South West Rugby Masterplan SPD post Cabinet table of amendments for delegated approval by Head of Growth and Investment 09 2020

South Wes	outh West Rugby Masterplan SPD Amendments			
		Amendment	Notes/Reason	
2	Further Engagement Consultation	The consultation begins on <u>Thursday 1st October 2020</u> until 5pm on <u>Thursday 29th October</u> 2020 .	Consultation dates added.	
2	Further Engagement Consultation	By 5pm on <u>Thursday 29th October 2020</u> .	Consultation dates added.	
4	Contents	Contents page updated to reflect rest of document.		
6	Para. 1.3	Delete second 'DS3'.	Typographical error.	
8	Para 113	In October 2019, a six week public consultation was undertaken on a Draft South West Rugby Masterplan SPD.	Typographical error.	
9	Para. 1.18/ Table 1	Revised Draft SPD Further Engagement Consultation - October / November 2020	Consultation dates corrected.	
10	Para. 2.2	Since the consultation on the Draft South West Rugby SPD in October 2019 there have- been further updates to national Planning Practice Guidance in terms of the scope of what- planning policy guidance can be included within SPDs. Specifically, there has been further- guidance which states that 'It is not appropriate for plan makers to set out new formulaic- approaches to planning obligations in supplementary planning documents or supporting- evidence base documents, as these would not be subject to examination.'	clarifications identified by Council's external advisors.	
10				
10	Para. 2.3	Since the Draft South West Rugby SPD consultation the <u>The</u> Council has considered <u>all</u> responses to the draft South West Rugby SPD consultation and the amendments made to the <u>updates to</u> national Planning Practice Guidance and the preclusion of financial calculations to be established within SPDs. <u>concerning the use of tariff-based approaches</u> towards the allocation of the costs of delivering strategic infrastructure, an approach which had been proposed within the October 2019 consultation draft of this SPD.	Clarifications identified by Council's external advisors.	
10	Para //	The Council have sought legal advice to consider the implications of these changes to- national policy and this concluded that the risk of including the tariff calculation within an- SPD, where the principle is not contained within the Local Plan, would be unsound	Clarifications identified by Council's external advisors.	

The draft South West Rugby SPD published in October 2019 proposed a tariff as a way of Clarifications identified by Council's external advisors. ensuring infrastructure costs such as the Homestead Link were paid by multiple- Image: Clarification identified by Council's external advisors. 10 Para. 2.5 decided to progress an alternative means to equitably and proportionately apportion the	
landowners, on a square metre of development basis. In light of this, the Council has	
10 Data 2.5 Idecided to progress an alternative means to equitably and proportionately apportion the	
costs of delivering strategic infrastructure required by the allocation between the different	
development parcels forming part of the allocation. The approach the Council intends to	
adopt is use of	
The tariff as expressed in the previous draft can no longer be taken forward within an SPD- Clarifications identified by Council's external advisors.	
and the Council are proposing a framework Section 106 legal agreement. which This is	
explained further in section 24 25, but will mean that a consistent approach is taken by the	
Council in realtion to Section 106 contributions from landowners/ developers in the	
10 Para. 2.6 <u>allocation area towards strategic infrastructure which development proposals within the</u>	
allocation are expected to meet. Importantly the appropriate equalisation of the cost of	
those shared strategic infrastructure items (such as, but not limited to, the Homestead	
Link) will still be achieved and ultimately delivered.	
As a result of these proposed changes and taking into account the comments received as Clarifications identified by Council's external advisors.	
part of the consultation in October 2019, further engagement on this consultation draft of	
10 Para. 2.7 the SPD is required to ensure a sound SPD is adopted by the Council.	
The allocation does extend eastwards to include the land north of Ashlawn Road, which Updated Appendix reference as a consequence of cha	anges to Section 8 Rugby -
12 Para. 3.2 was approved by the Secretary of State for 860 dwellings, and is shown on the redline plan Dunchurch Buffer and deletion of Appendices J & K - F	
in Appendix Θ M to this document.	0 /
As part of the background evidence to the Local Plan the Council appointed David Lock Typographical error.	
14 Para. 3.10 Associates to provide information on the baseline opportunities and constraints for the	
South West Rugby allocation.	
Cawston Lane - southern section corrected to Sustainable Travel Corridor/ black dotted Typographical error corrected	
19, 23 Figure 2, Figure 3 line.	
Legend amended for clarity.	
19, 23, 27 Figure 4 Woodland Management Area and buffer	
Legend: Legend amended for clarity.	
19, 23 Figure 2, Figure 3 GI Corridor and Rugby to Dunchurch Buffer zone	
Table before An additional lead-in time has been added to Appendix N L to reflect the updated expected Updated Appendix reference as a consequence of cha	• • •
20 Para. 6.1 Start date on site.	Rugby to Dunchurch Buffer
Appendix AFK to this SPD sets out the strategic infrastructure and other mitigation Updated Appendix reference as a consequence of cha	
	Durahu ta Dunchurch Duff
21 Para. 6.4 measures and the cost of each item. Dunchurch Buffer and deletion of Appendices J & K - F	Rugby to Dunchurch Buffer

