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Dear Sir/Madam

RE: PREFERRED OPTIONS DRAFT LOCAL PLAN REPRESENTATIONS

These representations have been prepared by 'Sworders' on behalf of the landowners of the Land at Mill House, Dunchurch.

HELAA Site Proformas

Site 117 – Land at Mill House, Dunchurch

We strongly disagree with the justification for not progressing Site 117 at Stage 2 Site Options Assessment and contest the Reasoning.

The Suitability Commentary states as follows;

“North and east of the site lies adjacent to allocated South West Rugby site. Promoter states that this site could accommodate a variety of smaller commercial uses including trade counter uses given its close proximity to housing in the South West SUE. Potential impacts on the SRN. Several TPOs within and adjacent northern and western parts of site. Within SSRI Impact Risk Zone - need to consult Natural England on residential development of 100 houses or more / large non-residential developments where footprint exceeds 1ha. Further assessment required to determine locational suitability of uses proposed in relation to wider area. Given surrounding uses, employment would be compatible - residential uses might give rise to conflict”.

Given the commentary above it is clearly considered an appropriate site for employment allocation given that it lies adjacent to Symmetry Park and to the allocated South West Rugby site, particularly for smaller commercial uses. Photo 1 in appendix C shows the site outline in red surrounded by existing development at Symmetry Park.

Development could be designed to avoid the root protection zones within and adjacent to the site to ensure these trees can be retained and protected from development. This area could be safeguarded



from development incorporating it into the Biodiversity Net Gain strategy for the site which could in turn be used to 'buffer' the TPO'd trees.

In response to the need to consult Natural England on the SSRI Impact Risk Zone for residential development of 100 houses or more, the potential yield for residential on this site would be 70 dwellings which is significantly below 100.

The Reasoning for not Progressing site 117 was as follows;

"The site consists of an industrial estate, residential dwelling and field sandwiched between the A45 and Symmetry Park.

The surrounding road network has relatively high levels of congestion, accessibility is reasonably good and will be improved with the development of south west Rugby.

The site has low landscape, ecology and heritage sensitivity and is not within the Green Belt.

However, there are serious concerns in terms of the ability for suitable, safe access to be provided from the A45. For this reason the site is not progressed beyond the Stage 2 Site Assessment".

We presume that the serious concerns in terms of the ability for suitable safe access to be provided from the A45, relate to the lack of any significant slip roads for the exit to the existing commercial premises and dwelling that sit within Site 117. However, the allocation of Site 117 will create an opportunity to substantially enhance highway safety on this stretch of the A45 by being able to replace the existing established accesses (which would not be highway compliant if they did not have established user rights and were being sought today) and replace with suitable highway compliant slip roads to provide access to and egress from these commercial premises.

The provisions of slip roads into a highway compliant form suitable for dual carriage way would involve removal of some trees, none of which is subject to a TPO and would be accounted for in any BNG calculation to provide a net environmental and planting benefit.

In the alternative, a deceleration / acceleration additional lane could be provided within a combination of highway land and land belonging to the owners of Site 117.

A similar lane has been provided in front of the employment site at Dunchurch Trading Estate (see Photos 2 and 3 in appendix C) but a combination of our client's frontage and highway land would enable such a deceleration / acceleration lane to a full highway compliant 'hard shoulder' width allowing a much safer access and egress from the current site as well as a safe access to the proposed new, commercial development. Photo 4 Appendix C shows the existing field access onto the A45.

Furthermore, the traffic on this section of dual carriageway will be slowing down from 60mph speed limit to approach the new roundabout at the entrance to Symmetry Park and this will further enhance highway safety.

Overall, therefore, the local authority's own assessment concludes that this site is entirely suitable for development on all assessments other than highway safety, and as evidenced herein, proposed



development of this site can provide a highway solution to not only mitigate the impact of the new development, but also to enhance highway safety relating to existing commercial development.

Turning to the sustainability of the site, the site lies immediately adjacent to the South West Rugby SUE. Photos 5, 6 and 7 in Appendix C show the site being surrounded by Tritax Warehousing development. The Transport Evaluation summary advises that the site is “*rural in nature and would be reliant on the private car*”. However, the summary then goes on to say the distance to the nearest bus stop is only 134m. Whilst, historically, the site was rural in nature, given the surrounding level of strategic development this site sits on the edge of a SUE and we would argue can no longer be described as a rural site. The site would also promote cycling due to the National Cycle Route 41 forming the northern boundary to the site and following an 8-minute cycle route into the centre of Dunchurch.

Site 117 would be within sustainable travel distance to the proposed primary and secondary schools to be provided within S8 South West Rugby. Site 117 is a Non Green Belt site, whereas 52% of the Preferred Options Residential allocations and 74% of employment allocations would require green belt release.

Taking all of the above into consideration the site is considered to be available, achievable and potentially suitable for development and therefore we dispute the conclusion that the site is not currently developable and consider the site should be taken forward as a small scale employment allocation.

Rugby Local Plan Preferred Options Consultation

Objectives

Whilst we would agree with the 6 Objectives set out in the Preferred Options Consultation, there is no reference to Housing provision or creating healthy, attractive and sustainable neighbourhoods. This should be a key objective given the housing requirement over the plan period.

Policy S1 Settlement hierarchy

Policy S1 sets out a Settlement Hierarchy for the district based on the Rural Sustainability Study December 2024 which identifies Rugby Town, Main Rural Settlement, Rural Villages, Countryside and Green Belt. The settlements are scored on their access to services, public transport and internet coverage. Nine Main Rural Settlements are defined, one of which is Wolvey, where 710 dwellings are proposed over 3 residential allocation sites. However, the Settlement Hierarchy does not distinguish between Wolvey and Wolvey Heath. The latter should be considered as a separate settlement in itself being somewhat detached from Wolvey separated by open countryside and the River Anker. Figure 2 of the Wolvey Neighbourhood Development Plan Made Version clearly shows two separate settlements. Whilst Wolvey boasts a number of services and facilities, Wolvey Heath is a small settlement comprising only a bus stop. Wolvey Heath is not recognised in the Settlement Hierarchy, where we would consider it to fall under ‘Other Rural Settlements’ where only limited development



will be permitted under policy S1. This would be consistent with Princethorpe and Broadwell (both identified as 'Other Rural Settlements'), being the most similarly sized settlements with 89 and 72 dwellings respectively whilst Wolvey Heath contains 82.

Policy S2 Strategy for homes

Minimum Housing Need

The Planning Practice Guidance sets out how the minimum annual local housing need figure is calculated using the standard method at Paragraph: 004 Reference ID: 2a-004-20241212. Step 1 is to set the baseline which is calculated as 0.8% of existing housing stock for the area using the live tables on dwelling stock (Table 125). For Rugby the latest figure is 51,343 (2023). Therefore, the baseline is $51,343 \times 0.008$ which equates to 410.744 dwelling per annum.

Step 2 is an adjustment to take account of affordability. The affordability data used is the median workplace-based affordability ratios, published by the Office for National Statistics at a local authority level (Table 5c). The mean average affordability over the five most recent years for Rugby is 7.75. The adjustment factor is therefore as follows:

$$((7.75-5)/5) \times 0.95 + 1 = 1.5225$$

The minimum annual local housing need figure = housing stock baseline x adjustment factor. Therefore, the minimum annual local housing need figure is 625 dwellings per annum (rounded down from 625.35774).

