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Dear Sir/Madam

Rugby Borough Local Plan Preferred Options Consultation Response on behalf of Vistry Strategic Land

Harris Lamb Planning Consultancy (“**HLPC**”) are instructed to submit representations to the Preferred Options Rugby Borough Local Plan by Vistry Strategic Land (“**Vistry**”). Whilst Vistry are generally supportive of the Plan, including the proposed allocation of their land interest at Wolvey (proposed allocation 84) there are a number of areas of concern. Our comments are provided below. For ease of reference we provide our comments on a policy by policy basis in the order they appear in the consultation draft Plan.

Objectives and Key Diagram

The proposed Objectives of the Plan includes supporting the diversification and growth of Rugby’s economy, the revival of Rugby Town Centre, reducing emissions and adapting to climate change, improving design standards, delivering infrastructure led growth and creating a greener and more biodiverse Borough. We support these objectives. There is, however, no reference anywhere within the objectives to supporting residential development. This is a significant omission.

The Plan’s objectives should be informed by the three overarching sustainable development objectives identified by the National Planning Policy Framework (“**the Framework**”) in paragraph 8. This includes the “social objective” of supporting strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes is provided to meet the needs of present and future generations.

An additional objective should be added to the Plan that confirms that the Plan will deliver a sufficient number of homes, in the right location and of the right type, to meet the needs of Rugby Borough and to boost the supply of housing within the plan area.

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Policy S1 – Settlement Hierarchy

We support the identification of Wolvey as a “Major Rural Settlement” in the settlement hierarchy. It is a sustainable location for additional development given the range of services and facilities within the village. This includes a primary school, shops, public houses, playing fields, a village hall and a church. The sustainable nature of Wolvey has previously been recognised through earlier versions of the Local Plan, which has sought to direct new residential development to the settlement.

We support the reference of Policy S1 to new development being of a scale commensurate to the levels of services within the settlement. The services and facilities within Wolvey are capable of supporting additional development as demonstrated by the Plan’s Sustainability Appraisal.

Policy S2 – Strategy for New Homes

The Housing Requirement

Policy S2 advises that to meet the future need for housing 12,978 new homes will be delivered in the period 2024 to 2025. This is the equivalent of 618 dwellings per annum. We object to this approach.

Paragraph 62 of the Framework advises that in order to determine the “minimum number” of homes needed strategic policies and Local Plans should be informed by a Local Housing Needs Assessment, conducted using the Standard Method.

The “minimum” Standard Method housing figure for Rugby Borough is 618 dwellings per annum. This should be acknowledged by the policy and reference should be made to the housing requirement being a “minimum” figure, that is expected to be exceeded, in accordance with the guidance contained in the Framework.

In addition, there is evidence to suggest that the emerging Plan should include a housing requirement greater than the minimum Standard Method housing figure. The Coventry and Warwickshire Housing and Economic Development Needs Assessment (“**HEDNA**”) of November 2022 concluded that based upon modelled demographic projections there is a requirement for 735dpa to meet the growth requirements of Rugby. The HEDNA remains a relevant Local Plan evidence base document. Indeed, the requirements of Policy H1 – Housing Mix, Policy H2 - Affordable Housing and Policy H6 – Specialist Housing are drawn from the HEDNA. The HEDNA is referenced in the supporting text for these policies demonstrating this point. The HEDNA’s conclusions in respect of the amount of affordable housing required, the housing mix standards and the need for specialist housing are predicated on the fact that provision is made for the development of 735dpa as recommended by the HEDNA.

In addition, the proposed housing requirement in the Plan will result in significant under-delivery of affordable housing. Policy H2 - Affordable Housing, of the Preferred Options Plan requires 20% affordable housing provision in the Rugby urban area and 30% provision elsewhere. That means that even if the entirety of the Plan’s housing requirement were delivered at 30% provision (which would clearly not be the case) a maximum of 3,893 affordable dwellings will be provided during the course of the plan period.

The HEDNA identifies a need for 198 affordable dwellings per annum during the course of the plan period (Table 8.15). Based upon the proposed 21 year plan period that equates to a requirement for 4,158 dwellings. The plan will not deliver this number of affordable homes. The most appropriate way of increasing the supply of affordable housing is to increase the

overall housing requirement given that the main source of affordable housing delivery will be by S.106 agreements.

The Supply of Sites

We have a number of concerns with the various sources of housing land supply identified by Policy S2. Part B of the policy advises that sites with planning permission are subject to a 10% non-implementation allowance if they are not under construction. We fully support the use of a non-implementation allowance on the basis that not all sites granted planning permission come forward for development. In addition, it is not unusual for Reserved Matters applications to propose a lower number of dwellings than the original outline planning permission.

Whilst the Plan applies a non-implementation allowance of 10% to sites with planning permission there is no similar non-implementation allowance applied to the proposed housing allocations without planning permission, including South West Rugby that is expected to deliver 3,990 dwellings. This is inappropriate and illogical. As drafted Policy S2 creates a contradictory policy position, whereby the proposed allocations are not subject to any form of lapse rate suggesting they will all come forward for development despite not have planning permission. However, once an allocation is granted planning permission it is subject to a 10% lapse rate despite having the benefit of the planning permission itself. All proposed housing allocations should be subject to a 10% non implementation allowance.

