



**The Coal  
Authority**

Resolving the impacts of mining

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Development Strategy Team  
Rugby Borough Council

**BY EMAIL ONLY:** [neighbourhoodplans@rugby.gov.uk](mailto:neighbourhoodplans@rugby.gov.uk)

29 July 2019

Dear Sir/Madam

### **Ryton on Dunsmore Neighbourhood Plan**

Thank you for the notification of the 26 June 2019 consulting The Coal Authority on the above NDP.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the Neighbourhood Plan area lies within the current defined deep coalfield. However the Neighbourhood Plan area does not contain any surface coal resources or recorded risks from past coal mining activity at shallow depth.

On the basis of the above the Coal Authority has **no specific comments** to make on the Ryton on Dunsmore Neighbourhood Plan.

Yours sincerely

*Melanie Lindsley*

**Melanie Lindsley** *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*  
**Development Team Leader (Planning)**



Mr Martin Needham  
Rugby Borough Council  
Development Control  
PO Box 16  
Rugby  
Warwickshire  
CV21 2LA

**Our ref:** UT/2007/101479/OT-  
05/SB1-L01

**Your ref:**

**Date:** 06 August 2019

Dear Mr Needham

**RYTON ON DUNSMORE NEIGHBOURHOOD DEVELOPMENT PLAN**

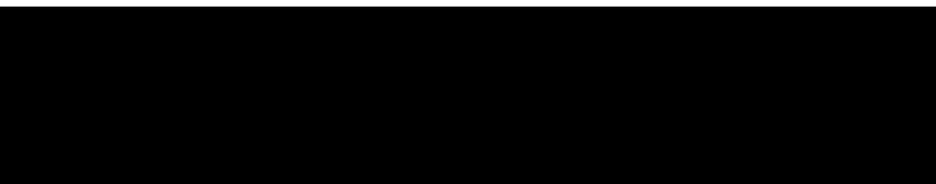
Thank you for referring the above consultation which was received on 25 June 2019.

The Environment Agency has reviewed the submission plan including site allocations and policies, and has no objections to the proposals as they stand.

If you have any queries please contact me on the details below.

Yours sincerely

**Ms Jane Field**  
**Planning Specialist**



## Ryton on Dunsmore Neighbourhood Plan Regulation 16 Consultation

1. These submissions are made on behalf of Millboard which is a manufacturing company of some considerable scale based at Ryton Lodge Oxford Road Ryton on Dunsmore. Millboard has expanded substantially within a long established industrial site that adjoins the Marshall/Stonemarket business at Oxford Road.
2. The nature of the industrial operation in the manufacturing of composite boarding for external paths and decking - which is exported across the World - is the need for the operation to be situated alongside other industrial operations as currently prevails. The industrial operation - which involves a chemical process- is not suited in close quarters to residential development.
3. Millboard hence **supports** the Neighbourhood Plan in safeguarding existing employment sites for employment development under Policy BE1.
4. Millboard is in fact one of the largest employers in the Parish with over 150 staff. Millboard would welcome recognition as one of the 'sizeable employers' in the Parish under Section D.3 (second paragraph).
5. Millboard has reluctantly concluded that an **OBJECTION** needs to be made to Policy GD.1 and Figure 1 which is titled 'Limits to Development'.
6. The Plan suggests that Policy GD.1 is consistent with Policy GP2 from the recently adopted Rugby Borough Local Plan. There is with respect an important distinction between the provisions of Local Plan Policy GP2 and Neighbourhood Plan Policy GD.1. Local Plan Policy GP2 defines 'Settlement Boundaries' making a distinction between a built-up area and the surrounding countryside. The Strategy of the Plan is understandably to focus development to existing settlements.
7. Policy GD.1 In the Neighbourhood Plan seeks to define 'Limits to Development' which is a different concept to the definition of a settlement boundary. There are many forms of development which may be acceptable in the context of national planning policy and Local Plan Policy including agricultural development and further development on established employment sites.
8. In the particular context of Millboard, the occupied site comprises Previously Developed Land. National planning policy and Local Plan Policy considers redevelopment and infill development not to be an inappropriate form of development providing the new development does not have a greater impact upon the openness of the Green Belt than the existing development. (Framework 145).
9. A strict reading of Neighbourhood Plan (NP) Policy GD.1 could suggest that the NP would 'presume against' the granting of planning permission because such development was located beyond the 'Limits to Development'.

