considered to be effective and is not considered to be consistent with national policy, all as required under the tests of soundness.

Continue on a separate sheet if necessary [Question 7 - continues on next page.](#)

**8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Remove Chandos Street car park allocation from proposals map No. 3 Leamington Town Centre and No. 2 Leamington, Warwick and Whitnash.

Remove Policy TC4 and supporting text entirely from the emerging Warwick District Local Plan (2011-2029) Publication Draft.

Remove point (a) from Policy TC2.

Rely on the amended policy TC2 and policy TC5 to direct retail proposals to the appropriate locations in accordance with national policy.

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Furthermore, the Chandos Street car park site has fallen within the boundary 'area of search' where large scale shopping proposals are favoured under current (expired) Local Plan Policy TCP3 since adoption of the Local Plan in September 2007. Despite this favourable local policy position the site has lain undeveloped, calling into question the soundness of allocating this site to meet identified retail/town centre needs. The planning history of the site casts yet more doubt on this and is briefly summarised below.

In March 2006, the Council agreed to support a programme for securing the development of a scheme based upon the site at Chandos Street car park for retail and car parking use. The Council agreed to the selection of Wilson Bowden as the preferred development partner in July 2007. Two years later, in March 2010, Wilson Bowden submitted a planning application for a retail scheme, together with residential development and car parking (ref: W/10/0340). The scheme proposed 19,900 sqm retail floorspace, 9 townhouses and 512 car parking spaces. The planning application was refused on 11th November 2011 for reasons including excessive bulk and mass, the impact on the Conservation Area, the loss of traditional buildings and the historic street pattern, amenity of nearby uses and residents, design, excessive car parking encouraging unnecessary car use and lack of appropriate measures to promote public transport. The decision notice is attached to these representations and the reasons for refusal should be read in detail as a number of points become clear:

- The scale of development was considered unacceptable (first reason for refusal);
- The site's proximity to existing residential properties (which abut the site to the north and east) resulted in unacceptable impacts on residential amenity (second reason for refusal);
- A significant issue referred to in the decision notice (third reason for refusal) was the impact on the historic street pattern and the implications this had for the character and appearance of the Conservation Area. This is clearly related to the concerns over scale of development referred to above; and
- The 512 car parking spaces proposed for the scale of development comprising that application was considered "excessive" and to encourage car use (fourth reason for refusal).

In order to address the Local Planning Authority's reasons for refusal, many of which were fully endorsed by statutory consultees, it is clear that the scheme would need to:

- be physically smaller with inevitably less retail space,
- have lower parking ratios;
- respect the existing historic street pattern; and
- include buffers to and respect the amenity of the adjacent residential properties.

In the three years since the refusal the site's promoters have singularly failed to bring forward any replacement scheme, let alone one which successfully addresses the above points. Indeed, it is considered that to do so would be a significant challenge and is perhaps unachievable. Even were a revised scheme to exist, it would be highly unlikely to be able to accommodate the retail/town centre use needs identified in the Council's evidence base. Without significant comfort on the ability to address the reasons for refusal and meet the quantum of floorspace need, we again question whether the Plan in this respect has been positively prepared, whether the allocation of this site is an appropriate strategy (still less the most appropriate strategy), which is effective and, thus, is consistent with national policy, all as required under the tests of soundness.

Paragraph 182 of the NPPF requires the Plan to be justified, effective and consistent with national policy. Site allocations in the local plan should be demonstrated to be deliverable over the plan period and to be the most appropriate strategy to pursue. Given the problematic site history and the site constraints which limit the size of the development and therefore its ability to meet the need identified in the Council's evidence base, it is not considered that site's allocation is sound.

**9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

**10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

The matter of retail need and the viability/likelihood of Chandos Place proceeding at an appropriate scale is a complex one and requires attendance at the Examination in person.