Policy S2 Strategy for homes in the Preferred Option Consultation Document March 2025 sets out that *"To meet our future need for housing, 12,978 new homes will be delivered in the period 2024-2045 (618 each year)."* As demonstrated above the minimum local; housing need figure should be increased to reflect the latest existing housing stock for Rugby and the latest median workplace-based affordability ratios. To this end the Housing and Economic Development Needs Assessment (HEDNA) is dated November 2022 and thus does not set out the standard methodology calculations as updated in December 2024 but instead uses the 2014-based Household Projections. At present none of the evidence base nor the Preferred Option Consultation Document March 2025 actually sets out how the 618 dwelling per annum figure is reached. One assumes the 618 dwellings per annum is derived from the table provided by National Government alongside the December 2024 NPPF however this does not take account of the latest data (this can be inferred from Paragraph 2.2.4 in the Sustainability Appraisal).

Paragraph 36(a) in the NPPF sets out that *"Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:*



- a) *Positively prepared – providing a strategy which, **as a minimum, seeks to meet the area’s objectively assessed needs**²⁰; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;” [emphasis added]*

Footnote 20 adds that that **“needs should be assessed using a clear and justified method, as set out in paragraph 62 of this Framework”** Paragraph 62 states that **“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”** [emphasis added].

Taking into account the above, to ensure compliance with Paragraph 62 of the NPPF and Paragraph: 004 Reference ID: 2a-004-20241212 in the PPG and to thus ensure the plan can be found sound in accordance with Paragraph 36(a), Policy S2(A) should be updated to make provision of **625 dwellings per annum or 13,125 dwellings over the period 2024-2045** and the standard method calculations must be provided in an updated Housing and Economic Development Needs Assessment (HEDNA).

Policy S2 Strategy for homes at part B shows a total delivery over the plan period of 14,134 dwellings. Paragraph 1.6 details that *“Supply is allocated for 9% more than the minimum requirement as a buffer to increase the likelihood of the council being able to continually demonstrate a five-year housing land supply.”* Taking into account the above calculations a 9% buffer would require a housing provision over the plan period of **14,306 dwellings**. Accordingly, it is considered that the Plan should seek to allocate at least a further **172 dwellings**, in line with the current buffer, to ensure the Plan is truly plan-led and to be able to continually demonstrate a five-year housing land supply. A further 172 dwellings should be allocated at the more appropriate locations such as Site 117 Land at Mill House, Dunchurch, immediately adjoining the South West Rugby SUE and that would not require further Green Belt release.

Minimum Housing Need Buffer

Regarding the 9% buffer, it is not considered that this would provide sufficient flexibility to continually demonstrate a five-year housing land supply if some sites do not come forward, particularly when taking into account that small site windfalls make up some 7.4% of the current housing provision. With the small site windfall allowance taken into account (which cannot be relied upon to the same extent as an allocated site) it is considered that a 16.4% buffer (9% over the 7.4% small site windfall allowance) would be more appropriate. This surplus would be consistent with the 17% surplus in the adopted Local Plan 2011-2031 which the Inspector supported in Inspector’s Report – 27 March 2019 stating *“I consider the soundness of the Plan’s housing land supply in more detail under issue 6 below. However, in relation to the need for Lodge Farm, since the Housing Market Delivery Study was published, the housing land supply set out in the Plan has increased from 13,664 dwellings in the publication draft Plan to 15,369 homes at the point of submission. In the revised housing trajectory*⁸⁶



, the allocation at Lodge Farm is projected to deliver 665 dwellings within the Plan period, representing around 4% of the total housing supply in the Plan. Whilst I note the site promoter’s evidence that the Lodge Farm development could deliver more than this within the Plan period, without Lodge Farm the remaining housing land supply would still exceed the Plan’s housing requirement of 12,400 dwellings by more than **17%, which would be a comfortable surplus.**” [emphasis added]. It should also be noted that even with a 17% buffer Rugby currently find themselves with a 5 year housing supply shortfall which has been accepted to be 4.6 years (though the actual shortfall is considered to be significant worse).

A 16.4% buffer would generate a **housing provision of 15,278 dwellings** over the plan period using the corrected housing need figure above. Interestingly this provision would site between Growth Scenarios 1, 2 and 3 and Growth Scenarios 4 and 5 in terms of quantum as set out in the Sustainability Appraisal however it is considered that this additional delivery should be concentrated on more appropriate locations such as Site 117 Land at Mill House, Dunchurch, immediately adjoining the South West Rugby SUE and that would not require further Green Belt release.

A housing provision of 15,278 dwellings would deliver between 229 and 343 additional affordable homes (only using the 20% and 30% provisions at Policy H2 and not the 45% provision required by Paragraph 157 in the NPPF, see below). This is particularly pertinent given the Housing and Economic Development Needs Assessment (HEDNA) sets out that the net need for Social/Affordable Rented Housing for Rugby is 407 per annum or 60% of the current housing provision in Policy S2.

Small Windfall Sites

Windfall sites are defined in the NPPF as sites not specifically identified in the development plan which are taken into account to produce the housing trajectory. Paragraph 75 of the NPPF requires LPA’s to provide compelling evidence to support their windfall allowance, taking into account historic windfall delivery rates and expected future trends. Whilst Rugby Borough Council has historically applied a windfall rate for sites of fewer than 5 residential dwellings, the current adopted Local Plan sets a windfall allowance of 630 dwellings between 2017 and 2031 which equates to 45 dwellings per annum. There is no technical evidence provided to justify the figure of 45 dwellings nor an increase in windfall allowance.

Policy S2 sets out a windfall expectation of 1,050 over the plan period equating to 50 dwellings per year. Having reviewed the number of approvals for residential applications (including Prior Approvals for fewer than 5 dwellings, over the last 5 years since April 2020 we would challenge this number and consider an appropriate windfall allowance based on the previous 5 years would be around 25 dwellings (please see table below).

Year	2020	2021	2022	2023	2024	2025 (to date)	Total



Number of dwellings granted on windfall sites of < 5 dwellings	16	26	25	14	32	10	123
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Appendix B which shows all residential Windfall approvals over the last 5 years. This would equate to 525 dwellings over the plan period, a reduction of 525 dwellings over the plan period. To ensure the plan is plan led, a further 525 dwellings should be provided through further residential allocations on more appropriate sites that would not require further Green Belt release. For the reasons outlined above Site 117 could contribute towards this requirement, in the event it is not allocated for employment.

It is not considered that the current projection of 1,050 dwellings via Small site windfalls (fewer than 5 homes at 50 homes per year) at Policy S2 based on proportionate evidence and is therefore not justified and not sound pursuant to Paragraph 36(b).

S6 Residential allocations

Spatial Strategy

Starting with the spatial strategy, we agree with the Preferred Option Consultation Documents dispersed spatial strategy that avoids allocating very large sites for the reasons outlined in the questionnaire. To this end we would strongly disagree with the allocation of the two alternative sites, Lodge Farm and Cosford and Newbold-on-Avon (NW Rugby) as detailed in Growth Scenarios 4 and 5 in the Sustainability Appraisal. Whilst we would support the quantum of development set out in Growth Scenarios 4 and 5, sites of this scale present a significant number of challenges particularly as they relate to deliverability and infrastructure. This was recognised by the Inspector when they removed Lodge Farm as an allocation within the adopted Local Plan. The Inspectors Report stated that *“In conclusion, the allocation would have relatively **poor accessibility, particularly by non-car modes** and in comparison with the other large scale allocations in the Plan. It would also be likely to have **significant adverse effects on the landscape**, again to a greater degree than is likely with the other allocations of comparable size, and cause **less than substantial harm to the significance of heritage assets**. Notwithstanding the justification set out in the Plan and the supporting evidence, there is not currently a need for this allocation to meet the Plan’s housing requirements. Indeed without it the Plan provides for an excess of housing land supply over the identified requirement of more than 17%. In the light of this, I find that **the harm likely to be caused by development... would not be outweighed by the benefits.**”* [emphasis added].