**REQUESTED CHANGES**

10. To be in general accordance with both national and local plan policies for development it is submitted that Policy GD.1 should be amended to read:

***'GD.1: Settlement Boundary Limits - Within the Settlement Boundary as defined in Figure 2 ...'***

11. Figure 2 should then be titled 'Settlement Boundary Limits'.

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1<sup>st</sup> August 2019

**Re: Ryton-on-Dunsmore Neighbourhood Plan Submission (Reg 16) Consultation**

Dear Sir/Madam,

This letter provides Gladmans' representations in response to the draft version of the Ryton-on-Dunsmore Neighbourhood Plan (RDNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation and examination of numerous plans across the country, it is from this experience that these representations are prepared.

**Legal Requirements**

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in §8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the RDNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- (d) The making of the order contributes to the achievement of sustainable development.
- (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.
- (g) The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

**Revised National Planning Policy Framework**

On the 24<sup>th</sup> July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the revised National Planning Policy Framework. The first revision since 2012, it implements 85 reforms announced previously

through the Housing White Paper. On 19<sup>th</sup> February 2019, MHCLG published a further revision to the NPPF (2019) and implements further changes to national policy.

§214 of the revised Framework makes clear that the policies of the previous Framework will apply for the purpose of examining plans where they are submitted on or before 24<sup>th</sup> January 2019. Submission of the RDNP ultimately occurred after this date, and the comments below reflect the relationship between Neighbourhood Plans and the National Planning Policy Framework adopted in 2018 and corrected in February 2019.

### **National Planning Policy Framework and Planning Practice Guidance**

On 24<sup>th</sup> July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework (NPPF2018). This publication forms the first revision of the Framework since 2012 and implements changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft NPPF2018 consultation. On 19<sup>th</sup> February 2019, MHCLG published a further revision to the NPPF (2019) and implements further changes to national policy.

The Revised Framework sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements of the preparation of neighbourhood plans within which locally-prepared plans for housing and other development can be produced. Crucially, the changes to national policy reaffirm the Government's commitment to ensuring up to date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. In particular, paragraph 13 states that:

**"The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies."**

Paragraph 14 further states that:

**"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:**

- a. The neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;**
- b. The neighbourhood plan contains policies and allocations to meet its identified housing requirement;**
- c. The local planning authority has at least a three-year supply of deliverable housing sites (against its five-year supply requirement, including the appropriate buffer as set out in paragraph 73); and**

**d. The local planning authority's housing delivery was at least 45% of that required over the previous three years."**

The Revised Framework also sets out how neighbourhood planning provides local communities with the power to develop a shared vision for their area in order to shape, direct and help deliver sustainable development needed to meet identified housing needs. Neighbourhood plans should not promote less development than set out in Local Plans and should not seek to undermine those strategic policies. Where the strategic policy making authority identifies a housing requirement for a neighbourhood area, the neighbourhood plan should seek to meet this figure in full as a minimum. Where it is not possible for a housing requirement figure to be provided i.e. where a neighbourhood plan has progressed following the adoption of a Local Plan, then the neighbourhood planning body should request an indicative figure to plan taking into account the latest evidence of housing need, population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

In order to proceed to referendum, the neighbourhood plan will need to be tested through independent examination in order to demonstrate that they are compliant with the basic conditions and other legal requirements before they can come into force. If the Examiner identifies that the neighbourhood plan does not meet the basic conditions as submitted, the plan may not be able to proceed to referendum.

