



Thurlaston Parish Council  
Thurlaston  
Rugby

8<sup>th</sup> September 2021

Ms Karen McCulloch  
Development Team  
Rugby Borough Council  
Town Hall  
Rugby

Posted by email to [karen.mcculloch@rugby.gov.uk](mailto:karen.mcculloch@rugby.gov.uk)

Dear Ms McCulloch,

**Ref: Planning Application R21/0789**

**ZONE D - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON**

This document is Thurlaston Parish Council's (TPC) submission with regard to planning application R21/0789.

There are a number of codependencies between this application and various RBC policy and other planning documents – most notably these are:

- Rugby Local Plan.
- SW Rugby Supplementary Planning Document (SPD) - June 2021.
- Planning Application R16/2569 - conditional approval on 3<sup>rd</sup> November 2020,
- Planning Application R20/1026 – approved with conditions on 4<sup>th</sup> May 2021.
- Planning Application R20/0829 – currently under consideration.

**TPC Declarations:**

**1. Holistic Impact Assessment**

TPC asserts that there are planning codependencies as a result of piecemeal developments in close proximity and/or shared across sites, and that all the applications have consequences with regard to the environment and pollution (air quality, noise, visual, traffic). It would be negligent of planners not to consider R21/0789 without also appraising the cumulative effect of all (as published to date) Symmetry Park proposals, should they be granted permission to proceed. In essence a holistic assessment should be undertaken which recognises the cumulative effect of all planning proposals – namely within Symmetry Park Phase 1 (Zones A) and Phase 2 (Zone D), and other aspects of the Local Plan such as highways infrastructure and adjacent housing schemes. TPC is not aware of any such pre and post implementation assessments are currently available, or even proposed.

Whilst the Applicant advises that there may be biodiversity gains these are likely to be offset by huge increases in carbon emissions from the site and pollution from visiting vehicles. We therefore question whether a fully populated Symmetry Park will be ecologically sound and therefore believe it will be harmful both locally and more widely to the locality. Tacit with this is that TPC has already lodged that residents consider the scheme detrimental to peoples' wellbeing - the main reasons being due to air quality and noise pollution.

## **2. Supplementary Planning Document June 2021**

The SPD is a planning document; it is not an implementation plan per se. The adopted SPD June 2021 contains an *Indicative Phasing Plan* (Appendix L); there is no project plan to show the detailed sequence of specific projects (typically described as a project critical path) most notably regarding *Strategic Infrastructure to support the whole site*. This Plan, when available, is fundamental because a condition of allowing Symmetry Park occupancy is that appropriate infrastructure improvements will become available within congruent timescales.

TPC considers this omission to be highly significant because without detailed knowledge of all projected traffic flows (HGVs, LDVs, employee vehicles) underlying risks such as congestion, pollution and noise cannot necessarily be mitigated.

We question whether ANPR will fully mitigate traffic pollution problems:

- ANPR is proposed to deter HGVs from passing through Dunchurch. This does not prevent infringements (which appear to be articulated as guidance given that penalties are paltry). Indeed, the number of 'last mile' delivery vehicles (<7.5T) will be many times the number of predicted HGVs, thus all adding to congestion and pollution at the main Dunchurch intersection.
- A significant proportion of HGVs travel northwards (such as from the M40 Banbury junction) into Dunchurch from the Southam Road (A426) - typically heading onwards along the Rugby Road, or turn left onto the Coventry Rd (B4429), and could therefore access the proposed Symmetry Park. This route is popular with HGV drivers as they can leave the M40 at Banbury to head northwards. This is deemed a more expedient route than continuing along the M40 to the A46 at Warwick. We question how ANPR would operate under these circumstances.

### **Zone D - Site and Warehouse**

Zone D has been remodelled since the original R16/2569 application. Most notably multiple warehouses have been combined into a single large building.

An Energy Centre (EC) is now to be located in Zone D and not Zone C as originally proposed. TPC has made a separate submission with regard to application R21/0829.

The main staff car park is now located in close proximity to the spine road. This is considered an improvement as it locates the main warehouse further west towards the A45 and therefore away from main residential areas.