21	Para. 6.6	Detailed phased delivery for all infrastructure is also set out in Appendix N L.	Updated Appendix reference as a consequence of changes to Section 8 Rugby - Dunchurch Buffer and deletion of Appendices J & K - Rugby to Dunchurch Buffer
22	Para. 6.9	There will be a Section 106 legal agreement against each planning application on the allocation. Each <u>Section 106 legal</u> agreement will include triggers to ensure <u>strategic</u> infrastructure <u>contributions</u> and payments are provided <u>made</u> at appropriate times. <u>Each</u> <u>Section 106 agreement will be drafted in line with</u> This South West Rugby Masterplan SPD- sets out that a framework SW Rugby Section 106 Agreement will contain a "Part 1" (Strategic Infrastructure) and "Part 2" (Site Specific Infrastructure and Affordable Housing)- which will set out the provisions which the Council will expect to be included in each <u>Section 106 agreement.</u> tThis is explained in detail in section 24 <u>25</u> of this SPD.	Clarifications identified by Council's external advisors. Typographical error.
24	Table before Para. 7.1	Biodiversity is set out in section 12 13 of the SPD setting out guidance as to how assets can be enhanced.	Typographical error.
26	Para. 7.8	Further guidance is provided in section 11 12 of this SPD.	Typographical error.
32	Para. 8.12	When preparing planning applications applicants should have regard to the following requirements for each section of the buffer which are also illustrated in detail.	Consequential change as a result of removal of specific separation measurements for the Rugby-Dunchurch Buffer.
33	Para. 8.16	The size of the landscaped buffer in Section 1 <u>between Cock Robin Wood and Alwyn Road</u> (see figure 7 below) should be as follows :	Removal of specific separation measurements for the Rugby-Dunchurch Buffer for clarity.
34	Para. 8.17	Between Rugby Road (A426) north of Cock Robin Cottages and the southern boundary of the new residential development the buffer should be no less than 80 metres, assuming the roundabout is further west than the 'Atkins' alignment. This is in order to-minimise any impact on the setting of the Grade II listed Cottages and protect and strengthen the existing green infrastructure links between Cock Robin Wood and the trees and hedgerows along Rugby Road/ Northampton Lane and at Bilton Grange. It is particularly important in terms of habitat protection that the continuous tree canopy between Cock Robin Wood and the trees that border Rugby Road and Northampton Lane are maintained and strengthened.	

34	Para. 8.18	Between Rugby Road (A426) north and the southern boundary of the new residential development the buffer section that contains the roundabout should be no less 100-metres including the roundabout and the roundabout arms. This is to maintain the physical separation between Rugby and Dunchurch whilst recognising that the existing green infrastructure that currently borders Rugby Road can be strengthened both to-minimise the visual impact of the roundabout and associated highway as well as to-maintain and strengthen the continuous tree canopy Cock Robin Wood and the trees that-border Rugby Road and Northampton Lane.	Removal of specific separation measurements for the Rugby-Dunchurch Buffer for clarity.
34	Para. 8.19	Between the northern extent of the garden of Daru House and the southern boundary of- the new residential development the buffer should be no less than 40 metres including the total width of the Link Road with both verges of 20 metres to the southern edge of the Link Road. This is to ensure <u>There should be</u> an adequate separation between the existing residential property and the Link Road.	
34	Para. 8.20	Between the northern verge of Northampton Lane and southern boundary of the new- residential development the buffer should be no less than 140 metres including the total- width of the Link Road with both verges. This is to maintain the existing open character and physical separation between Rugby and Dunchurch.	Removal of specific separation measurements for the Rugby-Dunchurch Buffer for clarity.
35	Figure 7	Figure 7 - Proposed Buffer on Eastern portion of allocation Figure 7 deleted.	Removal of specific separation measurements for the Rugby-Dunchurch Buffer for clarity.
36	Para. 8.25	The size of the lanscaped buffer in Section 2 (see figure 8 below) should be as follows:	Consequential change as a result of removal of specific separation measurements for the Rugby-Dunchurch Buffer.
36	Para. 8.26	Between the northern verge of Northampton Lane and southern boundary of the new- residential development, the buffer should be no less than 100 metres including the total- width of the Link Road with both verges. This is to maintain the existing open character- and physical separation between Rugby and Dunchurch.	Removal of specific separation measurements for the Rugby-Dunchurch Buffer for clarity.