The Sustainability Appraisal highlights that there are no known options for delivering a new settlement alongside a train station which would make such options car dependent and scores Growth Options 4 and 5 poorly with regard to accessibility, air quality, landscape and transport.



Whilst we support a dispersed spatial strategy, development should be targeted toward the most sustainably settlements within the District taking into account the sustainability scoring within the Rural Sustainability Study. We have set out below the proposed allocations at Policy S6 organised in line with the proposed settlement hierarchy and sustainability score in the Rural Sustainability Study.

Settlement	Settlement Hierarchy	Sustainability Score	Total Proposed Allocations
Rugby	Rugby urban area	NA	1,210
Dunchurch	Main rural settlement	49	210
Wolston	Main rural settlement	45	15
Brinklow	Main rural settlement	44	415
Long Lawford	Main rural settlement	38	400
Stretton-on-Dunsmore	Main rural settlement	38	168
Clifton upon Dunsmore	Main rural settlement	36	150
Ryton-on-Dunsmore	Main rural settlement	36	35
Wolvey	Main rural settlement	35	710
Newton	Other rural settlement	34	25

Whilst we support the highest housing provision being directed toward the Rugby urban area and the main rural settlements, we strongly disagree with the scale of housing provision directed toward the least sustainable main rural settlements and other rural settlements. Namely, we strongly disagree with housing allocations at Wolvey (particularly Wolvey Heath, see comments on Policy S1) and Newton.

The proposed allocations at Wolvey would see the total number of dwellings within Wolvey increase from 275 to 925 (a 336% increase), and the number of dwellings within Wolvey Heath increase from 82 to 142 (a 173% increase). This would have a significant impact on the settlements character and townscape in addition to its residents. It would also result in the merging of the two settlements, both of which lie within the green belt.

As detailed within the Rural Sustainability Study Wolvey has limited access to shops and services (including no pharmacy, leisure centre, bank, dentist or garage). Wolvey also has poor access to public transport infrastructure with no railway station and a poor bus service when compared to other main rural settlements. Wolvey also scores poorly for internet access being outperformed in this respect by a number of other rural settlements. Whilst Wolvey Heath is assessed as part of Wolvey, Wolvey Heath itself has zero services or facilities and a poor bus service provision.

The amount of allocated housing for Wolvey totalling 710 dwellings would represent strategic growth. The Sustainability Appraisal states *“there is a clear need to test a growth scenario that does not involve strategic growth to the south of the village”*. There is no secondary school within Wolvey,



(the nearest being Hinckley) and primary school capacity is an issue as recognised in the Sustainability Appraisal. Also, the distance from an 'A' road makes the sustainability of Wolvey for such a significant proportion of residential allocation questionable.

Taking the above into account Wolvey is not a sustainable settlement for development and future occupants would likely be reliant on the private car to access shops, services and employment opportunities. It is therefore considered that these allocations should be directed to more appropriate locations such as Site 117 Land at Mill House, Dunchurch, immediately adjoining the South West Rugby SUE that would not require further Green Belt release.

Wolvey Neighbourhood Plan was adopted in May 2022 to cover the period 2018-2031. The plan includes policies which aim to address key concerns raised by local people including protecting the character of the village and surrounding area. Such policies include H1 Housing Provision which identifies 2 sites to provide a total of 100 dwellings considered the appropriate provision in Wolvey to meet the Borough-wide housing target up to 2031. This 100 dwelling allocation has now been committed on site and is not included in the proposed preferred options allocations of 710 dwellings. The Preferred Options would significantly exceed the Neighbourhood Plan visions and policies rendering what is a fairly recently adopted neighbourhood plan, out of date and completely undermine the purpose of the plan.

Turning to Newton, whilst the proposed allocation would be more commensurate to the size of the settlement, Newton is the only Other rural settlement to receive an allocation. As an Other rural settlement Newton scores poorly for sustainability in the Rural Sustainability Study with no leisure centre, bank, café, dentist early years nursery or garage. It likewise has poor access to public transport infrastructure with no railway station and a poor bus service. Clearly future occupants would be reliant on the private car to access shops, service and employment opportunities with the Rugby urban area. Newton and Biggin had a Neighbourhood Area designated on 20 September 2023. Given the size of the settlement, it is considered that residential development should come forward via a Neighbourhood Plan whereby local residents would have the opportunity to have a Referendum on said development. Alternatively, residential development could be delivered on this site by way of small site windfall. It is thus considered that the circa 25 dwellings draft allocated at Hillcrest Farm would be better directed to more appropriate locations such as Site 117 Land at Mill House, Dunchurch, immediately adjoining the South West Rugby SUE that would not require further Green Belt release.

S3 Strategy for employment land and Policy S7 Employment Allocations

Policy S3 A. Strategy for employment land in the Preferred Option Consultation Document March 2025 sets out that "To meet Rugby Borough's need for employment land in the period 2024-2045 the following levels of new employment development will be delivered: i.22,013m² of use class E(g)(i) office floorspace (approx. 4.4 hectares) ii.1,026,546m² (approx. 284 hectares) of floorspace for use classes B2, E(g)(ii) and (iii), and B8 . Policy S3 B. sets out how the new floorspace will be delivered 272,075 through existing strategic employment sites, 945,000 through the proposed Employment Land allocations and 14,012 through small site employment planning permissions. In total this will



provide 1,231,987m² of floorspace which equates to an excess of 205,441m² of floorspace, over the required need as set out in S3 A.

Small Scale (Local) Employment Need Paragraphs 5.2.15 and 5.2.21 in the Sustainability Appraisal establishes that there is a local need in Rugby for employment land (where needs are often met most effectively on sites below 25 ha) equating to 66.3ha (265,296sqm). This is consistent with the Coventry & Warwickshire HEDNA – WMSESS Alignment Paper which identifies a Local Industrial Residual Need over the period 2021-45 equating to 63ha. This local need makes up some 23% of the total residual industrial land need figure to be addressed through the local plan in the Sustainability Appraisal (which equates to 284ha or 739,559m² of floorspace).

Whilst Policy S7 makes provision for 945,000m² of floorspace (over the total residual industrial land need figure) it makes no provision for 'local need' (on sites less than 25ha) as identified in the Sustainability Appraisal. This lack of small-scale employment allocations for local need is not based on the available evidence and thus the plan at present is not considered to have been positively prepared or justified and is thus not sound pursuant to Paragraphs 36(a) and (b). Given the scale of the allocations in Policy S7, it will also constrict the availability of employment land coming forward in the early parts of the plan period. This position is evident from Table 4.3 - Local Industrial Residual Need 2021-45 (Ha) in the Coventry & Warwickshire HEDNA – WMSESS Alignment Paper which identifies that Rugby only has supply for 5ha worth of 'local need'/non-strategic sites over the proposed plan period to 2045. On this basis, we strongly disagree with the conclusion at Paragraph 5.4.93 which states *"Overall, there is no clear case for a growth scenario involving allocation of one or more small / mediumsized sites for employment land at the current time"*. Paragraph 5.4.93 does however then acknowledge that *"this is a matter that can be revisited subsequent to the current consultation / prior to finalising the Local Plan for publication under Regulation 19."* It is our view that that the provision of local needs small-scale employment sites should be considered at this stage.

