

PLANNING FORUM

Notes of the meeting held on Thursday 21 February 2002 at the Town Hall, Royal Leamington Spa at 7.00pm

PRESENT: Councillors Coker, Copping, Darmody, Doody, Davis, Mrs Leddy, Tamlin and Windybank.

(Councillor Copping substituted for Councillor Mrs Boad, Councillor Doody substituted for Councillor Mrs Compton and Councillor Windybank substituted for Councillor Guest).

ALSO PRESENT: Councillors Crowther and Holland.

OFFICERS: Mr J Archer (Head of Planning), Mr J Edwards (Group Leader, Development Control) and Colin Tubbs (Members' and Customer Services).

Representatives of Town and Parish Councils and Other Organisations etc

Barford, Wasperton and Sherbourne Joint Parish Council - Mr A Roberts

Central Leamington Residents Association - Mrs R Bennion

Council for the Protection of Rural England - Mr L Cave and Mr M Sullivan

Coten End and Emscote Residents - Mr J Hodgetts

Kenilworth History and Archaeology Society - Mr G Hilton

Kenilworth Town Council - Councillor Golby

Leamington Society - Mr P Edwards

Newbold Common Area Residents Association - Mr M Shelly

Warwick Town Council - Councillor Mrs Hodgetts

Whitnash Society - Mr P Yarwood

1. CHAIR FOR THE MEETING

Councillor Tamlin was appointed Chair for the meeting.

2. SITING AND IMPACT OF TELECOMMUNICATION MASTS ON THE COMMUNITY

Councillor Golby introduced this item on behalf of the Kenilworth Town Council. The Town Council was aware of the concerns of the public about the siting of telecommunication masts and asked for details of the current policy for dealing with applications for such masts.

John Edwards explained that in the early 1990's, when such masts were first required, the planning regime was relatively lenient. Provision of masts was considered as permitted development provided they were below 15 metres and local planning authorities had only 28 days respond to applications. He pointed out that in 1995 there were 5 million mobile phones in use in the country but that by 2000 this had increased to 40 million. This had obviously created a demand

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for telecommunication masts.

With effect from August 2001, local planning authorities had 56 days to determine applications for masts under 15 metres. Local authorities had asked that no applications for masts should be permitted development. Masts over 15 metres still required normal planning permission.

Neighbours were notified and site notices were put up by the Council and the operators.

When an notification or an application was received the Council had to look at the need for such a mast and to facilitate this a sub-register of mast applications was now being kept by the Planning Department.

The code encouraged pre-application consultation to find a site with least environmental impact, including mast sharing. Planning authorities had a role to minimise such impact.

The code provided that health considerations and public concerns could be material considerations and it was up to planning authorities to decide what weight to attach to those considerations. However, the Government had indicated that it was not the Planning Authority's place to protect health as this was a function of the Government. If a site had minimal environmental impact and followed guidelines there was no need for the Council to take account of health considerations.

Mr Edward's summary of the present position was considered to be helpful and it was agreed that he should provide a written summary to Town and Parish Councils.

Reference was made to new technology involving satellites but John Edwards pointed out that such technology was not suitable for urban areas with large buildings etc.

Reference was made to an Article 4 direction which appeared to allow a mast of 4 metres or less together with support structures on a roof of a building. John Edwards confirmed that no form of approval was required for a mast of up to 4 metres with support structure on a roof of a building.

3. PROPOSED LOSS OF EXISTING CAR PARKS IN ROYAL LEAMINGTON SPA TOWN CENTRE

Mr Paul Edwards, on behalf of The Leamington Society, introduced this item by referring to his Society's concerns about the proposed loss of existing car parking spaces in Royal Leamington Spa town centre at a time when every effort was being made to increase the popularity of Royal Leamington Spa. He referred particularly to:

1. Proposals for Regent Hotel which would result in the loss of parking at the Town Hall, at the Hotel and on-street parking in Regent Grove;
2. The latest proposals for the Parade which would result in the loss of 60

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short term on-street parking spaces; and

- 3, Proposal to sell existing car parks to finance the building of multistory car parks.

