



# RUGBY BOROUGH COUNCIL



## LOCAL DEVELOPMENT FRAMEWORK



## PLANNING OBLIGATIONS

## SUPPLEMENTARY PLANNING DOCUMENT

MARCH 2012





# Contents

1. Introduction	4
2. Planning Legislation and Policy Context	5
3. Approach to Contributions	8
4. Open Space	12
5. Indoor Sports Facilities	17
6. Transport	20
7. Air Quality	22
8. Education	25

Appendix 1 Open Space  
Appendix 2 Transport  
Appendix 3 Air Quality

# 1 INTRODUCTION

## 1.1. Background to this Document

1.2. The Borough of Rugby will continue to be a focus for a significant level of development during the Core Strategy period, with around 10,800 new residential units planned for the borough, as well as new employment, retail and leisure development up to 2026.

1.3. This planned level of growth will result in increased pressure on local infrastructure, services and facilities and will create a need for additional provision within the borough. Planning obligations are an effective tool to secure the necessary infrastructure and services required as a result of development and to therefore ensure that the negative impacts of development on infrastructure and services can be adequately mitigated.

## 1.4. Purpose of this Supplementary Planning Document

1.5. This SPD seeks to ensure that the negotiation process is conducted with fairness and consistency and it is intended that the document be used as a starting point in the negotiation process. Clarifying the use of planning obligations provides an indication of what the Council may expect from developers and therefore a better framework for discussion.

1.6. It should be noted from the outset that the SPD does not attempt to specify all of the planning obligations that may be necessary to mitigate the impacts of every development. Other planning obligations may be required that are not set out in this SPD due to site specific or local circumstances.

## 1.7. Status of the SPD

1.8. This Supplementary Planning Document will, once adopted, form part of the Rugby Borough Council's Local Development Framework. However, SPDs do not have the same status as Development Plan Documents, which establish formal policy. The SPD supplements the policies and proposals of the Development Plan and other relevant national, and local policies where appropriate.

1.9. It should be noted that all residential developments involving 15 or more market dwellings should have a section 106 agreement in relation to affordable housing contributions, as required by Core Strategy Policy CS19. Affordable housing contributions are detailed in the Housing Needs SPD and are therefore not considered further in this Planning Obligations SPD.

## 2 PLANNING LEGISLATION AND POLICY CONTEXT

### 2.1 Planning Obligations

2.2 Planning obligations are an extension of planning conditions but will enter the developer into a legal commitment (Section 106 Agreement) to undertake specific works, provision of land / facilities, or provision of a financial contribution towards the delivery of a service or piece of infrastructure. Planning obligations are set out in Section 106 of the Town and Country Planning Act 1990, with Government Circular 05/2005 providing the framework for appropriate use. Such Section 106 Agreements are intended to secure the necessary site specific requirements to make an individual proposal 'acceptable' in planning terms.

2.3 Following implementation of Community Infrastructure Levy Regulations 2010, the use of Section 106 will be scaled back to site specific elements and affordable housing. The 'five tests' outlined in Government Circular Guidance 05/2005 have been condensed to three (CIL Regulation Section 122 (2)), and legally restricted for use on the following basis (any obligations will, by their very nature, need to be enforceable):

"A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- **necessary to make the development acceptable in planning terms;** *Planning obligations should be used to make acceptable development which would otherwise be unacceptable in planning terms in accordance with local, regional or national planning policies.*
- **directly related to the development;** *Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement.*
- **fairly and reasonably related in scale and kind to the development.** *For example, developers may reasonably be expected to pay for or contribute to the cost of all, or that part of, additional infrastructure provision which would not have been necessary but for their development.*

### 2.4 Community Infrastructure Levy

2.5 As part of the changes introduced under the Planning Act 2008, the new mechanism called the Community Infrastructure Levy (CIL) was introduced to provide greater consistency in the charging of planning obligations.

2.6 The main concept behind CIL is to provide a standard charge (or set of charges) that can be levied on all new development. The levy is charged on the basis of '£

per square metre' for new floor space. It can be spent on (or contribute towards) new or improved infrastructure deemed necessary to deliver the Local Development Framework.

- 2.7 In general, the move towards CIL will mean that all new development will contribute on a consistent basis, regardless of the site specific characteristic of the proposal. Rugby Borough Council will shortly be consulting on its Draft Charging Schedule, and hope to adopt CIL in 2013.
- 2.8 CIL and Pooling of Contributions
- 2.9 Whilst the introduction of CIL is not mandatory for local authorities, section 123 (3) of the CIL regulations 2010 provides that after 6th April 2014 contributions from more than five planning obligations will not be able to be pooled for infrastructure that could be covered by a Community Infrastructure Levy.
- 2.10 On adoption of a CIL there will be a need to review and amend this SPD in accordance with the relevant regulations and guidance, to identify which infrastructure types may be dealt with using a CIL approach and which may continue to be addressed through planning obligations.
- 2.11 The CIL will be the main vehicle for pooling in the future with agreements being used for direct impact mitigation of the proposed developments.
- 2.12 Rugby Borough Development Plan Policies
- 2.13 In line with the proposed growth of Rugby Borough Core Strategy Policy CS10 allows for provision to be made, to improve the existing level of physical and social infrastructure to support the Borough's needs. The type, amount and phasing of contributions sought from developers will be related to the form and scale of the development, its potential impact on the site and surrounding area and the levels of existing infrastructure and community facilities.
- 2.14 The policy highlights that financial viability of a development site will be taken into consideration. This Planning Obligations SPD will outline the procedures of Rugby Borough Council in the negotiation of planning contributions which should be read in conjunction with this policy.
- 2.15 Core Strategy Policy CS11 Transport and New Development promotes the use of sustainable transport modes where any proposed new development causes any unacceptable impacts upon the Borough's transport network. In applying for planning permission the Council will, where appropriate require developers to submit transport assessments or statements outlining the impacts of the development and the package of measures that will be put forward to mitigate against any unacceptable impacts. The policy highlights that the Planning

Obligations SPD will set the car parking standards and the thresholds for when transport assessments will be required.

- 2.16 Policy LR1 of the Development Plan identifies the types of open space that will be required from developments and sets out open space standards to provide adequate provision for residents. Policy LR1 is informed by the Open Space Audit 2003 and standard are to be revised in the Councils next Development Plan Document which will be informed by the up to date evidence.
- 2.17 In order to do this all new development will need to make provision for the end users. When deciding on a type of open space or the level of contribution to be made, regard will be had to the Open Space Audit and Open Space Strategy.
- 2.18 Policies H11 and H12 set out that developments on sites of 0.2 hectares or more and/or capable of accommodating 6 or more dwellings will where appropriate, be required to make provision for open space and will be expected to provide adequate amenity greenspace.
- 2.19 Developers will be required to take measures during the development process to prevent the disturbance of wildlife and to make provision for the protection and subsequent retention of natural features and necessary habitats. Where loss of habitats is unavoidable, adequate mitigation measures should be undertaken and only where this is not possible, adequate compensation measures should be implemented. The Council may seek long term management plans which will be secured by planning conditions or obligations.

### **3 APPROACHES TO CONTRIBUTIONS**

- 3.1 This section sets out the general approach that the Council will take in seeking the provision of additional infrastructure, or contributions, from developers. Specific approaches for each infrastructure type are set out in the following sections of this document.
- 3.2 Thresholds for Contributions
- 3.3 Where the thresholds for contributions are not set out within the development plan policies the Council will seek contributions from residential developments of 10 units or more. The threshold is ascertained from the Councils working experience of viability assessments and is also linked to the definition of small scale major residential developments. This threshold might be varied on a case by case basis depending on the local conditions.
- 3.4 Approach to outline applications
- 3.5 For sites where the dwelling mix has not been specified at outline stage the agreement can be designed to reflect the agreed infrastructure costs by dwelling size, to be calculated at reserved matters stage. This will be based on formula mechanisms set on in the original agreement or unilateral undertaking.
- 3.6 Circular 01/2006 'Guidance on Changes to the Development Control System', effective from August 2006, requires that a Design and Access Statement must accompany all planning applications. This statement must include a minimum level of detail, including the number of dwellings. Contributions will be applied on this basis.
- 3.7 On-site or Off-site Contributions
- 3.8 Where the scale and nature of development justifies the mitigation of impacts directly, the Council will generally seek to ensure that the development addresses its impacts on-site. An example of this may include the provision of a children's play area. Where it is possible to mitigate the impact of development on site, the provision of the necessary infrastructure should be designed into the overall scheme from the outset.
- 3.9 Where it can be demonstrated that direct mitigation through the provision of infrastructure can not be accommodated on site then off site provision should be sought next. The developer will be expected to take the lead in identifying and proposing suitable sites for off-site provision, following negotiations with relevant bodies. It should be noted that for some development sites it may be necessary to have a combination of both types of mitigation.



- 3.10 For smaller-scale development, it will often be a disproportionate response to its impacts to require the direct provision of new infrastructure. In these instances the Council will seek financial contributions, which can be pooled to mitigate the cumulative impacts of small scale development, where there is robust evidence that the planning obligation would meet the tests of CIL Regulation 122(2) and where there is a clear audit trail to show how the money will be spent.
- 3.11 Protocol for the negotiation, drafting and completion of Section 106 Agreements
- 3.12 Preparation of an Agreement
- 3.13 When submitting a planning application, where there may be a need for a contribution and there is a requirement to enter into a Section 106 Agreement, it may be necessary to ensure that sufficient information is provided and accurate instructions are complete and factually correct when submitted to allow for the Agreement to be drawn up. Proposed Heads of Terms should accompany applications to allow early consideration of proposals. The following information should also be provided to ensure agreements can be dealt with promptly:
- Name and address of applicant
  - Name and address of owner of land, if not above
  - Name and address of any other party to the Agreement
  - Precise details of what is included in the Agreement
  - Dates and/or timescales of when the requirements are to be met
  - Details of any financial payment i.e. from whom to whom; when; and how much
  - Details of any bond or arrangement for payment of supervision fees
  - Details of any mortgagees (who must be made parties to the agreement)
  - 6 copies of a site plan – application site edged red and any other requirements coloured appropriately
  - Proof of title to land provided prior to the signing of the agreement
- 3.14 An application which fails to be accompanied by proposed head of terms or an agreement will still be validated but may be refused if the authority considers that an Obligation is required but is not being proposed.
- 3.15 Details of any legal representatives acting on behalf of the applicant in preparing any Agreements should also be provided.
- 3.16 It is essential to have all this information to ensure that the draft agreement is in as near as final form as possible. This will ensure that applications can be dealt with quickly minimising any delays due to insufficient information being submitted with the application.

3.17 Drafting the Agreement

3.18 Applicants can prepare their own agreements and a standard document to assist in the drafting of the agreement can be obtained from the Legal Services team. Where the applicants chooses to ask the Council legal team to prepare an agreement the applicant will expected to meet the costs

3.19 Early contact with the Local Planning Authority to ascertain the type of contributions is recommended.

3.20 The following diagram show the stages normally carried out during pre-application discussions regarding planning applications.

Applicant refers to the Development Plan and all other material consideration including this SPD



Applicant provides initial proposals for discussions with planning officers. These proposals should be within the developers interpretation of Council Policy



Applicant to provide their own initial assessment for the impact of the development and suggests the likely required planning obligations (both in-kind and financial)



The planning officer makes an initial assessment of the impacts of the development whether they are acceptable and whether planning obligations may mitigate them. The planning officer gives advice without prejudice to assist the applicant in preparing a proposal that is likely to accord with Council policy and guidance on the documents required to make the application valid.



The planning officer may advise what planning obligations are likely to be required and the nature and scale of those obligations following consultation with key stakeholders. If any issues of viability are raised at this stage, the officer may request a financial appraisal to be submitted as part of the application.



Heads of terms/unilateral undertaking/draft section 106 agreement are prepared

### 3.21 Viability

- 3.22 Where a disagreement arises about financial viability and the level of planning obligations sought, the applicant will be expected to provide the Council with evidence to support their case. The Council expects the viability assessment to be undertaken in line with its Affordable Housing Viability Assessment June 2010 or any subsequent version of this document. Alternative comprehensive financial appraisals may be acceptable provided that full details of the methodology utilised are also submitted. The evidence will often be assessed in house. However in some circumstances it may be necessary to reach an understanding about conducting and evidencing a detailed open book financial appraisal. In complex cases the LPA will ask the applicant to agree to bear the cost of appointing a suitably qualified independent consultant to undertake an independent assessment of their submission.
- 3.23 Where there are significant financial issues arising for the third party public bodies responsible for providing infrastructure, the LPA will also expect that body to commit to this assessment process and its conclusions.
- 3.24 Viability issues should be considered in pre application discussions. Appraisals or assessments will need to be submitted as part of the application or preferably at the pre-application stage.
- 3.25 Financial viability evidence will be considered to be commercially confidential if the applicant requests it to be. The applicant will need to justify upon submission why the information should be treated as such. However, as the Council is a public body it can be subject to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. As such there can be no guarantees that if a request for information is made, that the Council will not be required to disclose some or all of the information.
- 3.26 The Council will consult with the applicant if a request for information under the Freedom of Information Act or Environmental Information Regulations is received, before deciding whether to release the information. If on submission of financial viability information, the applicant does not request for it to be treated as confidential, then the Council will place this information on the planning application public file.

