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**Environment and Economy**

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**FAO : Greg Vigars and Steve Parkes**

6 June 2011

Dear Sirs

**Planning Application: Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; land reserved for a secondary school and 3 primary schools; public art; green infrastructure including formal and informal open space and amenity space; retention of existing hedgerows, ridge and furrow and areas of grassland; new woodland areas, allotments and areas for food production, wildlife corridors; supporting infrastructure (comprising utilities including gas, electricity, water, sewerage, telecommunications, renewable energy infrastructure, energy centre(s) and diversions as necessary); sustainable urban drainage systems including ponds, lakes and water courses; a mixed use traffic route to Rugby, estate roads and connections to the surrounding highway, cycleway and pedestrian network and ground remodelling with all matters reserved for future determination except the three highway junctions on the A428.**

I write in reference to the above application currently under consideration with your authority. Please find detail comments in respect of its statutory services to the above applications. In addition I have attached further information relating to certain service areas for your information.

## **Library facilities**

The Public Libraries & Museums Act 1964 (the 1964 Act) sets out the statutory duty for all local authorities to provide a comprehensive and efficient library service, set in the context of local need: that is, specifically of those who live, work and study in the local area. The County Council is the Library Authority and its duties include providing a comprehensive and efficient library service.

Therefore, the required contributions based on 6200 units is £1078372. The calculation is based on average household of 2.4 (subject to change depending on housing mix/ anticipated household population).

Contributions would be spent on the following:

- New library provision and/or improvement works to the existing public library provision to increase capacity for use; and/or
- The provision of new library books, CDs etc and IT equipment to meet new population demand.

The supporting information relating to the calculation of the above figures are attached with this letter. The calculations relate to the impact of the development and a level of service that would be expected to promote a sustainable community. The methodology is similar, in principle, to the methodology used by the Borough Council in assessing requirements for leisure facilities i.e. the Ken Marriott Leisure Centre.

## **Education**

The County Council is responsible for the administration of the public sector education services. Therefore, the development should make sufficient provision for school places and schools within the site. The County Council is mindful of developments within the Borough Council where insufficient local school places available for residents.

As you will be aware officers at the Borough Council and County Council are currently working on revising the Borough Council's Supplementary Planning Document (SPD) on developer contributions, in particular contributions relating to education. At this

stage the outcomes of this review are not finalised and therefore we are not in a position to outline the estimated contributions. As the review is finalised the education contribution will also be made available. However at this stage it is not considered helpful to put forward a speculative figure.

### **Ecology**

WCC Ecological Services has been in discussions with the applicant over a number of years regarding the ecological issues relating to this site on behalf of Rugby Borough Council (RBC). The majority of ecological issues have been appropriately identified within the submitted information. These include species of great crested newt, bats, grass snake and curlew (amongst others) plus habitats of semi-improved grassland, ponds, rush pasture and watercourses (amongst others). However, the level of importance attached to certain habitats may not have been established (such as those that should be considered as Local Wildlife Sites).

We are broadly satisfied with the strategic approach on how to compensate and mitigate for the ecological impacts and the Green Infrastructure overview on how this new development will maintain links with the wider landscape of Warwickshire and Northamptonshire. However, we are recommending that there is not adequate or current data and information to enable RBC to discharge its duties under PPS9 and the Habitat Regulations (2010) plus the Biodiversity Duty (NERC Act, 2006). We suggest that there is a need for additional detail within the strategies to inform any future conditions and obligations (subject to approval). We understand that additional surveys are currently being carried out to inform this work and further discussions with the applicant, RBC, Natural England, Environment Agency and other stakeholders will be necessary to resolve these issues.

### **Archaeology**

It is considered that the application has been submitted with an inappropriate level of information to address the potential archaeological value of the proposed development site.

Additional supporting information relating to the archaeological comments made above are attached to this letter.

### **Highways**

Whilst the application has been formally submitted the required transport modelling work and identification of the required mitigation measures have not been completed. In addition there are numerous discrepancies in the submitted information. Full details of the Local Highway Authority's (LHA) response is attached.