Policy S2 also seeks to carry forward allocations from the Local Plan 2011 – 2031, that are expected to deliver a total of 633 dwellings between them. Given that these sites have the benefit of an allocation for a considerable period of time their deliverability is highly questionable. These sites should be removed as a source of supply from the policy.

Policy S6 – Residential Allocations

We support the proposed allocation of land south of Leicester Road, Wolvey, in the Preferred Options Plan. The site is a suitable and sustainable location for development that forms a natural extension to the Kingmakers View development to the immediate west.

We provide a separate response to the Development Site Allocations Annex, where we comment on site specific development matters. It should, however, be noted at this stage that it is Vistry's view that the site could deliver more than the 60 dwellings proposed. The exact number of dwellings on the site will be determined at the planning application stage, having regard to the opportunities and constraints presented by the site. Indeed, this is true of all of the proposed allocations. Policy S6 should, therefore, confirm that the dwelling figure provided for each site is an indication of their capacity and the Council will seek to make best use of land and deliver high quality sustainable developments in these locations.

Policy H1 – Housing Mix

Policy H1 requires a housing mix based upon the findings of the HEDNA. We support the identification of an indicative mix within the policy to inform development proposals. However, the HEDNA's conclusions are Borough wide and different areas will be suited to different housing mixes. There may also be site specific matters that lend sites to particular forms of development. The policy should, therefore, confirm that the HEDNA housing mix will be used to inform the determination of planning applications, but that it is not prescriptive.

In addition, whilst we support the use of the HEDNA as an evidence base document to inform the dwelling mix policy its findings cannot be used selectively. The housing mix referred to in the supporting text at paragraph H1 is based upon the HEDNA's conclusions that provision

will be made for the development of 735dpa, which is notably more than the Standard Method housing requirement referred to in Policy S2.

Policy H2 – Affordable Housing

Policy H2 requires the provision of 20% affordable housing in the Rugby urban area and 30% elsewhere within the Borough. Affordable housing delivered through S.106 agreements will be the principal source of affordable housing delivery during the plan period.

Not all sites within Rugby Borough will provide affordable housing. There will be development sites that fall below the affordable housing threshold, indeed Policy S2 suggests that 1,050 dwellings will be provided from small site windfalls of 5 dwellings or less. In addition, other sites will have viability constraints that mean that a reduced amount of affordable housing is proposed.

The Plan will not, therefore, deliver the amount of affordable housing required to meet the affordable housing need identified by the HEDNA. As such, the Plan will not meet the requirements of paragraph 63 of the Framework. Paragraph 63 requires the housing needs of different groups to be assessed and planned for, including those that require affordable housing. The most appropriate way of rectifying the affordable housing shortfall that will emerge as a consequence of the policies in the emerging Plan is to increase the overall housing requirement.

Annex: Development Site Allocations

Land South of Leicester Road, Wolvey

Vistry are the owners of proposed Allocation 84 – Land south of Leicester Road, Wolvey. The site has been promoted as a residential allocation through the plan making process. It is a sustainable, suitable and deliverable housing site. Whilst we fully support the allocation of the site for development, we have a number of comments with the “development requirements” of the site referred to in the policy.

The policy proposes that access will be taken from the site from Outfield Way in the Kingsmakers View development. It is highly likely that this will be the preferred access solution. However, there may be a suitable alternative access arrangements available. The policy should include flexibility. It should be advised that the expected point of access will be from Outfield Way rather than dictate that this must be the point of access.

Reference is made to the creation of a 4 hectare riverside walk and nature park linked to the Wolvey Wetland Reserve. Vistry support this in principle. However, it is suggested that rather than specify the area the policy should advise that a riverside walk and nature park should be provided in broad accordance with the indicative masterplan provided in the policy. Whilst this area is approximately 4 hectares, it may be appropriate for the area to be slightly larger, or slightly smaller, once technical work had been undertaken to support the preparation of a planning application.

The policy refers to the creation of a children’s play area, community orchard and visitor parking on the south east corner of the site adjacent to Wolvey Cemetery. We support the reference to the visitor parking being adjacent to Wolvey Cemetery. There may, however, be better locations within the site area for the children’s play area and community orchard. The location of the community orchard may be impacted by the BNG requirements. As such it is suggested that some flexibility is introduced into the policy in respect of the proposed location of the play area and community orchards.

It is inappropriate for the policy to advise that the scheme “must” comply with the Wolvey Village Expansion Design Code. This approach effectively elevates the Wolvey Village Expansion Design Code to having Development Plan status. The Design Code has not, however, been subject to consultation in the same way that policies included in the Local Plan are. Rather than advise that compliance is required with the Wolvey Village Expansion Design Code, the policy should state that the Wolvey Village Expansion Design Code is a material consideration in the determination of planning applications.

The policy makes reference to improved public transport provision. This policy is unnecessary, as Policy I4 – Infrastructure and Planning Obligations, advises that planning obligations will be secured for appropriate infrastructure where necessary.

We trust you have found these representations useful. If you have any queries or would like to discuss this matter further, please do not hesitate to contact me.

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