## 4 OPEN SPACE

- 4.1 The provision of good quality and accessible open space is fundamental to creating environments and improving the quality of the public realm. The Borough Council identifies the importance of the provision of open space whether it be for leisure or recreation and see its provision as vital to the quality of life for those that live and visit the Borough. The Council wish to ensure that developments, which create additional demand for open space, provide facilities or amenities that are of appropriate size and type to meet the needs of the end user. These facilities should be provided through on site provision but can exceptionally be met through financial contributions for enhancements or additions elsewhere in accessible locations.
- 4.2 As required by policies H11 and H12 developments will need to provide adequate amenity green space in accordance with the relevant standard.
- 4.3 Where there are various deficiencies the Council will seek to negotiate a variety of different types of open space to be incorporated within the development.
- 4.4 Exceptionally, where all or part of the provision of need is to be made off site, a financial contribution may be appropriate to allow facilities to be provided or improved in a suitably accessible location. Off site contributions will only be accepted where the proposed development would be of insufficient size or the site characteristics are unfavourable to make the provision of certain types of open space feasible. The off site contribution should be commensurate with the scale of provision that would be required on site.
- 4.5 It should be noted that the provisions of Green Corridor within each of the sub areas is not set within this SPD. However where specific opportunities arise in improving and creating corridors specific to the development site it should be seen as part of the natural and semi natural green space contribution with it improving the quality and accessibility of natural green space.
- 4.6 The Council will also not be seeking contributions for cemeteries and churchyards currently set out policy LR1 as this contribution is now not considered to be compliant with the regulations.
- 4.7 Methodology
- 4.8 Contributions will be sought from developments as set out in policies H11 and H12. These policies state planning permission will be granted for residential development on sites of 0.2 hectares or more and/or capable of accommodating 6 or more dwellings where open space is provided in accordance with the standards set out in Policy LR1.

The provision of open space will be calculated using the following process:

**Stage A**

Firstly establish which open space sub area the development is located referencing the Open Space Sub Area map<sup>1</sup>

**Stage B**

Establish the number of occupants. The average household size of 2.35<sup>2</sup> persons will be multiplied by the number of dwellings on site

**Stage C**

To calculate the proposed development requirement each open space type provision standards<sup>1</sup> (urban or rural depending where the development is located) should be divided by 1000 to establish a per person standard. The per person standard is then multiplied by the number of occupants of the proposed development to give the open space provision requirement for the development

**Stage D**

The open space provision table<sup>1</sup> sets out the current provision of open space in each sub area (surplus/deficiency) against the Development Plan Policy LR1 standards.

Contributions will be sought in the sub area the development is located in where there is an existing under provision of a particular type of open space which will be exacerbated by the proposed development and/or where the provision requirements from the development would result in an under provision.

***A worked example is displayed in Appendix 1***

4.9 Urban Extensions

4.10 A different approach will be taken from the one set out above for the Core Strategy allocated urban extensions due to their scale and site characteristics.

4.11 The Council will seek as much of the open space provision to be met on site with a wide range of open space typologies provided within a network of green infrastructure to meet the needs of its future inhabitants within the site itself.

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<sup>1</sup> Appendix 1

<sup>2</sup> Rugby's Average Household Size source Census 2001

4.12 Off site financial sum

- 4.13 If an off site contribution is to be provided, subject to negotiation with the Council, the following figures will be applied to calculate the relevant costs of providing the open space.
- 4.14 It will be firstly based upon the actual requirements for open space generated by the type, size and location of the development. The rates for the contribution and maintenance costs are based on the following formula which is indexed linked:

“All amounts are payable under the Public Open Space schedule and shall be adjusted in accordance with the following formulae upon the 1<sup>st</sup> April each year with any increases calculated in previous years compounded in to the commuted sum figure within the formulae:

**commuted sum x 0.6A + 0.4B**

**Where A:** is the annual percentage increase up to the month of October immediately prior to the 1<sup>st</sup> April in the index figure contained in the average earnings index (seasonally adjusted) for the whole economy.

**Where B:** is the annual percentage increase up to the month of October immediately prior to the 1<sup>st</sup> April in index figure contained in the general index of retail prices.”

4.15 As a guide current figures are based around the following costs but each site's requirements may differ and these figures may be subject to change dependent upon the size, location and usage of the site. These figures are also subject to yearly changes. These figures are based on current contract/maintenance costs:

4.16 Maintenance costs (applicable to on site provision where agreed):

Open Space Type	Cost per sq metre	Term
Parks and gardens (formal parks etc)	0.95p	10 years
Amenity green space	0.54p	5 years
Natural/semi natural	0.57p	5 years
Provision for children/young people	£2.91	10 years
Formal outdoor sport sites	0.63p	5 years
Allotment provision	0.34p	5 years
Green corridor-native plantation	£2.79	First 3 years
	£1.39	Following 7 years
Formal planting – Trees/shrubs	£2.79	First 3 years
	£1.39	Following 7 years

4.17 Development costs (only applicable for off site provision of Public Open Space):

Open Space Type	Cost per Sq metre
Parks and gardens (formal parks etc)	£171
Amenity green space	£9.69
Natural/semi natural	£8.55
Provision for children/young people	£128.25
Formal outdoor sport sites	£11.69
Allotment provision	£6.33
Green corridor – native plantation shrubs & tress	£10.83
Formal planting – trees/shrubs	£10.83

4.18 Maintenance costs (applicable to off site provision where agreed):

Open Space Type	Cost per sq metre	Term
Parks and gardens (formal parks etc)	0.95p	10 years
Amenity green space	0.54p	5 years
Natural/semi natural	0.57p	5 years
Provision for children/young people	£2.91	10 years
Formal outdoor sport sites	0.63p	5 years
Allotment provision	0.34p	5 years
Green corridor-native plantation	£2.79	First 3 years
	£1.39	Following 7 years
Formal planting – Trees/shrubs	£2.79	First 3 years
	£1.39	Following 7 years

4.19 It is important that the Sports and Recreation department and the Parks and Grounds department are contacted at an early stage to ensure that the types of open space and costs are correct and the most up to date.

4.20 Planning conditions and legal agreements will then be used to secure the implementation of the applied open space provision in accordance with a timetable to be agreed with the Local Planning Authority.



## 5 Indoor Sports Facilities

- 5.1 PPG17 Planning for Open Space, Sport and Recreation, states that: 'Local authorities should ensure that provision is made for local sports and recreation facilities (either through an increase in the number of facilities or through improvements to existing facilities) where planning permission is granted for new developments (especially housing).
- 5.2 The adopted Sport and Recreation Strategy 2009-2012 sees the vision for the Borough as 'an active and healthy community'. It states that this can only be realised by:
- Changing the culture and community view of sport and activity;
  - Addressing the key inactivity trends and barriers to participation;
  - Bringing together all partners to use sport and active recreation to improve the quality of people's lives by creating sustainable opportunities to start, stay and succeed in sport and active leisure activities.
- 5.3 This is further supported by the Rugby Active Network which has the increase in participation as one of its three aims. Their aims are:
- To increase number of people taking part in sport and active recreation by 1% year on year (Central Government target);
  - To widen access to opportunities for sport and active recreation especially in under represented groups such as older people, women and girls, ethnic minorities and people with disabilities;
  - To bring together and align partners' existing priorities and targets within one joined up local action plan for sport based on the needs of the local communities.
- 5.4 Core Strategy Policy CS10 highlights the need to mitigate the likely impact of new developments on local infrastructure, facilities and services. The Council commissioned a Sports Facility Strategy (2011) covering the period up to 2026 to enable Rugby Borough Council to effectively deliver leisure services to meet the Borough's current and future population.
- 5.5 The Sports Facility Strategy (SFS) reflects work carried out by Sport England on the level of provision that an area should have ensuring that a strategic network of facilities is in place to cater for the needs of the population in 2026.
- 5.6 The SFS applies information on facility participation and projecting the future population profile to identify the future additional need by comparing this to what already exists.

Provision	Shortfall by 2026
Swimming Pools	122m <sup>2</sup>
Health & Fitness	130 gym stations
Sports Halls	16 courts

5.7 A shortfall in indoor tennis and bowls facilities was also identified however they are of insufficient scale to require a new facility therefore no contributions will be sought for these provisions.

5.8 The strategy sets out a series of recommendations for increasing existing provision to ensure that there are adequate leisure facilities to meet the needs of the future residents.

5.9 **Contributions formula**

5.10 Contributions will be sought for all residential developments of 10 units or more to meet the West Midlands provision standards for swimming, health & fitness, sports halls and indoor bowls in 2026.

Provision	Standard	Cost of provision
Swimming Pools(m <sup>2</sup> )	11.18 m <sup>2</sup> per 1000 population 0.01 per person	£2,535 per m <sup>2</sup> <sup>3</sup>
Health & Fitness	4.12 gym stations per 1000 population 0.00412 gym stations per person	£3,000 per station <sup>4</sup>
Sports Hall	0.32 courts per 1000 population 0.00032 courts per person	£654,266 per court <sup>3</sup>

<sup>3</sup> Sport England Sports Facilities Costs – 2<sup>nd</sup> Quarter 2011

<sup>4</sup> based on Leisure Centre costs

## Indoor Sports Facilities Contributions Calculation

Stage A: Number of Dwellings x 2.35 (average household size) = Estimated development population

Stage B: Total estimated development population x cost of each of the provision type = contribution

**Example;** 40 dwelling development

Stage A:  $40 \times 2.35 = 94$

Stage B:

Swimming Pools Contribution       $94 \times 0.01 \times £2,535 = £2,382.90$

Health and Fitness Contribution     $94 \times 0.00412 \times £3,000 = £1,161.84$

Sports Halls Contribution           $94 \times 0.00032 \times £654,266 = £19,680.32$

Contributions will only be sought where there is an identified scheme which the monies will fund identified by the Sports and Recreation Department.

## 6 TRANSPORT

- 6.1 The responsibility for traffic and transport primarily lies with Warwickshire County Council as the Local Highway Authority, with the Highways Agency being responsible for the Motorway and Trunk Road Network.
- 6.2 Rugby's Core Strategy Policy CS11 identifies the importance of integrating land use and transport policies, which will play a vital role in creating more sustainable patterns of development for the future. The policy seeks to ensure that those developments which generate traffic will contribute positively towards the safe, efficient and easy movement of people and goods throughout the Borough in order to create an integrated and sustainable transport network for Rugby.
- 6.3 Where the existing transport infrastructure cannot accommodate additional demands generated by development, measures will be sought to reduce the impacts to an acceptable level. Developments will normally only be permitted where there is sufficient capacity within the transport network to accommodate the demands generated by the new development. To ensure that there is no detrimental impact on safety or free flow of traffic, assessments should be undertaken to demonstrate that the transport network can accommodate the level of development proposed or that mitigation measures (for example the delivery of a travel plan or contributions towards transport infrastructure, services or facilities) can be provided to make development proposals acceptable.
- 6.4 Transport Assessments
- 6.5 The Council therefore expects for those developments that may impact upon existing infrastructure to provide Transport Assessments to be submitted with planning applications to allow for full consideration to be given as to the requirements needed to offset unacceptable impacts of that development on the transport network.
- 6.6 Transport Assessments and Transport Statements will be required in accordance with national guidance, to assess the impact and acceptability of new development proposals.
- 6.7 Transport assessments should demonstrate where improved access to development by public transport, walking and cycling will be necessary, and whether the existing network is capable of accommodating the additional users generated by the scheme.
- 6.8 The thresholds for when Transport Assessments and Statements will be required can be found in appendix B of the Guidance on Transport Assessment. Other developments that fall outside of these thresholds may also require supporting

transport information this will be determined by WCC as Local Highway Authority. Early pre-application discussion is recommended to agree what level of supporting transport information should be submitted to support the planning application.