Having regard to the above the LHA are not currently in a position to provide detailed comment upon the applications. In the absence of the additional work and information the applicant has failed to demonstrate that the proposed development would not have a detrimental impact upon the highway network. Until such time as this further work and information is available the LHA objects to the proposed development for the reasons stated in the attached letter.

### **Cross boundary highway issues and the development of the Daventry International Freight Terminal phase III.**

The proposed Rugby Mast Site development is a contiguous one and the proposed DRIFT III development to be considered by the Infrastructure Planning Commission. **Therefore, both developments will have over-lapping infrastructure requirements.** The Borough Council, as the Local Planning Authority, must look to ensure that planning conditions and any S106 agreements deliver the necessary highway infrastructure for both developments in the correct priority and in a timely manner. This should ensure the safe, free flow of traffic making the developments and surrounding areas functional and attractive for potential and existing residents and businesses.

### ***The Delivering Highway infrastructure in a timely manner***

Warwickshire County Council's interest as a local highway authority relate to the highway impacts of both developments and is seeking a cross-boundary coordination of those impacts. Warwickshire County Council is concerned about the deliverability of

essential transport infrastructure over the longer delivery term of major developments. Therefore, the cross-boundary transport issues and further evidence on the following matters (how, who, what and when) should be provided:-

1. The applicants should provide evidence of which development/landowner will deliver improved highway network connections / improvements, and how best to deliver them in a timely manner. This will require agreement between all parties. In particular they should:-

a) Provide evidence of agreed criteria for circumstances in which developers will be expected to pay fully for enhancements, and those for which a co-funding/pooling arrangement may be negotiated;

Provide evidence of agreed arrangements by laying out the process and principles by which co-funding agreements between landowners may be reached through S278 agreements;

b) Provide evidence of an agreed approach, that may (subject to the level and nature of the benefits provided by the development and availability of funding) co-fund necessary transport infrastructure for strategically significant developments;

c) Provide evidence for arrangements for shared contributions including agreements on any 'beneficiary pays' policy.

d) Provide evidence of an agreed highway transport assessment including modelling. This should underpin the agreements for each development

e) The applicants should provide evidence of regular reviews over the time scale of the developments to take account of changing circumstances.

2. Community Infrastructure Levy (CIL) will become mandatory by April 2014 and their proceeds of the levy will also need to be allocated and spent on local and sub-regional infrastructure to support the development of the area between the different administrative boundaries. There should be an agreement on how these proceeds will be split and used to deliver the various infrastructure.

4. A joined up "transport infrastructure" assessment can only be achieved through a joint transport assessment.

### **Warwickshire Fire and Rescue Service**

Fire Authorities have duties placed upon them under various legislation, including the Crime & Disorder Act, to protect people, life and property and to consider crime and disorder issues. New development places additional demands on the Fire Services, in terms of the need for capital investment in new facilities and equipment and increased revenue funding for new staff.

Having regard to the above and in accordance with Circular 05/05 it is requested that provision is made by the developers to ensure adequate fire hydrants are provided in the area. Hydrants and appropriate water mains must be provided with adequate pressure to supply them.

In addition to the above the use of community space for, for example, the delivery of community fire safety activity, youth development and fire protection work, the schools programme and increased Home Fire Safety Check (HFSC) activity should be considered.

### **Adult Health**

The Draft Affordable Housing statement prepared by Savills focuses on local housing market and affordable housing needs but should also identify provision for adult health provision, including. Extra Care Housing (ECH) - the Mast site does offer a potential opportunity for an ECH village development (or CCRC) similar to those developed in Milton Keynes. It is considered that this type of provision should be explored further as part affordable housing provision.

### **Arts Museums and Archives**

Where appropriate, provision and/or enhancement of facilities within the County to enable access to heritage and cultural services for all residents. Such facilities may include the provision of space in new community buildings; adaptation, or extension of existing museums or other buildings to afford locations across the County suitable for the display of temporary or permanent exhibitions, arts and performance venues.

**Arts** - £140 per person (average) Based on Existing formulas, recognised by the Department for Culture, Media and Sport. Would be - **£2083200** based on average household of 2.4 (subject to review)

**Museums** - £91 per person based on Existing formulas, recognised by the Department for Culture, Media and Sport. Would be - **£1354080** based on average household of 2.4 (subject to review)

**Archives** - £21.60 per person based on Existing formulas, recognised by the Department for Culture, Media and Sport. Would be - **£321408** based on average household of 2.4 (subject to review).

