



Thurlaston Parish Council
Thurlaston
Rugby

15th November 2021

Ms Karen McCulloch
Development Team
Rugby Borough Council
Town Hall
Rugby

Posted by email to karen.mcculloch@rugby.gov.uk

Dear Ms McCulloch,

Ref: Planning Application R21/0790

EASTERN PART OF ZONE D:

LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON

This document is Thurlaston Parish Council's (TPC) submission regarding planning application R21/0790. A **holding objection** is lodged for the reasons set out in this letter.

There are a number of code dependencies 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 3rd November 2020,
- Planning Application R20/1026 – approved with conditions on 4th May 2021.
- Planning Application R20/0829 – currently under consideration.
- Planning Application R21/0789 – currently under consideration.

TPC Observations:

1. Holistic Impact Assessments

TPC asserts that there are planning code dependencies as a result of piecemeal developments in close proximity and/or shared facilities across sites, and that all the applications have consequences with regard to the environment (air quality, noise, visual, traffic). It would be remiss of planners not to consider R21/0790 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 needs to be undertaken which recognises the cumulative effect of Symmetry Park Phase 1 (Zone A) and Phase 2 (Zone D), and other aspects of the Local Plan requirements such as highways infrastructure and effect on adjacent housing

schemes. TPC is not aware of any such pre and post implementation assessments which are currently available, or even proposed.

Application R21/0790 together with applications R21/0789 and R21/0829 are piecemeal proposals which the applicant will be aware cannot coexist on Zone D site as there are conflicts in land utilisation and purpose. TPC infers that the applicant is 'testing' various scenarios to cover different design and commercial scenarios.

There is a danger that this approach could inadvertently approve development beyond the parameters of the outline permission or harmful cumulative development without proper master planning and comprehensive assessment.

For the above reasons TPC asserts that a condition for approval being granted for Zone D developments is that it is essential that the applicant provides a composite Land and Visual Appraisal which, inter alia, must include a montage which illustrates the cumulative effect of all the buildings and structures proposed on the site. Whilst this may not be deemed necessary in an urban area it is vital for a rural setting close to a Conservation Area and areas of Thurlaston which will have unobstructed vision of the development.

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 people's wellbeing - the main reasons being due to air quality and noise pollution.

2. Zone D (East) - Site Layout and Boundaries

Zone D has been remodelled since the original R16/2569 application. Three main buildings (two warehouses and an energy centre) are currently being proposed on the site. The main staff car park is proposed on the north side of the site.

On the north, west and south site boundaries, TPC supports the improved acoustic and limited visual screening by the siting of bunds and acoustic fences. 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.

The visual impact of the eastern boundary of the development is considered unacceptable. The 18m high warehouse and 2.4m high paladin fencing overwhelms the adjacent Potsford Dam highway. The cramped nature of the development does not allow sympathetic screening (such as by use of trees¹, hedges and bunds) to the immediate locale and beyond. It conflicts with the rural setting of the development.

Against the recommendations of the Local Plan Inspector, RBC's Planning Committee deemed it appropriate to approve the increased heights proposed by the Applicant. It was

¹ A limited number of Common Hornbeam deciduous trees are proposed which reach an ultimate height of 12m after 50 years.

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 only 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.

3. Compliance with 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 turning left onto the Coventry Rd (B4429). This will potentially provide a significant access route to 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.

Highways & Implementation Timetable

In response to R16/2569 Condition 5 the Applicant has provided their discharge plan which provides a work schedule. Key elements of this in relation to R21/0790 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 R21/0790 Zone D is programmed as Phase 2 of their deployment and this triggers further conditions:

Build 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 14th 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 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:

- Supports the RBC Travel Strategy;
- Provides improved traffic flows to support Symmetry Park business services, and thereby indirectly provide economic benefit;

- Reduces 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 before Tritax Symmetry is allowed to proceed with their proposals.

4. Access, Circulation and Parking

The Applicant states:

Vehicular access to the site will be via a new access junction north of the service access roundabout. Access for HGVs and other vehicles are provided with separate entrance/egress points. HGV access will be via a secure gatehouse.

The proposed development has been carefully laid out to create a working environment that is not only practical and fit for purpose, but is first and foremost a safe place.

TPC considers these statements at best misleading, and factually incorrect. The new access/egress opening is shared amongst HGVs, HDVs, cars, cyclists, pedestrians, and wheel chair users. Only when vehicles are on site do HGVs and LDVs pathways diverge. Tacit with this is that during busy periods there is every likelihood that all vehicles, cycles, pedestrians will mix and share space, and congestion may result with road blockages and spillages on the Potsford Dam highway and along the proposed north site road.

TPC considers the proposed design unsafe.

5. 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.

6. Noise

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, on Symmetry Park numerous activities will be undertaken and an energy centre will coexist in the same locale.

TPC raises a concern that conventional noise assessments using decibel meters do not differentiate between white noise (e.g. as associated with background traffic noise) and vehicle sounders which are designed to alert people to potential danger. Our contention is that reversing audible warning devices are typically dual toned and designed to create a cacophony of undesirable noise pollution. Acoustic waves demonstrate both reflection and diffraction properties. Diffraction allows sound to 'bend' round corners and the accumulative proximity of the noise from HGVs and LDVs reversing at random times cannot be precisely determined. However, the nature and random repetitive nature of reversing alarms can be extremely irritating and violate people's wellbeing. TPC's contention is that special attention must be given to controlling environmental noise, an issue exacerbated by the compact design of the Zone and very limited acoustic screening particularly on the east side of the proposed development.

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 ensure can be mitigated.

Conclusions

Tritax Symmetry warehouse scheme as a major application, and planning application R21/0790 is a significant part of the whole scheme. This 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 holistic 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 and noise, congestion, and carbon footprint changes are fully understood and where necessary mitigated. We stress the need for holistic assessments to cater for the cumulative effect of all activities on and emanating

from the proposed site. Where necessary mitigation measures need to be incorporated into the applicant's proposals.

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

- (b) The site design and close proximity of the proposed building to the site boundary are considered visually detrimental to the rural setting of the locality. A condition for approval being granted is that the Applicant should provide a composite Land and Visual Appraisal with a montage to illustrate the cumulative effect of all the buildings and structures proposed on the site. Whilst this may not be deemed necessary in an urban area it is vital for a rural setting close to a Conservation Area and areas of Thurlaston which will have unobstructed vision of the development.
- (c) A condition of bringing warehouses on stream, especially the large Zone D, 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 to 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.
- (d) 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.
- (e) We question whether noise pollution will be acceptable. Apart from the sheer volumes of HGV traffic, specific noise assessments must be made regarding the cacophony from loading/unloading goods and the use of vehicle dual tone alarm systems. Mitigation measures are required.
- (f) Site access and egress arrangements are unsatisfactory. Vehicle, cycle, and pedestrian circulation proposals on site are considered unsafe.

We respectfully request that you acknowledge our representations and respond to them accordingly and allow us to consider further the proposals once more information is submitted, 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