

Appendix 2

Draft Canalside Development Plan Document (DPD)

Report of Public Consultation

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
001	Robert Goundry		Canals were not built for raw materials alone. Prior to railways, narrow canals were used for finished and semi-finished products. Commercial carrying on narrow canals went on until the early 1970s but declined from the end of WWII.	Noted
002	Diane Clarke	Network Rail	No comments to make	Noted
003	H G Longley		Photo of Hatton Flight is mislabelled	Noted and changed
004	Richard Cooke		“ “ “ “ “ “	Noted and changed
005	Ian King	Leamington Spa Police Station	Developers should incorporate principles of ‘Secured By Design’ into commercial and residential elements and this should be incorporated into Policy CS1. Incidents of antisocial behaviour are perceived rather than real. Recommend a new policy in the DPD that supports and facilitates partnership working and the provision of new security infrastructure to help resolve such issues.	The draft DPD makes it clear that the adopted Local Plan policies apply and in the case of “Secured By Design” Policy HS7 encompasses the need to adopt this approach in development. Although it is not for the DPD to repeat the Local Plan, reference will be added for completeness.
006 (JDI71505)		Hatton Parish Council	No reference to towpath upon which recreational value of the canal corridor depends: often more puddle than path. Great opportunity to create cycle and pedestrian path from Hatton to Radford. Would offer scenic and safe commuter route but needs to be 2m wide and properly cambered permanent surface.	Policy CS1 states as one of the criteria for development; <ul style="list-style-type: none"> “Any development of the canal will also include the provision of a

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				<p>towpath which will be wide enough to accommodate pedestrians, cyclists and wheelchair users with the aim of creating a cycle/walking route alongside the canal or, where a towpath already exists, it is widened and/or improved where possible to allow access for all users, without compromising the natural environment”</p> <p>The Canal and River Trust are the body responsible for the majority of towpaths and any issues should be reported to them, but these comments will be passed on for their assessment and further consideration. Widening and hard surfacing of towpaths is not necessarily the best approach however, particularly in rural areas.</p>

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				The treatment of towpaths as a more urban footpath is not considered to reflect the origins of the canals or to be in keeping with the local environment.
			Photo of Hatton Flight is mislabelled	Noted and changed
007	Philip Sealey		Chimney adjacent to GU Canal towpath in Warwick, between Coventry Road and Charles Street bridges, is in conservation area but is threatened by new development. It has heritage potential which was recognised in the past as part of a previous era of factory construction and operation. It isn't old but a prominent landmark and in good condition. Should be preserved for further generations to enjoy and prevent its demolition	Any planning application will be judged on its individual merits and as part of the Conservation Area, any impact on the special character or heritage assets will be considered at the time in line with the policies of the adopted Local Plan and this document once it is adopted. This comment has however, been passed to the Conservation team for further consideration.
008 (JDI71507)	Mary Briggs		Access for bikes/pushchairs is difficult at Sydenham Road bridge and needs to be a ramp. St Marys Road access is steps and Clement Street has difficult steps Gullimans Way access is difficult even though steps are wide and shallow There was suggestion of additional access between Leamington and Radford Semele where the canal goes under the road, which would be supported	Noted. Will pass comment to the relevant authority for future action

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009	G J Nicholson	Inland Waterways Association (Warks branch)	The IWA is in agreement with the conclusions drawn and the overall objects of the plan and is happy to support the whole.	Noted
010	Jayne Topham	Warwick Town Council	<p>Contains a significant proportion of irrelevant information and appears to lack any depth, ambition or a coherent plan and/or idea.</p> <p>The document sets out the policy requirements which are already adopted within the Local Plan. The objectives of the DPD to identify the issues and opportunities and identify a number of potential schemes to encourage the use of canals is excellent. Canalside development such as adjacent to the Moorings off Myton Road for example shows that active frontages contribute to a sense of place. As such it is disappointing to read within the document that the area of focus is for three sites.</p> <p>Rather than focusing on three potential schemes, other areas of development should not be precluded from the document, whilst they may not be site specific. However, basic guidance and design principles should be included, to increase the lighting and tow path surfaces adjacent to development and to have other design principles whether that be by activating the frontages against canals with habitable rooms or broader design guidance to ensure a sense of place.</p> <p>Overall, there is as stated within the adopted policy very good potential to better utilise the land adjacent to canals within Warwick and the wider District, and the re-use of urban areas will hopefully mitigate further sprawl in the medium term. Indeed, the development of canals by virtue of increased lighting and security, year-round usable paths and development to enhance safety and use should all be sought.</p>	<p>A 'vision' has been added to address this point</p> <p>The Local Plan policies will apply in all cases, but there is additional detail specifically aimed at the Canalside area within the policies contained in this document. On matters of design for example, there are bound to be overlaps since good design is required throughout the district; there is therefore some repetition. Issues of lighting and tow path surfaces is difficult since it is not considered that lighting is necessarily a good response. Light pollution and disturbance to wildlife can produce a negative result. The canals are an oasis away from the urban parts of the towns and to introduce urban features would, in some parts, be inappropriate.</p>