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**11. Declaration**

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:



Date :

27.06.2014

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

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## Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

### 4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Paragraph Number:

Policy Number:

Policies Map Number:

### 5. Do you consider the Local Plan is :

5.1 Legally Compliant? Yes  No

5.2 Complies with the Duty to Co-operate? Yes  No

5.3 Sound? Yes  No

### 6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:

Justified:

Effective:

Consistent with National Policy:

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**7. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

Ignis UK Property Fund object to the proposed allocation of the site at Olympus Avenue/Apollo Way as committed employment land under Policy EC3 (see policies map extract identifying the site, attached).

It is not clear on what basis the site is included as employment land under Policy EC3. The draft policy stipulates that 'outside of town centres the redevelopment or change of use of existing and committed employment land and buildings (Use Class B1, B2 and B8) for other uses will not be permitted unless...' and continues to set out the relevant criteria. It is clear, therefore, that the policy relates to existing and committed employment land and buildings. The site in question is undeveloped and, notwithstanding the surrounding developed context, comprises a Greenfield site, never having been developed in the past. It cannot, therefore, comprise existing employment land or building.

Paragraph 3.41 of the Draft Local Plan notes that "the District's portfolio of available employment land includes sites with planning permission, those covered by Development Briefs or allocations from the previous local plan". While the site in question was included in the area granted outline planning permission in 1989 for the wider Tachbrook Park employment area ("commercial development (for the smaller businesses i.e. office, general industrial (B1, B2 and B8)) with associated roadworks and drainage" - LPA ref: W88/0385), that permission is no longer extant and, in any event, the site has lain undeveloped for circa 15 years since the granting of that permission. While a Development Brief did exist to guide the development of this wider area (adopted in c.1987), the opening paragraph 1.1 makes clear that this was prepared pursuant to the 'Warwick, Leamington and Kenilworth Urban Structure Plan' (1979). Importantly, the site was not allocated in the Local Plan for the period 1996-2011, including following its review on September 20th 2010.

It is clear, therefore, that the site is undeveloped, does not benefit from extant planning permission, is not subject to an up-to-date Development Brief and is not allocated in the previous Local Plan. Policy EC3 is simply not applicable to the land in question and its inclusion, therefore, is not coherent or justified and is therefore unsound.

Continue on a separate sheet if necessary **Question 7 - continues on next page.**

**8. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at 7. above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Remove land at Olympus Ave/Apollo Way (identified to form part of Tachbrook Park Employment Area) from major employment allocation on proposals map No. 2 Leamington, Warwick and Whitnash.

Continue on a separate sheet if necessary

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

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Furthermore, the NPPF states 'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site bring uses for that purpose' and that 'where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and relative need for different land uses to support sustainable local communities' (Para 22).

It is clear, given the lack of investment interest in the site for employment purpose over at least the past 15 years, that other complementary uses should be considered. The site lies within a predominantly mixed-use area, bound by employment to the south and retail on the north. In light of this, the site offers an opportunity for the provision of other various forms of employment generating uses which fall under the definition of 'economic development' as defined in the NPPF to include those uses within the B use class, public and community uses and other main town centre uses. The employment park comprises a mix of B1, B2 and B8 uses along with retail and quasi-retail uses. It is considered that retail and leisure use should be deemed appropriate for the site and therefore not subject to the constraints of the proposed employment land allocation.

Further to the above, the NPPF requires the plan to be justified forming the most appropriate strategy when considered against reasonable alternatives based on proportionate evidence. The Council's most recent employment evidence base is the Warwick District Employment Land Review Update (May 2013). This fails to consider the quality of the site in question for employment use (with no site by site analysis having been carried out) and accordingly the potential to release the site for other alternative uses has not been considered.

The site is not required to meet the employment land needs of the District as the employment demand identified in Policy DS8 includes a 16.5ha 'margin of flexibility'. This margin is stated in the Warwick District Employment Land Review Update as comprising five years of take-up based on take-up rates over the past 12 years (paras 6.28 and 6.29 of the employment review). No justification is given for the need for five years worth of 'margin', nor for the use of average take-up rates over the past 12 years. Indeed, paragraph 6.33 notes that "it is unlikely that development trends over the 2011-2030 plan period will match those between 2000-8". Given that the higher development trends of the 2000-8 period comprise eight of the 12 years used to calculate the 16.5ha margin, it is clear that these higher trends unduly inflate the size of that margin. This is made very clear when it is noted that the 16.5ha margin accounts for 45% of the 36ha land requirement identified in the supporting text to Policy DS8. The reduction in employment land by 1.7ha (the area of the site in question), will have no material effect on employment objectives.