### **Waste Management**

Waste management facilities should be provided in accordance with Core Strategy Policy CS10. Onsite sustainable waste management facilities, where appropriate in accordance with Core Strategy Policies CS3 and CS4.

### **Minerals**

The David Lock Minerals Report concludes that none of the estimated 3.5 million tonnes of mineral on the Mast Site can be extracted prior to the development taking place. The two reasons stated are that:

1. the mineral is not of the right quality and
2. it is not economically viable to extract the mineral

### ***Quality of Material***

Where the report deals with the different areas from section 8.0 onwards it quotes a figure of at least 40% gravel being attractive to operators and suggesting that anything less would not be commercially viable. However, evidence in the sub-region suggests that anything between 20-30% gravel content is sufficient to make the site viable. In addition at times there may be a shortage of particular types of sand which could mean that certain types of material could be more in demand in the future.

Whilst concluding that there are no proven or potentially economically viable mineral resources within the RRS SUE boundary the report also states that “..the deposits have not been tested extensively”. Therefore one might ask how this report can make this conclusion when it states that more detailed work is required?

### ***Economic Viability***

The report argues that there may be cheaper ways of getting sand and gravel to the site by importing it from large distances, However, extracting the sand and gravel on-site, whilst possibly not being the cheapest option, could still be economically viable ie. the cheapest option may not be the only economically viable option but could be one of a number of economically viable options.

In any event, none of these options have been properly assessed – the report only concludes that there is a “strong possibility” that aggregates supplied to the site will be cheaper. There is no hard evidence provided to back up any of the comments made in para 20. If the developer is stating that this is fact then where is the justification? A full detailed assessment based on good evidence is required to prove the economic viability argument.

In addition the report does not weigh up the economic arguments against the sustainability argument of sterilising 3.5 million tonnes of reserves against and transporting millions of tonnes of gravel from new quarries from quarries elsewhere.

### ***Warwickshire Minerals Core Strategy***

The Core Strategy consultation to which the report identifies a number of sand and gravel sites submitted by operators and landowners for consideration. However, the total amount of resource from all the sites would not cover the county’s apportionment for the plan period. Some of the sites were withdrawn during the consultation and some were very speculative and most unlikely to ever come forward. Warwickshire’s landbank has reduced dramatically and there is a shortage of sand and gravel sites

coming forward. When the Rugby Mast Site comes on-stream, a large proportion of the sand and gravel is likely to come from outside the county which is not desirable.

Having regard to the above it is our view that the report has not justified either the Quality of resource case nor the Viability case. It is not considered that adequate investigation work and exploration of all options has been carried out and therefore WCC raise a **holding objection** to the proposed development from a mineral safeguarding view point.

### **Customer Workforce and Governance**

Although an Outline Planning application, WCC would like to see references made to the co-location, consolidation and shared services as part of any Community Hub, which cut across the public (including joint working between other Local Authorities), private and third sectors.

Any “Health Facility” should not be stand alone; it should be an integral part of the combined access point possibly with a shared reception point.

The design and access of a Community “Hub” needs to reflect best practice, enhance the areas they are situated within and cater for the diversity of needs that it will serve with the architectural style supporting and encouraging usage.

The Architectural style and construction typology should facilitate the easy evolution of social infrastructure to meet the changing demands of the community and delivery approaches.

As part of the overall scheme WCC would like to see additional details and proposals to increase jobs and skills opportunities for local people through the lead developer’s procurement exercises.

Through procurement, WCC would like to see additional details and proposals, how skills and jobs aimed at local people are imbedded in lead and sub-contractor procurement routes.

Through procurement, WCC would like to see additional details and proposals on local supply chain management which support local supply chain covering materials, goods, services and sub-contractor activity.

I trust this information is of use to you and should your require any further information please feel free to contact Ciaran Power on via the details attached to this letter.

Yours faithfully

Jasbir Kaur  
Strategic Planning and Development Manager