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			<p>Arguably weight should be given to the re-use of unused and under-used land adjacent to canals, such as the former Tamlea building in Warwick amongst other locations. Relating to this document specifically however, when assessing whether the content of the document fulfil the policy requirement and indeed the objectives of the document as set out. It is our view that the document lacks enough depth and detail and is a missed opportunity from what could be a valuable contribution to the development of Canalside land within Warwick.</p> <p>The Town Council therefore disagrees with the conclusions of the document as set out in paragraphs 5.45 to 5.47 stating the positive effects of the document.</p> <p>The length of Grand Union Canal passing through Warwick Town is approximately 4.82k. The tow path runs along the north bank of the canal for the whole distance. The opposite bank of the canal has soft landscaping for total length of approximately 3.49k. Despite the proximity of housing and other building, this narrow gap is protected from disturbance and provides nesting habitat for waterfowl. The tow path</p>	<p>Similarly, widening and hard surfacing of tow paths can result in a contemporary and urban feel that is alien to the quiet backwaters of the canals.</p> <p>However, as in all cases, new planning applications will be dealt with on a site by site basis and surfacing and lighting will be considered at that stage.</p> <p>There is, at appendix 1 a Table of Opportunity Sites with an analysis of all the areas of land that could have potential for development. Each has been considered in turn with comments as to whether these are likely to be developed or able to be developed. The three sites within the main document which are outlined as potentially for residential development, are each dealt with, with their own policies and analysis. These are the larger areas of land which have been discussed in very general terms in the</p>

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			<p>side of the canal has no nesting habitat, even in green space, as there is no protection from disturbance.</p> <p>The Canal Conservation Plan addresses a number of issues, three of which are; aesthetics, facelift and biodiversity. Ensuring that these three issues do not conflict will provide a challenge for the two sites described as options in the DPD.</p> <p>a. Montague Road/Nelson Lane.</p> <p>This sites development area is largely north of the canal alongside the tow path and as there is no waterfowl habitat on the north bank tow path side any re-development should not reduce nesting although, waterfowl do feed in the green margins at the edge of the tow path. Although the Nelson Lane has little green space its protection from disturbance does provide active nesting space in a number of places.</p> <p>b. Cape Road/Millers Road.</p> <p>Despite this site's 'tired' appearance the lack of public access along the canal provides a large number of nesting sites. Any attempt to improve the 'aesthetics' from the point of view of boat users would clearly conflict with the habitat.</p> <p>The wild waterfowl life is not only important to our biodiversity but they are also an attraction to the canal for our residents and particularly young families from the surrounding residential areas.</p> <p>I would recommend that, before any development occurs a full survey is undertaken of the waterfowl habitat. We must ensure that our canal does not suffer from a loss of this important facet of our natural history and, preferably, be even improved.</p>	<p>past, but are now more detailed.</p> <p>The former Tamlea building is part of site K in Appendix 1 of the document and the analysis of the site can be viewed with conclusions, there</p> <p>Biodiversity is an important factor in considering any development along the canal. Where planning applications are submitted which could impact on the canal and its immediate environment, experts on this and conservation issues are consulted.</p>

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			<p>1. Access to the Canal: this needs to be improved to enable all users to be able to access the towpath and for the towpath to be widened and made good all along its length so people with pushchairs, in wheelchairs etc. can use it safely when bikes pass them. Currently in some places (i.e. Warwick Cemetery to The Cape of Good Hope) the path is only wide enough for 1 person and if passing somebody coming the other way involves jumping in the hedge, often overgrown with brambles and nettles.</p> <p>A number of recent canal side developments have been constructed next to the canal and we would like to see new developments set back from the canal to make the area more of an open space.</p> <p>2. The Cape Road/Millers Road Rationalisation of employment land: This area currently houses several longstanding businesses and if the intention is to improve the buildings then where would the businesses relocate to while the work was being carried out. I am assuming they would be allowed to return to their current site. Also, the area highlighted in red doesn't include the canal side of Scar Bank but talking to a business in that area they have been told by WDC the map was wrong and they were included. This needs to be clarified as a matter of urgency as one firm were about to sign a contract for a £100k plus refurbishment of their premises but have put it on hold</p> <p>I am assuming, as it wasn't mentioned in the document, all potential building/redevelopment for both housing and industrial use will be considered individually when planning permission is sought.</p>	<p>Access is an issue which has been highlighted in this document and whilst it does need to improve, it will be as part of any new development scheme which could address this issue. Also see above regarding tow path widening and resurfacing.</p> <p>It isn't possible to comment specifically on an individual plot or case without full details. Any discrepancy will be discussed if aggrieved parties contact the planning team direct.</p> <p>As mentioned in the document, all local plan policies apply and this is part of the adopted local</p>

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				plan which states that ‘the council will consider each case on its merits’. Redevelopment for uses other than that for which permission already exists, will be considered.
011 (JDI71508)	Paul Connolly		NW of Europa Way roundabout: recognised as not suitable for development but lacks proper footpath to Aragon Drive and is an area where garden waste is dumped. A proper footpath between the bridges at Europa Way and Myton Road would improve the environment. Step access from south side of canal to Myton Road was blocked and off and is a mess. The cycle path under Europa Way needs boarding to exclude pigeons	Comments will be referred to relevant officers
012 (JDI71509)	Kristie Naimo		Para 6.7 Not clear what “linear development of PBSA will not be suitable”. Should it be in a policy? Policy CS6 Why is the word “encouraged” used here? Perhaps “supported” or “permitted” should be used instead as in other policies	The comment is not a policy but an indication of the direction of travel by the LPA moving toward the PBSA DPD. Until this document is published, policy H6 of the Local Plan will apply. The new DPD will provide policies that deal with the location of PBSAs in more detail Agreed that “supported” would be a better word
	Kristie Naimo		Policy CS9 Inconsistencies around three separate sites. CS9 asks for “100% lost cost housing” whilst CS10 has only a “40% affordable” and no percentage referenced in policy CS11	The figures have been arrived at on a site by site basis. 100% low cost housing reflects that part of

