

1st February 2024

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Dear Sir/Madam,

RE: RUGBY LOCAL PLAN ISSUES AND OPTIONS CONSULTATION RESPONSE – LAND NORTH 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 north 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 1.8ha.

Land immediately to the east of the site comprises Dunchurch Trading Estate, which is designated as an existing, strategically important employment site under Policy ED1 of the adopted Rugby Local Plan. The extent of the allocation covers the Trading Estate as well as other commercial development and some residential properties. To the east of that allocation lies the area allocated as the South West Rugby SUE, for 5,000 new homes and associated infrastructure and services. The Tritax Symmetry development is also being constructed to the east of the site. To the south of the site is the A45, and to the west, the A4071.

We wish to respond only to those consultation questions which are of relevance to the potential development of our clients' sites 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 all the land required by this study.

In addition, the HEDNA (November 2022) identifies a strong need for separate allocations for manufacturing. 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 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.

Our client's site would be highly suitable to contribute to meeting the need for industrial and manufacturing land, in a location which would serve the needs of Rugby Borough or of Coventry. It lies only 9 miles to the east of the centre of Coventry, and is connected by the A45.

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

In paragraph 3.10, we note that the HEDNA recommends that, because of the high demand for warehousing land, the Plan should make specific site allocations for B2 industrial and light industrial (now use class E(g)(iii)) land). There is also a significant need for warehousing land. Paragraph 3.16 notes that Rugby Borough sits at 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.

Our client's site is ideally positioned to deliver employment land which has excellent accessibility to the highway network, but is conveniently close to towns such as Rugby or Coventry, for the workforce to travel to it. Vehicles associated with development here would not need to use country lanes, or to pass through residential areas, and would have excellent accessibility to the trunk road network.

Development of the site would also offer the opportunity to create a link through to provide an alternative vehicular access for the existing commercial developments to the east of the site, which currently have direct access onto the dual carriageway A45. A new access through our client's site would enable these existing access points to be closed off, and would provide significantly safer access and egress, from the A4071.



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 proactively identify suitable sites for commercial development which have excellent access to the highway network.

My client's site lies within the area 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 land is screened from the east by a hedgeline of mature trees and shrubs. To the west, the land rises to provide the road bridge over the A45. There are mature hedges and trees along the southern boundary of the site, with the A45. The site can only be seen with very fleeting, glimpsed views from the A45, and from the B4453 by drivers as they pass over the A45. There are no public rights of way in the vicinity of the site which would offer views into the site.

Our clients have commissioned a review of potential access to the site by a highways consultant. This work found that a potential B2 or B8 scheme could be developed at the site with access via the A4071, at any point 35 to 120 metres south of the existing field access, which lies in the north western corner.

The need for a right turn lane will be established following confirmation of the development type and scale and ultimately dictated by the volume of traffic flow both on the A4071 and generated by the development itself. There should be sufficient scope to include a right turn lane within the available site frontage and highway verge although the precise layout will be subject to detailed understanding of the local conditions.

The highways consultant also noted that if a roundabout would be required for capacity reasons, there may be scope for this to be explored further and located at the northern end of the site frontage.



We also note that the site lies only some 3.5 miles from the centre of Rugby and that the workforce could come from the town, from the new SW Rugby SUE or from any of the surrounding villages.

Should the site be allocated in the draft Local Plan, a Transport Assessment would be prepared that provides clear evidence of local conditions to support a proposed access and internal layout strategy, and how traffic generated by the proposed scheme could be satisfactorily accommodated within the surrounding highway network, identifying any necessary mitigating improvements.

My client's site lies in Flood Zone 1, the area at lowest risk of fluvial 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.

5. We are minded to allocate sites specifically for industrial (B2) and light industrial (E(g)(iii)) uses. Do you support this and if so, where?

We do support this proposal. Many sites, such as our clients', may not be of a sufficient scale for strategic warehousing, but could deliver an appropriate sized site for B2 and B8 uses. The site is unconstrained with good access, in close proximity to other important employment sites. Allocation of this site would have the advantage of focusing commercial development where it can flourish, without having a negative impact on residential areas. The site would be capable of delivering a range of small and medium sized units which would provide useful incubator units and grow into spaces, and would provide a hub for manufacturing units, with shared road infrastructure.

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.

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, 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; There are no large built up areas in the vicinity. To the east lies existing commercial development. If the site were to be developed, there would be a strong defensible boundary to the west from the A4071, to the south from the A45 and existing development to the east. A belt of woodland planting along the northern boundary

(b) to prevent neighbouring towns merging into one another; there are no neighbouring towns or settlements within the vicinity of the site.

(c) to assist in safeguarding the countryside from encroachment. As set out above, if the site were to be developed, there would be a strong defensible boundary to the west from the A4071, to the south from the A45 and existing development to the east. A belt of woodland planting along the northern boundary would prevent any encroachment into the countryside.

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

(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The site is a greenfield site but its development would encourage and potentially help to improve the use of the Dunchurch Trading Estate by providing a critical mass of commercial land in this area, and potentially improving the vehicular access to the area.

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,

