

Statement of Reasons for Making The Order

1. Brief Description of the Land

- 1.1 The Order requires the acquisition of 1.94 acres (0.78 hectares) of land (Plots 2 & 4) and 3.32 acres (1.34 hectares) of rights (Plot 3 & 5) situated in between the West Coast Main Line and the Northampton Loop railway Line. A further 296.75 square meters (0.07 acres) of rights are required between the north of the Northampton Loop railway line and Crick Road (Plots 6).
- 1.2 Most of the land is relatively flat grassland largely situated within the same field, with a small portion of woodland within. Outside of the grassland, a plot of overgrown land abutting to the Oxford Canal is part of the requires acquisition (Plot 1).
- 1.3 The majority of the required access rights are situated on the agricultural access on a private road to the east, which has direct access from Crick Road. Access is limited and can only be gained by passing along a narrow track on a bridge over the railway.
- 1.4 The land required for the platform, car park and pedestrian, cycling and vehicular access to the north of the railway line (directly adjacent to Crick Road) is already in the ownership of Network Rail or Warwickshire County Council.

2. Purpose in Seeking to Acquire the Land

- 2.1 **The Rugby Parkway Station Scheme** (“the Scheme”) is intended to construct a new parkway station in east Rugby. This will include two platforms with footbridge access over the railway line, a car park, installation of a dedicated junction to the existing Crick Road, and pedestrian / cycling infrastructure on Crick Road.
- 2.2 This additional parcel of land is required for the second platform to the south of the railway, emergency access / egress, maintenance access and to accommodate an element of bio-diversity net gain interventions.
- 2.3 The Scheme would produce an extensive range of benefits for the local community in the wider eastern Rugby area, which also help fulfil the objectives set out in the Coventry and Warwickshire LEP (CWLEP) strategic economic plan, by:

- **Promoting modal shift from private car to train.** Greater travel choices will be offered to the public, including providing appropriate transport links to “out-of-town” developments. By shifting commuters onto the rail network, there would be an increase in sustainable travel connectivity in the region and a diminishment in CO2 emissions in the Rugby area and surrounding travel corridors. This will help contribute to a greener economy.
- **Stimulating job creation and easier job access.** It is estimated that between 1,109 and 1,280 jobs will be created by the provision of the station; this is coupled with the expectation that the new station will expose a potential market of an extra 4,300 workers along with a further 2,355 from other smaller sites by being within a 10-15 minutes’ drive of several major industrial employment sites. These sites include Rugby SUE, DIRFT, Coton Park, Magna Park, ProLogis Central Park, Swift Valley, Rugby Gateway, and Valley Park. It will also then appeal to small-to-medium businesses to relocate to the Rugby area too. This has the potential to fill employment gaps and provide new employment opportunities in both the town centre and “out-of-town” by enhancing access to existing and future local jobs. This can help reduce unemployment in the area and so contribute to a fall in regional inequality. This aligns with the Coventry and Warwickshire LEP (CWLEP) strategic economic plan.
- **Increasing connectivity.** New journey opportunities across the sub-region will open up – this will directly appease the strong demand for rail travel between Rugby and Northampton. Consequently, this will help the commuter transition away from bus and car-based transport in the area, which only has a limited capacity. Furthermore, this will augment both the east-west and north-south travel corridors across the Midlands and rest of the country. With these strong and accessible transport connections that will be rooted in Rugby, there will be an improvement of Rugby’s business-to-business connectivity to major economic centres across the country. This also supports the objectives set out in the Coventry and Warwickshire LEP (CWLEP) strategic economic plan.
- **Attracting investment.** By providing strong and accessible transport links to Rugby, this will meet the regionally and locally based priorities for economic growth and agglomeration in the West Midlands and Northamptonshire. These transport links will encourage and help facilitate inwards investment into the Rugby area, which in turn will stimulate regeneration and further future opportunities. This will help shift the local

economy towards one of a more innovative and creative nature - these types of economies are more sustainable in the long term because it allows growth in dynamic, priority industries.