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			CS9 appears to make an assumption that housing is inevitable and does not acknowledge the potential ongoing demand for industrial use as in CS10	<p>the development that has already taken place and adds to the much needed affordable housing stock of the district. The site lends itself to this type of development.</p> <p>The other two sites have not yet seen a move toward rationalisation which suggests that the units are still fit for purpose. Until such time that they are not, they will continue to be utilised for employment uses and only when no longer suitable for such use will the alternative of residential development be considered. At this point in time, the policy will apply. The figure of 40% affordable housing in CS10 is repeating Local Plan policy and is therefore perhaps superfluous given that it is stated that Local Plan policies will apply. However, it is agreed that policy CS11 should repeat this requirement as it appears in</p>

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				CS10, albeit a repeat of existing policy
	Kristie Naimo		CS9, 10, 11 do not make reference to WDC's already adopted SPD on Air Quality. Nor the recent 'Affordable Housing' SPD which will be going out to consultation shortly. Both are relevant here	There is a requirement in policy CS11 to address identified forms of contamination including air quality. This site has been suggested to require mitigation in this regard as a result of previous planning applications. The "Affordable Housing" SPD was in preparation when this draft DPD was published. It will be included as a reference document in the submission draft.
	Kristie Naimo		Para 5.8 Does WDC think that an employment land review from 2013 is a bit out of date for evidence of use/need? A lot of development has happened in the South Leamington area (particularly along the canal) in the past 6 years and therefore some of this information may now be irrelevant/outdated/need refreshing?	The DPD is a direct result of the Local Plan policy which states that a Canalside DPD will be produced which will outline what could happen on the specific three employment sites next to the canal. The Local Plan used the employment land review of 2013 as a basis for its policies and runs to 2029, therefore an update of this document is likely at a review of the Local Plan

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	Kristie Naimo		<p>Why does the DPD only propose detailed policies for 3 specific development opportunity sites and does not also include areas where a site is NOT protected by another policy e.g. sites E, R? This table acknowledges that the sites are of local/wildlife interest but do not go so far as to 'protect' or 'preserve' this status. Will listing in this table be sufficient to defend any planning development proposed on each site?</p> <p>Site T - Have not mentioned this is in policy area TC12 which gives it some protection in terms of employment land.</p>	<p>The main purpose of the DPD is to fulfil the council's commitment in the Local Plan to produce a policy document which deals with the three sites outlined within the Local Plan for potential development. Some other sites (Appendix 1) have been identified during the process of designating a new conservation area, as vacant, derelict or potentially developable land. Each of these was assessed. In terms of additional protection, there is some afforded by the CA status and by the existing Local Plan policies, which always apply in addition to any within the DPD. As the majority of the identified sites are not suitable for development, no other protection policies are required.</p> <p>The employment land protection afforded under the Local Plan policies applies. All planning</p>

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				applications will be assessed on their own merit in compliance with the Local Plan policy
	Kristie Naimo		States PBSA DPD will replace H6 in due course. The PBSA will refer only to student accommodation where H6 refers to all HMOs	Agreed. This will be clarified
013 (JDI71514)	Len Mackin		Already have two PBSAs along the canal and there are plans for two more. Whilst the developments will clean up certain areas it will also have the effect of creating a significant visual barrier between south and north Leamington. It will also add to the problem of studentification. There is no evidence that this will free up HMOs - it will do just the opposite. PBSAs not wanted	There will be a PBSA DPD produced in due course which will deal with these types of developments. In the meantime, Local Plan policy H6 applies to all HMOs and student accommodation of all kinds.
014	Rob Sargent	Natural England	Generally supports sustainability objectives which cover interests in the natural environment	Noted
015	Bill Blencoe	CWLEP	<p>Inadequate consideration has been given to maintaining the supply of employment land and premises covered by the Document.</p> <p>Analysis lacks proper balance, ignores evidence and fails to recognise that areas adjacent to the canal can provide a source of "affordable" employment space the market.</p> <p>In summary the CWLEP want to see the draft amended</p> <ol style="list-style-type: none"> 1) Recognise the benefits of protecting current space 2) Policies that require applicants seeking changes to demonstrate the land is no longer fit for purpose 3) Policies that encourage and facilitate the improvement /upgrade /use of space/ buildings. 	The Local Plan allocated sufficient employment land to address the need over the plan period. It also states that the three employment sites subject to new policies in the DPD, would be considered favourably for rationalisation and residential development and therefore alternative land was made available within the LP allocation. The principle of development on

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				<p>the three sites was therefore established in the LP.</p> <p>Existing employment land is protected for such use in the LP (policy EC3).</p> <p>The Council will consider alternative uses for any employment land that is no longer suitable or fit for purpose after a suitable period of time being marketed unsuccessfully.</p> <p>The DPD makes it clear that the policies in the LP apply and should be complied with. DPD policies add to those in the LP and the LP commits the Council to the publication of the DPD (policy DS17).</p>
016	Melanie Lindsley	The Coal Authority	No comment to make	Noted
017	Jasbir Kaur	Warwickshire County Council	The County Council cannot commit to any financial implications from any proposals emanating from the DPD. Public health experts have produced guidance for Councils and this is contained in Neighbourhood Development Planning for Health document. The document contains evidence and guidance for promoting healthy, active communities.	Noted