- 6.9 In addition to the use of planning conditions and Section 278 Agreements (under the Highways Act 1980), planning obligations will be required to ensure the necessary infrastructure improvements are secured and implemented.
- 6.10 Sustainable Development
- 6.11 Planning Policy Statement 1: Delivering Sustainable Development (PPS1) (2005) promotes high-quality, inclusive design in the layout of new developments and individual buildings, in terms of their function and impact, over the lifetime of the development.
- 6.12 As part of inclusive design and sustainable development the Council has produced its Car Parking Standards which are contained within Appendix 2.
- 6.13 Planning authorities should also expect new development to create and secure opportunities for sustainable transport in line with PPG13 (see below) including through the preparation and submission of travel plans providing for safe and attractive walking and cycling opportunities. The Land Use and Transportation Strategy contained within Part B of the Warwickshire Local Transport Plan 2011–2026 principle aim is to encourage new development in Warwickshire to be sustainable. Policy LUT 3 of the Local Transport Plan identifies that the County Council will promote sustainable development and seek developer contributions, where appropriate, to provide for public transport, community transport, pedestrian and cycling services and/or facilities and travel plans/travel packs to serve new development.
- 6.14 Appendix 2 of this SPD contains an extract from the Local Transport Plan which sets out the criteria for assessing sustainable development and the sustainable transport measures that can be required. The content represents the starting point for negotiations about the levels of sustainable transport contribution and/or measures required which would make a development more sustainable
- 6.15 It is important at an early stage that contact is made with the Local Planning Authority and County Council to ascertain the nature and likely extent of contributions. Where development is located close or adjacent to the motorway and trunk road network, early engagement should also be undertaken with the Highways Agency.

## 7 AIR QUALITY

- 7.1 The urban area of Rugby town and Dunchurch was designated as an Air Quality Management Area (AQMA) under the Environment Act 1995 on 16th December 2004 due to air quality and not being able to meet government standards for nitrogen dioxide (NO<sub>2</sub>). The AQMA designation map is contained within appendix 3.
- 7.2 The AQMA is affected by the key main routes in the Borough such as Newbold Road (from the Avon Mill roundabout), Corporation Street and the Warwick Street gyratory system, and roads leading off these roads, mainly Oliver Street, Lawford Road, Bilton Road, Lawrence Sheriff Street and Dunchurch Road. This is due to the high traffic flows that occur within the town centre, particularly in the north/south and east/west corridors. Whilst the Air Quality Action Plan (AQAP), produced to work towards meeting air quality standards and objectives in the borough, identified measures such as the Western Relied Road to alleviate traffic flows thus improving air quality within the key routes the Council's annual review of air quality within the borough demonstrates that NO<sub>2</sub> continues to exceed national air quality objective levels.
- 7.3 National planning policy requires particular attention to be paid to development within or close to areas formally designated as air quality management areas (AQMA's). In certain circumstances, air quality issues within AQMA's may be sufficient for planning permission to be refused, but there is no blanket presumption against development within AQMA's.
- 7.4 The three ways in which a development may have a significant impact are:
- If the development has the potential to cause deterioration in local air quality (i.e. once completed it will increase pollutant concentrations).
  - If the development is located in an existing area of poor air quality (i.e. it will expose future occupiers to unacceptable pollutant concentrations).
  - If the demolition / construction phase will have a significant impact on the local environment (e.g. through fugitive dust and exhaust emissions).
- 7.5 The Council seeks to ensure that new development does not result in a significant increase in the production of air pollutants that will hinder the achievement of its objectives set out in its [Air Quality Strategy](#).
- 7.6 [Air Quality Assessments](#)
- 7.7 As a general rule, an air quality assessment (AQA) will be required where the development is anticipated to give rise to significant changes in air quality. These changes may arise during both the construction and operational phases. There will also be a need to assess air quality implications of a development where a significant change in relevant exposure is anticipated, such as when new residential properties are proposed in an area known to experience poor air quality.

7.8 The type of AQA required should be proportionate to the likely significance of any air quality impact that may be presented.

7.9 The following criteria are provided to help establish when an AQA is likely to be considered necessary (source- Development Control: Planning For Air Quality 2010 Update):

- Proposals that will generate or increase traffic congestion, where 'congestion' manifests itself as an increase in periods with stop start driving;
- Proposals that will give rise to a significant change in either traffic volumes, typically a change in annual average daily traffic (AADT) or peak traffic flows of greater than  $\pm 5\%$  or  $\pm 10\%$ , depending on local circumstances (a change of  $\pm 5\%$  will be appropriate for traffic flows within an AQMA), or in vehicle speed (typically of more than  $\pm 10$  kph), or both, usually on a road with more than 10,000 AADT (5,000 if 'narrow and congested');
- Proposals that would significantly alter the traffic composition on local roads, for instance, increase the number of Heavy Duty Vehicles (HDS) by say 200 movements or more per day, due to the development of a bus station or an Heavy Goods Vehicles (HGVs) park (professional judgement will be required, taking account of the total vehicle flow as well as the change);
- Proposals that include significant new car parking, which may be taken to be more than 100 spaces outside an AQMA or 50 spaces inside an AQMA. Account should also be taken of car park turnover, i.e. the difference between short-term and long-term parking, which will affect the traffic flows into and out of the car park. This should also include proposals for new coach or lorry parks. These criteria are designed to trigger the requirement for the assessment of traffic on the local roads. It may also be appropriate to assess the emissions from within the car park itself;
- Developments which may significantly affect nitrogen deposition to sensitive habitats;
- Introduction of new exposure close to existing sources of air pollutants, including road traffic, industrial operations, agricultural operations etc;
- Proposals that include biomass boilers or biomass-fuelled CHP plant (there is no established criterion for the size of plant that might require assessment. Reference should be made to Environmental Protection UK's guidance on biomass);
- Consideration should be given to the impacts of centralised boilers or CHP plant burning other fuels (e.g. gas or oil) within or close to an AQMA.
- Proposals that could give rise to potentially significant impacts during construction for nearby sensitive locations, e.g. residential areas, areas with parked cars and commercial operations that may be sensitive to dust;
- Large, long-term construction sites that would generate large HGV flows (>200 movements per day) over a period of a year or more.

7.10 Assessments may not be required in all cases and a judgment will be made by the Council's Environment Services Environmental Protection Officer (Air Quality and Contaminated Land) in conjunction with planning officers and the highways authority depending upon local circumstances. Equally, there may be circumstances where an assessment is required even though the changes are below those shown above.

7.11 Planning Contributions

7.12 Applicants should contact the Council's Environment Protection Officer (Air Quality and Contaminated Land) to discuss the implications of proposed developments on air quality, which could lead to the redesign of a scheme where applicable to mitigate impacts or planning obligation could be implemented to offset any increases in local pollutant emissions.

7.13 The following mitigation measures may be required (list not exhaustive):

- Measures during the construction of new development including dust control, site monitoring and plant emissions;
- Improved access to public transport;
- The provision of on and off site facilities for cycling and walking;
- The management of car parking;
- Traffic management;
- Road infrastructure improvements;
- Green Travel Plans;
- Monitoring of air pollution

**Further guidance on air quality is provided in the Council's Environmental Services publication "Air Quality Guidance Note For Developers".**



## 8 EDUCATION

- 8.1 New residential development will create additional demand for education facilities and place pressure on existing facilities. In order to alleviate this additional pressure, new education facilities (including extensions and improvements to existing schools) will need to be created within the borough. Developer contributions towards educational facilities will be calculated based upon the capital costs of providing additional school places to meet the needs generated from new development.
- 8.2 Education facilities are important assets for the local community, not only as places of learning for school age children, but increasingly as community facilities capable of providing life long learning and family support outside school hours.
- 8.3 Providing educational facilities will help to ensure young people can have the skills, knowledge and confidence that will allow them to have fulfilling and successful lives and careers.
- 8.4 Warwickshire County Council pupil forecasts for the Rugby area indicate an increased demand for places at Early Years and Primary places due to a rise in the birthrate within the area. This increased demand means that there are few surplus places at both, Early Years and Primary phases and the County is currently undertaking the expansion of a number of primary sites to increase current capacity
- 8.5 The situation at Secondary is different in that there are currently surplus places within the town but concentrated on one school site in the west of the town. Secondary pupil numbers are forecasted to begin rising again in 2014 and by 2016 there is likely to be a shortfall in places for pupils transferring from primary to secondary. It is difficult to be fully accurate in secondary pupil forecasting in the current context as a number of secondary schools have become Academy Schools and as their own 'Admission Authorities' they have greater autonomy to change their pupil admission arrangements."
- 8.6 For the purposes of this document, education facilities include:
- Early Years (0-4 year old);
  - Primary school places ( 5-11 year olds);
  - Secondary school places (11+ to 16 year olds);
  - Post 16 education places (17 and 18 year olds).
  - Special Education Needs (SEN)

## 8.7 Early Years

8.8 Early Years Contributions are currently only sought in relation to Nursery Education for 3-4 year olds, however it should be noted that in accordance with the Child Care Act of 2006 the Local Education Authority has a sufficiency duty for working parents (i.e. has to ensure that sufficient child care places are available for those who require it) for 0-3 year olds and older children contributions might be sought in the future which will be subject to the appropriate consultation processes.

## 8.9 Primary and Secondary schools

8.10 In line with the Education Act 2011 where there is a need for a new school, WCC will seek the proposals for the establishment of an Academy. WCC welcomes the opportunity to work with potential educational providers to consider proposals to provide other styles of educational provision that will increase opportunities for young people in Warwickshire, will contribute to raising levels of attainment and achievement and will not adversely affect the provision and distribution of school places.

8.11 WCC retains responsibility for ensuring the sufficiency of school places but is not the sole provider. WCC's role will be that of facilitator and commissioner rather than that of provider. That role will include ensuring that the pattern, distribution and sufficiency of school places is appropriate to need.

## 8.12 Post 16 Education Contributions

8.13 Post 16 Education Contributions are currently only sought through this SPD in relation to those pupils who stay on in Warwickshire County Council (WCC) schools. Requests for contributions are based on the current staying-on rate from year 11 to year 12.

8.14 It should be noted that the Local Education Authority has a sufficiency duty for all post 16 education that require them to ensure that sufficient suitable places are available for all young people (16-19 year olds) to stay in full time education from 2013. As a consequence WCC are looking at the circumstances that apply for other providers of post 16 education (e.g. colleges of further education) and will co-ordinate any requests from other providers of Post 16 education.

## 8.15 Special Education Needs

8.16 The latest SEN data that is currently available for Rugby Borough shows that 2.63% of the Nursery Education/Primary age pupils and 4.96% of the Secondary/Sixth Form age pupils have Special Educational Needs (SEN). These percentages reflect the percentage of children in main stream and special schools (excluding those that are not educated by WCC) as a percentage of the total Nursery Education, Primary, Secondary and Sixth Form school population in WCC

schools. In line with the Education Act 2011 suitable SEN places will still be the responsibility of WCC.

#### 8.17 Spare Capacity

8.18 Government Guidance Assessing the Net Capacity of Schools (2002) acknowledges that when planning school places or setting the size of a school, account should be made of the additional space requirements of pupils with SEN and disabilities and their adult assistants. Warwickshire operates a policy of inclusion that provides that it will meet the needs of such pupils in mainstream schools wherever possible.

8.19 Guidance provides that a primary school intake of 30 could be reduced to 27, 28 or 29 to allow extra space for adult assistants or for wheelchair users. The effect of this arrangement is that by allowing for reduced numbers in each class group the total space required increases. So a group of 300 pupils arranged in classes of 30 each would require 10 classroom spaces; if allowance is made for pupils with SEN or disabilities the number in each class might reduce to 27 or 28 which would then require 11 classrooms. Guidance suggests that up to 10% might be allowed to accommodate this need; Warwickshire uses a figure of 5%, the equivalent of about one child per class group.

#### 8.20 Methodology for Calculating Education Contributions

8.21 Education contributions will be sought for all residential development of 10 units or more except:

- Housing specifically for the occupation for the elderly such as sheltered housing and those by virtue of age restrictions;
- 1 bed room properties
- redevelopment / replacement schemes where there is no net increase in the number of residential units consisting of two or more bedrooms
- Contributions towards additional places will not be sought where there is appropriate education establishments that can reasonably accommodate the expected increases in demand for places.
- In every case, an account will be taken of existing surplus places where these are not anticipated to be filled from the existing population or from the impact of other, known development.

8.22 The methodology for calculating contributions towards education involves establishing the need for education related expenditure, generated by the child yield of new development. The average child yield information is applied to the scale, mix and tenure of development in order to derive an estimate of the number of nursery, primary, secondary and higher education age children. Typical capital costs of each school place are then applied to the child population estimates.

### 8.23 Market Child Yield

8.24 The child yield for market (incorporating intermediate housing<sup>5</sup>) dwellings and flats has been established by an assessment of the recent housing development sites at Cawston Grange and Coton Park.