- **Regenerating the local community.** The local residents will see the community become more efficient. There will be reduced congestion in Rugby town centre; there will be an alternative to the capped car parking and limited highway access to the existing Rugby Station; and the new Station will support the sustainable development of Houlton and the DIRFT III expansion, meeting both locally generated passenger demand and supporting access to DIRFT employment. Furthermore, this will respond to the anticipated future growth in Rugby in terms of population and housing.
- **Providing other opportunities for economic growth.** The land and property values around Rugby Parkway will increase as the new Station will become a focal point for additional development due to its inherent accessibility advantages and associated commercial potential.
- **Creating additional highway capacity.** The new Station will contribute to improving journey times and reducing traffic congestion along the A428 corridor in Rugby. The A428 is critical to supporting local economic activity given the connectivity as it provides to existing major sites and businesses, e.g., Daventry International Rail Freight Terminal. The A5 is also a crucial arterial route connecting the Midlands and forecasts highlight that the capacity on this route will be further constrained due to expanding employment sites and new housing developments, where a total of 32,620 dwellings will be located along the route. The SEP specifies that the key factors in strengthening connectivity are (1) releasing capacity and efficiency on the highway network, and (2) increasing the availability of public transport options to enhance business activity and travel to work journeys – this can be helped by widening the rail corridor.

2.4 The Business Case for Rugby Parkway emphasises that the potential scheme would yield a substantial level of benefits, an example of which is presented below:

- The DfT's WebTAG transport scheme appraisal concluded that the Scheme has a purely transport related Benefit Cost Ratio of 4.5 which still represents very high value for money according to the DfT's WebTAG appraisal model.

On the basis, the Scheme provides a Net Present Value (NPV) of £66 million; and

- Furthermore, the wider economic benefits the Scheme would support include reducing the impact of the new housing development, Houlton, on the highway network, unlocking latent rail demand in the wider area, and potentially agglomeration impacts on local economies and labour market effects.

2.5 Traffic modelling has been carried out to inform the next stage of project development. The Traffic Modelling Overview for Rugby Parkway concluded that, on a network-wide level, there would be no adverse effects to the Network Wide Average Speed, Completed Trips or the Mean Delay (Seconds per vehicle), therefore ensuring that the experience will remain the same for existing road users. On a localised level, there would be little impact on existing road users within the AM, with there only being a slight effect outside the peak hour (from 9:00 – 10:00). This effect is still likely to be insignificant. The impacts within the PM, on a localised level, concern the Ashlawn/Hillmorton Road junction. This due to expected increased queuing levels along the Hillmorton Road approach, increasing journey time for road users during peak hour and post-peak hour. There is also an impact at the Gyratory in the town centre (which is a consequence of the issues observed at the Ashlawn Road junction). This due to expected increased queuing levels along the Hillmorton Road approach, which causes traffic to seek to avoid Hillmorton Road and puts more pressure on the Gyratory as a result during peak hour and post-peak hour. Despite this, overall, for the majority of existing road users, the experience will remain unchanged.

2.6 The key environmental considerations are air quality and noise impacts. The environmental impact review of the Scheme found that it would not have a significant adverse effect on air quality even on the roads experiencing an increase in traffic, but it is projected that residential properties at certain locations could be adversely impacted by increased noise levels without appropriate mitigation measures such as the use of bunds and landscaping.

3. Human Rights Implications

3.1 The County Council, as a public authority, is required by the Human Rights Act 1998 to avoid acting in a way which is incompatible with the European Convention on Human Rights. The Order represents a serious matter for landowners who are

facing the compulsory deprivation of their property. There is now a stronger prerogative on the County Council to decide before making the Order that it is consistent with the following key Convention rights:

- 3.2 Entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6).
- 3.3 Peaceful enjoyment of possessions (First Protocol Article 1). This right includes the right to peaceful enjoyment of property and is subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.
- 3.4 Case law in the UK Courts and the European Court has recognised that the Convention rights just listed are not absolute and must be balanced against the general public need. Therefore, the Council may be justified in making the Order if the interference with the Convention rights of the affected landowner is necessary and proportionate given the public benefit which will be generated by the proposed Scheme for which the land specified in the Order is required.
- 3.5 In the case of this Order the Council has concluded that the economic, social, physical, and environmental benefits that the Scheme will bring (described in paragraph 2 above) are sufficient to justify making the Order. The potential effect of the Order on current and future use of the land affected has been considered when reaching this judgment.
- 3.6 The relevant statutory procedures will also ensure that appropriate compensation is available to the landowner affected by the Order in exchange for the land taken.

4. Steps taken to Negotiate

- 4.1 The Authority has been in contact with the owners of the sites affected by the Order in an effort to negotiate voluntary terms for acquisition of the land in question. It is anticipated that it may be possible to reach terms for voluntary acquisition of the land required, but it is essential to make the Order in case that should not be achieved.