		Within this total buffer width of at least 100 metres, the buffer between the northern-	Removal of specific separation measurements for the Rugby-Dunchurch Buffer
			for clarity.
		of the new development should be no less than 40 metres including the total width of the	Tor clarity.
		Link Road with both verges of 20 metres to the southern edge of the Link Road. This is to	
37	Para. 8.27	ensure an adequate separation between the existing residential property and the Link	
		Road, mirroring the separation found in section 1 for Daru house.	
		noad, mirroring the separation round in section 1 for Dard nouse.	
37	Followed Para.	Figure 8 appears to be missing – need to check	Removal of internal drafting note.
57	8.27		
		In particular development will reduce the distance of physical separation between the two	Typographical error.
		settlements but it should not result in continuous development between Dunchurch and	
37	Para. 8.28	Rugby and <u>the</u> buffer must be maintained throughout.	
		Flood risk management seeks to manage flows where they occur, consequently it is not	Consequential change as a result of removal of specific separation
		appropriate to include flood attenuation in the buffer area. Small scale drainage may be	measurements for the Rugby-Dunchurch Buffer.
		appropriate within the buffer, particularly in relation to the Link Road. Further discussion	
38	Para. 8.33	is required with the Local Highways Authority to confirm if this will be necessary in terms	
		of the design of the Link Road. The size of the landscaped buffer in Section 3 (see figure 9-	
		below) should be as follows:	
		Between the southern extent of the new residential development Area 2 and the northern-	Removal of specific separation measurements for the Rugby-Dunchurch Buffer
38	Para. 8.34	extent of the new residential development Area 1 the buffer should be no less than 100-	for clarity.
50	Pala. 0.54	metres. This is to ensure that a clear physical and visual distinction between Dunchurch-	
		and Rugby is maintained.	
		Between the southern extent of the new residential development Area 3 and the northern-	Removal of specific separation measurements for the Rugby-Dunchurch Buffer
38	Para. 8.35	extent of Area 1 the buffer should continue southwards and should be no less than 100-	for clarity.
30	Fala. 0.55	metres. This is to ensure that a clear physical distinction between Dunchurch and Rugby is-	
		maintained.	
39	Figure 9		Removal of specific separation measurements for the Rugby-Dunchurch Buffer
55	-	Figure 9 deleted.	for clarity.
	Table 2 - Open	Table reformatted.	For clarity.
43	Space Provision		
	by Type		
		As The LLFA we have has a developer guidance document which details, amongst other	Typographical error.
		things, how to determine the required attenuation, discharge rates etc:	