### **Planning Practice Guidance**

Following the publication of the NPPF2018, the Government published updates to its Planning Practice Guidance (PPG) on 13<sup>th</sup> September 2018 with further updates being made in the intervening period. The updated PPG provides further clarity on how specific elements of the Framework should be interpreted when preparing neighbourhood plans.

Although a draft neighbourhood plan must be in general conformity with the strategic policies of the adopted development plan, it is important for the neighbourhood plan to provide flexibility and give consideration to the reasoning and evidence informing the emerging Local Plan which will be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested against. For example, the neighbourhood planning body should take into consideration up-to-date housing needs evidence as this will be relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. Where a neighbourhood plan is being brought forward before an up-to-date Local Plan is in place, the qualifying body and local planning authority should discuss and aim to agree the relationship between the policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan<sup>1</sup>. This should be undertaken through a positive and proactive approach working collaboratively and based on shared evidence in order to minimise any potential conflicts which can arise and ensure that policies contained in the neighbourhood plan are not ultimately overridden by a new Local Plan.

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<sup>1</sup> PPG Reference ID: 41-009-20160211

It is important the neighbourhood plan sets out a positive approach to development in their area by working in partnership with local planning authorities, landowners and developers to identify their housing need figure and identifying sufficient land to meet this requirement as a minimum. Furthermore, it is important that policies contained in the neighbourhood plan do not seek to prevent or stifle the ability of sustainable growth opportunities from coming forward. Indeed, the PPG emphasises that;

**“... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”<sup>2</sup>**

### **Relationship to Local Plan**

To meet the requirements of the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted development plan relevant to the preparation of the Ryton-on-Dunsmore Plan area and the development plan which the RDNP will be tested against is the Rugby Local Plan (RLP) which was formally adopted by Rugby Borough Council (RBCC) in June 2019. The RLP covers the period between 2011 and 2031.

The Local Plan proceeds with a housing requirement of 12,400 dwellings between 2011 and 2031 (620 dpa). Whilst the RLP was examined under the terms of the Framework published in 2012. The RDNP will be examined in accordance with the policies of the NPPF 2019. It is notable that NPPF 2019 now requires LPAs to consider a review every five years which may have impacts on the neighbourhood plan. With this in mind, Gladman suggest sufficient flexibility is provided in the policies of the plan to safeguard the RDNP from conflicting with future development proposals should they be required.

In this context, section 38(5) of the Planning and Compulsory Purchase Act 2004 states:

*‘if to any extent, a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approached, or published (as the case may be).’*

### **Ryton-on-Dunsmore Neighbourhood Development Plan**

This section highlights the key issue that Gladman would like to raise with regards to the content of the RDNP as currently proposed. It is considered the requirements of national policy and guidance are not always reflected in the plan. Gladman have sought to recommend a number of modifications to ensure compliance with basic conditions.

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<sup>2</sup> Paragraph: 001 Reference ID: 50-001-20160519

## **Policy GD2: Building Design Principles**

Policy GD2 sets out a list 16 design principles that all proposals for residential and commercial development will be expected to adhere to.

Whilst Gladman recognise the importance of high-quality design, planning policies and the documents sitting behind them should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.

Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 126 of the Framework which states that:

**"To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified."**

## **Policy H5 – Housing Mix**

Whilst Gladman note the housing mix proposed through this policy, it should be recognised that housing needs do change over time. We suggest wording is added to the policy to allow flexibility for changing needs. Gladman suggest adding the wording, 'This should be evidenced through an up to date assessment' to this policy.

## **Policy ENV1: Protection of Local Green Space**

Policy ENV1 identifies 4 tracts of land as potential Local Green Space designations.

