

1<sup>st</sup> February 2024

Our ref: MIT2446 221057 006 01 02 24

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



The Hall, Priory Hill  
Rugby Road, Wolston  
Warwickshire CV8 3FZ

T: 01788 435 435

Dear Sir/Madam,

**RE: RUGBY LOCAL PLAN ISSUES AND OPTIONS CONSULTATION RESPONSE – LAND SOUTH OF A45**

Sworders are instructed by our client, Mitchells Potatoes Ltd, to prepare and submit a response to the current consultation on the draft Issues and Options document.

Our client owns land to the south of the junction of the A45 with the A4071 (the 'Straight Mile'); please see the plan of his ownership at Appendix 1. The land is currently farmed. It covers an area of 14.78 ha.

There are two potential vehicular access points to the site, either from the A4071, which crosses the A45 on a bridge to the east of the site, or from Draycote Lane and the Straight Mile. The indicative layout plans submitted with these representations show the two potential access points. If Draycote Lane were to be used, improvements to the lane would need to be made, being sensitive to the currently rural nature of the lane. A plan (ref 23076\_06) shows how potential improvements could be made.

The northern boundary of the site is formed by the dual carriageway A45, the western boundary by Bernhard's Nursery, the southern boundary by Draycote Lane, and the eastern boundary by a dismantled railway line.

We wish to respond only to those consultation questions which are of relevance to the potential development of our client's site for commercial development.

### **1. How much employment land should we be planning for?**

The draft Plan notes that the Local Planning Authority now has new, longer term employment projections for the need for land for employment uses. Paragraph 86 of the NPPF (December 2023) states that:

*'Planning policies should:*



- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period.'*

We note that a West Midlands Strategic Employment Sites Study has been commissioned by Rugby Borough Council with other West Midland Local Authorities, and that the findings from this study will inform the strategy to allocate land for strategic warehousing across these authorities. The Plan should make provision to deliver the Rugby allocation of all the land required by this study.

In addition, the HEDNA (November 2022) identifies a strong need for separate allocations for manufacturing development. Paragraph 3.37 of the draft Plan notes that if the plan period covers from 2021 to 2050, there will be a need for 40.29ha of industrial land to meet Rugby Borough's own needs.

We also note from paragraph 3.32 of the draft Plan that there may be an additional requirement for industrial land if Coventry is unable to meet its own needs. The Rugby Local Plan Review should comply with the requirement of paragraph 35a of the NPPF, which states that Plans are positively prepared if they accommodate unmet needs from neighbouring areas where it is practical to do so. It would be practical to meet some of that unmet need on this site. Although the site currently lies in the Coventry Green Belt, it does not meet the purposes of Green Belt land, a point which we will cover in more detail below. The release of this land from the Green Belt would prevent the need to release other Green Belt land closer to Coventry which makes a significant contribution to the purposes of the Green Belt.

Our client's site would be highly suitable to contribute to meeting the need for strategic warehousing or manufacturing land, to meet both Rugby Borough and Coventry's need, in a location which would serve the needs of both authorities, and of the wider West Midlands. It lies only 9 miles to the east of the centre of Coventry, and has excellent road connections to both Coventry and Rugby, as well as to the national highway network.

## **2. What type of employment land should we be planning for?**

There is a high demand for warehousing in the Borough, which is due to 'just in time' inventory management, increase in online sales and increasingly complex supply chains. Paragraph 3.16 of the draft Plan notes that Rugby Borough sits within the so-called 'Golden Triangle' for distribution. This is an area of the East and West Midlands that has 35% of all UK warehouse floorspace, due to its efficient access to the motorway network.

In paragraph 3.10 of the draft Plan, we note the HEDNA recommendation that, because of the high demand for warehousing land, the Plan should separately make specific site allocations for B2 industrial and light industrial (now use class E(g)(iii)) land).



In addition, the Plan should be making provision for HGV parking and storage. With increasing use of delivery trucks, such facilities are much needed. Following the publication of the Government's 2022 national survey of lorry parking, the head of cities and infrastructure policy at Logistics UK noted that there is a desperate and urgent need for secure lorry parking provision and that urgent reform to the planning system is vital for the provision of more parking facilities on key routes. A further increase in the amount of warehouse space in the region will lead to increased demand for HGV parking and storage. This will reduce the number of HGVs parking on roads in and around industrial estates. We will also provide proper welfare facilities and manage driver waste, reducing the pressure on laybys in the area.

The site could as an example provide a strategic HGV rest area located approximately one mile to the west of the M45 motorway, which would provide both short stay and overnight lorry parking. It would deliver floodlighting, security fencing, welfare facilities such as wash facilities and a restaurant, and it would have 24/7 access and security. Such a facility would reduce the need for lorry drivers to park informally in laybys overnight, which can lead to problems with their personal security as well as the security of their cargo.

The site would also be highly suitable for other uses to those discussed above, such as the provision of open storage land. While not a separate use class, the criteria required for open storage land shares many characteristics with that for warehousing or industry. There is a need for a level site with excellent vehicular access, good accessibility to the highway network, few residential properties in proximity, good landscaping and screening, with space to provide welfare facilities for drivers and fuelling facilities for trucks.