8.25 The properties were cross referenced with the Pupil Level Annual School Census (PLASC) data. The PLASC data enables the identification of the number of pupils from the development sites attending Warwickshire County Council schools providing an average pupil yield per year group for nursery, primary, secondary and sixth form education. The pupil yield used has been calculated using data relating to the number of pupils attending Warwickshire County Council schools in Reception to Year 4 who will then go through the school system.

### 8.26 Social Housing Child Yield

8.27 The child yield for social housing properties has been established using the Council's Housing Allocation Policy (HAP) which sets out the qualifying criteria for all social rented properties. The HAP is used to allocate all social property and it offers the most relevant basis for calculating the likely numbers of young people<sup>6</sup> arising from social housing on new developments and from that, the numbers of pupils attending school. The HAP means for example that there are no new 3 bedroom social properties that will have less than 2 young people or more than 3. The child yield used is the average number of dependents that can be established for each number of bedrooms based on the HAP.

8.28 The evidence on child yields from different tenures of residential development has clearly shown that there is disparity between the yield from market dwellings and that from social housing dwellings. On the majority of sites this does not cause a problem in terms of scale and distribution of school infrastructure provision but in certain exceptional circumstances a particularly high proportion of social housing dwellings on a large scale development site can place a burden on existing school infrastructure that is difficult to mitigate.

8.29 For this reason, the Council will work with WCC to create a bespoke approach (i.e. an approach that varies from that set out in this SPD) to education contributions on sites where more than 15% of the total dwellings are of a social housing tenure. In line with Core Strategy policy CS19, the Council's Housing Need SPD target for large scale development sites is that 30% of dwellings are social housing and this remains the Council's policy.

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<sup>5</sup> There are no nomination rights for intermediate housing unlike social housing.

<sup>6</sup> Young people are defined as 0-18 years old, providing 18 single age groups within the data set, 12 of which (Years R to Year 11) are of school age.

- 8.30 Where provision is proposed to exceed 15% both Councils will work closely to ensure that relevant infrastructure is provided appropriately and the bespoke approach will consider site specific conditions to determine this.
- 8.31 Affordable Rent Tenure
- 8.32 The Government announced as part of the October 2010 Spending Review its intention to introduce a new affordable housing model known as affordable rent which was reflected in the revised National Planning Policy Statement 3: Housing (June 2011). Affordable Rent falls within the definition of social housing in section 68 of the Housing and Regeneration Act 2008 and under the model housing associations will be able to offer tenancies at rents of up to 80% of market rent levels within the local area.
- 8.33 This will for the time being replace social rented housing as the main tenure of new affordable housing, and the tenure that will receive the majority of national government funding. Social rented housing will only very rarely be funded by government.
- 8.34 Affordable rent properties will be advertised through the Councils choice based letting scheme UChoose and using the HAP used for social rented properties.
- 8.35 Social Housing Discount Factor
- 8.36 A discount will be applied to social housing<sup>7</sup> properties where the Council has a 100% nomination right. From the introduction of Uchoose on 1<sup>st</sup> April 2010 to 12<sup>th</sup> July 2011 there have been a total of 560 applicants moved to status “allocated”. The number of dwellings that could be occupied by a family with dependents was 204 dwellings.
- 8.37 Of the 204 applicants who were allocated a dwelling 73.04% were without dependents or will not be leaving a property empty (i.e. concealed households or homeless) that could be occupied by another family and were therefore not considered to have an increase demand on education facilities. Residents whose prior tenure before allocation was outside the Borough and Rugby Borough residents who privately rented accommodation or owned a property are considered to be a new demand on the education system.

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<sup>7</sup> social and affordable rented properties

### 8.38 Child Yields

8.39 The below child yield are per 100 dwellings and is applied for the purposes of this SPD are as follows:

Dwelling Type	Market Dwelling Child Yield	Social Rent Dwelling Child Yield <sup>8</sup>
Flat 2 Bed +	1	1.99
2 Bed house	1.11	1.99
3 Bed house	3.48	4.12
4 Bed house	6.01	5.99
5+ Bed house	6.30	6.74
Average	5.11	3.23

8.40 Where an outline planning application is submitted and the mix is unknown the relevant average yield should be used in the calculation for contributions. When the full application is submitted the contributions will be based on the relevant dwelling type child yields as contained within the SPD adopted at the time of application.

### 8.41 Cost Multiplier

8.42 The total number of pupils that are expected to attend each education type within the borough is then multiplied by the standard capital cost of providing one school place per pupil. The resultant cost is at a 4<sup>th</sup> Quarter 2008 datum (being the date of the publication of pupil cost data). The cost should then be adjusted to current costs using nationally Published Tender Price Indices to give an indication of the current value of the contribution required.

8.43 Sources for pupil place cost multipliers:

- Primary, Secondary and Sixth Form pupil place cost multipliers have been based on information published by the DCSF/DfE with an adjustment made to reflect the cost of ICT and site abnormalities (updated figures will be used by WCC Children Young Peoples and Families Directorate when these become available).
- The Early Years/Nursery Education pupil place cost multipliers use the DCSF/DfE Primary place costs.
- Special Education Needs<sup>9</sup> costs are based upon building costs incurred by WCC for these types of provision.
- All costs are expressed at a 4<sup>th</sup> Quarter 2008 datum and will be adjusted according to nationally published indices

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<sup>8</sup> Incorporates the 73.04% discount

<sup>9</sup> Special Education Needs (SEN) is based on the percentage of pupils within Rugby Borough that have a statement of SEN. The contribution is based on the net costs less the base cost of the adjustment of the SEN.

#### 8.44 Pupil Place Costs

<b>Sector of Education</b>	<b>Cost per pupil place for the Expansion of an Existing School</b>	<b>Cost per pupil place for the Provision of a New School</b>
<b>Primary and Nursery</b>	£12,404	£14,559
<b>Secondary</b>	£18,424	£21,214
<b>Sixth Form</b>	£19,609	£23,019
<b>Special Education Needs (Nursery and Primary)</b>	£25,483	£30,000
<b>Special Education Needs (Secondary and Sixth Form)</b>	£36,860	£43,000

#### 8.45 Contributions Formula

- 8.46 Prospective applicants should note that it may be the case that, at the time of their application, some capacity is available within the existing school system. WCC will not seek contributions for any pupil place that is so available but will seek contributions only for the net additional number of places required. Applicants should therefore be aware the formulae set out hereafter will calculate the estimated gross impact of a development against which WCC will allow, wherever relevant, the number of unfilled places available in local schools. Applicants are advised in every case to contact WCC (see 2.47 below) to establish the net impact of the proposed development.
- 8.47 Where a new school is required as a consequence of a new residential development there will be a requirement for sufficient land to be made available to build the new school on or a financial contribution to be made to enable the purchase of a suitable piece of land in a suitable location.
- 8.48 It is recommended that anyone intending to calculate contributions in accordance with the below formula should discuss their intended development with the Group manager of Warwickshire County Council's Capital and Property Resources Group in order to confirm requirements.
- 8.49 The Education Contribution shall be the aggregate of the Primary Contribution, the Secondary Contribution, the Sixth Form Contribution, the Early Years and Primary Special Needs Contribution and the Secondary and Sixth Form Special Needs Contribution for Houses and Flats/Apartments (if/where these are required) calculated in accordance with the following formula:

$(N \times PY/100) \times CBR \times YRS=E$  rounded up or down to give P x either PME or PMN = **Early Years School contribution**

$(N \times PY/100) \times CBR \times YRS=E$  rounded up or down to give P x either PME or PMN = **Primary School contribution**

$(N \times PY/100) \times CBR \times YRS=E$  rounded up or down to give P x either SME or SMN = **Secondary School contribution**

$(N \times PY/100) \times CBR \times YRS=E$  rounded up or down to give P x either VIME or VIMN = **Sixth Form Contribution**

In words:

The number of relevant dwellings multiplied by the applicable pupil yield per hundred dwellings will establish the anticipated number of pupils per year of age. (5yr olds, 6 yr olds etc)

This number will then be adjusted to take account of any rises or falls in the birth rate since the data was compiled.

The adjusted number will then be multiplied by the applicable number of years of school or provision [For example, by seven (x7) for Primary school places; by 5 (x5) for secondary school places etc.]

This will produce the anticipated total number of pupils in each phase of education or provision.

The total number of pupils in each type of provision will be multiplied by the applicable cost multiplier to produce a value.

Applicants are again reminded that this value will reflect a 4<sup>th</sup> Quarter 2008 datum and must be adjusted to give a current or future value.

Payment of contributions will be adjusted from the base date to the date of payment based on indices published by the Building Cost Information Service. (All-in Tender Price Index).



### Special Needs Contribution

The following formula's indicates the number of pupils that SEN contributions will be sought from and the cost. The actual contribution sought will be the net extra cost of a special or adapted place over-and-above the standard cost.

In effect every child is charged at the "basic" rate, an addition is then made for the number of pupils (a percentage of the cohort) at the extra cost of a special or adapted place.

$(N \times PY/100) \times CBR \times YRS \times 2.63 = E$  rounded up or down to give P x either PME or PMN = **Early Years School contribution**

$(N \times PY/100) \times CBR \times YRS \times 2.63 = E$  rounded up or down to give P x either PME or PMN = **Primary School contribution**

$(N \times PY/100) \times CBR \times YRS \times 4.96 = E$  rounded up or down to give P x either SME or SMN = **Secondary School contribution**

$(N \times PY/100) \times CBR \times YRS \times 4.96 = E$  rounded up or down to give P x either VIME or VIMN = **Sixth Form Contribution**

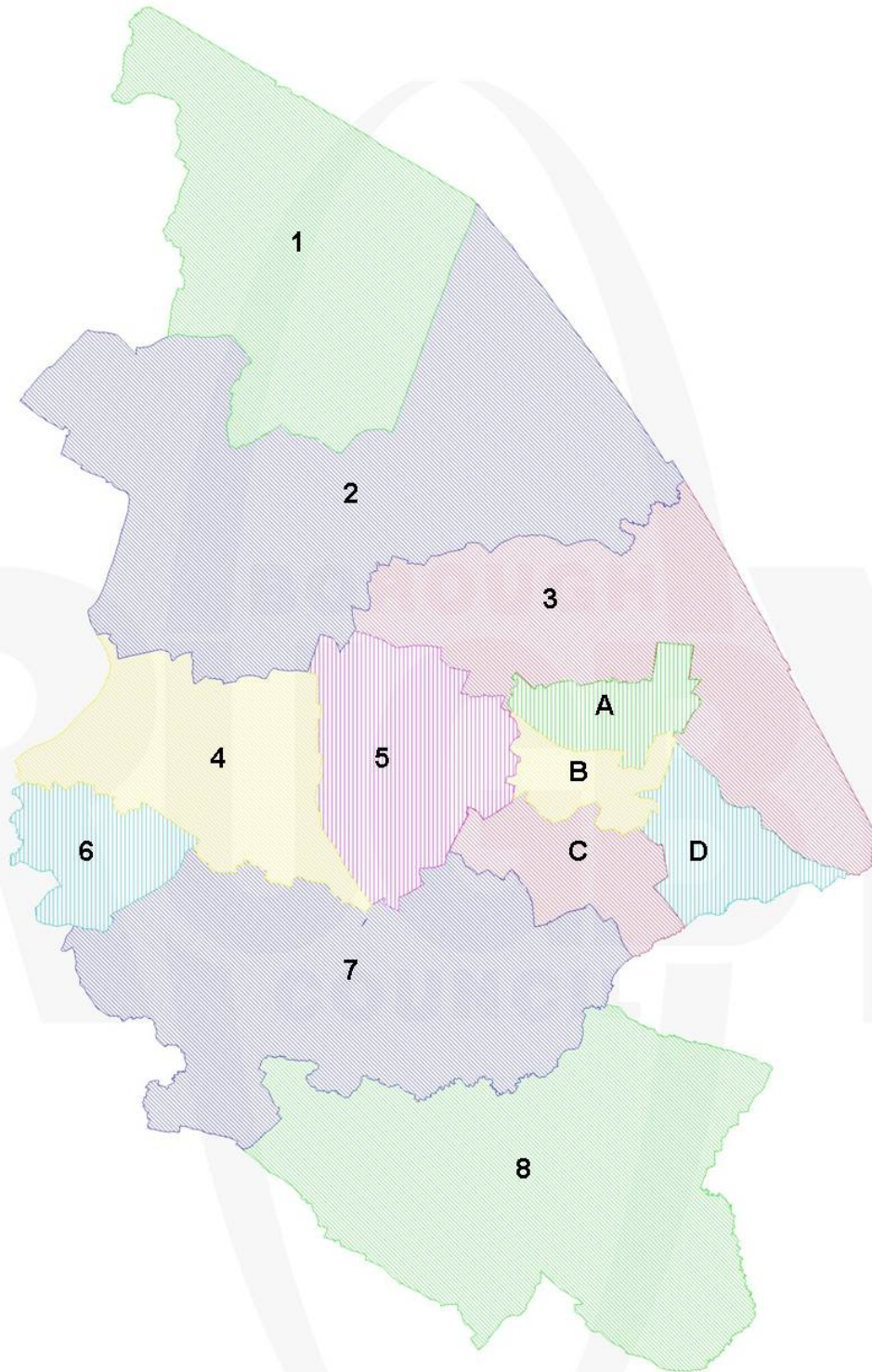
- 8.50 Please note that those elements with an asterisk shown against them (below) are subject to update and revision. The amount will be calculated using the number of "relevant" dwellings to be built on the development site.
- 8.51 Relevant Dwelling for the purposes of this Schedule shall mean any Dwelling permitted on the Planning Permission excluding any Dwelling having only one bedroom and any Dwelling having two bedrooms which is designed and built specifically for use by elderly persons.