The designation of land as Local Green Space (LGS) is a significant policy designation and effectively means that once designated, they provide protection that is comparable to that for Green Belt land. As such, the Parish Council should ensure that the proposed designations are capable of meeting the requirements of national policy if they consider it necessary to seek LGS designation.

The Framework 2019 is explicit in stating at paragraph 100 that '*Local Green Space designation will not be appropriate for most green areas or open space*'. With this in mind, it is imperative that the plan makers can clearly demonstrate that the requirements for LGS designation are met. The designation of LGS should only be used:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- Where the green area concerned is local in character and is not an extensive tract of land.

Gladman suggest that the Council review the evidence supporting the proposed designations and ensure compliance with all of the above requirements. From a review of the Plan it appears that a dearth of evidence has been prepared to support the four LGS sites, other than the information provided in the supporting text. Gladman therefore recommend that particular attention is given to providing evidence of whether the sites selected are considered to be extensive tracts of land.

### **Policy ENV7: Protection of Important Views**

Policy ENV7 identifies 9 views that are considered to be important to the setting and character of the village. The policy states that in order to be supported, development proposals must demonstrate that they would not result in significant harms to these identified views.

We again submit that new development can often be located in areas without eroding the views considered to be important to the local community and can be appropriately designed to take into consideration the wider landscape features of a surrounding area to provide new vistas and views.

In addition, as set out in case law, to be valued, a view would need to have some form of physical attribute. This policy must allow a decision maker to come to a view as to whether particular locations contain physical attributes that would ‘take it out of the ordinary’ rather than selecting views which may not have any landscape significance and are based solely on community support.

Opinions on landscape are highly subjective, therefore, without much more robust evidence to demonstrate why these views and landscape areas are considered special, the policy in its current form will likely lead to inconsistencies in the decision-making process.

### **Conclusions**

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the RDNP as currently proposed with the requirements of national planning policy and the strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a) in its conformity with national policy and guidance and is contrary to (d) the making of the order contributes to the achievement of sustainable development for the reasons set out above.

Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,

Paul Emms

Gladman Developments Ltd.

# **Our Reference:**  
# **Your Reference:** Ryton NDP  
  
# Martin Needham  
# Senior Planning Officer  
# Development Strategy  
# Rugby Borough Council  
#  
# via Email: [LocalPlan@rugby.gov.uk](mailto:LocalPlan@rugby.gov.uk)  
#

**Richard Timothy**  
**Asset Manager**

The Cube  
199 Wharfside Street  
Birmingham B1 1RN

Direct Line

15 July 2019

Dear Martin,

## **RYTON ON DUNSMORE NEIGHBOURHOOD DEVELOPMENT PLAN CONSULTATION**

Thank you for forwarding me details of the above Neighbourhood Development Plan (NDP) received on 25<sup>th</sup> June 2019.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. The SRN in closest proximity to the Neighbourhood Plan area is the A45 which bisects the parish.

We had previously reviewed the Ryton on Dunsmore NDP in January 2018, during which we noted that Policy H1 of the NPD (*Residential Site Allocations*), which allows for the development of around 10 dwellings on the former British Legion site, was not included within the then-emerging Rugby Local Plan. This was of notable concern to us due to the site being bounded by the A45, which, at any scale, had the potential to result in boundary issues given the close proximity of the SRN. Furthermore, we noted that the reserve site at Lambs' Field did not appear to be included within the Emerging Rugby Local Plan.

Our conclusion was that further information regarding the two sites would be required when they may come forward for planning consent, with Highways England being approached at the pre-application stage for the former British Legion site due to the proximity of the development to the A45, plus a currently disused access into the site from the A45; discussions would need to be held with Highways England regarding this access should this development come forward for development.

Since our previous review of the NDP, the emerging Rugby Local Plan has now been adopted (June 2019).