48	Para. 12.11	Planning applications are required to demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such <u>a way</u> that a discharge to the public sewerage systems are avoided, where possible.	Typographical error.
52	Para. 13.9	This SPD supports this approach and has established a baseline figure for each land parcel within the development zone <u>allocation</u> .	Clarifications identified by Council's external advisors.
52	Para. 13.10	The developer is then able to trade these units either between other developers <u>within the</u> <u>allocation</u> or arrange offsets of an equivalent units elsewhere within the Borough or as a last resort County.	Clarifications identified by Council's external advisors.
53	Para. 14.4	The housing mix figures for affordable housing from the most recent (2015) SHMA are also- provided in Table 4 below.	Repeats Paragraph 14.1.
54	Para. 14.6	A legal agreement will secure the tenure and mix of affordable housing in line with the Council's requirement at the time the application is considered. This is explained further in $s\underline{S}$ ection $24 \underline{25}$ of this SPD.	Typographical error.
57	Para. 15.5	 On 21 July 2020, the Government published the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which come came into force on 1 September 2020 and make significant changes to the Use Classes. Of relevance to the South West Rugby District Centre are the following changes: •The existing former Use Classes of A1 (Shops), A2 (Financial and Professional Services) and A3 (Food and Drink) will be are incorporated into a new Use Class E – Commercial, Business and Service. The new Use Class E will also contains Offices, Research and Development, Industrial Processes (Existing Use Class B1), Clinics, Health Centres, Creches, Day Nurseries (Existing Use Class D1) and Indoor Sport, Recreation or Fitness (Existing Use Class D2). •The existing former Use Classes of A4 (Drinking Establishments) and A5 (Hot Food Takeaways) be are Sui Generis. This means they do not fall into any use class and changes to and from these uses will be subject to full consideration through the planning application process. 	
58	Para. 15.12	Increased trips outside the allocation This would undermine the sustainability of the allocation and counter the objective to create sustainable patterns of travel and overall objective of combatting climate change, as detailed in <u>sSection 11 of this SPD</u> .	Clarification.
62	Para. 16.8	In addition, Warwickshire County Council have has also requested off-site developer contributions towards library provision.	Typographical error.
66	Para. 18.3	Reducing building heights of employment units within the allocated area and on the boundary of the allocation will play a key part of <u>in</u> limiting the impact of the development on the surrounding countryside and also Thurlaston Conservation Area.	Clarifications identified by Council's external advisors.
71	Para. 19.7	Transport infrastructure funding will be required by the developers either individually or collectively through the framework Section 106 obligations <u>as</u> set out in section 24 of this SPD.	Clarifications identified by Council's external advisors.

71 Para. 19.8 Insulpated s/P in as considered to include a phytoid alignment to read Califications identified by Council's external advisors. 71 Para. 19.13 The 2017 STA identifies indicative phasing of infrastructure necessary to minimise impacts on Dunchurch as well as on the rest of the <u>read</u> network in 5 year intervals. Califications identified by Council's external advisors. 73 Para. 19.13 On Dunchurch as well as on the rest of the <u>read</u> network does not suffer adversely will be the phasing of infrastructure necessary to minimise impacts on Dunchurch as well as on the rest of the <u>read</u> network does not suffer adversely will be component of ensuring that the <u>read</u> network does not suffer adversely will califications identified by Council's external advisors. 73 Para. 19.14 An essential component of ensuring that the <u>read</u> network does not suffer adversely will califications identified by Council's external advisors. 79 Para. 19.34 Imming applications which are not able to dentify the the <u>proposed development's</u> in macts and statisfactorily mitigate them, will be refused as It would be contrary to both Parts 20 So and 05 S. Canfication of the potential measures to ensure development is sympathetic to is of landscaping, reduced heights and lower densities to ensure development is strong sense of place. 81 Para. 20.17 Partels cops to dowight the ensities to ensure development is of marking adverse will with windows on at blenk as there and well with windows on at blenk as there availed the specific separation measurements for clarity. 82			This undeted CDD has seen ideal the shares are seen and hugh a site are set of The	
71 Pare. 19.8 timely delivery of the site allocation coming forward at no cansure triats in the line with line line with weight the line with all weight the line with weight the line with weight line with line with all weight line with line with lin			This updated SPD has considered the changes proposed by the site promoters. The	Clarifications identified by Council's external advisors.
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	88	Para. 23.3		
90 - 91 Section 25 See attached tracked change Section 25. Clarifications identified by Council's external advisors.				
	90 - 91	Section 25	See attached tracked change Section 25.	Clarifications identified by Council's external advisors.