To ensure the plan is positively prepared and justified in accordance with Paragraphs 36(a) and (b) the plan should seek to allocate some small-scale employment sites, such as Site 117, to meet the identified local need in the Sustainability Appraisal and the Coventry & Warwickshire HEDNA – WMSESS Alignment Paper. This could be achieved simply by further allocations or by reducing the floorspace provision on the proposed allocations at Sites 64, 17, 14, 95 and 328.

It should be noted that Paragraph 5.4.92 in the Sustainability Appraisal recognises that Site 117 is set to be entirely enclosed by committed employment land as part of the SUE. As such we consider it would seem logical to allocate site 117 for a small-scale employment site allocation.

Whilst the site The National Highways consider access improvements are required to mitigate for the impact on the strategic road network the Transport section of the Stage 2 Site Assessment Report states *"the current level of concern for the site is low"*. As advised above, we consider the allocation of Site 117 will create an opportunity to substantially enhance highway safety on this stretch of the A45.



Various technical evidence has been undertaken to establish the most recent being the Coventry & Warwickshire HEDNA-WMSESS Alignment paper dated November 2024. This paper draws on the evidence gathered in the West Midlands Strategic Employment Sites Study (WMSESS) 2023/4 and the Coventry and Warwickshire Housing and Economic Development Needs Assessment (C&W HEDNA) 2022, which included consideration of both local needs and strategic B8 development needs. The Employment Land Needs were assessed for the period 2021-41 and also 2021-50, the plan period is 2024-2045. For Rugby the HEDNA identified a need of 5.5 hectares of Office Accommodation and 150.5 hectares of General Industry. 6.5 hectares of Office accommodation and General Industrial 218.2 hectares/2,182,000m² 2021-50. This equates to an additional 6.77 hectares per year between 2041 and 2051, which would result in an additional 27.08 hectares for the period 2041-2045 covering the plan period. Totalling a need for 177.58 hectares/1,775,800m² General Industrial floorspace up to 2045.

Over the plan period 2021-45 the HEDNA concludes in table 3.4 a requirement of 125,500sqm of local industrial need.

The Sustainability Appraisal concludes “Having accounted for commitments (as of 1 April 2024), the residual industrial land need figure to be address through local plan allocations is 202.5 ha or (739,559m² of floorspace). However, it can also be noted that a further large site gained planning permission post 1 April 2024 for 274,388 m²...” Para 5.2.32 the calculations presented above do leave the door open to the possibility of exploring lower growth in employment land

Policy S7 of the Preferred Options Consultation Document sets out the Preferred Employment allocations sites which will account for 945,000m² of the additional floorspace needed over the plan period. We strongly contest the Employment allocation for Coton Park East which would provide 26,421m² of this required employment floorspace. This would appear to be a u-turn in policy direction. Adopted Local Plan Policy DS7 Coton Park East allocates land to provide around 800 dwellings and 7.5ha of employment land, part of a Masterplan SPD, provision of new primary school The location of Coton Park East adjacent to previous Local Plan allocations for residential and employment development means that the immediate infrastructure requirements for the urban extension are already in place

If Coton Park East was reverted back to Housing as previously proposed in the Adopted Plan and supported by the adopted SPD Masterplan with a 75,000m² employment land and provision for 800 new homes this would still provide 75,000m² of floor space through the proposed employment allocations.

The HELAA suitability commentary recognises that employment use would be compatible given the surrounding uses and close proximity to South West Rugby.

The allocation of HELAA site 117 (and 58) as employment allocations would compensate for any shortfall of employment land at Coton Park East should this allocation revert back to residential.

We conclude, by reiterating that HELAA Site Ref ID 117 Land at Mill House, Dunchurch was put forward as an employment/residential site providing a potential yield of 15,960 m² of employment



space, or up to 70 dwellings. The site is outside the Green Belt compared with 74% of the employment allocations which are within the green belt. The site is immediately adjoining South West Rugby SUE S8 to the north and east and therefore we consider it would seem logical and sustainable to allocate site 117 for a small-scale employment site allocation and would prevent unnecessary greenbelt release.

Green Belt Release

National policy contained within the National Planning Policy Framework (NPPF) December 2024 sets out the policy context for Green Belt release at Paragraphs 145 to 148 which have been repeated below:

Paragraph 145 - *“Once established, **Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified** through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.”* [emphasis added]

Paragraph 146 - *“**Exceptional circumstances** in this context include, but are not limited to, **instances where an authority cannot meet its identified need for homes, commercial or other development through other means**. If that is the case, authorities should review Green Belt boundaries in accordance with the policies in this Framework and propose alterations to meet these needs in full, unless the review provides clear evidence that doing so would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the plan”* [emphasis added]

Paragraph 147 – *“**Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries**, the strategic policy-making authority should be able to **demonstrate that it has examined fully all other reasonable options for meeting its identified need for development**. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph and whether the strategy:*

- a) makes as much use as possible of suitable **brownfield sites and underutilised land**;*
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”* [emphasis added]



Paragraph 148 – *“Where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations. However, when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should determine whether a site’s location is appropriate with particular reference to paragraphs 110 and 115 of this Framework. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.”*

The Preferred Option Consultation Documents proposes releasing a significant amount of land from the Green Belt for both residential and employment development. Residential allocations requiring Green Belt release at Wolvey, Brinklow, Long Lawford, Newbold on Avon, Stretton-on-Dunsmore and Wolston make up 1,748 dwellings or 52% of all new residential allocations at Policy S6. As detailed above, Paragraph 145 in the NPPF requires that Green Belt boundaries should only be altered where exceptional circumstances are **fully evidenced and justified**. The Preferred Option Consultation Documents provides no such evidence of justification for the significant amount of Green Belt release proposed, in fact, the Green Belt Contribution Study, which should provide the evidence base for considering the contribution sites make to the five Green Belt purposes, has not been published with the Preferred Options Consultation and the Development Strategy Team have confirmed in email correspondence (submitted with these representations at Appendix A) that *“The Green Belt Contribution Study has been delayed following the publication of revised national guidance”*. As such, the current proposed allocations requiring Green Belt release have not been based on proportionate evidence and have not taken into account key changes to Green Belt policy (including the new Grey Belt designation and the priorities in Paragraph 148) in the December 2024 NPPF and revised Planning Practice Guidance and thus cannot be consistent with national policy. For these reasons the Plan as currently drafted is contrary to Paragraphs 36(b) and (d) and in turn should not be considered sound. As this is the case, Rugby should undertake a further Regulation 18 Preferred Options Consultation that provides evidence and justification of the exceptional circumstances required for Green Belt release that is consistent with national policy as set out in the December 2024 NPPF.

There are a number of sites including Site 117 Land at Mill House, Dunchurch that would not require Green Belt release and are considered to be available, achievable and suitable for development. As such, it is considered that Rugby can meet a larger proportion of its identified needs for homes and employment land without releasing land from the Green Belt and thus ‘Exceptional circumstances’ as set out in Paragraph 146 cannot be demonstrated and the plan again is neither justified nor consistent with national policy and therefore not sound subject to Paragraphs 36(b) and (d).