In the latest submitted draft NDP, the 10-dwelling residential site at the former Royal British Legion site has now been withdrawn due to objections by Historic England; the structure is a Grade II listed building while the surrounding parkland is a designated heritage area. In response, the NDP states that the site will be supported where it allows restoration of the listed building and registered garden, and that proposals will need to avoid harm to the designated heritage assets; to the satisfaction of Historic England.

Notwithstanding this, if future developments are proposed on either part or the whole site, due to its proximity to the A45, we request that Highways England are allowed the opportunity to provide comment with regard to potential boundary issues, as well as the status of the pre-existing but unused access onto the A45.

We also note that the reserve site at Lambs' Field has not been included within the adopted Rugby Local Plan.

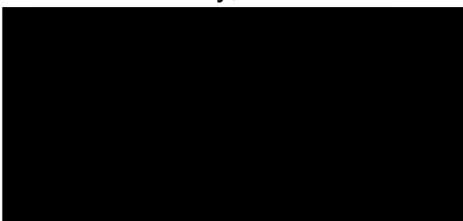
Although we acknowledge it's inclusion in the previous draft NDP, we note the reference to Policy T1 *Traffic Management Highway Safety*, which gives an example of a mitigation measure to avoid additional road safety concerns as a *pedestrian controlled crossing facility on Leamington Road [A455]*. We note that the A455 Leamington Road connects to the A45 via a roundabout. Should such a measure (or similar scheme) be proposed that has the potential to impact on the SRN, we request that discussions are held with Highways England to ensure that schemes do not negatively impact on the safe and efficient operation of the roundabout.

Otherwise, we can confirm that no further concerns are raised with regards to the policies set out within the NDP and we support the continued commitment to sustainable development contained within the plan.

Highways England wishes to be informed of future development of the Neighbourhood Plan.

Please do not hesitate to contact me if you require any more information or clarification.

Yours sincerely,



**Richard Timothy**  
**Asset Manager**

Email:



Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ  
Highways England Company Limited registered in England and Wales number 09346363



Development Strategy  
Rugby Borough Council  
Town Hall  
Evreux Way  
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CV21 2RR

Dear Sir / Madam

Lucy Bartley  
Consultant Town Planner



Sent by email to:  
[neighbourhoodplans@rugby.gov.uk](mailto:neighbourhoodplans@rugby.gov.uk)

12 July 2019

**Ryton-on-Dunsmore Neighbourhood Plan Consultation SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid previously owned part of the gas distribution system known as 'National Grid Gas Distribution limited (NGGDL). Since May 2018, NGGDL is now a separate entity called 'Cadent Gas'.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect National Grid's assets.

**Specific Comments**

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has **no record** of such apparatus within the Neighbourhood Plan area.



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Tel +44 (0) 1926 439 000 Registered in England.  
woodplc.com No. 2190074



## Electricity Distribution

The electricity distribution operator in Rugby Borough Council is Western Power Distribution. Information regarding the transmission and distribution network can be found at: [www.energynetworks.org.uk](http://www.energynetworks.org.uk)

## Appendices - National Grid Assets

Please find attached in:

- Appendix 1 provides a map of the National Grid network across the UK.

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database.

Lucy Bartley  
Consultant Town Planner

Spencer Jefferies  
Development Liaison Officer, National Grid

Wood E&I Solutions UK Ltd  
Nicholls House  
Homer Close  
Leamington Spa  
Warwickshire  
CV34 6TT

National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick  
Warwickshire  
CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