5. Enabling Power

- 5.1 The Order will be made under the provisions of Section 226(1)(a) of the Town and Country Planning Act 1990 since the acquisition of the land specified in the Order will

facilitate the carrying out of development on the land through construction of the Scheme which is calculated to contribute to achieving the promotion or improvement of the area for which the Council has administrative responsibility.

6. Related Orders, Application or Appeals

- 6.1 A Side Roads Order will also be promoted by the County Council under Section 14 of the Highways Act 1980 to authorise necessary alterations to the existing highway network resulting from the construction of the Rugby Parkway Station Scheme.

7. Planning Position

- 7.1 Planning Permission for the Scheme will be determined in due course by the County Council pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992.
- 7.2 Rugby Borough Council as the local planning authority and other key stakeholders including DfT and Network Rail have confirmed support for the scheme. Planning application was submitted on Friday 14th April 2023 and validated by Warwickshire County Council on Wednesday 3rd May 2023. We expect a decision on the planning permission on 6th August 2024.
- 7.3 There is considerable policy, guidance and advice that supports the proposals for the Rugby Parkway Station Scheme. In England, there is a hierarchical structure of policy covering national and local planning. At a national level, the National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. At a local level, the development plan sets out the planning policy for the area. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 7.4 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be considered in preparing

the development plan and is a material consideration in planning decisions. The NPPF states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- **an economic objective** – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the correct places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure.
- **a social role** – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.5 Paragraph 80 of the NPPF states that significant weight should be given to the need to support economic growth and productivity through the planning system, considering both local business needs and wider opportunities for development. At paragraph 81 an outline is provided on how such growth can be promoted. Those criteria highlighted include: the identification of strategic sites for local and inward investment, addressing potential barriers to investment such as inadequate infrastructure, services or housing, or a poor environment; and recognising and addressing the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries, and for storage and distribution operations at a variety of scales and in suitably accessible locations.

- 7.6 In terms of sustainable transport, paragraph 104 states that local authorities should work with transport infrastructure providers and operators so that strategies and investments for supporting sustainable transport and development patterns are aligned.
- 7.7 With regard to urban design considerations, paragraph 124 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 127 further states that planning decisions should ensure that developments support local facilities and transport networks; and create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.8 The statutory development plan in respect of the Order Lands comprises the Rugby Borough Core Strategy (2011) and Rugby Borough Local Plan (2006) Saved Policies. Rugby Borough Council is in the process of preparing a new Local Plan which will replace the Core Strategy (2011) and saved policies of the Rugby Borough Local Plan (2006). This has culminated in a Publication Local Plan being submitted for examination in July 2017. Following public hearings, the Inspector has outlined that “subject to main modifications, the Plan is likely to be capable of being found legally compliant and sound.” These main modifications have since been agreed with the Inspector, subjected to Sustainability Appraisal and Habitats Regulations Assessments, and published for consultation.
- 7.9 In accordance with paragraph 48 of the National Planning Policy Framework, the policies are therefore at an advanced stage and have a degree of consistency with the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. Although hearings have concluded, the Examination is ongoing until receipt of the Inspector’s final report. The emerging policies of the Rugby Local Plan 2011 – 2031 are therefore a material consideration.
- 7.10 Policy CS4 of the Core Strategy 2011 refers to the now-consented Rugby Radio Station Sustainable Urban Extension. The policy makes explicit reference to the desirability for provision of a new railway station to serve the SUE. The development to which this Order pertains would provide a new railway station on the up/down slow

lines (also known as the Northampton Loop) of the West Coast Main Line. The scheme aims to deliver a new railway station to improve the accessibility of the site by providing direct services to Coventry, Birmingham International, Northampton and Milton Keynes. It is anticipated that a four-minute journey to Rugby would also be provided. The scheme would thereby contribute to the aims and objectives of Policy CS4 of the Core Strategy.