It is also noted that many of the proposed residential Green Belt releases do not utilise previously developed land. This includes Sites 84, 96, 337, 315, 316, 75, 81, 134 and 39. In accordance with Paragraphs 147 and 148, the strategy should make as much use as possible of suitable brownfield sites and prioritise previously developed land before considering grey belt which is not previously developed, and then other Green Belt locations. No evidence has been provided that this sequential



approach to Green Belt release has been followed and accordingly the plan is not considered to be justified or consistent with national policy and thus not sound pursuant to Paragraphs 36(b) and (d).

We would also like to draw attention to Site Ref 6 Land East of Fosse Way opposite Knob Hill which is draft allocated for circa 3 dwellings. It is not considered necessary to release a site from the Green Belt for circa 3 dwellings where this provision could easily be met by other allocations simply by increasing density or by small site windfall, particularly if it is to remain outside of the Stretton-on-Dunsmore settlement boundary. This site may well also meet the definition of Grey Belt in the NPPF Glossary and could therefore be brought forward outside of the Local Plan without Green Belt release. We cannot see that there exists exceptional circumstances to justify this change to the Green belt and thus we consider this draft allocation to be contrary to Paragraphs 146-148 and not sound subject to Paragraph 36(b) and (d).

H2 Affordable housing

We agree with the affordable housing provisions set out within Policy H2(A)(i) and (ii) for the Rugby urban area and elsewhere in the borough. However, Policy H2(A) needs to be updated to reflect the new 'Golden Rules' set out in Paragraph 157 of the NPPF. Specifically, Policy H2(A) needs to set out that affordable housing provision for Major developments on land released from the Green Belt through preparation of the plan will be 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, which in this case would be 45%. This too needs to be reflected in all of the development requirements to the draft allocations that require Green Belt release and would comprise Major Development. This includes at least the following draft site allocations:

- Site ref 84, Land South of Leicester Road, Wolvey (60 dwellings)
- Site Ref 96 Land at Coventry Road Wolvey (500 dwellings)
- Site Ref 309 Land North of the B4109, Wolvey (150 dwellings)
- Site Ref 315 Land South of Brinklow (340 dwellings)
- Site Ref 337 West Farm and Home Farm Brinklow (75 dwellings)
- Site Ref 316 Land at Long Lawford (400 dwellings)
- Site Ref 75 Lea Crescent Newbold (20 dwellings)
- Site Ref 134 Land North of Plott Lane (105 dwellings)
- Site Ref 81 Land West of Fosse Way (40 dwellings)
- Site Ref 39 Dyers Lane, Wolston (15 dwellings)

Accordingly, the Preferred Options Draft Local Plan is currently not in accordance with Paragraphs 67, 156 and 157 and is therefore not considered to be consistent with national policy and is thus not sound subject to Paragraph 36(d).

In light of the introduction of the 'Golden Rules', we have specific concern regarding the achievability and deliverability of some of these draft allocations. Namely the smaller draft allocations such as Site Ref 39 Dyers Lane, Wolston which would need to deliver 8 affordable dwellings with only 7 market



dwellings and Site Ref 75 Lea Crescent Newbold which would need to deliver 9 affordable dwellings with only 11 market dwellings. Paragraph 35 in the NPPF sets out that *“Plans should set out the contributions expected from development. This should include setting out the levels and types of **affordable housing provision required**, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). **Such policies should not undermine the deliverability of the plan.**”* [emphasis added]. The Planning Practice Guidance adds at Paragraph: 048 Reference ID: 61-048-20190315 that *“Policy requirements for developer contributions should be informed by proportionate evidence of infrastructure and **affordable housing need** and be **assessed for viability at the plan-making stage** in accordance with guidance.”* [emphasis added].

Accordingly, the above list of sites should be subject to detailed site-specific Viability Assessments to ensure they are all achievable and deliverable with a 45% affordable housing provision and to ensure the plan is justified in accordance with Paragraph 36(b). This should form part of a further Regulation 18 consultation to ensure it can be subject to public consultation ahead of the Regulation 19 submission version draft Local Plan.

With the Preferred Options Draft Local Plan being so reliant on Green Belt release (which as above comprises 52% of all new residential allocations at Policy S6) there is a risk that some of the sites may not be viable and thus not achievable, or that resolving viability issues delays delivery of the housing provision and impacts on the Councils 5-year supply of housing. Accordingly, it is considered that residential development should be orientated to non Green Belt sites such as Site 117 Land at Mill House, Dunchurch, immediately adjoining the South West Rugby SUE that are not subject to the Golden Rules and thus can be viably delivered whilst still providing affordable housing in line with the provision at Policy H2(A).

Conclusions and Suggested Amendments

Taking into consideration all of the above, the following amendments to the plan are suggested to ensure it is positively prepared, justified, effective and consistent with national policy such that it can be considered sound in accordance with Paragraph 36 of the NPPF:

1. Wolvey Heath is distinguished from Wolvey in the Settlement Hierarchy at Policy S1 and is listed under S1A(iii) as an other rural settlement.
2. The Housing and Economic Development Needs Assessment (HEDNA) is updated to include the new standard methodology calculation for the Local Housing Need.
3. Policy S2A is updated with the correct Local Housing Need and should read as follows *“To meet our future need for housing, **13,041** new homes will be delivered in the period 2024-2045 (**621** each year).”*
4. The buffer in Policy S2 Paragraph 1.6 should be increased from 9% to 16.4% and the total number of new homes at Policy S2B increased to at least 15,180.



5. The Small site windfalls (fewer than 5 homes at 50 homes per year) at Policy S2B should be decreased from 1,050 to 525 and the number of allocations under Policy S6 increased accordingly to reflect the difference.
6. Remove allocations and Green Belt release Wolvey and Wolvey Heath (Sites 84 and 96) at Policy S6 and replace with allocations in more sustainable locations adjacent to South West Rugby that do not require Green Belt Release such as Site 117.
7. Remove allocation at Newton (Site 87) at Policy S6 and replace with allocation(s) in more sustainable locations adjacent to South West Rugby such as Sites 117.
8. Publish the Green Belt Contribution Study and undertake a further Regulation 18 Preferred Options Public Consultation.
9. Reduce the number of housing allocations requiring Green Belt release and replace with allocations in more sustainable locations adjacent to South West Rugby that do not require Green Belt Release such as Site 117.
10. Remove allocation of Fosse Way, Stretton-on-Dunsmore (Site 6) at Policy S6.
11. Policy H2A is updated to reflect the 'Golden Rules' 45% affordable housing requirement on Major Developments (15% higher than the 30% at H2A(ii)).
12. The development requirements for Sites 84, 96, 309, 315, 337, 316, 75, 134, 81, 39 need updating to reflect the 'Golden Rules' 45% affordable housing requirement.
13. All proposed allocations that would be Major Developments requiring Green Belt release should be subject to site-specific Viability Assessments to ensure deliverability.
14. Some residential allocations at Policy S6 should be reorientated from sites requiring Green Belt release to non-Green Belt sites to ensure housing can be viably delivered.