- N= Permitted number of relevant dwelling
- PY= Pupil Yield for relevant number of bedroom dwelling or where the mix is know use of average
- 100= 100 dwellings
- CBR\* = The change in the Crude Birth Rate since the PY (2010 CBR for Rugby Borough of 12.74 using the ONS Mid Year Population Figures divided by the 2006 CBR for Rugby Borough of 12.10 using the ONS Vital Statistics Form 1 Figures)
- YRS= Relevant school years –  
 1 early years  
 7 primary school  
 5 secondary  
 0.88\* Sixth form ( the average stay on rate of 44% per year group multiplied by the two years of sixth form education)
- E= Effective number of additional places
- P= The rounded number of additional places
- PME\* = The 2008/09 DCSF Primary Pupil Place Cost Multiplier of £12,404 to provide additional facilities at existing schools and including ICT and site abnormalities
- PMN\* = The 2008/09 DCSF Primary Pupil Place Cost Multiplier of £14,559 for the provision of places at a new school and including ICT and site abnormalities
- SME\* = The 2008/09 DCSF Secondary Pupil Place Cost Multiplier of £18,424 to provide additional facilities at existing schools and including ICT and site abnormalities
- SMN\* = The 2008/09 DCSF Secondary Pupil Place Cost Multiplier of £21,214 for the provision of places at a new school and including ICT and site abnormalities
- VIME\* = The 2008/09 DCSF Sixth Form Pupil Place Cost Multiplier of £19,609 to provide additional facilities at existing schools and including ICT and site abnormalities
- VIMN\* = The 2008/09 DCSF Sixth Form Pupil Place Cost Multiplier of £23,019 for the provision of places at a new school and including ICT and site abnormalities
- PSNME\* = Early Years and Primary Special Needs Pupil Place Cost Multiplier of £25,483 for the provision of additional facilities at existing schools and including ICT and site abnormalities
- PSNMN\* = Early Years and Primary Special Needs Pupil Place Cost Multiplier of £30,000 for the provision of places at a new school and including ICT and site abnormalities
- SSNME\* = Secondary and Sixth Form Special Needs Pupil Place Cost Multiplier of £36,860 for the provision of additional facilities at existing schools and including ICT and site abnormalities
- SSNMN\* = Secondary and Sixth Form Special Needs Pupil Place Cost Multiplier of £43,000 for the provision of places at a new school and including ICT and site abnormalities
- 2.63%\* = Average number of early years and primary pupils that have statement for special needs in the Rugby Borough Council Area (excluding those that are not educated by Warwickshire County Council)
- 4.96%\* = Average number of secondary and sixth form pupils that have statement for special needs in the Rugby Borough Council Area (excluding those that are not educated by Warwickshire County Council)

**APPENDIX ONE  
OPEN SPACE SECTION**



# OPEN SPACE SUB AREA MAP



## Rural sub areas

1. Wolvey
2. Fosse
3. Avon & Swift
4. Earl Craven & Wolston
5. Lawford & Kings Newham
6. Ryton - on - Dunsmore
7. Dunchurch & Knightlow
8. Leam Valley

## Urban sub areas

- A. Newbold North  
Brownsover
- B. New Bilton  
South Newbold  
North Caldecott  
Benn

## Urban sub areas

- C. Admirals  
Bilton  
Caldecott South  
Overslade
- D, Hillmorton

## OPEN SPACE PROVISION STANDARDS

### **Policy LR1 – Open Space Standards**

**Planning permission will be granted for the provision of open space, which contributes to the attainment of the Council's Open Space Standards.**

**The Open Space Standards, which are minimum figures, are as follows:**

<b>Open Space Category</b>	<b>Urban</b>	<b>Rural</b>
1. <b>Parks and gardens,</b>	1.5 ha per 1000 pop.	10 ha per 1000 pop.
2. <b>Natural and semi natural green spaces,</b>	2.5 ha per 1000 pop.	10 ha per 1000 pop.
3. <b>Green corridors,</b>	0.4km per 1000 pop	13km per 1000 pop
4. <b>Outdoor sports facilities,</b>	3.5 ha per 1000 pop.	5 ha per 1000 pop.
5. <b>Amenity green space,</b>	1.1 ha per 1000 pop.	0.5 ha per 1000 pop.
6. <b>Provision for children and young people,</b>	0.2 ha per 1000 pop.	0.2 ha per 1000 pop.
7. <b>Allotments and community gardens</b>	0.65 ha per 1000 pop.	0.8 ha per 1000 pop.
8. <b>Cemeteries and churchyards</b>	0.5 ha per 1000 pop.	1.1 ha per 1000 pop.
9. <b>Civic spaces.</b>	None set	None set

## Open Space Provision Table

			Parks & Gardens	Nat & Semi Natural	Amenity Greenspace	Provision for young people & children	Outdoor Sports Facilities	Allotments
		Recommended Provision standard (ha per 1,000 population)	1.5	2.5	1.1	0.2	3.5	0.65
UrbanSub Area	Population*	Balance Surplus/deficiency						
A	14,861		-1.07	-0.52	-0.3	-0.15	-2.66	-0.3
B	19,000		-0.64	-2.26	-0.77	-0.16	-2.1	-0.46
C	21,973		-1.36	-1.9	0.46	0.44	-2.09	0.48
D	17,583		-1.37	-0.38	-0.75	-0.16	0.19	-0.15
			Parks & Gardens	Nat & Semi Natural	Amenity Greenspace	Provision for young people & children	Outdoor Sports Facilities	Allotments
		Recommended Provision standard (ha per 1,000 population)	10	10	0.5	0.2	5	0.8
Rural Sub Area	Population*	Balance Surplus/deficiency						
1	1,986		-10	-6.69	-0.29	-0.2	-3.66	-0.79
2	3,739		43.34	22.2	0.33	-0.14	7.58	0.42
3	2,503		-5.16	1.4	0.17	1.01	-4.19	-0.15
4	5,957		-10	28.97	0.39	-0.18	7.8	0.14
5	3,995		-10	-10	0.77	-0.18	-4.61	-0.09
6	1,791		-10	8.66	18.45	-0.13	-0.97	-0.61
7	6,058		-7.97	39.77	0.62	0.06	-1.02	-0.3
8	1,810		-10	-7.58	0.61	0.3	-3.09	-0.26

\* Population based upon number of households within the sub area multiplied by the average of household size for the Borough (2.35)

## **WORKED EXAMPLE**

The site lies in Rural Sub Area 3 and the proposal comprises 20 dwellings.

Total estimated number of people =  $20 \times 2.35 = 47$  people.

The minimum open space that would be sought is:

Amenity Greenspace: at 0.5 ha per 1000 ( $0.5 / 1000 \times 47$ ) = 0.02 ha

Referring to the open space standards table it is clear that there are specific deficiencies in following open space typologies and the below provision will be required:

Allotments: at 0.8ha per 1000 ( $0.8 / 1000 \times 47$ ) = 0.04 ha

Outdoor Sports Facilities: at 5 ha per 1000 ( $5 / 1000 \times 47$ ) = 0.24 ha

Parks and gardens: at 10 ha per 1000 ( $10 / 1000 \times 47$ ) = 0.47 ha



# **APPENDIX 2**

## **TRANSPORT SECTION**





# **Parking Standards**

## **Rugby Borough Council Parking Standards.**

### **1: Introduction:**

- 1.1 The Parking Standards contained here reflects the guidance set out within national planning policy guidance contained within Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4) and Planning Policy Guidance Note 13: Transport (PPG13). These standards provide guidance on the provision of parking for both residential and non residential development.
- 1.2 The guidance contained here provides guidance on the interpretation of Saved Local Plan Policy T5: Parking Facilities, and should be used to inform negotiations on the provision of parking within new developments. The following standards seek to ensure that sufficient parking is provided within the curtilage of new development sites to avoid parking on the highway and the potential traffic hazards and congestion that may result.

### **2: Parking Standards in practice.**

- 2.1 Rugby Borough Council seeks well designed solutions to all parking provision that will accommodate the likely level of car ownership in any given area and reduces the level of on street parking. Each development proposal will be judged on an individual basis including site location and size, the nature of the proposed development, alternative parking in the vicinity, and alternative methods of transport and ease of accessibility to the site. The emphasis here is to set guidance levels of parking for residential development although where appropriate an alternative level of parking provision may be acceptable, and not exceed those maximum standards set out within PPG 13: Transport for non-residential development. However, where demonstrated to the satisfaction of the Highways Authority alternative provisions may be acceptable where required or suited to particular proposals.
- 2.2 The following standards will work on a sequential basis working from recognising local accessibility levels through to identifying local factors. The approach seeks to apply a different set of standards depending on the availability of alternative means of transport to the car and local characteristics. In areas where public transport, cycling and walking are available as a choice more restrictive parking will be sought. However in areas where there are few realistic alternatives, the car will inevitably remain the dominant means of transport.
- 2.3 This process of determination will be dependant upon whether a proposed development has high or low accessibility to alternative methods of transport. The High Access Zone Plan contained with Section 3 highlights that area of the Borough which is considered to be of high accessibility. The next stage is to take into account important local factors including economic regeneration and environmentally sensitive areas. This stage will determine whether the initial level of parking based on accessibility should be increased or decreased, or remain the same.

## Transport Assessments:

2.4 The following parking standards apply to developments of all sizes. The Borough Council promotes the use of sustainable modes of transport where any proposed development causes unacceptable impacts upon the transport network. In applying for planning permission the Council will, where appropriate require developers to submit transport assessments or statements outlining the impacts of the development and the package of measures that will be put forward to mitigate against any unacceptable impacts.

### 3: Accessibility levels of new development:

#### Stage 1: Standard to be determined by public transportation:

##### Levels of Accessibility

- 3.1 If a development site does **not** have good access to bus **or** train services, then the level of public transport is considered to be “low” and no reduction in the “maximum” parking standard is applied.
- 3.2 If a development site has **both** good access to bus **and** train services **or** has **very** good access to bus services, then the level of public transport is considered to be “high” and a further stage reduction to the “maximum” parking standard is applied. Further details of the area of the Borough considered to have “high” accessibility to public transport within the Borough can be seen within section 4.

**Table A: Accessibility Zones**

Accessibility Zones	Train – 15 minute walk	Bus – 5 minute walk
High Accessibility	✓	✓
High Accessibility		✓
Low Accessibility		

#### Notes:

1. Low accessibility is the base-parking standard that applies throughout the Rugby Borough.
  2. The standards do not preclude zero or minimal parking close to major transport interchanges, or for conversions of existing buildings.
  3. An allowance will be made for land uses, such as leisure, which generate traffic at off-peak times to reflect the reduced level of accessibility to public transport services.
  4. The reduction from maximum standards varies according to land use.
  5. The area of the Borough that is considered to be of high accessibility is defined on the attached High Access Zone plan.
- Very Good Bus Access – These areas include all properties within a five minute (¼ mile, 400m) walk from at least **three** different services, operating on at least 20 minute frequencies during peak times (Monday to Saturday daytime).

- Good Bus Access – These areas include all properties within a five minute ( $\frac{1}{4}$  mile, 400m) walk from at least **two** different services, operating on at least 20 minute frequencies during peak times (Monday to Saturday daytime).
- Good Train Access – These areas include all properties within a 15 minute ( $\frac{3}{4}$  mile) walk from Rugby railway station, which has a good level of service during peak times (Monday to Saturday daytime).