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			We wish to be consulted on any detail proposals that would involve changes/modifications to aqueduct or bridges of the highway over canals.	
018	Rosamund Worrall	Historic England	<p>No objection to the DPD and welcome opportunity for the area.</p> <p>Should consult with specialist archaeological advisers at WCC to review the impact of the document on non-designated heritage assets, particularly those with development potential.</p> <p>Suggest policy CS3 should be broader as it is addressing NPPF 189 and the requirement for good information on heritage assets to inform planning decisions. Rewording to reflect this “an assessment of the significance of heritage assets on the development site, including their archaeological interest should be undertaken....” And the second sentence could be revised to read “Consultation of the HERs information held by..... for this assessment is required as a minimum”</p>	<p>Noted</p> <p>Will be added as advised</p>
019	Robert Dawson	Warwick District Council	<ul style="list-style-type: none"> Section 1 (Background) <p>LPAs are not responsible for determining whether or not building's meet the national criteria for listing, so have changed the wording slightly. It could be worth adding here a reference to our current Local List and that consideration will be given to locally listing existing non-designated heritage assets? Have also amended the wording to state current NPPF (rev. 2018) policy, not the old 2012 version...</p> <ul style="list-style-type: none"> Section 2 (Context) 	<p>It is not suggested that LPAs can determine national criteria for listing, but rather that those buildings which are not included on the national list but have local historic value, are considered 'special' and could therefore be included in the local list. Agreed that the local list be mentioned here.</p>

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			<p>I think there are a series of errors under the Context section, including referring to the Birmingham and Fazeley Canal, which is outside our District.</p> <p>Photographs, pictures, documents etc. – throughout the document there is a notable absence of where these have been sourced from, with no date of publications and sourcing of Wikipedia (which is not a source as wiki. usually has several authors for one page – there are usually links to sources under each article). Recommend also that more annotations are considered throughout.</p> <ul style="list-style-type: none"> Section 3 (The Canal Conservation Area) <p>This section needs to better relate to the wording of national legislation and policy in relation to CAs and our statutory obligations. Incorrectly quotes H1-H4 of the Local Plan – this should be HE1-HE4.</p> <ul style="list-style-type: none"> 4.6 (HS2) of Section 4 <p>The supporting text to the HS2 plan does not make the route very clear – would suggest stating which character length is to be affected, or distance from nearest town (which I think is Radford Semele or Offchurch?). Should we really be stating that the route affects ‘thankfully a very small section of the canal’?</p> <ul style="list-style-type: none"> Section 5 	<p>This error came from accessing outside sources and has been corrected. Some source references have been accidentally omitted during the process of preparing the document for electronic presentation and will be replaced</p> <p>These updates will be included</p> <p>Character length 6 has been included and ‘thankfully’ removed, although the Council has been consistently opposed to HS2</p> <p>At the time of writing, the application was being</p>

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			<p>Suggest slight rewording to 5.1. Reference to Montague Road (5.15) application (W/19/0170) states that it is currently being assessed, however this was refused in August.</p> <ul style="list-style-type: none"> Section 6 <p>Minor changes throughout, however policy CS1 at the moment generally reflects and repeats BE1. This policy needs to be more strongly worded to relate to what specifically development on and around the canal should aim towards, e.g. attractive frontages, sympathetic materials, strong industrial characteristics and consideration given to surrounding heritage assets. CS3 should also refer to the need for applicants to submit Heritage Statements.</p>	<p>assessed. Given the changes which can occur in a short space of time, this is to be expected, however, the reference has been updated.</p> <p>There will be some overlapping of criteria given the council's ambition to provide good design in all development and to enhance the local character and improve the environment, however, mostly the criteria do relate to the canal area specifically.</p>
020 (JDI71545)	Ian Dickinson	Canal & River Trust	<p>Do not consider that the document so far provides a clear mechanism for guiding new development in a way that takes proper account of the many opportunities presented by the canals within the District. It may be helpful for the Council to refer to the advice on the Trust's website relating to planning policy and how the planning system can provide a robust planning policy framework that supports canals as a cross-cutting policy theme:</p> <p>https://canalrivertrust.org.uk/specialist-teams/planning-and-design/planning-policy</p>	<p>Amendments have been made and a vision added to assist with this point following discussions with the CRT</p>
(JDI71544)	Ian Dickinson	Canal & River Trust	<p>The 1968 Transport Act identifies the Birmingham and Midlands waterways as cruising waterways. The Canal &</p>	<p>Noted</p>

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			River Trust Freight Policy highlights the waterways most likely to be used for freight as those in the Yorkshire & North East Region. The Trust's freight policy does not rule out the possibility of using any waterway for freight should there be a viable reason to do so. Smaller canals could for example be used for local parcel delivery, transport of household waste or passenger services. Canals can in some situations provide an alternative sustainable transport solution reducing road congestion and improving air quality.	
(JDI71543)	Ian Dickinson	Canal & River Trust	Concerned that most, if not all, of these policies may not be found sound at examination. The Trust would welcome the opportunity to discuss the wording of all of these policies to identify how they could be made more canal-specific and more effective in guiding development proposals towards meeting the aspirations set out in Section 1 of the draft DPD.	Discussed with CRT and amendments made
(JDI71542)	Ian Dickinson	Canal & River Trust	Policy CS8 should include consideration of practical matters such as the long-term management and maintenance responsibilities for such installations	Amendments made to take account of this comment
(JDI71541)	Ian Dickinson	Canal & River Trust	The Policy does not offer any indication of how the lack of a co-ordinated approach to signage should be addressed. Provision of signage to improve wayfinding is an important element in encouraging people to make more use of canal towpaths. It is important to avoid unnecessary clutter and to ensure that signage is appropriately designed and located. Policy CS7 should aim to be more proactive in guiding the approach to providing signage, including consideration of whether this should be funded via developer contributions.	Signposting to CRT advice and standards has been added
(JDI71540)	Ian Dickinson	Canal & River Trust	The supporting text to Policy CS6 indicates that linear development of PBSA along the canal will not be suitable, but does not explain why not, or give any indication whether the reasons for resisting such proposals are related to the protection of the canal.	This is as a result of other work ongoing for the PBSA DPD and reflects the views of local people. It is recognised that whilst

