

[REDACTED]

From: [REDACTED]
Sent: 16 May 2025 10:34
To: Neil Holly; Local Plan
Cc: Nicola Smith; Cllr Michael Moran; 'Holger Allroggen'; Thurlaston; 'Gary Smith'; 'LEE WHITE'; 'Andrew Fairgrieve'; Hayley Smith; 'Dr Ashley Bowes'
Subject: RE: Preferred Option Consultation: Response from Thurlaston Parish Council
Attachments: Regulation18Objection.pdf

[REDACTED]

Please find attached Thurlaston Parish Council's response to the preferred option consultation taking place under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012.

We oppose four of the options put forward under the plan, particularly site ID17, the Symmetry Park extension, which is one of your preferred options. This is a something of a lightning rod for our villagers because of the depredation to our village environment brought by this recent development and the way that it has been handled. Back in 2019, the Inspector required environmental mitigation and restrictions on the height of these warehouses. So far, the warehouses have been built, most are let and many are occupied. Right now there has been no environmental mitigation despite Warwickshire County Council having been paid £474,263.47 for this purpose by the developers under their section 106 agreement. The initial height restriction of 15m was only applied to the two warehouses closest to our village and that was relaxed by RBC to 18m before the construction started. In any event, the location is a poor one for transport links because of the difficulty going north, east and to a large extent west, and the whole road network in South West Rugby is strained to breaking point.

The other three sites are still potential options, but not preferred ones. Two of these are for outrageous B8 warehousing within or adjoining the village. Site ID133, Land North of the M45 puts warehouses between Symmetry Park and the centre of our village and actually separates some of our residents from that centre. The other, site ID18, Barnwells Farm, touches the village envelope and is within metres of the Conservation Area. 86% of the households here in the village responded to a survey about the first proposal – made before the second one became public – opposing it. Many of our residents would leave if either of them goes ahead. Site ID18 is being promoted by WCC's development company, WPDG Ltd!

The last site that we oppose, site ID77, is a smaller extension to Symmetry Park on its western side. This suffers many of the issues as the larger extension and RBC have recognized that it is a potential hazard for our SSSI and it's in the Green Belt.

We don't understand why you seem to be taking all of Coventry's unmet need for warehousing space. Without doing so, these sites could all be safely be ruled out.

I've no doubt that you will have a great many responses to your consultation and that it will take time to go through them all. Nevertheless, it would be great if you could keep me in the loop.

Kind regards,

[REDACTED]

[REDACTED]

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Thurlaston Parish Council's Objections to Rugby Borough Councils Local Plan 2024-2045 at Regulation 18: Preferred Option Consultation

1. Summary

Thurlaston Parish Council have objections to four of the development sites being considered by Rugby Borough Council in its preparation of the new Local Plan at the consultation made under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012. These would have a major deleterious impact upon the village of Thurlaston and its environment, which has already been despoiled by South West Rugby Employment Phase 1.

Our principal concern at present is site ID17 (South West Rugby Employment Phase 2) which almost doubles the size of Symmetry Park, taking it from 167,000m² of B8 warehousing to 297,000m². This is one of RBC's preferred options [7]. TPC also objects to sites ID133 (Land North of M45), ID18 (Barnwell Farm) and ID77 (Land West of Symmetry Park). Whilst these latter sites are not currently in RBC's list of preferred options, they are still considered potential site options in [3] and [4].

Symmetry Park is a sensitive issue for us. The Inspector [6] made a number of modifications to the proposal for the existing Local Plan amongst which he wanted "building height limitations" at para.109. RBC ignored this when relaxing the allowed height of units 1 and 2 from 15m to 18m. This is the source of considerable anger in the village.

The stream of issues from heavy lorries and roadworks on the Coventry Road have been compounded when the Tritax site was connected to the village sewerage system about six months ago. This immediately overflowed. Severn Trent tankers have been removing excess effluent from its treatment works ever since, sometimes every couple of hours. They have covered the village in mud and damaged kerbs and verges. There is still no imminent prospect of resolution.

In more detail, our objections to these sites are below.

2. Site ID17 (South West Rugby Employment Phase 2)

There are four strong reasons why Rugby Borough Council should not proceed with this site: the transport links are poor; the site is assumed to have been previously committed, when it was not; the site is being improperly used to facilitate road construction, when that road construction should have been funded and delivered by phase 1; and alternative sites have not been properly considered as they should have lawfully been.

2.1 Transport

Policies S1 (Settlement hierarchy) and S7 (Employment allocations) of the Preferred Option Consultation Document [1] are incompatible with site ID17. This is because, contrary to paragraph 115(d) of the National Planning Policy Framework (NPPF) [2], it has not been demonstrated that the significant impacts on the transport network in

terms of capacity and congestion can be cost effectively mitigated. Moreover, contrary to paragraph 110 of the NPPF, there is no evidence the location is or can be made so that: it gives priority first to pedestrian and cycle movements...; addresses the needs of people with disabilities ...; and creates places that are safe, secure and attractive.