## Stage 2: Local Factors

3.3 The parking standards can exceptionally move up or down due to local circumstances. These are:

1. **Redevelopment areas** – to encourage development in the Redevelopment Areas identified in the Development Plan, an increase from the initial level of parking may be allowed depending on the merits of the development.
2. **Environmentally sensitive locations** – to preserve Conservation Areas, the natural environment and to lessen the impact of development on these areas, a reduction from the initial level of parking may be allowed depending on the merits of the development.
3. **Cycle Accessibility** – to encourage alternative modes of transport, where there is high cycle accessibility and planned use, such as the presence of cycle paths/lanes, a reduction from the initial parking standards may be allowed depending on the merits of the development.
4. **Existing public parking stock** with spare capacity at relevant times, which is within a five minute ( $\frac{1}{4}$  mile, 400m) walking distance of the development proposals is to be included in the maximum parking provision. For example, the spare capacity in a public car park that is only frequented by shoppers at the weekend, and is therefore underused during the week, could feasibly be utilised by an office development. Therefore, the difference between the spare capacity in the existing public parking stock and the calculated initial level of parking, taking into account other local factors, will be the allowed parking provision.

This will apply mainly in the Rugby Urban Area, and ensures that additional parking spaces are not needlessly added where existing public parking stock is available. Similarly, where a parking area can be shared without conflict, such as used for different purposes at different times of day or days of the week, it is better to avoid duplication and apply only the standard that will provide the greatest single number of spaces.

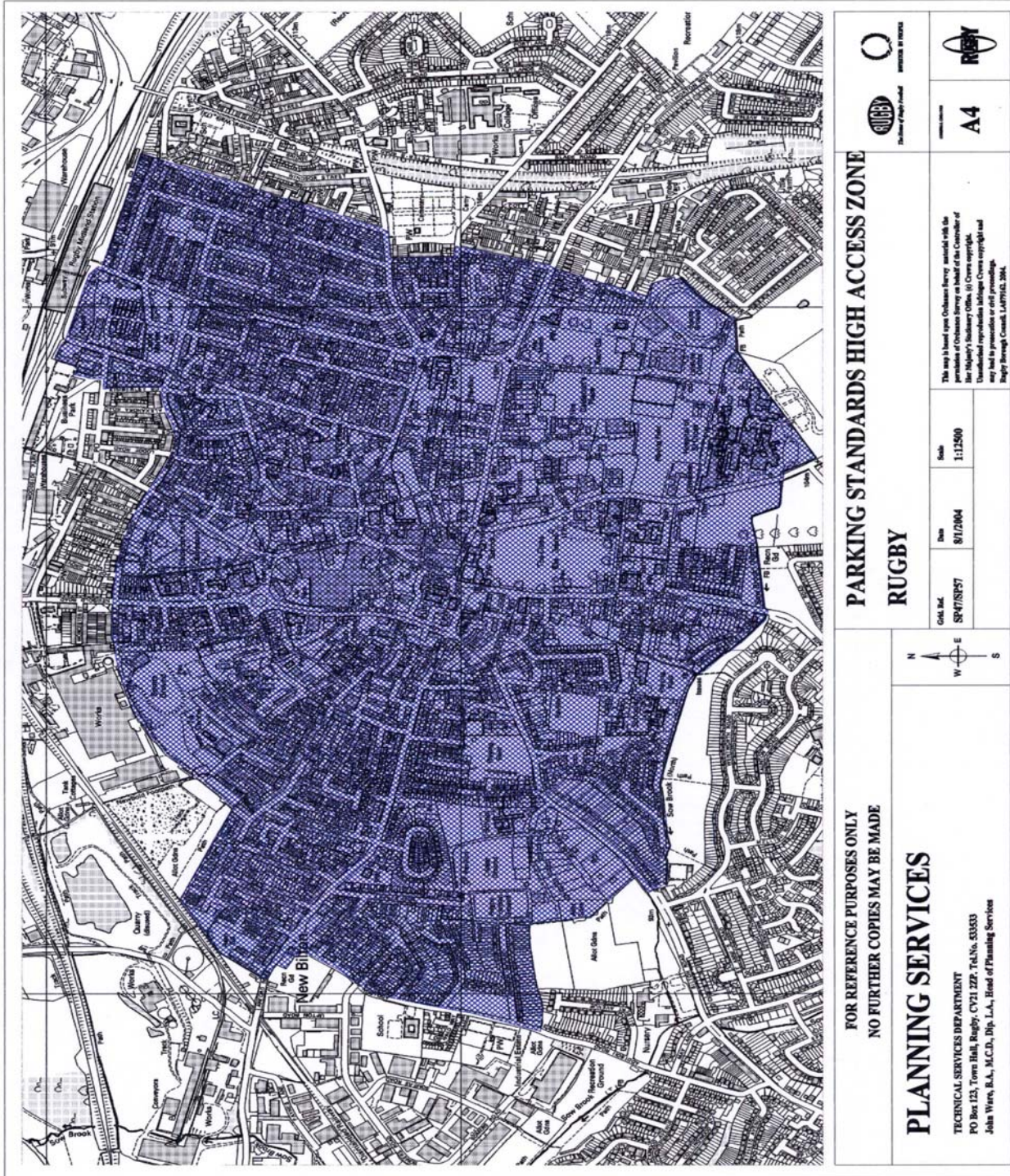
Note: Additional development on a site requires that the entire parking stock be taken into account.

5. **Other local factors** – there may be other exceptional circumstances where material considerations may justify a higher provision than set out in the standards. Examples may include in more remote rural areas where public

transport is limited, or where there is road safety or amenity implications that cannot be resolved by controls or enforcement. However, these should be justified on an individual basis. In such cases, the applicant should show the measures they are taking, for example through a Transport Assessment, Green Travel Plan, the design, location and implementation of the scheme, in order to minimise the need for parking and to encourage the use of other transport modes.



**4: Parking Standards High Access Zone:**



<p><b>PARKING STANDARDS HIGH ACCESS ZONE</b></p> <p><b>RUGBY</b></p>		
<p><b>FOR REFERENCE PURPOSES ONLY</b> NO FURTHER COPIES MAY BE MADE</p>	<p><b>PLANNING SERVICES</b></p> <p>TECHNICAL SERVICES DEPARTMENT PO Box 123, Town Hall, Rugby, CV21 2ZZ, Tel: 01203 635533 John Ware, B.A., M.C.D., Dip. L.A., Head of Planning Services</p>	<p>Scale: 1:12500</p> <p>Date: 01/2004</p> <p>Grid Ref: SR47857</p> <p><small>This map is based upon Ordnance Survey material with the permission of the Controller of Her Majesty's Stationery Office. All Crown copyright and other material reproduced by permission of the Controller of Her Majesty's Stationery Office. LAM/19/02/2004.</small></p>

(To scale plan available on request)

## **5: The Standards**

**New developments will normally be required to provide parking in compliance with the following standards:**

5.1 The parking standards are not an exhaustive list of all potential developments, any development not listed will be judged on an individual basis.

5.2 The parking standards quoted below are based on space per square metre of Gross Floorspace Area (GFA) unless otherwise stated. The GFA is the total floorspace of a property.

Retail Development				
Type	Car Parking Standard (maximum)		Cycle Standard (minimum)	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
A1 Non-Food Retail and General Retail	1 space/ 20 sq. m.	1 space/ 50 sq. m.	Greater of 1 space per 6 staff or 1 per 300 sq. m.	1 stand per 200 sq. m.
A1 Food Retail	1 space/ 14 sq. m.	1 space/ 50 sq. m.		
A2 Financial and Professional Services	1 space/ 30 sq. m.	1 space/ 50 sq. m.		
A3 Food & Drink – Restaurants, Cafés, Snack Bars and Fast-Food Take-Away	1 space/ 5 sq. m.	1 space/ 10 sq. m.	Greater of 1 space per 6 staff or 1 per 40 sq. m.	1 stand per 20 sq. m.
A3 Food & Drink – Wine Bars and Public Houses	1 space/ 3 sq. m.	1 space/ 10 sq. m.		
A3 Transport Cafés and Roadside Restaurants (see notes 1 and 2)	See note 3			

Notes:	<ol style="list-style-type: none"> <li>1. Where these serve Heavy Goods Vehicle's (HGV) some provision for HGV parking will be required.</li> <li>2. Motorway service areas will be included in transport cafés with additional consideration for associated facilities, parking for buses/coaches and HGV's.</li> <li>3. It is considered inappropriate to apply a standard to this form of development. Therefore, applications will be considered on their own merits and according to the suitability of the location of this type of use.</li> </ol>
General notes:	

- A Transport Assessment or Green Travel Plan may be required.
- Petrol Stations with a shop will be considered under the appropriate retail category, but with each pump parking space counting as one space each.

<b>Commercial Development</b>				
<b>Type</b>	<b>Car Parking Standard (maximum)</b>		<b>Cycle Standard (minimum)</b>	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
B1(a) Office	1 space/ 30 sq. m.	1 space/ 60 sq. m	1 stand per 150 sq. m.	1 stand per 500 sq. m.
B1 (b) (c) High Tech/Light Industry	1 space/ 40 sq. m.	1 space/ 80 sq. m.	1 stand per 250 sq. m.	1 stand per 500 sq. m.
B2 General Industrial	1 space/ 45 sq. m.	1 space/ 90 sq. m.	1 stand per 350 sq. m.	1 stand per 500 sq. m.
B8 Storage and Distribution	1 space/ 60 sq. m.	1 space/ 120 sq. m.	1 stand per 500 sq. m.	1 stand per 1000 sq. m.
General notes:	<ul style="list-style-type: none"> <li>• A Transport Assessment and/or company Green Travel Plan may be required.</li> <li>• Long-stay cycle parking is to be at least the greater of the spaces per GFA identified, or 1 space per 8 staff.</li> <li>• Proposed standards will take into account commercial development in predominantly residential areas – where demonstrable harm to local residents occurs, the provision of on-street parking controls will be considered.</li> <li>• These standards do not take into account commercial vehicle parking standards, which will be considered on the basis of individual planning applications.</li> </ul>			

<b>Hotels and Hostels (C1)</b>				
<b>Type</b>	<b>Car Parking Standard (maximum)</b>		<b>Cycle Standard (minimum)</b>	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
Hotels/ Motels/ Guest Houses and Boarding Houses	1 space/ bedroom	0.5 space/ bedroom	1 stand/ 6 full-time staff	1 stand/ 10 beds
Hostels for the Homeless and other Special Needs Groups	Each case considered on its own merits		Each case considered on its own merits	
General Notes:	<ul style="list-style-type: none"> <li>• Other facilities, i.e. eating/drinking, entertainment and conference facilities are to be treated separately where they are (or could be) available to non-residents.</li> <li>• The above standards take into account staff parking.</li> <li>• All new hotels and hostels or major expansions may require a Transport Assessment and Green Travel Plan to determine provision of facilities.</li> </ul>			

<b>Residential Institutions (C2)</b>				
<b>Type</b>	<b>Car Parking Standard (maximum)</b>		<b>Cycle Standard (minimum)</b>	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
Nursing and Rest Homes	1 space/ 4 residents	0.5 space/ 4 residents		
Homes for Children and Adults with Learning or Physical Disabilities (see note 1)	1 space/ resident staff  0.5 space/ non-res. staff  Visitor: 0.5 space/client  (see note 2)		1 stand/ 6 full-time staff	Minimum of 2 stands per establishment
Residential Schools, Colleges or Training Centres	1 space/ 4 residents	0.5 space/ 4 residents	Each case considered on its own merits	Each case considered on its own merits
Hospitals (see note 3)	Each case considered on its own merits		Each case considered on its own merits	Each case considered on its own merits



<p>Notes:</p>          <p>General Notes:</p>	<p>The parking standard for non-residential staff applies to non-residential staff on duty at the busiest time.</p> <p>Due to the nature of this land use, a reduction according to accessibility is not appropriate.</p> <p>All new establishments or major expansions require a Transport Assessment and a Green Travel Plan. The maximum car and minimum cycle parking limit for staff and visitors will be based on their outcome.</p> <ul style="list-style-type: none"><li>• Figures are based on the maximum client capacity of the centre.</li><li>• The above standards take into account visitor parking, unless otherwise stated.</li></ul>
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<b>Residential Dwellings (C3)</b>				
<b>Type</b>	<b>Car Parking Standard</b>		<b>Cycle Standard (minimum)</b>	
	Low Access	High Access	Long Stay – Residents/ Staff	Short Stay – Visitors
<b>Dwelling Houses</b>				
1-2 bed units	1.5 spaces/unit	0.75 spaces/unit	1/unit secure & undercover	See note 1
3 bed units	2 spaces/unit	1 space/unit	1/unit secure & undercover	See note 1
4 bed units	3 spaces/unit	1.5 spaces/unit	1/unit secure & undercover	See note 1
<b>Dwelling Apartments</b>				
Studio units	1 space/unit	0.5 space/unit	1/unit secure & undercover	1 loop/hoop per unit
1-2 bed units	1.5 spaces/unit	0.75 spaces/unit	1/unit secure & undercover	1 loop/hoop per unit
3 + bed units	2 spaces/unit	1 space/unit	2/unit secure & undercover	1 loop/hoop per unit
<b>Dwellings for Elderly Persons</b>				
Category 1 Active Elderly: Without resident warden	1 space/unit	0.5 space/unit	1/unit secure & undercover	1 loop/hoop per 2 units
Category 2 Full Care: With resident warden	0.5 space/unit	0.25 space/unit	1 space per 6 staff	1 loop/hoop per 2 units