In respect of item 3 Mr Edwards particularly referred to the Marks and Spencers car park in Bedford Street.

John Archer referred to the Regent Hotel proposals and reported that it would result in the loss of 22 on-street space and 44 off-street spaces. This was a loss of 0.7% of on-street parking and 2% of off-street parking which was not considered to be significant. The proposals did reflect the Government policy of reducing reliance on the motor car.

The reference by Mr Edwards to the proposal for the Parade referred to the Urban Mixed Priority Scheme which was intended to improve the relationship between cars and pedestrians. The proposals might incur some loss of car parking spaces but on the other hand other proposals might provide additional spaces.

The proposal to sell car parks came from the Best Value review of car parks and Mr Archer explained that much more discussion and consultation would take place before any concrete proposals were put forward. Councillor Tamlin pointed out that the Council had an obligation to consider all options as part of a Best Value Review.

Councillor Crowther explained that the Marks and Spencer car park did not belong to the Council and although the Council used to manage it, it no longer did.

4. THE CONTINUED DEVELOPMENT OF THE BROOK VALLEY PROJECT

Paul Yarwood, on behalf of the Whitnash Society enquired about the present position with regards to this project.

John Archer accepted that this was an important project but admitted that there were delays mainly because of the ownership of the various parcels of land involved. It was intended, when completed, that the project would be managed by the Warwickshire Wildlife Trust.

It had been intended to have a meeting of interested parties near the time when adoption would be completed. However, because of the delay in the adoption process John now intended to start making arrangements next week for a meeting of interested parties.

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5. REVIEW OF THE WARWICK GATES DEVELOPMENT AND ITS ENVIRONMENTAL NEEDS

Paul Yarwood, on behalf of the Whitnash Society, raised the question of the environmental needs of the Warwick Gates development.

Although only part of the site was in Whitnash it did affect Whitnash. The Society were concerned about the fact that a number of the streets were still not adopted and he asked who had responsibility for such things as litter bins, dog dirt bins and problems caused by horse riding. He was pleased to see that some areas were subject to a 20mph speed limit but was concerned that there did not seem to be an overall plan for the site relating to speed limits. The Society was also concerned about maintenance of grass and hedges and the collection of litter and rubbish. He reported that the Community Church was being promoted/launched by St Margarets Church some time about Easter. The Society had suggested to the Police that a CCTV camera be supplied at the shops.

John Archer was aware of the problems on the site but did point out that a lot of positive steps have been taken. He did admit, however, that action was required to ensure that the situation did not get any worse. There was a problem with the adoption process. The Council could not adopt roads until they were up to the required standard but did not have any powers to make the developers bring the road up to that required standard within any specified period.

The question of the 20mph limit would be a matter for the County Council as Highway Authority. The provision of litter bins was a responsibility of the District but these could not be provided by the Council on unadopted land. Provision of CCTV cameras was a District Council function but he could not comment on whether a camera at the shops would meet the Council's criteria.

Mr Yarwood intimated that it would be helpful if there was a list of contact officers drawn up. John agreed to draw up such a list but emphasised that it would only contain names of officers who could deal with matters which were the responsibility of the District Council.

Reference was made to the provision of a school on the site but it was agreed that this subject should not be revisited.

Councillor Mrs Hodgetts reported that the District Council had started considering the provision of play areas and equipment on the site some three years ago but because of adoption problems these had not yet been provided. Agreement had almost been reached with Gallaghers and the District Council would now start consulting with residents on the provision of play areas.

6. PLANNING GREEN PAPER

Mr Sullivan on behalf of the Council for the Protection of Rural England raised the question of the Planning Green Paper and asked for an outline of the proposals as they were seen to affect the work of the District Council and for an opportunity for Members to give their views to Council.

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The consultation period on the Green Paper expired on 18 March 2002 and Councillor Tamlin pointed out that the District Council's Planning Committee and Executive would agree a response in the appropriate time.