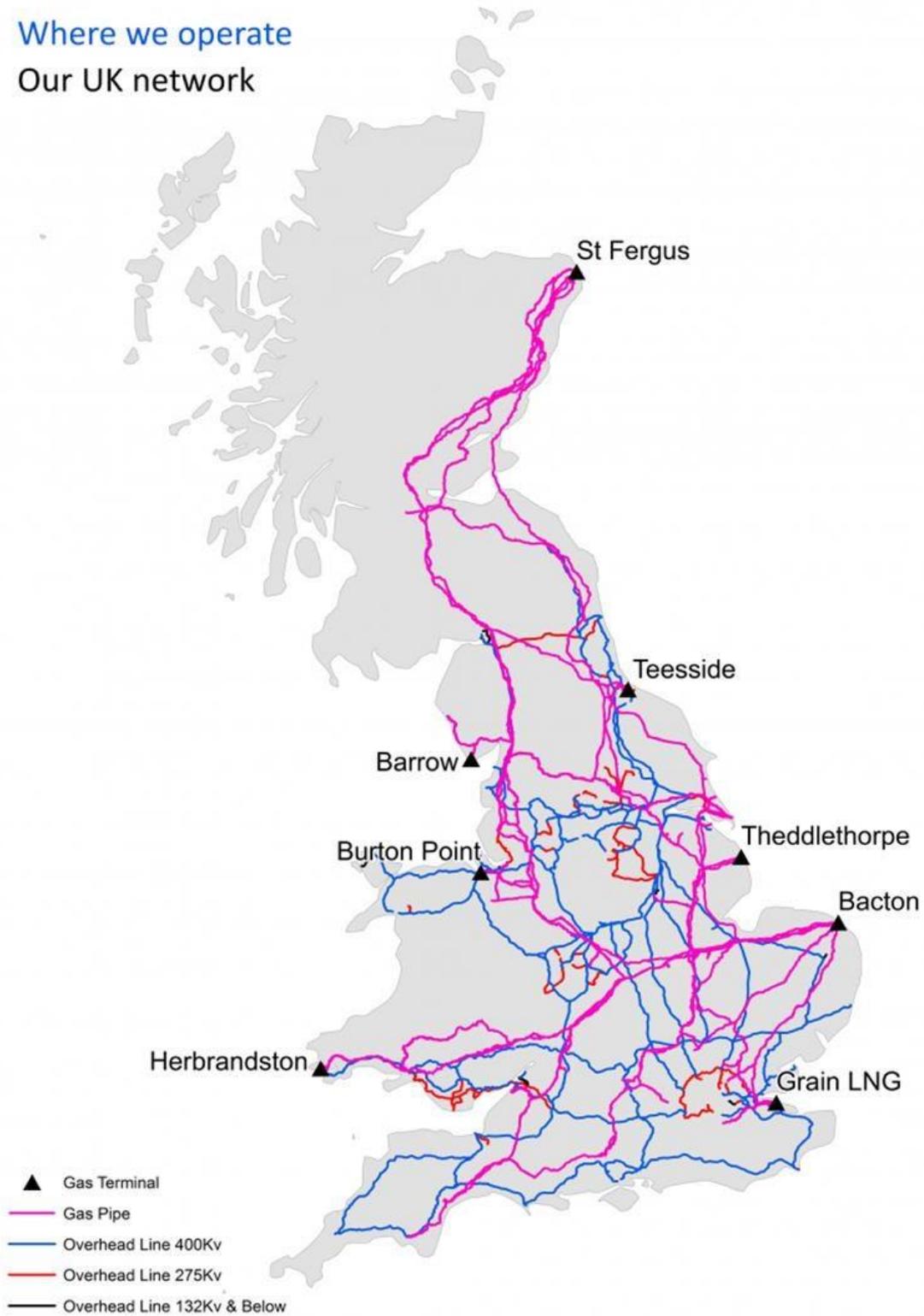
[via email]

**Lucy Bartley Consultant Town Planner**

cc. Spencer Jefferies, National Grid

**APPENDIX 1: NATIONAL GRID'S UK NETWORK**

Where we operate  
Our UK network



Date: 16 July 2019  
Our ref: 288572  
Your ref: Ryton-on-Dunsmore NDP

Dear Mr Needham

Martin Needham  
Development Strategy Team  
Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby CV21 2RR

**BY EMAIL ONLY**

[neighbourhoodplans@rugby.gov.uk](mailto:neighbourhoodplans@rugby.gov.uk)