Appendix A - Email Correspondence with Development Strategy Team Dated 26 March 2025

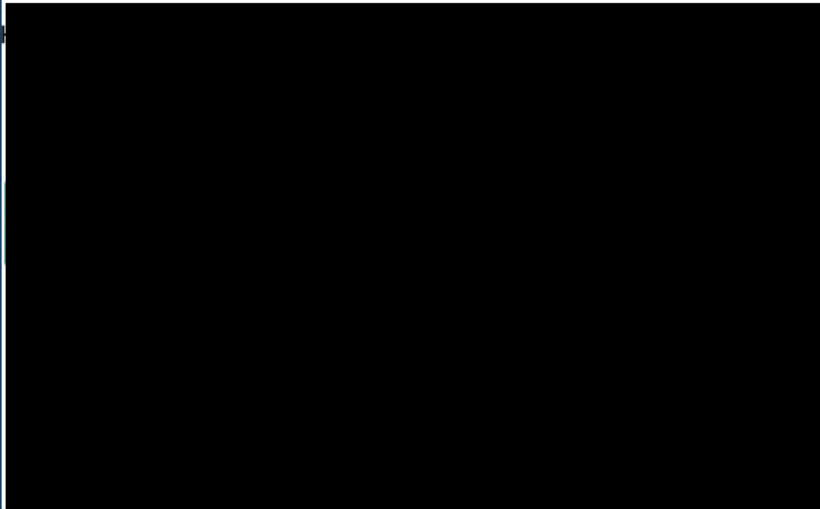
Good afternoon [REDACTED]

The Stage 2 Site Assessment report is now uploaded to the website.

There are other evidence documents which are not yet available. I will address each you list in turn:

- The HRA Appropriate Assessment will be available at Regulation 19 stage
- The Green Belt Contribution Study has been delayed following the publication of revised national guidance. We intend to publish this once we have it, though we do not have a confirmed timescale.
- The SFRA Stage 2 is in progress, though following the issue of new flood mapping from the EA the timescale for receipt is unclear.

Regards,





Appendix B - Windfall Approvals Over Last 5 Years



Windfall Approvals over last 5 years

Ref No	Location	Proposal	No. of Units	Decision Date	Outline approval (if relevant)
R25/0026	Little Leys, Moor Lane, Willoughby, Rugby	Change of Use - Conversion of agricultural building to residential dwelling	1	To be determined	
R24/0994	Shelford Lodge Barn, Lutterworth Road, Wolvey	Conversion of existing barn to dwellinghouse	1	15/01/25	
R24/0966	Manor house, 28, church hill, Stretton-on-Dunsmore,	Proposed conversion of 2 barns to dwellings, with associated parking and landscaping	2	To be determined	
R24/0795	52, Brockhurst lane, Monks Kirby,	Construction of a 2-storey dwelling.	1	27/02/25	
R/24/0914	Land adjacent to and south of Church Farm, Church Street, Churchover	Erection of a dwelling, garage, car-port and associated parking	1	13/02/25	
R24/0838	22, Dunsmore Avenue, Rugby,	Erection of two-storey detached dwelling following demolition of existing bungalow	1	29/11/24	
R24/0759	72, Lime Tree Avenue, Rugby	Demolition of existing bungalow and construction of 4 bedroom dwelling with associated carport/garage	1	24/12/24	
R24/0537	17, Lawford Lane, Bilton, Rugby	Demolition of existing dwelling and construction of 2 no. dwellings, with associated parking and landscaping.	2	To be determined	
R24/0843	The Old Pigsty, Brookfield farm, main street, Withybrook	Prior approval under Class Q (a) and (b) for change of use of agricultural building and land within it's curtilage to 1no. dwelling with associated building operations.	1	28/02/25	
R24/0792	Ivy House, Church Street, Churchover	Conversion of existing ancillary building to separate 3 bedroom dwelling, with associated parking and garden space.	1	22/11/24	
R24/0690	Marston Hall Farm, Priory Road, Wolston	Change of use of agricultural building and land within it's curtilage to 4no. dwellinghouses and for associated building operations	4	17/01/25	
R24/0783	Nethercote Barn, Flecknoe	Prior approval change of use of agricultural building to 1 no.dwelllinghouse (Class Q).	1	15/08/24	
R24/0634	Grounds Farm, Wolston Lane, Wolston	Prior approval for proposed conversion of existing barn to a dwelling with associated garden and parking.	1	01/10/24	
R24/0737	Brickyard Cottages, Coventry Road, Rugby	Demolition of existing workshop with the erection of a new dwelling and associated parking	1	04/02/25	
R24/0691	Marston Hall Farm, Priory Road, Wolston	Change of use of agricultural building and land within it's curtilage to 1no. dwellinghouse and for associated building operations	1	13/09/24	
R24/0495	Merlin Field Farm, Leamington Hastings	conversion of agricultural building to 4 no. dwellinghouses including insertion of first floor accommodation	4	23/09/24	
R24/0478	274 Newbold Road, Rugby	erect a new three bedroom dwelling with associated parking and garden	1	23/01/25	



R24/0469	9 Lawford Road, Rugby	Prior Approval: Change of use – commercial/business/service to dwellinghouses	1	19/07/24	
R24/0319	Ivy Houe, Church Street, Churchover	Subdivision of existing dwelling to form 2 separate 3 bedroom dwellings including external alterations and addition of porch to side.	1	24/07/24	
R24/0321	Stearn Meadows Barns, Willoughby	Class Q Prior Approval for the conversion of agricultural barn to 1no. residential dwellinghouse (Class C3)	1	24/12/24	
R24/0298	5 Regent Street, Rugby	Prior Approval: Change of use of first and second floor offices to dwelling houses	2	23/05/24	
R24/0299	1 Regent Street	Prior approval application for change of use of first and second floor offices to dwelling houses (resubmission of previously approved application R19/0079).	3	28/05/24	
R24/0300	Waldings Farm, Barby Lane	Prior approval change of use of agricultural building and land within its curtilage to 3no. dwellinghouses and associated works.	3	30/07/24	
R24/0271	Land adj to 341 Hillmorton Road	Erection of a dwelling house	1	30/04/24	
R24/0043	70a Oxford Street, Rugby	Erection of 2 no. 2-bedroom semi-detached dwellings (C3)	2	01/08/24	
R23/0006	Homestead Farm, Coventry Rd, Dunchurch	Approval of reserved matters (appearance, landscaping, layout and scale) - erection of four detached dwellings	4	09/11/23	pursuant to outline planning permission ref no. R19/0878
R22/1073	Ellesmere, Southam Road, Dunchurch	Construction of two new dwellings fronting Sandford Way in the rear gardens of Ellesmere, Langdale and The White House, Southam Road	2	14/11/23	
R22/1030	Grange Farm, London Road, Ryton on Dunsmore	Change of use of Agricultural barn to 4 no. dwellings and associated parking and landscaping	4	02/12/22	
R22/1021	Merlin Field farm, Gibraltar Lane	Prior approval for the change of use of an existing agricultural building to 4no. dwellinghouses and associated building works.	4	28/11/22	
R22/0828	Hilmorton Yard, The Locks, Rugby	Demolition of industrial unit (use class B2) and the erection of 2 pairs of semi-detached 3 bedroom dwellings (4 units).	4	10/05/23	
R22/0818	Two Hoots Farm, Lutterworth Road	Conversion of buildings to two residential dwellings, including removal of mobile home and toilet block	2	Refused 18/11/22	Allowed on Appeal 16/01/24
R22/0654	Land adj Homestead Farm, Dunchurch	Residential development comprising of 4 detached dwellings, garaging, access road and associated works (outline - access only)	4	08/03/24	
R22/0644	Gemini, Southam Road, Dunchurch	Erection of 2 new dwellings	2	12/05/23	
R22/0586	5, MALT SHOVEL INN, CHURCH ROAD, RYTON-ON-DUNSMORE	Erection of 2no. dwellings and associated garages (Outline All Matters Reserved, Except for Access)	2	08/11/23	
R22/0390	53 Lower Road, Barnacle	Subdivision of existing dwelling to create two dwellings	1	02/08/22	