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				increasing surveillance and therefore security of the canal and towpaths, a solid frontage of PBSA buildings is not conducive to the variety of uses and opportunities provided by this environment and changes the character of the area
(JDI71539)	Ian Dickinson	Canal & River Trust	Policy CS5 suggests that canals should be recognised as a potential renewable energy resource, but does not appear to require developments to actively consider incorporating such measures or to demonstrate why they cannot. This would appear to limit the value of such a policy.	This is being addressed through the Climate Change and Sustainable Buildings DPD. Policy CS5 provides a hook for the policies in the Climate Change DPD
(JDI71538)	Ian Dickinson	Canal & River Trust	Policy CS4 deals with wildlife and biodiversity, but does not include any consideration of external lighting and how this can affect canal corridors. It is important that the role of the canal in supporting nocturnal wildlife is acknowledged in new development proposals, and that external lighting is carefully designed, sited and installed to minimise light spill and glare which can harm species such as bats, which often use canals as foraging routes.	Agreed Details of proposed lighting will be required as part of any planning application and dealt with on a site by site basis. Advice will be sought on the suitability of any lighting proposed
(JDI71537)	Ian Dickinson	Canal & River Trust	Policy CS2 seeks to address the visual impact of vehicle parking, but does not include any requirement to install effective barriers to prevent vehicles accessing towpaths or entering the canal.	Added to the policy
(JDI71536)	Ian Dickinson	Canal & River Trust	Policy CS1 does not really identify how new development alongside canals can seek to deliver the aims and aspirations set out in Policy BE1 of the adopted Local Plan with specific reference to and acknowledgement of the unique opportunities and challenges that such locations present.	The relationship has been made clearer

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			There are a range of matters which need to be considered in proposing to widen towpaths which are not identified in the policy. We suggest that this policy should instead simply seek to improve access for all in a way in which does not damage the natural or historic built environment.	
(JDI71535)	Ian Dickinson	Canal & River Trust	The policies tend to be quite general in nature and appear to add little to the existing policies contained in the adopted Local Plan that all development proposals already have to have regard to. It is difficult therefore to understand how the policies will ensure that new development proposals will have to consider fully potential constraints imposed by proximity to canals or identify and exploit the unique opportunities presented by canalside locations.	Policies and explanations have been expanded to be more concentrated on the canal and environs
(JDI71534)	Ian Dickson	Canal & River Trust	Although this section seeks to identify the potential of the canal network, it is very general in nature. The three sites specifically identified are already allocated for development via the adopted Local Plan. Although reference is made to other opportunity sites and the list contained in Appendix 1, it is not clear how these sites were identified or what selection criteria were used. The table in Appendix 1 offers very limited assessment of the sites' potential in terms of how development on them could contribute positively to the canal or the objectives and aspirations of the DPD.	Discussed with CRT. One of the main purposes of the DPD is to deal with the three sites allocated in the Local Plan. There are therefore policies that concentrate on these three sites. The table at Appendix 1 shows sites that were identified as a result of the detailed work connected with the Conservation Area work. There is limited assessment as these sites are easily dealt with as having insurmountable reasons currently for non-progression as a development site

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(JDI71533)	Ian Dickson	Canal & River Trust	It is not clear how the Council has concluded that there are few suitable, sustainable or available locations for such developments or how any specific need for marina facilities may be identified. The Trust advises that it is each prospective marina applicants responsibility to make their own assessments on the viability of their proposal, the impact of the proposal on the existing supply of moorings in the area or whether there will be sufficient customer demand to support all operators. Proposals for new marinas connecting to the Trust's canals have to obtain Trust consent via our marina application process.	Evidence was gathered as part of the Local Plan process with regard to marina facilities and conclusions drawn through that process. Any review of the Plan may revisit those conclusions if necessary. It would be imprudent of a potential developer of a marina to not look at viability or demand for their proposal. Whilst it is acknowledged that Trust consent is required for new marinas, planning permission is also required
(JDI71532)	Ian Dickson	Canal and River Trust	Whilst flooding is a risk to the Trust, it is one which we manage, and flooding from canals is quite rare because the canal network has various control structures which allow us to move water along the canal. We are concerned that again the document, particularly with the inclusion of photographs (none of which are within the Warwick District area) without identifying the causes of the flooding depicted, tends to emphasise a negative view of this issue. The canal network can potentially provide a solution to localised drainage of new developments, via the Trust's surface water discharge process	The document points out that canals can flood. This is also said to be unusual as there are controls in place which mean that the water can be more easily moved about than in a river for example, to ensure that flooding is rare. However, it is not impossible and with climate change making huge differences to our weather systems and more water pouring into waterways of