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**Ryton-on-Dunsmore Neighbourhood Development Plan – Regulation 16**

Thank you for your consultation on the above dated 25 June 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England does not have any specific comments on the Ryton-on-Dunsmore Neighbourhood Development Plan.**

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Victoria Kirkham  
Consultations Team



**From:** TownPlanning LNW [mailto:TownPlanningLNW@networkrail.co.uk]  
**Sent:** 26 June 2019 08:07  
**To:** Neighbourhoodplans <Neighbourhoodplans@rugby.gov.uk>  
**Subject:** Rugby - Ryton On Dunsmore Neighbourhood Plan

Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order.

There are no comments on the NP.

From

**Diane Clarke**  
**Town Planning Technician LNW**  
**Network Rail**

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Network Rail Infrastructure Limited registered in England and Wales No. 2904587,  
registered office Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

04 July 2019

Our ref: Ryton on Dunsmore 1

Dear Sir/Madam

## Ryton on Dunsmore Neighbourhood Plan Submission Version

Thank you for the opportunity to comment on your consultation. We have the following specific comments to make.

**Policy GD2 Building Design Principles** – Severn Trent is supportive of this policy, in particular sub-section I) ‘Development incorporates sustainable design and construction techniques to meet high standards for energy and water efficiency.’ One of our objectives through the Water Resource Management Plan 2019 (WRMP19) is “helping customers to use less water through water efficiency activities and education”. In support of this goal we would also strongly recommend that local planning authorities incorporate the voluntary building standard of 110 l/p/d into their planning policies so that new development is designed in line with this approach. Further information on water efficiency can be found within the water efficiency section of this response.

**Policy H1 Residential Site Allocations** – Severn Trent has no specific concerns in relation to this development provided the surface water drainage for the site is designed following the Drainage Hierarchy (Planning Practice Guidance Paragraph 80). We recommend that reference to the use of SuDS and the Drainage Hierarchy are incorporated for clarity.

**Policy H9 Biodiversity Protection in New Development** – Severn Trent is supportive of this policy, in particular sub-section e) ‘Sustainable drainage and landscaping schemes should be designed to incorporate measures for habitat creation and biodiversity enhancement and should include a resourced management plan to maintain the designed biodiversity value of these features.’ We encourage the use of blue / green infrastructure to manage surface water at source, in accordance with SuDS principles, ultimately help to protect properties from flood risk, maintain the biodiversity and limit the impact of development on water quality.

The retention of watercourses, ditches and land drainage are essential to facilitate sustainable drainage of surface water for new development and for future generations. It is recommended that watercourses are retain within open space to enable access for maintenance, preventing encroachment and improved biodiversity.

Please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice. For your information we have set out some general guidelines that may be useful to you.

## Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.

## Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

## Surface Water and Sewer Flooding

We expect surface water to be managed in line with the Government's Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.

We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.

To encourage developers to consider sustainable drainage, Severn Trent currently offer a 100% discount on the sewerage infrastructure charge if there is no surface water connection and a 75% discount if there is a surface water connection via a sustainable drainage system. More details can be found on our website

<https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-andguidance/infrastructure-charges/>

## Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development.

Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

### Water Supply

When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

### Water Efficiency

Part G of Building Regulations specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.

We recommend that in all cases you consider:

- Single flush siphon toilet cistern and those with a flush volume of 4 litres.
- Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.
- Hand wash basin taps with low flow rates of 4 litres or less. □ Water butts for external use in properties with gardens.

To further encourage developers to act sustainably Severn Trent currently offer a 100% discount on the clean water infrastructure charge if properties are built so consumption per person is 110 litres per person per day or less. More details can be found on our website

<https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-andguidance/infrastructure-charges/>

We would encourage you to impose the expectation on developers that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day.

We hope this information has been useful to you and we look forward in hearing from you in the near future.

Yours sincerely

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