<p>Notes:</p> <p>General notes:</p>	<ol style="list-style-type: none"><li>1. It is considered inappropriate to apply a standard to this form of development. Therefore, applications will be considered on their own merits and according to the suitability of the location of this type of use.</li></ol> <ul style="list-style-type: none"><li>• The above standards are guidance figures.</li><li>• It is acknowledged that residential parking is different in nature to non-residential parking, being the trip origin. .</li><li>• Small scale developments will not be assessed against the standards in the table above, but will be encouraged to conform to them.</li><li>• Where appropriate Developers can submit transport assessments or statements to justify an alternative package of parking measures to mitigate against unacceptable impacts, decisions on alternative parking proposals will be made in consultation with the Highways Authority.</li><li>• Where a garage is provided, each garage will be designated as one car space plus one cycle space.</li><li>• On street parking in association with residential development should generally be discouraged through good design.</li><li>• Where warden or staff spaces are identified, these apply to full-time staff.</li><li>• The above standards take into account visitors parking.</li><li>• For nursing and care home see Care Establishments – Public and Private.</li><li>• At least 1 long-term (secure/undercover) cycle space per development.</li></ul>
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<b>Non-Residential Institutions (D1)</b>				
<b>Type</b>	<b>Car Parking (maximum)</b>		<b>Cycle (minimum)</b>	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
Doctors Surgery, Dentists Surgery, or Veterinary Surgery	4 spaces/ consulting room	2 spaces/ consulting room	Greater of 1 space/ 2 consulting rooms Or 1 space/ 6 staff	1 stand per consulting room
Health Centres	6 spaces/ consulting room	3 spaces/ consulting room		
Places of Worship/ Church Halls	1 space/ 5 fixed seats or 1 space/ 10 sq. m.	0.5 space/ 5 fixed seats or 0.5 space/ 10 sq. m.	Greater of 1 space/ 6 staff or 1 space/ 40 sq. m.	1 stand/ 20 sq. m.
<b>Schools (see note 1)</b>				
Staff and Visitors (see notes 2 and 3)	2 spaces/ classroom	1 space/ classroom	Each case considered on its own merits	Each case considered on its own merits
Parents (delivery and collection of children)	Zero			
<b>16+ Colleges &amp; Further Education Colleges (see note 1)</b>				
Staff and Visitors (see notes 2 and 3)	2 spaces/ classroom	1 space/ classroom	Each case considered on its own merits	Each case considered on its own merits
Students and Parents	Each case considered on its own merits			
<b>Day Nurseries (including Day Care)/Playgroups &amp; Crèches</b>				
Staff, Visitors and Parents (see note 2)	1 space/ full-time staff member	0.5 space/ full-time staff member	1 stand/ 6 full-time staff Minimum of 2 stands per establishment	
Day Centres for Handicapped People (see note 4)	0.5 space per full-time staff member  Visitor: 0.5 space/client	0.25 space per full-time staff member  Visitor: 0.25 space/client	1 stand/ 6 full-time staff  Minimum of 2 stands per establishment	
<b>Any other use within Class D1 e.g. libraries, art galleries and museums.</b>	To be considered on its own merits			



<p>Notes:</p>          <p>General Notes:</p>	<ol style="list-style-type: none"><li>1. New or major expansions of educational establishments may require a Transport Assessment and School or College Green Travel Plan.</li><li>2. Visitor parking included in staff allocation.</li><li>3. The proposed standard for schools of 2 spaces/classroom for staff (including visitors) is based on the average of 2 staff per classroom.</li><li>4. Day centre services for older people, adults with learning or physical disabilities, must provide space for dropping off and picking up people.</li></ol> <ul style="list-style-type: none"><li>• For colleges and FE establishments any student spaces must be justified by a travel plan.</li><li>• There will be a requirement for a bus/coach loading area whether provided on or off-site, for primary education and above, unless otherwise justified.</li><li>• Catchment areas will be taken into account for schools.</li></ul>
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<b>Assembly and Leisure Facilities (D2)</b>				
<b>Type</b>	<b>Car Parking Standard (maximum)</b>		<b>Cycle Standard (minimum)</b>	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
Cinemas, Conference Facilities, Theatres, Concert Halls, Bingo Halls and other similar spectator facilities	1 space/ 5 seats	1 space/ 10 seats	Greater of 1 space per 6 staff or 1 space/ 40 sq. m.	1 stand per 20 sq. m.
Dance Halls and Discotheques	1 space/ 22 sq. m.	1 space/ 44 sq. m.		
Bowling Centres, Bowling Greens (see note 2)	3 spaces/ lane	1.5 spaces/ lane		
Swimming Pools, Health Clubs and Gymnasia	1 space/ 3 staff and 1 space/ 10 sq. m. hall/pool area	0.5 space/ 3 staff and 0.5 space/ 10 sq. m. hall/pool area		
Golf Courses (see note 2)	4 spaces/ hole	See note 1		
Golf Driving Ranges	2 spaces/ tee	See note 1		
Marinas, Sailing and Water Based Uses (see note 2)	1 space/ 1 staff 1 space/ 2 participants	See note 1		
Stadia Ice Rinks	To be considered on its own merits (see note 3)		To be considered on its own merits	To be considered on its own merits
Tennis Courts/Squash Courts (see note 2)	3 spaces/ court	1.5 spaces/court	Greater of 1 space per 6 staff or 1 space/ 5 courts	1 stand per court
Playing Fields (see note 2)	12 spaces per ha of pitch area	6 spaces per ha of pitch area	Greater of 1 space per 6 staff or 1 space/ 5 ha of pitch area	1 stand per ha of pitch area

Leisure Centres and Other Sports Facilities (see note 2)	1 space/ 3 staff and 1 space/ 30 sq. m. playing area	0.5 space/ 3 staff and 0.5 space/ 30 sq. m. playing area	Greater of 1 space per 6 staff or 1 space/ 40 sq. m.	1 stand per 20 sq. m.
Notes:  General Notes:	<ol style="list-style-type: none"> <li>1. It is considered inappropriate to apply a standard to this form of development.</li> <li>2. Other facilities i.e. club house/bar treated separately.</li> <li>3. No standards are set for stadia or ice rinks due to the small number of applications. Each application will be considered individually.</li> </ol> <ul style="list-style-type: none"> <li>• All new assembly and leisure establishments or major expansions may require a Transport Assessment or Green Travel Plan to determine provision and facilities.</li> <li>• The above standards, unless otherwise stated, take into account full-time staff, visitor and participant parking.</li> <li>• Other facilities on-site, i.e. eating/drinking establishments are to be treated separately.</li> </ul>			

<b>Miscellaneous Commercial Development (Motor Trade Related)</b>				
<b>Type</b>	<b>Car Parking Standard (maximum)</b>		<b>Cycle Standard (minimum)</b>	
	Low Access	High Access	Long Stay – Staff	Short Stay – Visitors
<b>Car Sales and Garage Forecourts</b>				
Workshops – staff	1 space/ 45 sq. m.  (see note 1)		Greater of 1 space/ 8 full-time staff or 1 space/ 250 sq. m.	1 stand/ 500 sq. m.
Workshops – customers	3 spaces/ service bay  (see note 1)		See note 2	
Car Sales – staff	1 space/ full-time staff  (see note 1)		Greater of 1 space/ 8 staff or 1 space/ 250 sq. m.	1 stand/ 500 sq. m.
Car Sales – customers	1 space/ 10 cars on display  (see notes 1, 2 and 3)		See note 2	
Car Hire	See note 2			
Notes:  General notes:	<ol style="list-style-type: none"> <li>1. Due to the nature of this use class, a reduction according to accessibility is not appropriate.</li> <li>2. It is considered inappropriate to apply a standard to this form of development. Therefore, applications will be considered on their own merits and according to the suitability of the location of this type of use.</li> <li>3. This applies to the number of cars on sale in the open. <ul style="list-style-type: none"> <li>• A Transport Assessment and/or company Green Travel Plan may be required.</li> <li>• These standards do not take into account commercial vehicle parking standards, which will be considered on the basis of individual planning applications.</li> </ul> </li> </ol>			

Heavy goods vehicles:

5.3 Where required, an operational number of spaces for Heavy Good's Vehicle parking will be allowed, which will be considered on an individual application basis.

**6: Parking for those with impaired mobility:**

6.1 The Borough Council places particular importance on the satisfactory provision of parking for people with disabilities and their needs have been taken into account within the standards. Development proposals, in accordance with PPG13 should provide adequate parking for disabled motorists, in terms of numbers and designs (see Traffic Advice Note 5/95, Parking for Disabled People).

6.2 Any parking provision should be made within 50 metres of the destination. Spaces should be 4.8m in length by 3.6m wide, or have a transfer area of 1.2m to one side of a standard size space. 3.2m wide spaces may be acceptable where space is limited. Parking spaces should be clearly marked with the British standard "Disabled" symbol in accordance with BS3262 Part 1, and any parking fee concessions should be clearly stated at the parking space.

6.3 Parking for disabled people should be additional to the parking standards outlined elsewhere within this document. The total number of spaces required by the standards shall include the following proportions:

<b><u>Employment generating businesses and hotels:</u></b>	
Up to 25 places	1 space
Up to 50 places	2 spaces
Up to 75 places	3 spaces
Up to 100 places	4 spaces
Each subsequent 100 places or part of 100	1 extra spaces
<b><u>Public buildings and shops</u></b>	
Up to 25 places	1 space
Up to 50 places	3 spaces
Up to 100 places	5 spaces
Each subsequent 100 places or part of 100	3 extra spaces

6.4 Where a planning application is made for a use, which is not included among the above categories, a parking requirement will be set for the development judged on an individual basis. As a general rule, except for residential land uses, disabled car parking spaces should be set at 5% of the car parking bases standard identified in the tables.

## **7: Cyclists and Motorcyclists:**

7.1 Rugby Borough Council aims to ensure adequate cycle parking and facilities for cyclists and motorcyclists alike in all new types of development. Policy CY8 of the Warwickshire Local Transport Plan 3 (LTP3) seeks to ensure that all new development supports cycling as a practical and attractive mode of transport through the provision of cycle parking facilities and good cycle access within the site. Nationally the number of people using motorcycles is rising, the benefits of this increased motorcycle use are acknowledged within the LTP3 particularly their ability to reduce both congestion and the impact on the environment.

7.2 The parking standards tables within Section 5 indicate the required number of bicycle spaces required by each land use. To encourage more cycling, the level of parking provision should fully complement cycle access opportunities to, from and through proposed developments. The spaces needed for motorcycle parking is less than that for single occupancy cars. The latest Government transport statistics (2009) show that the ratio of licensed motorcycles to cars is 1:26. As a general rule, except for residential land uses, the provision of one parking space for motorcycles would be expected for every 25 car parking spaces, which base standards are set within Section 5.

7.3 The following guidance is intended to help developers or their agents to provide suitable cycle parking and storage facilities. The standards distinguish, where appropriate, between short-stay (mainly visitor) cycle parking and long-stay cycle parking, as associated with residential overnight use or employment activity.

### **General requirements for pedal cycle/motorcycle parking**

- a) Cycle/motorcycle parking or storage facilities for all types of development should be designed with the following key objectives in mind. The parking area should be:
- Conveniently located for the trip origin and destination. Cycling/motorcycling activity competes better with car access when its location is clearly more convenient than equivalent car parking.
  - 
  - Easy to use – the cycle should be secured quickly and easily to the parking device.
  - Secure – the cycle parking site is overlooked by nearby occupied developments, or it is situated close to well-used thoroughfares, or comes under the coverage of a local security camera system. Sites should be located in well-lit and maintained locations, reducing the likelihood of vandalism or theft, and improving cyclists' personal security when they park or collect their cycles. This is crucial where the facilities are to be used by children, older people or women.
  - Covered – This is important for overnight and long-term (all-day) parking at places of employment and at transport interchanges.