John Archer agreed that the present system for developing the Local Plan was cumbersome but he was concerned that the Government were saying that the Local Plan should be drawn up more quickly, but at the same time there should be more involvement.

He referred to the targets for dealing with planning applications set out in the Green Paper and expressed some concern that the focus of dealing with applications should be on targets only and not the quality of the decision making process.

The proposal for a 90% delegation to officers on planning decisions set out in the Green Paper would also be brought in as a Best Value Performance indicator. 30% of authorities appeared to have already delegated 90% but this meant that they did not bring all objections to the Committee.

John had been informed that the earliest legislation on this matter would be in November 2002 with any new arrangements coming into effect in 2004. He emphasised the need for positive transitional arrangements to be introduced.

7. WARWICK DISTRICT LOCAL PLAN

Mr Sullivan on behalf of the Council for the Protection of Rural England Warwickshire Branch, asked for an update on the local plan review which was due to be published in the next few months, in particular an indication from the Head of Planning on the key issues where policies or proposals were likely to differ from the Local Plan presently in use. The implications of the now adopted Structure Plan ("WASP") for both housing allocations and employment provision in the new Local Plan would also be useful as the uses might have changed since the last report to the Forum a year ago. It appeared that existing allocations not yet taken up (notably South West Warwick) and brown field sights, mostly redevelopment providing additional housing in Leamington, would meet the WASP housing figures for the first 5 years (PPG3 requirement) and might be beyond. Less had been said until now about employment land needs and the WASP sanctions on this would seem to need testing. Mr Sullivan also referred to the period of consultation for the First Deposit Local Plan. He referred to the decision by Solihull to have an eight week period.

John Archer first of all referred to the period of consultation on the First Deposit and pointed out that Solihull had been taken to task by the DTR for allowing an 8 week period. However, it would be possible to put the deposit plan in the public domain and then state that the consultation period would start later. It was expected that the Council would start the process in the Summer of this year. He referred to the figures in the Structure Plan on Housing of 8,000 in the period 1996 to 2011 but pointed out that because of numbers rolled forward, areas already developed and commitments, it would be most unlikely that new major allocations of housing would be required.

Employment provision was relatively modest being 30 acres although more investigation was needed to determine the amount that would need to be

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allocated. It was suggested that the employment land should be on smaller sites and it would be more modest than in the previous plan.

John took the opportunity to refer to the tightening up of the current policy with regards to infill sites in rural villages.

8. PROPOSED PROVISION OF FOOTPATHS BETWEEN KENILWORTH CASTLE AND CASTLE GROVE

Geoff Hilton of the Kenilworth History and Archaeology Society asked the Forum to consider the provision of a footpath between Kenilworth Castle and Castle Grove. The Society maintained that there was a considerable problem in the promotional visits to both Kenilworth Castle and Kenilworth Abbey at the same time. Visitors to the Castle were unable to walk to the Abbey site without risk from crossing the busy road between. There was no protected crossing place and no place where an unprotected crossing had adequate visibility. There was no footpath on the Castle side of the road at all. The only pedestrian crossing was at the bottom of Castle Road but walkers could not get to it without walking in the road itself. The Society proposed as a solution that a footpath be constructed along the verge between the vehicular access to the main Castle car park at the Brays and Castle Grove. Signs could then be erected to indicate the route. It was not a short cut but it would be safe. Mr Hilton submitted a plan showing the proposals.

John Archer pointed out that such a proposal would be a minor highway improvement and would be the responsibility of the County Council as Highway Authority. The County Council had a fixed budget for such schemes and assessed each application against certain criteria. John agreed to forward the scheme to the County Council with a request that it received favourable consideration.

9. BEST VALUE REVIEW OF PLANNING

John Archer drew attention to the fact that the whole of the Planning service was to undergo a Best Value Review in the near future. He gave details of consultations with amenity and interest groups which had already taken place. Further consultations would take place in future.

10. NEXT MEETING

It was agreed that the next meeting of the Forum would be held on Thursday 24 October 2002 at the Town Hall Royal Leamington Spa at 7.00pm.

(The meeting ended at 9.06 pm)