The Site Options Assessment [3] explains that National Highways identified a “medium” concern about the site, and the roads around the site were assigned a congestion level of 2 (on a scale of 1-6, with 1 being the most congested). Furthermore, the site has a **zero** Public Transport Accessibility Level (PTAL) rating on a scale of 0-6 meaning that it is the least accessible. Although that does not take into account public transport measures put in place by the wider allocation, the Transport Assessment of [3] does not suggest there would be any improvements to any public transport measures, see Transport Network Analysis [10], Appendix A.

Insofar as ID17 is mentioned, the Sustainability Appraisal (SA) [4] concludes that it “will help to deliver planned strategic road/transport upgrades” without any discussion of the acknowledged harms. As such, the Council is likely to be in breach of its duties at Regulation 12(2)(a) of the Environmental Assessment of Plans and Programmes Regulations 2004, by failing to produce a Report which identifies, describes and evaluates the significant environment effects of implementing the plan. Whilst the information is available in the various other documents, the purpose of the SA is to draw that all together in one place and it should not involve a paperchase to find all the relevant information.

2.2 Assumption of Commitment

The ID7 site is safeguarded in the existing Rugby Local Plan to meet the Borough’s development needs beyond 2031 (Policy DS8 Rugby Local Plan [5], as explained by para.4.61 and illustrated on the Policies Map). However, the Inspector [6] did not address the suitability of the safeguarded land for the development proposed, merely that “such a safeguarding provision would not alter the Plan’s ability to meet the identified housing and employment requirements to 2031, nor undermine the viability of the SWR site” (para.124). It therefore seems that the SA has proceeded on the false assumption that Site 17 is “to some extent already committed” (cf. para.5.4.85) and “already committed” (cf. para.8.1.3).

It seems that the Council has treated the principle of using ID17 for employment uses as having been settled by the previous Plan, which is clearly not correct. That matter was not before the Inspector, rather he was working on the basis that spine road would be funded by the existing South West Rugby allocation, rather than relying on the safeguarded land to be developed.

2.3 Potsford Dam Link Road

The SA explains that “there is now a well established need to support this site in order to fund and ultimately deliver a new link road crucial to the new SW Rugby Strategic Urban Extension (SUE) Vision” (Box 5.1 on p.18). At paragraph 122 of his Report [6], the Inspector states: “I am satisfied, based on the appraisal evidence, that the development could viably deliver the full cost of the SWR spine road network”. Therefore the SA is not entitled to say “there is a well established need to support this site in order to fund and ultimately deliver a new link road crucial to the SW Rugby Strategic Urban Extension (SUE) vision”.

Para.10.2(ii) on p.12 of [7] explicitly states that funding for this road would be taken from ID17. On 1st April 2024 RBC has introduced the Community Infrastructure Levy (CIL) on both residential and commercial developments [10], which would yield approximately £650,000.

2.4 Other Options

More fundamentally, the SA fails to consider any option which does not include ID17. All three options at p.58 appear to include that allocation (most likely because they proceed on the misapprehension it is committed). The SA says that ID17 is “a first port of call” because it is “to some extent already committed” or “already committed” (see above). The attention of the SA commentary then switches to finding other allocations in addition to ID17. There is no attempt to assess an alternative distribution strategy which does not include ID17.

There are several other sites which are available to meet the strategy of the Plan at S1 and S7 (ID 8, 70, 114 and 132) however there is no evidence that these have been assessed in the SA¹. Some are not progressed for valid reasons in the Site Options Assessment², however some are not assessed in the SA but are apparently suitable³ and some are not mentioned in either document⁴. Even a site the Council itself identifies as suitable and available (ID 114 Land at M6 Junction 1) and one which easily meets the deficit left by not allocating ID 17, is not assessed for employment uses. ID 114 has a better PTAL rating than ID 17 (1a/b instead of 0) and scores better in terms of congestion (5 instead of 2). Whilst ID 114 is in the Green Belt (and ID 17 is not), there would likely be compelling reasons to amend the Green Belt boundary (in accordance with paragraphs 145-147 of the NPPF) and other sites in the Green Belt are assessed (e.g. Site ID 14 Land north of Ansty Park, see SA para.5.4.86-5.4.87). Indeed, ID 114 is assessed as a reasonable alternative to the housing allocations (see Table 5.1 and para.5.4.21). The SA notes ID 114 “can be safely ruled out at this stage” as an employment allocation but then, oddly, acknowledges it could come forward as an employment only site (para.5.4.94) and that this is “explored further below”, however no such analysis of ID 114 as an employment allocation is included in the SA.

Finally, there is no assessed alternative to meeting the Rugby-only need (i.e. 739,559 m² (202.5ha)) or something less than the full need from Coventry (180,000m²). Either way would avoid the adverse transport effects of ID 17.

Given that there is no explanation why those sites did not amount to “reasonable alternatives” or why it was not appropriate to drill down into an alternative to the distribution strategy which did not include ID17 or meeting the whole of Coventry’s need, the Council is also in breach of its obligation at Regulation 12(2)(b) to identify, describe and evaluate the reasonable alternatives to the preferred options.

