

**TOWN AND COUNTRY PLANNING ACT 1990**

**SUBMISSION IN RESPONSE TO  
THE RUGBY BOROUGH LOCAL PLAN EXAMINATION**

**STAGE 2 HEARING – MATTERS, ISSUES AND QUESTIONS**

**STATEMENT – MATTER 13 - (POLICIES D1-D5)**

**MARCH 2018**

**ON BEHALF OF DB SYMMETRY, TAYLOR WIMPEY, GALLAGHER ESTATES, RICHBOROUGH  
ESTATES LTD AND WARWICKSHIRE COUNTY COUNCIL (PROPERTY SERVICES)**

## CONTENTS

1.0	INTRODUCTION	3
2.0	MATTER 13 – DELIVERY (POLICIES D1-D5)	4
	Issue 13a: Transport (POLICY D1)	4
	Issue 13b: Parking Facilities and Standards (Policy D2 and Appendix 5)	4
	Issue 13c: Infrastructure and the IDP, including Secondary Education Facilities (Policy D3 and Appendix 3)	5
	Issue 13d: Planning Obligations (Policy D4)	6

## **1.0 INTRODUCTION**

- 1.1 This statement has been prepared on behalf of db symmetry Ltd, Taylor Wimpey UK Limited, Gallagher Estates Limited, Richborough Estates Ltd, and Warwickshire County Council (Property Services, as a landowner) (hereafter known as the 'parties') in response to the Inspector's Questions for the following hearing session: Matter 13 –Delivery.
- 1.2 The statement is submitted on behalf of parties who all have land interests at the South West Rugby allocation site, which is allocated for 5,000 dwellings and 35 hectares of B8 employment land (policies DS3, DS4, DS5, DS8 and DS9) (the site is shown on LP02.9).
- 1.3 Submissions have been made at previous consultations on the draft Local Plan and these representations should be viewed in the context of our previous comments. A Planning Statement of Common Ground (SoCG) has been agreed with the parties and Rugby Borough Council (RBC) and an Education SoCG agreed between the parties and Warwickshire County Council (Education and Learning). These are contained within the examination library under reference OTH18 and OTH08 respectively.

## 2.0 MATTER 13 – DELIVERY (POLICIES D1-D5)

### ISSUE 13A: TRANSPORT (POLICY D1)

- 1. Is Policy D1 positively prepared, effective and consistent with national policy, in particular in seeking to ‘avoid the adverse impacts of traffic’ rather than ‘reduce’ its potential impacts?**

2.1 Policy D1 is fairly general and largely follows national policy but doesn’t make reference to the development location or layout in enabling prioritisation of sustainable transport, as set out in the NPPF.

2.2 The structure of the policy implies that only larger scale developments requiring a Transport Assessment (and Travel Plan for employment developments and schools) need to address the bulleted points. These aspects should also apply to smaller developments requiring a Transport Statement.

- 2. Should Policy D1 refer to the transport mitigation proposals set out in the Infrastructure Delivery Plan and the Sustainable Transport Strategy as the basis for mitigating the effects of major development proposals?**

2.3 Reference to the IDP is included in the strategic site specific policies and the IDP includes schemes which are specific to some sites, such as the South West Rugby Spine Road to be delivered by the SW Rugby developers. Policy D1 is general in its approach in terms of identifying the need for developments to mitigate their impact and to prioritise sustainable transport. However, as the mitigation identified in the Strategic Transport Assessment, and included in the IDP is a result of the impact of all sites and the overall growth, it is considered

appropriate for reference to the IDP and the Sustainable Transport Strategy to be made within the policy.

### **ISSUE 13B: PARKING FACILITIES AND STANDARDS (POLICY D2 AND APPENDIX 5)**

**1. Are Policy D2 and the standards set out at Appendix 5, as proposed to be modified (LP54.179), effective and consistent with national policy, with particular reference to:**

**a. Whether the standards for residential development should be regarded as the maximum level of car parking permitted or expressed as guidance? Should the proposed modification LP54.179 be treated as a 'main modification'?**

2.4 Whilst parking standards are an important travel demand management tool, the application of maximum standards can have negative impacts, such as overspill parking at nearby facilities and/or an increase in on-street parking demand which can lead to road safety issues and problems for buses to navigate along routes.

2.5 The parking standards identified in Appendix 5 provide a strong framework within which the local authority can base its development control decisions. Expressing them as guidance provides the authority with the flexibility to consider each planning application on its own merits and exercise a degree of pragmatism on its interpretation of the adopted standards.

2.6 The proposed modification set out in LP54.179 is not considered to materially alter the plan or its policies and should not be treated a 'main modification'.

**b. The absence of parking standards for students and parents for secondary school 6th forms and for special schools?**

2.7 It is understood that the Local Education Authority has a policy of not providing drop off/pick up spaces for parents on new school sites.

**ISSUE 13C: INFRASTRUCTURE AND THE IDP, INCLUDING SECONDARY EDUCATION FACILITIES (POLICY D3 AND APPENDIX 3)**

- 1. Is Policy D3 justified, effective and consistent with national policy in its approach to the provision of new or improved infrastructure to support the scale of development proposed in the RBLP?**

2.8 Yes, as worded, we consider Policy D3 justified, effective and consistent with national policy.

- 2. Does the Infrastructure Delivery Plan, as proposed to be modified in LP54.117-LP54.141, contain the full range of infrastructure necessary to mitigate and support the development proposed in the RBLP, including that identified in the Strategic Transport Assessment and the Council's written statements to the Stage 1 hearings?**

2.9 The Infrastructure Delivery Plan, as proposed to be modified in LP54.117-LP54.141, does not accurately contain the full range of infrastructure necessary to mitigate and support the development proposed in the RBLP for the strategic allocation at South West Rugby. The IDP needs to be updated so that the education infrastructure requirements reflect what has been agreed in the signed SoCG between WCC Education and Learning, and Educational Facilities Management Partnership Ltd (EFM) on behalf of db symmetry Ltd, Taylor Wimpey UK Limited, Gallagher Estates Limited, Richborough Estates Ltd, and Warwickshire County Council (Property Services, as a landowner). It also does not appear that this latest version of IDP includes all of highway mitigation infrastructure documented in the Strategic Transport Assessment.

**ISSUE 13D: PLANNING OBLIGATIONS (POLICY D4)**

- 1. Is Policy D4 justified, effective and consistent with national policy in its approach to the use of planning obligations to mitigate the impact of development? In particular, is it consistent with the tests in paragraph 204 of the NPPF and the expectation in**

**paragraph 203 of the NPPF that planning obligations should only be used where it is not possible to address unacceptable impacts by use of planning conditions?**

4.1 To ensure that Policy D4 is consistent with the NPPF (paragraph 203) the policy should set that planning obligations will only be sought where it is not possible to address unacceptable impacts by the use of planning conditions.