R21/0998	LAND ADJACENT TO MASTERS COURT, LEAMINGTON HASTINGS ROAD, BIRDINGBURY	4 new detached dwellings and related facilities (reserved matters application for appearance, landscaping, and scale following)	4	22/06/22	Pursuant to outline planning approval R18/1987 granted 9th January 2019
R21/1223	15 Church Road, Shilton	Application for reserved matters approval of access, appearance, landscape, layout and scale, for the construction of 4no. dwellings with associated access, parking and turning with all matters reserved other than access and appearance	4	07/06/22	Pursuant to outline R18/1641
R21/1208	THE LATCH, COVENTRY ROAD, THURLASTON	Proposed demolition of existing dwelling and erection of 2 no new build dwellings, with associated parking and landscaping	1	22/06/22	
R21/1130	MARSTON MILL FARM, PRIORY ROAD, WOLSTON, COVENTRY,	Prior Approval: Change of use - agriculture to 3 no. dwellings	3	28/03/24	
R21/0872	130 Ashlawn Road, Rugby	proposed 3 no. new build dwellings with detached garages and associated car parking and landscaping	3	Refused 10/02/22	Allowed on Appeal
R21/0880	Foose Farm, Fosse Way, Monks Kirby	Conversion of two traditional brick & tiled agricultural buildings into two dwellings	2	15/03/22	
R21/0696	Land on the south east side of, Buckwell Lane, Clifton upon Dunsmore	Erection of 2 dwellings, together with the creation of a new access and associated works.	2	20/10/22	
R21/0763	merlin field farm, Gibraltar lane, Leamington hastings, rugby,	Agricultural Prior Approval for change of use of agricultural building to 4no. dwellings and associated works	4	09/08/21	
R21/0573	Flecknoe farm stud and livery, Flecknoe village road, Flecknoe	Proposed conversion and partial demolition of equestrian barns to three residential dwellings	3	15/12/21	
R21/0561	111 Crick Road, Rugby	Demolition of existing bungalow and the erection of two detached 4 bedroom dwellings, with associated landscaping	1	11/11/21	
R20/1037	Home farm, Birdingbury road, Bourton-on-Dunsmore	Conversion of an agricultural building to create two dwellings together with external alterations	2	27/08/21	
R20/0933	Land Adjacent April Cottages, Railway Street, Long Lawford	Erection of a pair of 2 bedroom semi-detached dwellings	2	22/01/21	
R20/0758	Springfield, Cawston Lane, Dunchurch, rugby,	Demolition of existing structures and erection of 2 no. detached dwellings (Resubmission of previously approved scheme R19/0212 dated 19/06/2019).	2	05/02/21	Resubmission
R20/0733	23, Lutterworth road, Pailton, Rugby	Demolition of existing dwelling, formation of a new site access and the erection of 4 (no) dwellings, two detached garages and associated parking	3	19/08/21	
R20/0538	Land at Wharf Farm, Crick Road, Rugby	Erection of 2 dwellings with associated works and landscaping. (Approval of reserved matters in relation to outline planning permission R15/1702 dated 11/07/2017)	2	18/02/21	



R20/0341	Shoulder of Mutton Inn, Brookside, Stretton-on-Dunsmore,	Proposed conversion of former public house and coach house into 2no. dwellings	2	17/07/20	
R20/0309	250, NEWBOLD ROAD, RUGBY	Erection of 2 dwellings	2	25/05/21	
R20/0251	Rear of 100, 102 and 104 Magnet Lane, Magnet Lane, Bilton	Erection of 2 dwellings	2	21/07/20	
R20/0189	61 Bawnmore road, Bilton, Rugby,	Proposed demolition of existing dwelling and garage and erection of 2 new build dwellings. (previously approved under R18/1293 approved 31st July 2019)	1	12/04/21	Amendment to previous approval
R20/0064	37, lower street, rugby,	Demolition of existing outbuildings and construction of 3 new dwellings and a new garage for No. 37 Lower Street.	3	22/10/20	
R19/0878	HOMESTEAD FARM, COVENTRY ROAD, DUNCHURCH	Outline application for four new dwellings including access on land adjacent to Homestead Farm	4	25/06/2020	
R19/1246	MARANTHA, COVENTRY ROAD, RUGBY	Erection of four dwellings (existing dwelling to be demolished) (outline application to include layout with appearance, landscaping, access and scale reserved)	4	31/01/2021	
R19/1495	Land adjacent 31, wood lane, Shilton, Coventry	Outline planning application for the construction of 2 no. dwellings, all matters reserved.	2	20/03/2020	
R19/1539	Unit 1-2, Munro business park, Marton Road, Birdingbury, rugby	conversion of existing barn to form two new dwellings and associated parking	2	26/03/2020	
R19/0119	Land adjacent 26 The Green, Long Lawford	Erection of one dwelling with associated parking.	1	07/08/2020	



Appendix C – Photos of Existing Site and the Deceleration and Acceleration Lane on A45



Photo 1 Site 117 outlined in Red and surrounding development at Symmetry Park



Photo 2 Deceleration and Acceleration Lane





Photo 3 View to the West on A45



Photo 4 Existing Field Access onto A45



Photo 5 View to the North, of Tritax Warehousing



Photo 6 View to the East, of Tritax Warehousing





Photo 7 View to the North, of Tritax Warehousing



31st July 2025

Our ref: GH/AM/WIL1978 216505 24 07 25

Preferred Options Consultation
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Warwickshire CV8 3FZ

T: 01788 435 435

Dear Sir/Madam

RE: PREFERRED OPTIONS DRAFT LOCAL PLAN REPRESENTATIONS – SITE 117 LAND AT MILL HOUSE, DUNCHURCH

These additional supporting representations have been prepared by 'Sworders' on behalf of the landowners of the Land at Mill House, Dunchurch.

Following the submission of written reps for the above site which was assessed under the HELAA and not taken forward as a Preferred Option. As outlined in our previous written representations dated 19th May 2025, we strongly disagree with the justification for not progressing Site 117 at Stage 2 Site Options Assessment and contest the Reasoning.

The Reasoning for not Progressing site 117 was as follows;

"The site consists of an industrial estate, residential dwelling and field sandwiched between the A45 and Symmetry Park.

The surrounding road network has relatively high levels of congestion, accessibility is reasonably good and will be improved with the development of south west Rugby.

The site has low landscape, ecology and heritage sensitivity and is not within the Green Belt.

However, there are serious concerns in terms of the ability for suitable, safe access to be provided from the A45. For this reason the site is not progressed beyond the Stage 2 Site Assessment".

In our previous representations we advised that *"the allocation of Site 117 will create an opportunity to substantially enhance highway safety on this stretch of the A45 by being able to replace the existing established accesses (which would not be highway compliant if they did not have established user rights and were being sought today) and replace with suitable highway compliant slip roads to provide access to and egress from these commercial premises"*. Since submitting the written reps in May, we



have instructed Paul Basham Transport Consultants to carry out a review of the existing access and design an improved access and egress to and from the site. The new access design is attached as Appendix A. We are in the process of seeking Pre-application advice from National Highways and are confident that they will support the new access design.

The proposed new access design takes the form of a left in left out arrangement (LILO) and has been assessed against the relevant design criteria in the Design Manual for Roads and Bridges (DMRBCD123) and can accommodate large HGV access. The access has been designed to accommodate vehicles exiting the site and performing a U-turn at the roundabout to travel in a westerly direction on the A45.