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				every kind as a result of heavy rainfall in winter in particular, the threat is growing. The photographs do illustrate instances elsewhere and are labelled as to their location, so this is not seen as scaremongering but evidence that it can happen
(JDI71531)	Ian Dickson	Canal & River Trust	Section 4.8 discusses access and we agree that this is an important consideration. New developments can provide significant opportunities to create new or improved access to the canal and towpath, increasing opportunities for local communities to use and enjoy the canal, whether as a sustainable and traffic-free route for commuting or accessing services or simply for leisure. Encouraging greater use of canal towpaths for walking or cycling can help provide significant health and well-being benefits for local communities by helping people to lead healthier and more active lifestyles.	Agreed. More has been added to the document to address this comment following discussions with CRT
(JDI71530)	Ian Dickson	Canal & River Trust	Section 4.7 discusses vacant/under-used sites and buildings, but appears to primarily concentrate on wider issues raised by Purpose-Built Student Accommodation rather than considering how to bring under-used sites and buildings back to use in a way which can benefit and complement the canal.	This reflects the pressure locally for PBSA and the number of planning applications made for this type of development
(JDI71529)	Ian Dickson	Canal & River Trust	Section 4.5 does not offer any particular context to the comments or indicate how the issues identified are proposed to be tackled and seems to suggest a uniformly negative view of the canal character without providing any justification.	There is a need to address problems and perceived problems. Discussions with local people and those interested in the canal area

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				have raised these as issues and clearly they have an effect on the usage of the canalside in the towns in particular. This is balanced by a positive approach where the effects on health and wellbeing and opportunities for leisure and sustainable transportation options and renewable energy are discussed
(JDI71528)	Ian Dickson	Canal & River Trust	Section 4.4 does not offer any particular context to the comments or indicate how the issues identified are proposed to be tackled	More has been added here
(JDI71527)	Ian Dickson	Canal & River Trust	This section does seem to emphasise negative views of the canal network, and whilst we acknowledge that issues such as littering, rubbish dumping, anti-social behaviour etc. do occur, we are concerned that this section could be seen as suggesting that these issues are endemic, which we do not believe to be the case.	The section deals with the issues that have been raised by local people with regard to their use and perceptions. There is some good work going on to deal with littering, dumping of rubbish etc. and this has been acknowledged, however we also need to deal with the causes and some problems which are not. The Police are keen to point out that there is more perception of crime than actual incidents and this too

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				has been acknowledged in the document, however, by its very nature, the canal is secluded and there is possibly a feeling of not being able to escape in a threatening situation, therefore it is not always an inviting place for some people to use. This is where we would like to make a difference, by making sure that surveillance is introduced where possible with new buildings overlooking the towpath and increased use making it a more enticing option and with better access for all
(JDI71526)	Ian Dickson	Canal & River Trust	The photograph captioned "The Hatton Flight of locks today" actually shows the lock flight at Caen Hill on the Kennet & Avon Canal.	Noted and changed
(JDI71525)	Ian Dickson	Canal & River Trust	The wide-ranging health and well-being benefits for people using canals and towpaths could be emphasised rather more within this section, and generally throughout the document. The Trust supports the overall aim of seeking to guide development in a holistic manner to best address issues and exploit opportunities, and considers that the objectives of the DPD as set out in Section 1 are appropriate.	Noted. An additional paragraph at 2.14 has been added to outline these benefits
(JDI71524)	Ian Dickson	Canal & River Trust	A Canalside DPD provides an opportunity to set out a clear vision for the Council's aspirations for the canal network, building on the recent Conservation Area designation. As	Noted and following discussions with CRT a

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
			owner and operator of the canal network within the District, the Trust is keen to identify areas and issues of common interest to ensure that the DPD can help to guide new development to maximise the potential of the canals within the District as multi-functional assets, and as a community resource that can contribute towards the health and well-being of people across the District.	vision has been added and additional detail to the text
021 (JDI71523)	Matthew Roe	Marrons Planning	Our clients land should be excluded from both the Conservation Area Boundary and the Opportunity Site at Millers Road/Cape Road boundary. The site's do not meet the relevant National Tests and are demonstrably unremarkable. No justification has been provided regarding their inclusion in both boundaries and it is requested that the boundaries for both designations are redrawn.	In part, these comments are directed at the Conservation Area designation. This consultation is for the DPD. The Conservation Area has already been designated, the consultation for which was completed on 30 Sept. 2018 The inclusion of the whole site within the Canalside DPD as a potential area for rationalisation and regeneration to include possible residential development is not seen as a retrograde step or indeed as designation for alternative uses since the whole of the industrial area of Millers Road/Cape Road is included to allow partial redevelopment at an appropriate time. The inclusion of properties

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				within the red line simply allows consideration in the future, of that area for residential use. This would usually be seen as a benefit since it lifts land values and allows occupiers to realise a higher price if they decide to sell on at some point.
(JDI71522)	Matthew Roe	Marrons Planning	Our clients land should be excluded from both the Canalside Conservation Area and the Millers Road / Cape Road opportunity area. The site's identified within the attached representations do not meet the relevant National Tests and are considered to be at odds with the objectives of the Canalside Conservation Area DPD, with regards car parks within the Conservation Area boundary.	In part, these comments are directed at the Conservation Area designation. This consultation is for the DPD. The Conservation Area has already been designated, the consultation for which was completed on 30 Sept. 2018 See comments above regarding inclusion in the DPD as an opportunity site
(JDI71521)	Matthew Roe	Marrons Planning	Our client's sites should be excluded from the Conservation Area boundary as they are not considered to be areas of land that meet the National tests for inclusion within a Conservation Area. The Canalside DPD explicitly states at Section 3.11 that car parking areas are considered to be intrusive and should therefore be avoided within the Conservation Area.	These comments do not relate to the DPD but are directed at the Conservation Area designation. This consultation is for the DPD. The Conservation Area has already been designated, the consultation for which was completed on 30 Sept. 2018