		New Paragraph 26.1:	Clarifications identified by Council's external advisors.
			Cianneations identified by Coullell's external advisors.
0.2	6	Proposals should be designed in a way that accords with Local Plan policies, including the	
92	Section 26	requirement to contribute towards strategic infrastructure costs in accordance with this	
		SPD and other items that may be secured through Section 106 obligations, including	
		affordable housing.	
			Clarifications identified by Council's external advisors.
92	Section 26	The Council has carried out an independent assessment of the viability of development.	
		New Paragraph 26.3:	Clarifications identified by Council's external advisors.
		On the basis of this viability assessment, the contributions towards strategic infrastructure	
		proposed by this SPD should not make any development of the allocation (or other land in	
92	Section 26	the vicinity expected to pay towards the costs of strategic infrastructure within or serving	
		the allocation) unviable, taking into account other planning obligations, including	
		affordable housing and local or site specific infrastructure requirements that those	
		developments will also be expected to meet.	
		An FVA should will normally be submitted with the planning application for the proposed	Clarifications identified by Council's external advisors.
92	Para. 26.1	development scheme and must in any event be submitted well in advance of	
01	101012012	determination of that planning application.	
			Clarifications identified by Council's external advisors.
		requirements from those set out in the Local Plan and this SPD and stating the proposed	······································
92	Para. 26.2	level of obligations, demonstrating why they are the maximum that can be provided.	
		New Paragraph 26.7:	Clarifications identified by Council's external advisors.
		Where the Council is satisfied that Section 106 contributions or works required by the Local	
	Para. 26.7	Plan policies and this SPD cannot be met in full on a particular development proposal due	
		to financial viability, the Council may choose to:	
		a) reduce the Section 106 contributions payable pursuant to this SPD; and/or	
02		b) adjust the timetable for delivery of strategic infrastructure to be funded by those	
92		Section 106 contributions or provided in kind; and/or	
		c) reduce or amend other planning obligations for that development proposal, provided	
		that the Council will continue to pay due regard to the objective of ensuring an equitable	
		and proportionate apportionment of the costs of delivering strategic infrastructure for the	
		allocation across the whole allocation.	

		New Paragraph 26.8:	Clarifications identified by Council's external advisors.
		The financial viability of development proposals may change over time due to the	ciarmeations identified by council's external advisors.
		prevailing economic climate, including changing property values and construction costs. In	
		all cases, therefore, where the Council have agreed to any of the reduction or adjustment	
		items set out in paragraph 26.7 such that the resultant planning obligations are below the	
		level needed to fully fund or provide the strategic and local infrastructure requirements for	
92	Para. 26.8	the allocation area or to comply with Local Plan policy requirements, the Council will	
		require a viability review of the relevant development with an updated FVA to be provided	
		at appropriate intervals to determine whether greater or full compliance with this SPD and	
		the Local Plan policy requirements can be achieved throughout the carrying out of the	
		relevant development proposal.	
		Added: • Financial Viability Assessment (where required);	Typographical error.
93	Para. 27.1		
	Part B, Appendix E	Light and pPrivacy should be maintained through the application of the 45 degree rule for	Removal of specific separation measurements for clarity.
106		habitable rooms, by ensuring garden depth is a minimum of 10m and by allowing a-	
		minimum of 20m between windows of separate properties;	
		Noise from the new development that could have an adverse impact upon existing sites,	Typographical error.
109	Appendix G	sites with permission or under construction or those that form part of the Coton Park East-	
		South West Rugby development itself.	
112	Appendix J	Appendix J - Rugby to Dunchuch Buffer - Section 1 deleted.	Consequential change as a result of removal of specific separation
112	Appendix J		measurements for the Rugby-Dunchurch Buffer.
113	Appendix K	Appendix K - Rugby to Dunchurch Buffer - Section 2 deleted.	Consequential change as a result of removal of specific separation
115	Appendix K		measurements for the Rugby-Dunchurch Buffer.
		Corrected dwelling figures for individual parcels. Added dwellings totals per year and post	For clarity - factual update and corrections.
120 - 122	Appendix N	2031. Updated housing trajectory for Ashlawn Road.	
		See attached tracked change Appendix N .	
All	All	Re-numbering of Figures to make consistent.	Consistency.
All	All	Re-orientation of Figures to landscape to ensure readable.	Clarity.
All	All	Re-numbering of Appendices to make consistent.	Consistency.
All	All	Formatting of Paragraphs to make consistent.	Consistency.
All	All	Page footer updated to October 2020 throughout to make consistent.	Consistency.

South Wes	South West Rugby SPD October 2019 - Consultation Statement (September 2020) Amendments				
Page	Para/Ref	Amendment	Notes/Reason		
	Appendix A	First Name/ Surname - Gary Stephens. Organisation - Marrons Planning representing L&Q	Omitted from List of consultees who made representations due to typograhical		
		Estates.	error.		
14 - 21		First Name/ Surname - Gary Stephens. Organisation - Marrons Planning representing South			
		West Rugby Consortium (L&Q Estates, Tritax Symmetry, Taylor Wimpey UK Ltd,			
		Richborough Estates Ltd, Warwickshire County Council Property Services).			