Reference was made in the HELAA Site Proforma Suitability Commentary that there are several TPO's within and adjacent to the northern and western parts of the site. A copy of the TPO has been purchased and has been reviewed as part of the access design.

The copy of the TPO shows that the protected trees are located along the northern boundary of the site and group G8 in the western corner of the site. The proposed new access has been designed to avoid the RPZ of the TPO's and have minimal impact on trees on the wider site and A45 frontage.

In light of the above and the new access design in Appendix A we consider the reasoning for not taking the site forward no longer carries weight.

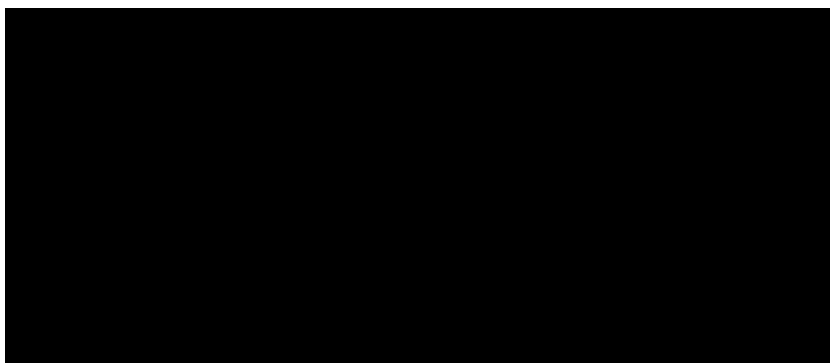
As we have stated previously, the Preferred Option Consultation Documents proposes releasing a significant amount of land from the Green Belt for both residential and employment development. Paragraph 145 in the NPPF requires that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. The Preferred Option Consultation Documents provides no such evidence of justification for the significant amount of Green Belt release proposed, and the Green Belt Contribution Study has still not been produced. As such, the current proposed allocations requiring Green Belt release have not been based on proportionate evidence and have not taken into account key changes to Green Belt policy (including the new Grey Belt designation and the priorities in Paragraph 148) in the December 2024 NPPF and revised Planning Practice Guidance and thus cannot be consistent with national policy. We therefore reiterate that for these reasons the Plan as currently drafted is contrary to Paragraphs 36(b) and (d) and in turn should not be considered sound. Site 117 Land at Mill House, Dunchurch that would not require Green Belt release and is considered to be available, achievable and suitable for development.

Rather than risk the plan being found unsound, we request that you re-consider Site 117 Land at Mill House, Dunchurch as a Preferred Options allocation, before publishing the Preferred Options

Please could you kindly confirm receipt of this letter.

We would welcome the opportunity to discuss this in more detail with the local plan team.

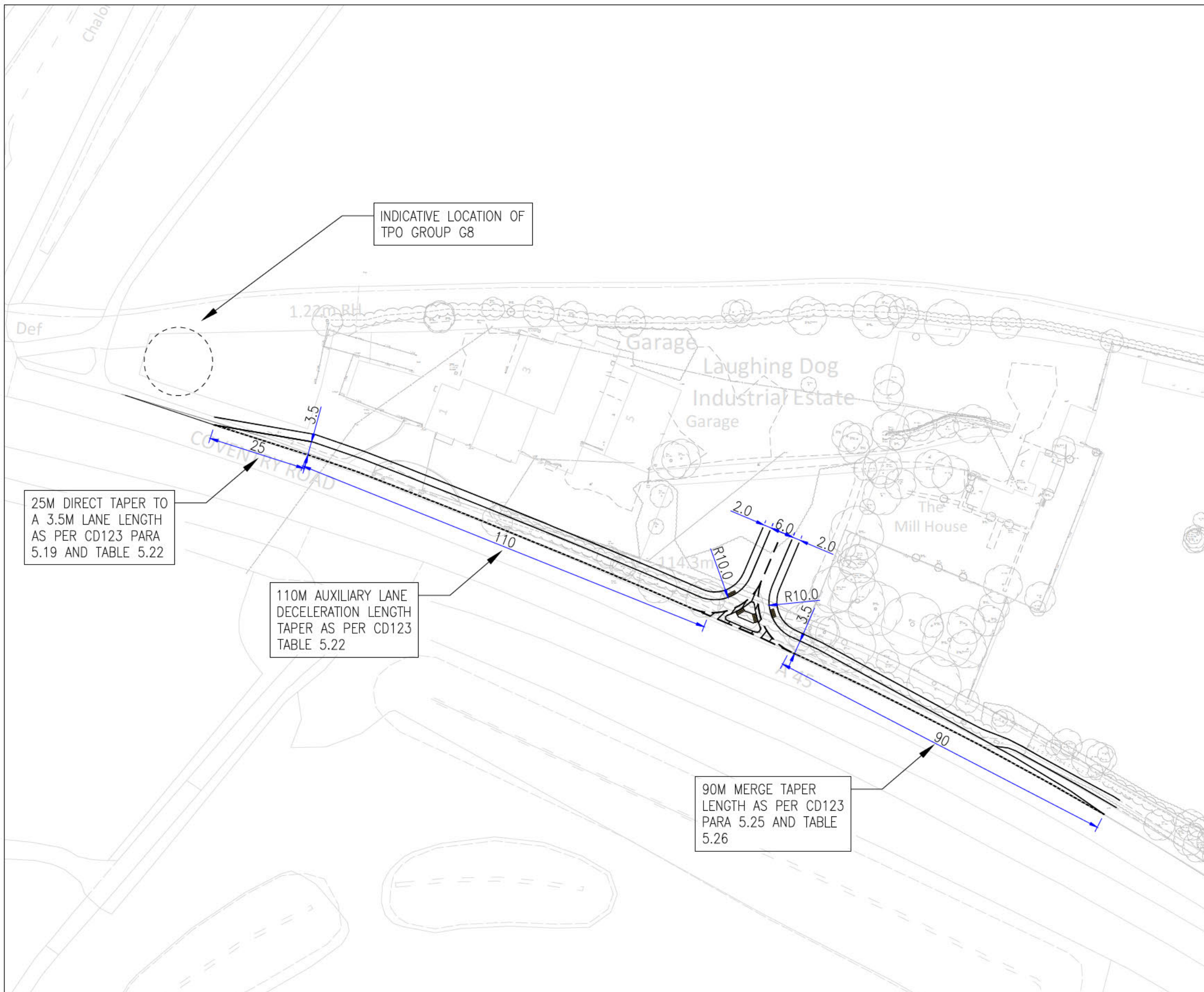
We look forward to hearing from you.



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PRELIMINARY
DRAWING/DESIGN IS STILL 'IN DEVELOPMENT'
YOU ARE ADVISED TO MAKE DUE ALLOWANCE



P03	MINOR REVISIONS TO TACTILE PAVING	28.07.25	THP	JNR
P02	MINOR REVISIONS FOR TPO	23.07.25	THP	JNR
P01	FIRST ISSUE	26.06.25	THP	JNR

Rev	Description	Date	By	App'd	Suitability Code
	Date Created	26.06.25	THP	JNR	-

PBA Project Number	Scale	(AT A3)
1007.0021	1:1000	

PBA Drawing No:	Revision
1007.0021-0001	P03

Project Name
LAND AT MILL HOUSE,
DUNCHURCH

Project Phase
PRELIMINARY

Title
POTENTIAL ACCESS
ARRANGEMENTS
LEFT-IN LEFT-OUT



Client
PRIVATE CLIENT