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				The comment regarding section 3.11 is made incorrectly as associated with the DPD as it is, in fact, part of the consultation document for the CA.
(JDI71520)	Matthew Roe	Marrons Planning	The boundary for the Conservation Area has been drawn arbitrarily and fails to meet the National Tests for the designation of Conservation Areas. Full details are set out within the attached Consultation Response to proposed Warwick District Canal Conservation Area Designation, prepared by Cogent Heritage	These comments do not relate to the DPD but are directed at the Conservation Area designation. This consultation is for the DPD. The Conservation Area has already been designated, the consultation for which was completed on 30 Sept. 2018
(JDI71519)	Matthew Roe	Marrons Planning	The boundary for the Conservation Area has been drawn arbitrarily and fails to meet the National Tests for the designation of Conservation Areas. Full details are set out within the attached Consultation Response to proposed Warwick District Canal Conservation Area Designation, prepared by Cogent Heritage	These comments do not relate to the DPD but are directed at the Conservation Area designation. This consultation is for the DPD. The Conservation Area has already been designated, the consultation for which was completed on 30 Sept. 2018
(JDI71518)	Matthew Roe	Marrons Planning	The boundary for the Conservation Area has been drawn arbitrarily and fails to meet the National Tests for the designation of Conservation Areas. Full details are set out within the attached Consultation Response to proposed	These comments do not relate to the DPD but are directed at the Conservation Area designation. This consultation is for the DPD.

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
			Warwick District Canal Conservation Area Designation, prepared by Cogent Heritage	The Conservation Area has already been designated, the consultation for which was completed on 30 Sept. 2018
022 (JDI71517)	Becky Pull	Marrons Planning	<p>Submitting representations on behalf of Orbit Group Limited. Their planning application that has been resubmitted for the Former Tamlea Building on Nelson Lane, which is currently undetermined.</p> <p>It is positive to see that the Council are committed to regenerating the canal as it will create an attractive gateway, via the waterways. At the present time it does not look overly welcoming to residents and visitors.</p> <p>Local Plan Policy DS17 references the preparation of the DPD in order to designate areas for regeneration and to set out policies for assessing planning applications.</p> <p>The Issues section of the DPD suggests thinking of new land uses along the canal that may be less mainstream and thinking outside the box. This is a positive approach in the document however this is not carried through into the detailed policies.</p> <p>DPD Policy CS11 relates directly to the former school site on Montague Road, opposite Orbit's site on Nelson Lane. This policy is very specific to Montague Road however there is no mention of improvements to the stretch of canalside opposite on Nelson Lane. If the DPD is to address canalside redevelopment it makes sense to regenerate both sides to make it more visually attractive and not piecemeal development (LP Policy DS17). This DPD does not conform to Policy DS17 due to the fact that it is encouraging piecemeal development.</p>	<p>The policy relates to a specific area as it is allocated for a potential change of use on a large scale and has been suggested as a development area through the Local Plan. The Local Plan also specifies that the DPD will deal with three areas adjacent to the canal and one of those sites</p>

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
			<p>We note the comments on Site K. However, it is not clear why the Former Tamlea Building site has not been assessed given it is adjacent to the canal and the planning status and current poor condition of the site. Redevelopment could act as a catalyst for regeneration of other low quality sites along this stretch of the canal.</p> <p>As this is a DPD the District Council should consider adopting a more positive approach in allocating new sites for redevelopment. The current approach does not work as sites that are brought forward with proposals along the canal are not supported by all parties involved with little interest to work together to address problems that are encountered in the consultation process.</p> <p>If this DPD is amended to address the need for regeneration along the canal with a more positive approach, then the District's stretch of canal would become a more attractive, safe and inviting place to live, work and socialise.</p>	<p>is that on Montague Road. On small sites, it would not be possible to influence a longer stretch of the canal and although development may be viewed in these cases as 'piecemeal', it is inevitable that they may come forward in this way, albeit with the influence of this document and policies in the Local Plan</p> <p>Site K includes the former Tamlea site and was subject of an application for residential use at the time of writing of the draft document, however, this application has now been withdrawn and another submitted. It is clear that there is interest in developing the site. As part of this development, the DPD would expect consideration be given to the canal and its setting, which is also in line with other policies in the Local Plan. It is therefore expected that any</p>

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				<p>development will result in an improvement to access and appearance along that section of the canal.</p> <p>Designation would not help or hinder development in this and other locations along the urban sections of the canal. All applications are judged on their individual merits.</p> <p>The general thrust of the document is an underlying need for regeneration and if this is not seen as explicit enough for readers, then it will be made so in the next version of the document.</p>
023	Roger Beckett		Specific reference should be made to Chapter 5 on managing change in the adopted CA document part one.	<p>The Conservation Area document should be read in conjunction with the DPD as should the Local Plan. The policy documents align and there should not be any need to repeat parts of another document. The Conservation Area relates to a specific area with certain criteria that relate only to that area; it would therefore not be relevant throughout the whole of the Canalside</p>