It is considered that insufficient evidence has been provided in support of the site's allocation under Policy EC3, thus rendering the plan not justified or effective in this regard and, therefore, unsound. Removal of the site's allocation would have no negative implications for the soundness of other parts of the Plan.

**9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

**10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

Given that the evidence base does not support allocation of the site under Policy EC3 we consider it necessary to appear at the Examination in person in order to respond to any new evidence/justification put forward.

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

### 11. Declaration

I understand that all comments submitted will be considered in line with this consultation, and that my comments will be made publicly available and may be identifiable to my name/organisation.

Signed:



Date :

27.06.2014

Copies of all the objections and supporting representations will be made available for others to see at the Council's offices at Riverside House and online via the Council's e-consultation system. Please note that all comments on the Local Plan are in the public domain and the Council cannot accept confidential objections. The information will be held on a database and used to assist with the preparation of the new Local Plan and with consideration of planning applications in accordance with the Data Protection Act 1998.

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## Part B - Your Representations

Please note: this section will need to be completed for each representation you make on each separate policy.

### 4. To which part of the Local Plan or Sustainability Appraisal (SA) does this representation relate?

Local Plan or SA:

Local Plan

Paragraph Number:

Policy Number:

Policy TC2

Policies Map Number:

### 5. Do you consider the Local Plan is :

5.1 Legally Compliant?

Yes



No



5.2 Complies with the Duty to Co-operate?

Yes



No



5.3 Sound?

Yes



No



### 6. If you answered no to question 5.3, do you consider the Local Plan and/or SA unsound because it is not: (please tick that apply):

Positively Prepared:



Justified:



Effective:



Consistent with National Policy:



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Draft Policy TC2 stipulates that for retail proposals at edge-of-centre or out-of-centre sites 'Evidence of the impact on the town centre will be required where the proposals is above 500 sqm gross floorspace'. Ignis UK Property Fund object to the requirement for a Retail Impact Assessment for proposals over 500 sqm gross in Draft Policy TC2 and to the justification provided in the Warwick District Retail and Leisure Study (April 2014) (WDRLS) for the departure from the default threshold indentified in the NPPF of 2,500 sqm (NPPF, Paragraph 26).

The WDRLS notes the competition that exists between the District's town centres and out-of-centre locations as well as the take-up and growth of online shopping. Paragraph 10.17 notes that the town centres "are all, to varying degrees, vulnerable to the impact of new out-of-centre retail and leisure floorspace". Consequently, the study concludes that "the 'default threshold' of 2,500 sqm gross could have a significant adverse impact on the local planning authority's strategy and plan to attract new investment and business to its main town centres (and specifically the Chandos Street car park development opportunity)" (WDRLS 2014, Paraprah 10.20).

However, it is not considered Warwick District is an exception to any other local authority area such as to justify a departure from the threshold set in national policy. Designated centres throughout the country are "to varying degrees, vulnerable" to impact from other facilities and the Government would have been aware of that fact when setting the threshold. Equally, the existence and take-up of online shopping applies nationally and would have been known to the Government when setting the nationally applicable threshold. Indeed, in respect of the health of the District's centres, a legitimate local consideration, the most recent GOAD town centre report (2013) for Leamington Spa clearly demonstrates that when assessed against key indicators the town centre is both vital and viable, and has improved to above pre-2008 levels. Furthermore, we dispute the comments in the Council's retail study which suggests stores with floorspace over 500 sqm gross are unlikely to be a purely local facility and will tend to draw trade from outside their local catchment – no evidence is provided in support of this statement. Indeed, the eleven paragraphs of text on this matter in the WDRLS provide no evidence at all and are wholly based on assertion.