## Types of facility (applicable to pedal cycles only)

### **Short-stay provision**

- b) For periods of between a few minutes and a few hours, parking stands may be the most appropriate facility. Whatever form the stands take, they should aim to meet the following objectives:
- Be able to secure the frame and both wheels.
  - It should be high enough to hold the cycle upright and securely fixed, particularly in high winds.
  - It avoids damaging the cycle when attached or while being secured.
  - It is clearly visible and in contrast with its surroundings, so that it is more likely to be used and to help local pedestrians with visual impairments.
  - It has low ongoing maintenance requirements and avoids the need for staffed management of the parking.
  - It enables cycles to be readily secured.
- c) For new residential properties, adequate short-stay parking security can be achieved by some form of secure ring or loop attached at a convenient point near to the front entrance of the property.

### **Long-stay provision**

- d) This applies to longer stays of six hours or more, particularly associated with residential overnight use, or employment locations.
- e) Cycle parking stands are likely to prove more attractive to cyclists in poor weather if some form of cover is added. Protection from wind and rain can take many forms, and parking space and other storage and shower facilities should be provided, fully integrated into the building infrastructure of a development. Nevertheless, prefabricated external shelter units are available, but the local planning authority should be consulted over any proposed separate structures of this kind.
- f) Within residential developments, the associated cycle parking standards provide guidance on levels of overnight cycle storage provision for different types of residential property. At convenient locations, there should be separate provision for visitors to park their cycles, as discussed above under 'short-stay' provision.
- g) For flats, multi-occupancy properties and student accommodation, long-term cycle parking provision should be considered, either as integral to the building at ground-floor level (and within the security of the main entrance), or as part of a separate structure. It will be important for management arrangements to ensure that each individual residential unit has its own provision.

## **8: Design:**

### **Detailed design considerations:**

The layout and design of vehicle parking proposals should take account of:

- A) The type and number of vehicles that are expected to be parked at the site;
- B) The height, width, length and manoeuvring characteristics of those vehicles;
- C) The need to leave and enter the highway in a forward facing direction;
- D) The need to avoid complicated, or excessive manoeuvring and reversing of vehicles, in order to reduce the risk of accidents;
- E) The desirability of providing parking spaces that are sufficiently wide as to avoid the risk of damage from opening doors. Therefore, the minimum width of car parking spaces should be 2.5m
- F) The “secured by design” initiative, in order to reduce the opportunity of crime and the fear of crime;
- G) The need to produce a design that fits in with and takes account of local environment considerations, and enhances the character and appearance of the local area.





# **Sustainable Transport Measures Local Transport Plan**

## **Sustainable Transport Measures**

The Land Use and Transportation Strategy contained within Part B of the Local Transport Plan 2011–2026 principle aim is to encourage new development in Warwickshire to be sustainable. Policy LUT 3 of the Local Transport Plan identifies that the County Council will promote sustainable development and seek developer contributions, where appropriate, to provide for public transport, community transport, pedestrian and cycling services and/or facilities and travel plans/travel packs to serve new development.

The table below is an extract from the Local Transport Plan and sets out the criteria for assessing sustainable development and the sustainable transport measures that can be required. The contents of the table represent the starting point for negotiations about the levels of sustainable transport contribution and/or measures required which would make a development more sustainable. The main types of development that the criteria would apply to those developments that would, for example, have an unacceptable impact on the highway network or would have inadequate access by public transport, cycling and walking.

It is important at an early stage that contact is made with the Local Planning Authority and County Council to ascertain the nature and likely extent of contributions. Where development is located close or adjacent to the motorway and trunk road network, early engagement should also be undertaken with the Highways Agency.

### Land Use and Transportation Strategy Appendix A: Sustainable Development

#### **SDA1. Principles of sustainable development**

New development should be encouraged to be sustainable by seeking to integrate development with its need for transport and movement. This should make sufficient provision for the users of the development including potential residents, employees and visitors. The development also needs to use a toolkit of measures which offer the most effective and efficient use of resources to reduce reliance on the car and reduce congestion, by ensuring there is a satisfactory provision of public transport services and infrastructure and safe/convenient cycling and walking facilities.

All new developments will be assessed in order to identify whether they encourage sustainability.

As such, they will be assessed against the following key criteria:

- The location of the development in respect of a town centre, consideration of local characteristics i.e. topography, physical barriers existing and proposed layout;
- The distance of the development from a town centre and how it encourages all transport movements to the centre and other main nodes in a town to minimise detrimental impacts on the local and surrounding highway network;
- The location of the development in respect to public transport services, facilities for cycling and walking to serve the development effectively and efficiently;
- The development to offer the potential residents and employees a choice of efficient and effective sustainable modes of transport; and
- The provision of public transport serving the development should be assessed against the access and distance it is from the nearest bus stops, railway stations, provision of attractive services, bus priority measures, park and ride services and associated traffic management measures serving destinations in congested areas.

**SDA2. Applying the criteria for assessing sustainable development**

The criteria set out in Table SD1 below represents the initial starting point for negotiations with developers and landowners about the levels of sustainable transport contribution and/or measures required towards making a development more sustainable. It is envisaged that these negotiations will take place during the various stages of the planning process as either informal or formal advice.

The criteria will be used to judge whether a new development meets the appropriate levels of sustainability. The main types of development that the criteria would apply to are those developments for example that would have a material increase in traffic on the highway network and/or inadequate access by public transport, cycling and walking.

The measures are not intended to be exhaustive and will need to take into account the individual merits and circumstances of each development. They should also be considered in an integrated way to ensure the most effective, efficient and suitable ways of providing sustainable transport for a development. One of the measures includes the production of travel plans for new developments with significant traffic generation. The document, 'A Strategy for Changing Travel Behaviour' produced by the County Council, outlines the aims and objectives to promote more sustainable travel.

In order to ensure that the measures are appropriate, a planning obligation for a developer contribution towards sustainable transport will take the form of revenue and/or capital, and include costs for consultation. In addition, any studies required to justify a new development or to evaluate a particular transport solution will normally be funded by the developer.

Table SD1: Applying the Criteria for Assessing Sustainable Development

Sustainable Transport Measure	Test	Sustainable Transport Contribution / Measures
Walking	<p>Does the development site have local services, schools, public transport, leisure and job/training opportunities within walking distance?</p> <p>Is the necessary infrastructure in place to deliver high quality, safe, direct and attractive routes that will encourage walking?</p> <p>What improvements are needed to satisfy the above?</p>	<p>Safer Routes to School</p> <p>Pedestrian safety measures</p> <p>New footways</p> <p>Provision of signage</p> <p>Improved lighting/security</p> <p>Gates and railings</p> <p>Landscaping</p>
Cycling	<p>Does the development site have dedicated cycle links to the local services, schools, public transport, recreational and job/training opportunities?</p> <p>Is the necessary infrastructure in place to deliver high quality, safe, direct, and attractive cycle routes that will encourage use?</p>	<p>Providing new or improved dedicated cycle facilities</p> <p>Provision of on and off-carriageway cycle lanes</p> <p>Combined pedestrian and cycle crossings (TOUCAN)</p> <p>Improved signage including warnings to drivers</p> <p>Cycle parking at work places, service centres, railway stations and other public transport interchanges</p> <p>Improved lighting/security Associated environmental improvements such as landscaping and surfacing</p>
Public Transport (Bus)	<p>Is the site served by reliable, fast, frequent and accessible services which accord with the appropriate specifications set out in the LTP Bus Strategy?</p> <p>What improvements are needed to satisfy the above requirements?</p>	<p>Provision of the required level of public transport by provision of a free-standing service, diversion of an existing service, reinforcement of service frequency or an appropriate combination</p> <p>Provision of bus lanes, suitable site layouts to allow bus penetration, lay bys, bus stops/shelters and information displays</p> <p>Provision of bus priority measures to ensure a reliable and efficient service</p>

<b>Sustainable Transport Measure</b>	<b>Test</b>	<b>Sustainable Transport Contribution / Measures</b>
Public Transport (Rail)	<p>Is there a genuine rail option to meet the transport needs of the site?</p> <p>What facilities or improvements are required to offer an option of rail travel?</p>	<p>Provision or improvement of rail stations and infrastructure, including procurement of land</p> <p>Provision of bus/rail interchange, park and ride or associated facilities at rail stations</p>
Other Measures	<p>Are there any other measures that are required to overcome the transport issues related to the site?</p> <p>What specific measures are required to mitigate the effects of substantial development traffic?</p>	<p>Travel Plans</p> <p>Traffic calming</p> <p>Junction improvements</p> <p>Urban Traffic Management Control (UTMC)</p> <p>Speed limit reviews</p> <p>Weight restrictions</p> <p>Provision of new accesses or roads justified as part of a multi-modal approach and/or to provide environmental benefits</p>

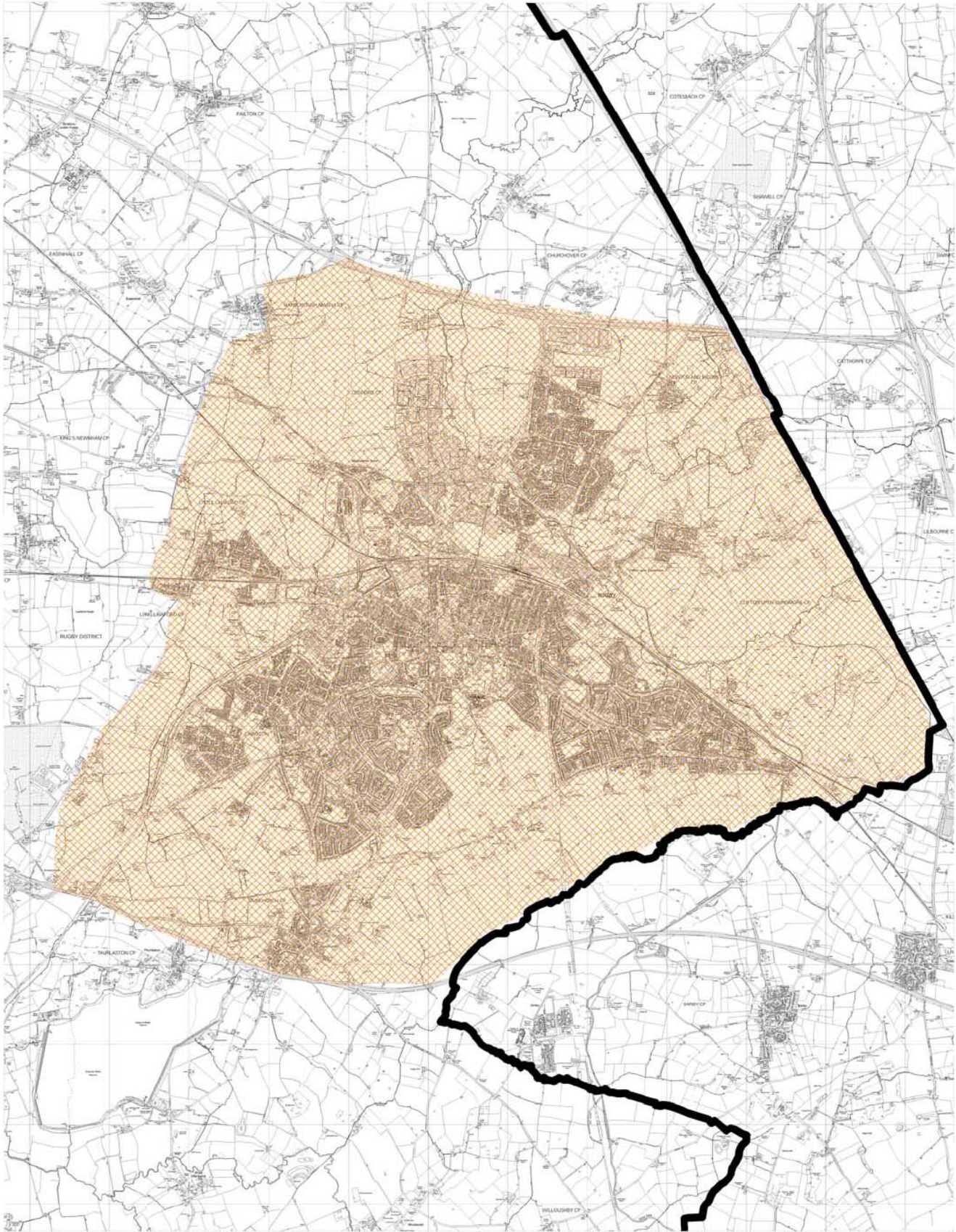


**APPENDIX 3**  
**AIR QUALITY SECTION**





**AIR QUALITY MANAGEMENT AREA**



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**Scale - 1:65,000**