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				area to apply the same principles
	Roger Beckett		<p>Remove the error “Change perceptions of hidden backwaters as dangerous and crime ridden”</p> <p>Add “Ensure they remain in active use that this is consistent with their conservation”</p>	<p>This is a view that has been volunteered to us through the consultation process. It is not stating that this is the case, but a perception. The Police comments support the view that these perceptions exist but are not supported by actual incidents and the DPD acknowledges this and therefore this is not something that needs to be removed</p> <p>This is part of the Conservation Area document and does not need to be specified again in the DPD. It is, in any case, a national policy which does not need to be repeated in DPD’s and SPD’s</p>
	Roger Beckett		<p>2.1, 2.2, 2.6, 2.10, 2.11</p> <p>Changes are needed to the history of the canals section and reference made to the CA sections on this subject</p>	<p>The history section is a very abridged version and is meant to set the context rather than be a detailed history, which is more than adequately provided in the Conservation Area</p>

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				document. Reference will be added to address this point
	Roger Beckett		Include c1851 Board of Health map. Remove irrelevant pictures	The photos are added to demonstrate particular points. The Board of Health map does not add anything to the context. The history of the canals locally is more than adequately covered in the Canal Conservation Area work and this document should be read in conjunction with that work for the relevant area
	Roger Beckett		2.14 Suggested change of wording. Additional photos suggested	This paragraph has been rewritten following discussions with CRT
	Roger Beckett		Section 3 The Canal Conservation Area: Use an image from Warwick district. Additional wording suggested	The use of an image from outside the district does not detract from the DPD since it merely provides an example of improvements that can be made in the context of canals generally
	Roger Beckett		3.1 Add link to Conservation Area document that is on the website and refer to maps and each length. Adopted document should be referred to and separated from original call for information	A link to the website will be sufficient to cover these points
	Roger Beckett		Section 4 Not just about potential threats but need to identify opportunities without destroying what is valued and of significance. E.g. need a public realm strategy	There is nothing in the DPD that prevents improved access (it is supported) as

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
			<p>Health and well-being: canals are important to link open spaces. Improving access can benefit population of urban areas. Developer contributions can support this. Local Plan has identified the public benefit.</p> <p>Heritage values represent a public interest in places, regardless of ownership. Proposals which lack understanding of context or fail to take the opportunity to improve the quality of an area should not be accepted.</p>	<p>are the benefits to health and well-being.</p> <p>It may be appropriate to use developer contributions towards aspects of provision and enhancement, but it will depend on large schemes coming forward to provide those funds and planning applications proposing new uses and developments.</p> <p>The document supports the potential for new opportunities that do not threaten value and significance. Many of the decisions as to how all this will be brought forward will be through the planning applications received and the decisions made</p>
	Roger Beckett		<p>Section 5</p> <p>5.3 The addition of dwellings adjacent to the junction with the Grand Union at Lapworth is in danger of suburbanising this rural location. Landscape assessments that informed the selection of sites in the Local Plan identified this risk and sought mitigation, but this was not required in the subsequent approval which appeared not to have been informed by the study</p> <p>5.13 and 5.14 Neither plans used show the developments that have taken place and at Cape Road.</p>	<p>The site at Lapworth was allocated through the Local Plan and this consultation is not the place to raise any issues around planning decisions as a consequence.</p> <p>The plans are Ordnance Survey maps and are the</p>

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
				most up to date available to the council. The OS will provide updates when they become available
	Roger Beckett		Policy CS1 Suggested removal of wording. The towpath is on the north side of the canal through the main urban lengths and this part of the policy implies the creation of a discontinuous length of parallel path as a requirement	Wording added to clarify
	Roger Beckett		Policy CS3 Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. NPPF 194.	Acknowledged but there is no need to repeat national policy in DPD's or SPD's. The wording of the policy has been amended to reflect a suggestion from Historic England
	Roger Beckett		Policy CS4 Environmental Impact report criteria?	Environmental Impact Assessments are specified in the Environmental Impact Assessment Directive. Governed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2017
	Roger Beckett		Appendices – Table of Opportunity Sites Analysis – needs a map Maps included should be in sequence and have bridge numbers	This has been added The maps showing Listed Buildings are split into two sections; the GU canal and the SuA canal. Each are, as far as possible, in sequence for their lengths.

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
			Conservation areas in Lowsonford and Leamington need reviewing	<p>The maps for the opportunity sites are in sequence and annotated with the corresponding letter in the table. Bridge numbers have been added.</p> <p>Any review of existing Conservation Areas is outside the scope of this DPD</p>
	Roger Beckett		NPPF was revised in February 2019. Changes listed to section dealing with historic environment and presumption in favour of sustainable development and impact on heritage assets	<p>There are no direct quotes from the NPPF included in this document and the principles remain the same. There is therefore no requirement to change references in the submission version of the DPD</p>
024	Les Sutcliffe		No argument with the document except that the Hatton Flight photograph is not correct	Noted and will be changed
025	Russell Gray	Highways England	A number of locations in close proximity to the A46 have been identified as sites for potential opportunities (notably sites A, B, and C as listed in Appendix B). Should these sites come forward for development, it is recommended that we are consulted at the scoping stage to ensure any potential boundary or traffic impacts to the SRN are satisfactorily assessed.	Noted

Ref no:	Respondent	Organisation/Company	Summary of Comments	Council Response
			Also, we should be consulted should any proposals come forward which have the potential to affect the SRN bridge structures which pass over the canals No other comments to make	
026	Deryk King		On the map of the proposed new canalside conservation area as it runs past my property, it is not clear whether the conservation area boundary runs along the property boundary, or whether part of the edge of my field is included in the conservation area.	The conservation area maps are divided into sections (lengths) on our website where the maps are more detailed than within this document. The conservation area is now designated however as this was subject to a separate consultation in August and September 2018 and is therefore not an area for discussion within the DPD. For any further information with regard to the boundaries of the conservation area, please contact the Council's Conservation Officer on 01926 456546