2.5 ID17 Conclusion

The choice of site ID 17 is deeply flawed and likely in breach of current legislation. Its transport links are inadequate; it has not been previously committed; it should not be

¹ ID 68 is assessed in the SA, see p.35.

² ID 8 Land East of Ansty Park (not progressed because access through Ansty Park cannot be secured); ID 70 (not progressed because vehicular access is not clear).

³ ID 114 (found to be a potential site option) and ID 70 (appears to have very similar access and transport implications as ID 17).

⁴ ID 132.

used as a source of funds to build any roads; and alternative sites have not been properly considered as government legislation requires. No reason has been given for Rugby taking Coventry's unmet need for B8 warehouse provision. The preferred options provide a total of 945,000m² floorspace whereas only 739,559m² is required for Rugby. So site ID 17 could be dropped whilst still meeting the Rugby-only estimate and almost 60% of Coventry's unmet need.

3. Site ID133 (Land North of M45)

Whilst the site is not currently one of RBC's preferred options, it remains a potential one. Mindful of this TPC have three strong reasons for objection to this site:

3.1 Access

Para.11.22 of the HEDNA [8] recommends strategic B8 development "should not be located in close proximity to residential areas (or accessed through them)". Access would be proximate to that of Thurlaston village and that on the eastern side would be through that part of the village on the Coventry Road. Moreover, the main part of the village would need to be accessed through the site.

3.2 Visual Impact

The main recommendations of the Inspector's Report [6] found at p.3 that the Tritax's Symmetry Park would have such a negative visual impact on the area that "Amendments to Policy DS8 for the strategic allocation at South West Rugby to ... ensure effective mitigation of impacts on green infrastructure, ancient woodland, the wider landscape and the setting of Thurlaston Conservation Area". The visual impact of ID133 would be far worse than that of Symmetry Park, because it is located between Symmetry Park and the village.

Para.109 of [6] found that the Symmetry Park "buildings .. have a significant visual impact on the surrounding landscape and .. Thurlaston Conservation Area" which "require mitigation" in the form of "building height limitations" and "structural landscaping". It would be impossible for ID133 to comply with this, particularly as B8 warehouses now need to have a 20m bay height (HEDNA [8] para.11.22).

3.3 Transport

The same objections apply here as in 2.2 above with the slight difference of the PTAL being 1a rather than zero.

3.4 ID133 Conclusion

Last year's village survey elicited responses from 86% of households. All were opposed to this site. The Site Options Assessment [3] notes concerns about the site's proximity to Thurlaston and to the Thurlaston Conservation Area, which it recognises needs further investigation. Virtually the same transport issues that beset ID17 apply to this site and in addition, its visual impact on the village should rule it out of further consideration.

4. Site ID18 (Barnwell Farm)

This site, which is more correctly known as Barnwells Barn Farm, is still a potential option. But it suffers similar problems to ID133, with the exception of access through the village. However, whilst the Site Options Assessment [3] notes concerns about the site's proximity to Thurlaston, it fails to note that not only is it with 100m of the Thurlaston Conservation Area, but it also shares a boundary with the village envelope. The transport issues are the same as ID133. The visual impact would be even worse than ID133 because it is at a higher elevation, and again, this should rule it out of further consideration.

5. Site 77 (Land West of Symmetry Park)

This potential option may be regarded as the little brother of ID17 and the same objections apply to it as they do to ID17 for transport and the consideration of other options. In addition, the Site Options Assessment [3] recognised that it is in the Green Belt and would have an adverse effect on the neighbouring SSSI.

6. Conclusion

In conclusion we urge RBC to:

- Remove ID17 from the preferred option site list.
- Rule out sites ID133, ID18, and ID77 from future consideration.
- Reassess site allocations based on a Rugby-only employment need, not incorporating Coventry's unmet need by default.
- Conduct a full and lawful Sustainability Appraisal, properly considering reasonable alternatives.

References

- [1] Rugby Borough Local Plan Preferred Option Consultation Document (March 2025).
- [2] National Planning Policy Framework (December 2024), Ministry of Housing Communities & Local Government.
- [3] Rugby Borough Stage 2 Site Options Assessment (March 2025).
- [4] Sustainability Appraisal (SA) of the Rugby Borough Local Plan Interim SA Report (March 2025).
- [5] Rugby Borough Council Local Plan 2011-2031 (June 2019).
- [6] Report on the Examination of the Rugby Borough Local Plan 2011-2031 (27 March 2019).
- [7] RBC Cabinet Paper for meeting on 4th March 2025: Agenda Item 6 - Local Plan Preferred Option Consultation document.
- [8] Coventry & Warwickshire Housing & Economic Development Needs Assessment (HEDNA) Final Report (November 2022).
- [9] Rugby Borough Council Community Infrastructure Charging Schedule (February 2024).
- [10] Transport Network Analysis Methodology Note, 'RBC LP Initial Site Analysis SLR Project No.: 431.000286.00019', SLR Consulting Limited, 19 February 2025.