Continue on a separate sheet if necessary **Question 7 - continues on next page.**

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Remove reference to 500 sqm gross retail floorspace threshold in Policy TC2 and supporting text entirely from the emerging Warwick District Local Plan (2011-2029) Publication Draft.

Continue on a separate sheet if necessary

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The NPPF clearly sets out that investment in business should not be over-burdened by the combined requirements of planning policy expectations (para 21). The policy should not act as a barrier to growth but encourage local retail investment at an appropriate scale. It therefore is considered inappropriate to impose a 500 sqm threshold as this is unjustified and therefore unsound and is likely to result in negative implications for retail development in the District.

Continue on a separate sheet if necessary

**9. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

**10. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

In order that the absence of any local circumstance justifying the 500 sqm threshold can be fully explored.

Continue on a separate sheet if necessary

Please note: This written representation carries the same weight and will be subject to the same scrutiny as oral representations. The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

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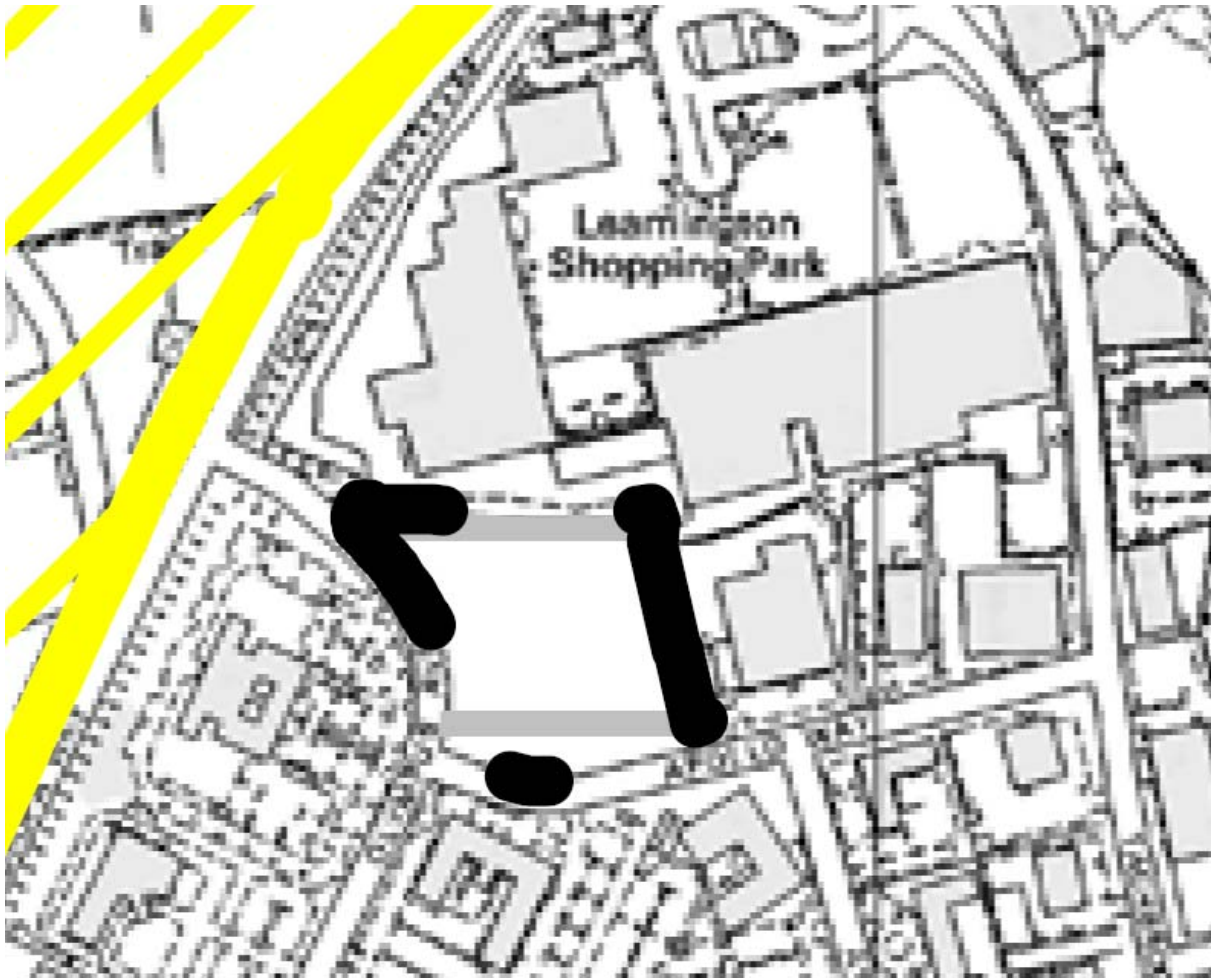
Rep ID:

**Policies Map Extract – 2. Leamington, Warwick and Whitnash**

**Land at Olympus Avenue/Apollo Way**

**Major Employment Commitments (EC3)**

 **WDLP - Major Employment Commitments (EC3)**





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# WARWICK DISTRICT COUNCIL

## Notice of Decision of District Planning Authority

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TOWN & COUNTRY PLANNING ACT 1990  
THE TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2010

Ms Halfter  
Chapman Taylor  
10 Eastbourne Terrace  
London  
W2 6LG

Planning Permission : REFUSED

Application Reference: W 10 / 0340

Your Ref:

Notice is hereby given that Planning Permission is REFUSED for:

Erection of mixed use scheme (A1/A2/A3/A4/A5 uses) together with 9 town houses. Service access at basement level with two levels of car parking above the retail on second floor and third floor and a plant deck above. New entrance portico on Parade and extension and conversion of 17 Parade for retail / bar use with offices above. New vehicular accesses and other highway alterations.

at Clarendon Arcade, Parade, Leamington Spa

for Wilson Bowden Developments in accordance with the application submitted on 19/03/10.

The reason(s) for the Council's decision for refusal is/are:

- 1 Policy DP1 of the Warwick District Local Plan states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design.

In the opinion of the District Planning Authority, the proposed development would not represent an appropriate layout and design and would not harmonise with surrounding buildings due to its bulk and mass.

The proposals would therefore be contrary to the aforementioned policy.

- 2 Policy DP2 of the Warwick District Local Plan states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users/occupiers of the development.

In the opinion of the District Planning Authority, the proposed development would cause unacceptable harm to the living conditions



of existing neighbouring residents and future residents of the proposed town houses by reason of the overbearing visual impact, loss of light, noise and fumes.

The proposals would therefore be contrary to the aforementioned policy.

- 3 Policy DAP8 of the Warwick District Local Plan states that development will be required to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas. Meanwhile, Policy DAP9 states that there will be a presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a Conservation Area. Policy DAP9 goes on to state that consent for total demolition will only be granted where the detailed design of the replacement can demonstrate that it will bring about a genuine qualitative improvement to the Conservation Area and the setting of adjacent buildings.

In the opinion of the District Planning Authority, the proposals would be detrimental to the character and appearance of the Conservation Area by reason of the bulk and mass of the proposed building and the loss of traditional buildings and the historic street pattern.

The proposals would therefore be contrary to the aforementioned policies as well as policies HE8 and HE9 of PPS5.

- 4 Policy DP8 of the Warwick District Local Plan states that development will only be permitted which makes provision for parking which does not encourage unnecessary car use and has regard to the location and accessibility of the site by means other than the private car.

In the opinion of the District Planning Authority, the development proposes an excessive amount of car parking and this would encourage unnecessary car use.

The proposals would therefore be contrary to the aforementioned policy.

- 5 Policy TCP3 states that proposals for large scale shopping development will be permitted, provided they comply with a number of criteria. Criterion (d) requires the implementation of appropriate measures to promote public transport.

In the opinion of the District Planning Authority, the proposals do not include adequate measures to promote public transport.

The proposals would therefore be contrary to the aforementioned policy.

Dated: 11/11/2011

Development Manager  
(Authorised Officer of the Council)

*Gary Stephens*

IT IS IMPORTANT THAT YOU READ THE ATTACHED ADVICE TO APPLICANTS.