

RUGBY BOROUGH LOCAL PLAN EXAMINATION

STAGE 2 HEARINGS

ISSUE 12: SUSTAINABLE DESIGN AND CONSTRUCTION

PEGASUS GROUP ON BEHALF OF:

PERSIMMON HOMES, AC LLOYD & LIONCOURT STRATEGIC LAND

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1. INTRODUCTION

- 1.1 This Statement comprises the joint submission made by Pegasus Group on behalf of Persimmon Homes, AC Lloyd and Lioncourt Strategic Land.
- 1.2 The following Statement should be read in conjunction with earlier representations made in respect of the draft Local Plan.
- 1.3 Persimmon Homes, AC Lloyd and Lioncourt Strategic Land are broadly supportive of the submission version local plan but believe that certain modifications are required before the plan can be considered a sound and effective basis for the planning of the area.
- 1.4 This Statement does not address all the questions raised by the Inspector, particularly as certain questions are directed specifically to RBC, but provides discussion on some of the key issues that Persimmon Homes, AC Lloyd and Lioncourt Strategic Land consider to be particularly relevant to the 'Sustainable Design and Construction', particularly Sustainable Buildings (Matter 12, Issue 12d) and Broadband and Mobile Internet (Matter 12, Issue 12h), and hopefully assists the Inspector during the examination process. Further site specific comment is set out in respect of Coton Park East as a separate response to Matter 4, which formed part of the Stage 1 Hearing Sessions.

2. QUESTIONS

Issue 12d: Sustainable Buildings (Policy SDC4)

1. *Is Policy SDC4, as proposed to be modified, justified and consistent with national policy, with particular regard to:*

a) *The proposed optional higher Building Regulations water efficiency standard of 110 litres/person/day?*

- 2.1 In 2010 the Amendment Regulations introduced a new requirement in the Building Regulations Part G, regulation 17K, that all new dwellings achieve a water efficiency standard of 125 litres use of water per person per day or an optional requirement of 110 litres per person per day,
- 2.2 Whilst Persimmon Homes, AC Lloyd and Lioncourt Strategic Land welcome the approach of allowing the Building Regulations to define the policy framework for improving water efficiency in buildings, it is noted that Policy SDC4 seeks to impose the more onerous 110 litres per person per day standard.
- 2.3 Rugby Borough Council have sought to justify this elevated requirement being imposed on all new dwellings, rather than it being optional, through the Council's Water Cycle Study of 2010, which recommended that for water efficiency all new development should meet a minimum efficiency the equivalent of 105 litres per day. Furthermore, the Council contend that given the growth of households and population in Rugby since the study, the expected water demand and that Rugby falls within an area of 'serious water stress' as defined by Severn Trent, they consider it appropriate to adopt the requirement of 110 litres per person per day, in line with the national standards.
- 2.4 It is also noted that included in the minor modifications to SDC4 (LP54.83) the Council is recommending updating the wording to reflect the completion of a Water Cycle Study, confirming the approach set out in Policy SDC4.
- 2.5 However, it is considered that in requiring this higher standard for all new dwellings the Policy is too onerous and that new residential developments should be looked at on a case-by-case basis, dependent on their location within the Borough and in liaison with Severn Trent. Thus, in this respect Policy SDC4, as proposed to be modified, is considered not to be justified and not consistent with national policy and should be modified to bring the policy into line with national requirements.

2. Would the proposed minor modifications LP54.79-LP54.83 to Policy SDC4 and its supporting text materially alter the plan or its policies? If so should they be treated as 'main modifications'?

2.6 No comment.

Issue 12h: Broadband and Mobile Internet (Policy SDC9)

1. Is Policy SDC9 justified and consistent with national policy, particularly with regard to its requirements on the price and range of providers of broadband services to be made available in new developments?

2.7 Although the development of high speed broadband technology and other communications networks are important considerations that are supported by national policy, including within Chapter 5 of the NPPF, it is unjustified and burdensome to require developers of new developments to make sure that broadband services are available to residents of the new developments at market prices and with a full choice of all available UK service providers. It is also unjustified and onerous to require developers to design a bespoke duct network for a development with a recognised network carrier. Agreements with network providers cannot always be secured in advance of applying for planning permission as in many circumstances the developer (who will deliver the residential/ commercial units on site) is not involved with obtaining the original permission for the development. Therefore, such commercial decisions of who will deliver these services, and the associated prices, cannot be made until later in the process. In light of this, the policy cannot be practically implemented in this regard.

2.8 It is also important to note that the proposed requirements on the price and range of providers of broadband services and the design of a bespoke duct network, could also negatively impact the viability of a housing scheme depending on site specific circumstances. For example, providing a full range of providers at market prices in certain locations may require significant facilitation works that could generate significant costs to a developer, with associated impacts on the viability of a development proposal.

2.9 It is therefore considered that if this policy is to be retained in the Plan to facilitate and contribute towards the provision of suitable broadband and Wi-Fi

infrastructure, then it should be made more flexible, allowing site specific circumstances and viability to be considered on a site by site basis.