- 7.11 Policy CS12 of the Core Strategy 2011 identifies strategic transport improvements which are required in order to manage transport impacts resulting from growth at the urban extensions to Rugby Town. The scheme will deliver a railway station, encouraging a modal shift from private car to a more sustainable mode. The scheme would therefore contribute to the aims and objectives of Policy CS12 of the Core Strategy.
- 7.12 Saved Policy T11 of the Local Plan (2006) refers to the safeguarding of land for future railway opportunities. This policy states: “Ensuring the efficient movement of people and goods is a key factor in a prosperous economy. Rail facilities have the potential to transport large quantities of people and goods and consequently reduce the reliance on roads and reduce the predicted increase in road traffic and congestion”. The scheme would therefore contribute to the aims and objectives of Saved Policy T11 of the Local Plan (2006).
- 7.13 With regard to regeneration initiatives, this continues to form an overarching aim of the emerging Local Plan. The new station would serve the Sustainable Urban Extension (SUE) at the Rugby Radio Station site. Emerging Policy DS5: ‘Comprehensive Development of Strategic Sites’ is therefore relevant. This policy states that strategic sites (such as the Rugby Radio Station SUE) should include “provision of and/or connection to a direct, high quality public transport link between the site and key transport hubs such as railway stations and the town centre.”
- 7.14 The Warwickshire Local Transport Plan 2011 – 2026 states that: “A long term aspiration for a new station to be provided on the Northampton loop of the WCML. This could be served by existing semi-fast services on the Birmingham – Northampton/London and Crewe – London routes currently operated by West Midlands Trains. The location of the new station close to where the fast and slow lines diverge would potentially allow the facility to be enhanced in the future to allow express services to call. As well as serving new development in the area, the station could

improve access for employees working at DIRFT and meet latent demand for trips by rail within the area. The station could also provide a strategic parkway facility, given its location close to the M1/M6/A14 interchange.” The scheme would therefore support the delivery of a long-term aspiration of the Warwickshire Local Transport Plan 2011 – 2026.

- 7.15 The scheme would support the delivery of the Government’s vision as set out in ‘Creating Growth, Cutting Carbon: Making Sustainable Transport Happen’. One of the key objectives of the vision is the need to reduce the carbon impact of longer journeys – the impact of rail is critical to achieving this. By prioritising delivery of rail infrastructure projects, commuters and intercity travellers will be provided with an attractive alternative to the private car. Linked to this, the National Policy Statement for National Networks (2014) states that rail transport has a crucial role to play in delivering significant reductions in pollution and congestion. The Government has therefore concluded that, at a strategic level, there is a compelling need for development of the national rail network to meet existing and anticipated future demand and to achieve economic, social, and environmental improvements.
- 7.16 By way of policy justification for the railway station, the proposals are considered to be consistent with the relevant policies of the statutory development plan and the emerging policies of the Rugby Local Plan 2011 – 2031. The proposals would also support wider local transport objectives and the aims of the Government’s transport vision.
- 7.17 As with the NPPF, the emerging Local Plan makes a presumption in favour of sustainable development. Policy GP1 of the emerging Local Plan states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. These include securing development that improves the economic, social, and environmental conditions in the area. The Rugby Parkway Station scheme will improve accessibility via a sustainable mode and will deliver a range of economic, social, and environmental benefits which are interdependent and will be pursued in mutually supportive ways.
- 7.18 The proposals within the Rugby Parkway Scheme for a new railway station and highway and access improvements are consistent with the aims and objectives of both national and local planning policy.

- 7.19 The scheme has been the subject of extensive discussions with the local authority and other stakeholders. Given the substantial benefits of the scheme, and that it accords with national and local policy, there are no obvious reasons why permission for the applications for the railway station and associated works might be withheld.
- 7.20 In the event that the planning application is called in by the Secretary of State, and objections are made to the CPO resulting in a public enquiry all reasonable effort will be made to ensure that both procedures can be dealt with at the same public inquiry.

8. Special considerations affecting the order sites

- 8.1 There are no designated constraints for these sites with regard to the historic environment i.e., Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, registered Battlefields or Conservation Areas. Archaeological surveys have been undertaken to support the historic records.

9. Views Expressed by Government Departments

- 9.1 Warwickshire County Council has liaised with Government departments, specifically the Department for Transport, to discuss the Rugby Parkway Scheme. The Department for Transport has expressed support for the Scheme and is working with Warwickshire County Council on how to progress the Scheme.

10. Availability of Documents, Maps and Plans

- 10.1 In the event of a public inquiry taking place the Council will make all relevant documents available for public inspection at Rugby Borough Council Offices, at Shire Hall, Warwick, and online. Many documents are already available on the Council's website at the following link: <https://www.warwickshire.gov.uk/major-transport-construction-projects/rugby-parkway-station/2>

11. Officer to be Contacted

- 11.1 The following person should be contacted for further information: -

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