



JP/LR/HG2045

25 June 2014

Development Policy Manager
Development Services
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5QH

Also by Email: newlocalplan@warwickdc.gov.uk

Dear Sir

TALISMAN HOUSE AND SEXTON HOUSE, TALISMAN SQUARE, KENILWORTH

Signet Planning is instructed on behalf of Cobalt Estates to prepare and submit representations to the current Publication Draft of the Local Plan. Cobalt Estates are owners and operators of Talisman Square Shopping Centre in Kenilworth Town Centre have an interest in this document having spent the past few years investing heavily within the shopping centre to improve its quality and to attract investment into the town.

The site, which is a quadrangle in shape previously contained a central block of retail units which were of extremely poor quality and were demolished circa 5 years ago. Prior to this demolition taking place, Cobalt Estates secured planning permission for retail development with flats above (permission W03/1260). This planning permission remains extant, but due to a downturn in the economy, and a lack of demand for such accommodation within the Kenilworth area, the redevelopment of this site has been placed on hold. As an interim measure, in order to make use of the land, planning permission was granted for the temporary use of it as a car park for a period of five years. Cobalt Estates remain committed to redeveloping the site once market conditions improve and demand for retail space within Kenilworth Town Centre increases.

It is noted from the proposed Local Plan Policies Map for Kenilworth Town Centre which is being consulted upon that the area currently occupied by a temporary car park but with consent for a scheme comprising shops and flats is identified as Primary Retail Frontage. Policy TC6 which accompanies this designation requires inter alia that Use Class A1 should be protected from changing to other uses including A2, A3, A4 and A5 except where no more than 25% of the total length of the frontage results in a non-A1 Use and the proposal would not contribute to creating a continuous A1 frontage of more than 16 metres.

Whilst Cobalt Estates are fully supportive of the intentions of this policy in maintaining the vitality and viability of Kenilworth Town Centre, it is considered that the rigidity of Policy TC6 and the site's designation at a Primary Retail Frontage, could undermine the deliverability of



this redevelopment as notwithstanding the fact that the extant planning permission only permits A1 use as at ground floor, it would be beneficial to have some flexibility in terms of the Town Centre uses that would be permitted and for the development proposals to be able to respond to market conditions and deliver a mix of uses appropriate at that time.

It is therefore requested that this undeveloped part of Talisman Square is removed from the Primary Retail Frontage designation and/or, an additional paragraph is added to Policy TC6 which recognises that greater flexibility on the mix of uses will be applied to proposals which provide for redevelopment and bring about an overall improvement to the Town Centre. It is considered that this will support the aims and objectives of the National Planning Policy Framework which encourages Local Authorities to plan positively for the future of Town Centres to encourage economic activity and allow for any future applications to be considered on their own merits.

It is respectfully requested that these proposed changes are taken into consideration and incorporated into the next draft of the proposed Local Plan and Policies Map.

Yours faithfully
for Signet Planning



JAMIE PYPER
Associate

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

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

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 and at the following locations:

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

	1. Personal Details*	2. Agent's Details (if applicable)
Title		Mr
First Name		Jamie
Last Name		Pyper
Job Title (where relevant)		
Organisation (where relevant)	Cobalt Estates	
Address Line 1	C/o Agent	
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Telephone number		
Email address		

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"/>

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:	<input type="text" value="Local Plan"/>
Paragraph Number:	<input type="text"/>
Policy Number:	<input type="text" value="TC6"/>
Policies Map Number:	<input type="text" value="5A"/>

5. Do you consider the Local Plan is :

5.1 Legally Compliant?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
5.2 Complies with the Duty to Co-operate?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
5.3 Sound?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

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:	<input type="checkbox"/>
Justified:	<input type="checkbox"/>
Effective:	<input checked="" type="checkbox"/>
Consistent with National Policy:	<input checked="" type="checkbox"/>

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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.

Please see covering letter

Continue on a separate sheet if necessary

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.

Please see covering letter

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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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:

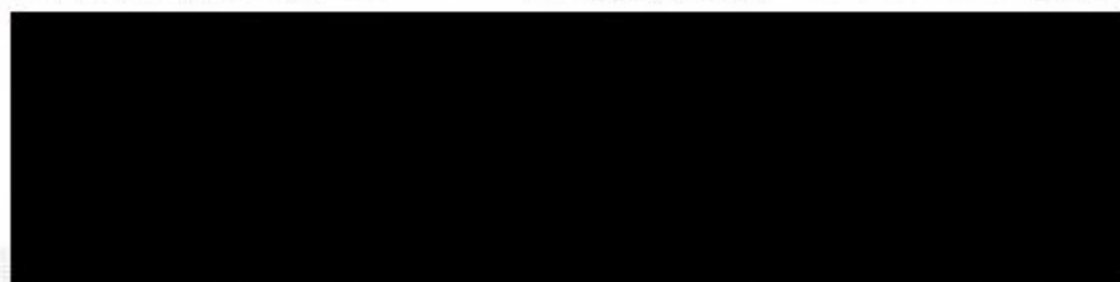
Continue on a separate sheet if necessary

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:



25 June 2014

Date :

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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