TPC supports the improved acoustic and limited visual screening due to the siting of bunds and acoustic fences on the north, west and south Zone D boundaries. It is regrettable that the scale of development on the site does not allow more opportunities for tree and hedgerow planting as these will be more acceptable visually and would assist in reducing the carbon footprint of the site.

RBC received a letter dated 14<sup>th</sup> July 2021 from Peter Frampton which explains how several conditions will be met for example with regard to building fabrication and exterior décor. Judgements are required by RBC to decide whether these are satisfactory. We respectfully ask who will be the arbitrator of such decisions? RBC has set no specific criteria for subject assessments. In previous TPC submissions we specifically asked how such community consultation would be undertaken; to date our requests have never received acknowledgement or clarification. Consequently, we ask again what process will be employed to make such decisions and, where subjective assessments require judgement, what are RBC's criteria?

TPC considers the warehouse height increase to be detrimental to all parish stakeholders. However, against the recommendations of the Planning Inspector, RBC's Planning Committee deemed it appropriate to approve the original heights proposed by the Applicant. It was regrettable that this decision was made on economic grounds alone, especially as TPC is not aware of any metrics which have been published in the public domain to support the assessment. The main economic benefit will be to Tritax Symmetry owned by Tritax Big Box Real Estate Investment Trust plc, which primarily provides income to private investors. Through technological advances, businesses are able to incorporate automated processes into their operations for better results in efficiency, productivity, scalability, and with reduced labour costs. The longer term outlook is that automated warehousing will not be a major employer and add little to Rugby's socio-economic demographics.

### **Highways & Implementation Timetable**

In response to R16/2569 Condition 5 Framptons have provided their discharge plan which provides a work schedule. Key elements of this in relation to R21/0789 are:

#### ***Phasing***

- *Symmetry Park is shown in three principal phases:*
- *Phase 1 comprises the land to the south of Northampton Lane which has the benefit of full planning permission R10/2106.*
- ***Phase 2 lies to the north of Northampton Lane, including the proposed spine road.***
- *Phase 3 is the land to the east of the proposed spine road, north of Northampton Lane.*

With regard to R21/0789 Zone D is programmed as Phase 2 of their deployment and this triggers further conditions:

#### ***Built development and highways infrastructure***

*The erection of buildings and provision of highway infrastructure will be provided as necessary to provide suitable access on occupation, including footway and cycle access.*

And

*The extension of the spine road is controlled by Condition 17. In the event that Phase 2 is occupied by a single user, then it will be provided prior to the occupation of that building.*

This condition is therefore satisfied and clarified in Framptons' letter of 14<sup>th</sup> July 2021:

*Condition 17 states:*

*'Prior to first occupation of the last unit located in Zone D on the approved parameters plan or, if earlier, within 3 months of written notification of construction from Warwickshire County Council to the Developer/Land Owner of the commencement of the remainder of the Potsford Dam Link, as indicatively shown on plan 13-216 K008/B received by the Local Planning Authority on 26/08/2020, on the adjacent development land within the South West Rugby allocation, the following steps shall be undertaken:*

- a detailed planning application or reserved matters planning application shall be made to the Local Planning Authority for the road infrastructure for any remaining part of the Potsford Dam Link within the site between points A and D as shown on plan 13-216 K008/B and to the site boundary;*
- within 12 months of the grant of the planning permission or reserved matters approval, the road and associated infrastructure between points A and D shall be completed in accordance with the approved details.'*

*The requirements of this condition for the provision of details for this infrastructure are satisfied in the submission of reserved matters.*

TPC supports the proposed rescheduling of the Potsford Dam Link and that it should be implemented as soon as possible from the B4419 to an intersection with the A4071.

The implementation of Zone D and its very large warehouses will result in a huge increase in traffic in the immediate area and traffic pressures for north bound traffic. We see the Potsford Link offering immediate benefits:

- Support the RBC Travel Strategy;
- Provide improved traffic flows to support Symmetry Park business services, and thereby indirectly provide economic benefit;
- Reduce noise and air pollution towards the south and east of Symmetry Park to the benefit of local communities;
- Relieves congestion at Dunchurch and ongoing concerns about air quality;
- Provides opportunities to enhance footpaths and cycle ways – such as connections to the Cawston Greenway, Thurlaston and Sustrans 41 at Draycote hamlet.