An open storage site could also provide suitable parking for logistic or parcel operators. My client's site provides the ideal opportunity to deliver open storage land which has excellent access to the national highway network on a site which lies only 1.5 miles west of the M45 Motorway.

**3. Please provide any comments you have on the suitability of any of the broad locations listed above (or another location we have missed).**

Paragraph 3.40 of the draft Issues and Options document identifies potential strategic employment locations, which have good access to A roads and motorways. We note that these locations are not site specific, but we would encourage the LPA to use the opportunity presented by the Local Plan Review to build on the identification of these areas to proactively identify suitable sites for commercial development which have excellent access to the highway network.

My client's site lies within the potential strategic employment location identified at the junction of the A45 and the A4071. Land at the junction of the A45 and the A4071 has excellent access to the National Highway Network. The A45 connects the city of Coventry with Junction 17 of the M1 motorway, providing access to the Midlands, London and northern England. The A45, which becomes the M45 just to the west of the site, is relatively under utilised and has capacity for additional traffic.



When considering potential locations for employment development, paragraph 3.42 of the draft Plan states that:

*'Other important considerations will be landscape impact, the capacity of the highways network, and transport accessibility, both for commercial traffic and for employees getting to work.'*

Below, we demonstrate how our client's site complies with these criteria.

**Landscape impact:** The site is located immediately adjacent to the A4071, the B4453 and the A45. There are established and mature hedges and trees which filter views of the site from these roads. The dismantled railway to the east of the site forms a strong landscape buffer to the east. There is a large garden centre and a motel to the west.

The site is most visible from a public footpath which crosses it from Draycote Lane to the A4071. Other than from this location, only glimpsed views are available, and the site is mainly perceived in the context of the busy roads which border it to the north, east and west.

**Highways:** The site lies adjacent to the A4071, the B4453 and the A45. Traffic movements associated with any development of the site would be mainly limited to traffic accessing and exiting from the site to gain access onto the east or west bound A45, and as such the highways impact would be very localised.

The landowner has commissioned an access appraisal of the site, which is submitted in support of these representations. Two potential points of access have been identified; one from the A4071, and one from the B4453 via Draycote Lane.

Other considerations relating to the site's general suitability for development are that the site lies in Flood Zone 1, the area at lowest risk of fluvial flooding, and in an area at very low risk of surface water flooding. There are no heritage assets at or in the vicinity of the site, and there are no other planning or environmental designations or constraints on my client's site or in the area around it.

## **6. Are there exceptional circumstances that mean we should amend Green Belt boundaries to meet the need for employment land?**

Paragraph 145 of the NPPF states that:

*'Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.'*

With the majority of Rugby Borough lying in designated Green Belt, it would be impractical and undesirable to allocate all employment sites outside of the Green Belt, as these would all need to be concentrated in the east of the Borough, with attendant implications for impacts on residential amenity and the capacity of the highway network.



Similarly, the provision of open storage land would not be ideal in areas where the Green Belt land fully meets the aims and purposes of the Green Belt. However, it should be considered on Green Belt which is not meeting those purposes, and which has excellent access to the strategic highway network.

The exceptional circumstances required to justify Green Belt therefore are based on the need to allocate land for employment in places where accessibility to the highway network is good, where such allocations will not impact on residential amenity, and where such development would not cause harm to the countryside. In addition, we suggest that a Green Belt review should identify parcels of land which not only comply with all of the above criteria, but which also do not make any contribution to the purposes of the Green Belt.

Below, we demonstrate that our client's site makes little or no contribution to the five purposes of the Green Belt:

*(a) to check the unrestricted sprawl of large built-up areas;* the site does not lie within the vicinity of any large, built up areas, and its development would not lead to sprawl of a built up area.

*(b) to prevent neighbouring towns merging into one another;* the site does not form open land between two neighbouring towns or any other settlements.

*(c) to assist in safeguarding the countryside from encroachment;* Development of the site would not result in encroachment of an urban area into the countryside. The strong, defensible boundaries of the site to the west, north and east are described above; namely the B4453 to the west, the A4071 and A45 to the north and the former railway line to the east, all of which would naturally contain any development. Further planting would be required to develop a strong, defensible woodland buffer to the south of the site, which is defined by Draycote Lane, and beyond that is Far Popehill Spinney.

*(d) to preserve the setting and special character of historic towns;* There are no historic towns within the vicinity of the site.

*(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.* While brownfield sites should be used, to reduce the need to develop on open countryside, it must be recognised that such sites are less likely to have excellent access to the highway network, and are more likely to be in urban areas, with neighbouring residents, meaning they are less likely to be suitable for warehousing, industrial or open storage uses.

## **Summary**

In summary, we would urge the Local Planning Authority to consider the development potential of Land south of the A45, which could provide a strategic scale employment site with excellent accessibility, few constraints and which could make a significant contribution to the need for employment land in the emerging Local Plan Review.



I would be grateful if you would acknowledge safe and timely receipt of these representations. If you need any additional information, please do get in touch.

Regards,