With regard to implementation timescales Framptons' Planning Statement 10563 states:

*Tritax Symmetry Limited (TSL) has been successful in securing an internationally renowned occupier for Phase 2 of the above development. There is a required start date on site of October 2021 therefore the building is required urgently . . . .*

Prompt access to the site in October 2021 (to bring the facility into operational use during autumn 2022) has a consequential impact on various external infrastructure mandatory requirements which do not appear to be deliverable by the Applicant alone and therefore require urgent attention by RBC and their agents.

An RBC project timetable for these highway developments is not currently available. The Indicative Phasing Plan published in the adopted SPD (July 2021) does not represent a committed project plan. Such outstanding issues will need to be resolved to allow Tritax Symmetry to proceed with their proposals.

### **Lighting**

TPC has consistently sought to ensure lighting is appropriately designed to ensure Thurlaston maintains its night time 'dark sky' and to protect native wildlife.

The report by MBA Consulting Engineers demonstrates an ambiguity which requires clarification. The lighting is claimed to be *designed* to E2 due to the site general location but only *meets criteria* E4. Either there is a mistake, or the report is disingenuous as there is a significant difference between the two, according to the proffered definitions.

The consultants state the total lighting solution has been carefully generated to ensure the immediate environment has been protected including the properties adjacent to the site. We infer this will include Station Farm Cottage. It is not clear how much light leakage will occur on the property and whether local residents have been consulted.

### **Noise Compliance**

TPC is mindful that planning Conditions 38 & 39 relate to Unit 3 located in Zone D.

The Applicant's submission states *the determination of noise amounting to a nuisance is beyond the scope of the standard, and that historical surveys undertaken in 2015 are considered to be suitable for use in this assessment.* These statements are understood on their own. However, Zone D and A warehouses, the EC, and numerous other activities all coexist in the same locale. The implication of these planning application statements is that they are at best approximations of the likely noise impact. They are not a guarantee. From residents' perspectives their interest is to understand the peak noise from a fully operational four zone complex.

Should noise be deemed to be excessive TPC is not aware of any controls or conditions as to how matters would be resolved contractually. This lack of definition and project governance implies that this is a risk RBC will need to manage.

### **Conclusions**

Tritax Symmetry warehouse scheme as a Major Application, and planning application R21/0789 is the largest component of the whole scheme. This large development and its codependencies with other Symmetry Park developments raise important issues which require assessment and resolution before planning approval should be given. These are:

- (a) A detailed analysis of the polluting effect of this application is required in the context of the **whole** Symmetry Park complex. Inter alia this must include realistic pre and post

implementation environmental assessments - at minimum to ensure issues with regard to air quality, traffic volumes, congestion, and carbon footprint changes are fully understood and where necessary mitigated.

These arrangements will also support RBC in demonstrating commitment to developing and implementing an effective Climate Control Strategy.

- (b) A condition of bringing warehouses on stream, especially the large Zone D warehouse, is that improvements to highways need to be made in line with the Local Plan. Tacit with this will be a requirement for a traffic strategy which, inter alia, will ensure HGVs are not allowed on local minor roads. TPC supports the implementation of the Potsford Dam Link now, rather than that proposed in the SDP Phase 4 shown as 2026 to 2031.
- (c) We question whether the proposed lighting proposals are robust and acceptable. We lodge that the Thurlaston settlement is, and must remain as, a 'dark sky' locality.
- (d) We question whether the holistic impact of noise emanating from Zones D & A and consequential traffic flows have been properly assessed so that cumulative effects are understood and deemed acceptable.

We respectfully request that you acknowledge our representations, and in the meantime we would be grateful if you would keep us informed of any new information supplied by the Applicant.

Yours sincerely,

Dr Keith Boardman  
Chairman Planning Subcommittee  
Thurlaston Parish Council