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Preferred Option Consultation
Development Strategy Team
Town Hall, Evreux Way
Rugby
CV21 2RR



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

Sent by email only to:
localplan@rugby.gov.uk

T: 01788 435 435

Dear Sir/Madam,

**RE: RUGBY PREFERRED OPTION DRAFT LOCAL PLAN REPRESENTATIONS
SITE 22 – LAND SOUTH OF THE M45, DUNCHURCH**

These representations have been prepared by Sworders on behalf of the owners of the Land south of the M45 (site reference 22 in the HELAA) in response to the above consultation.

HELAA Site Proforma

Site 22 – Land south of the M45, Dunchurch

We disagree with the justification for not progressing Site 22 past the Stage 2 Site Assessment Stage, particularly when compared against the site assessment for Site 73, Lodge Farm, which is identified as an alternative site in the Sustainability Appraisal (SA) of the Rugby Borough Local Plan Interim SA Report (March 2025) in favour of Site 22.

We would highlight the Inspector's comments in their letter to the Council of 16 May 2018 in relation to Site 73, Lodge Farm, which states:

"I find that the allocation of Lodge Farm as part of the Plan's development strategy is not positively prepared, justified as an appropriate site, effective in addressing the cross-boundary unmet needs of Coventry or consistent with national policy in enabling the delivery of sustainable development."

The site was recommended for deletion as part of main modifications to make the Plan sound. The Inspector went on to confirm:

"Paragraph 34 of NPPF expects plans to ensure that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Even if the new village could viably support a new bus service and cycle route into Rugby, the distance and journey times to both Rugby and Coventry by either of these modes or a combination of them would be unlikely to encourage their use. Whilst some day to day journeys to the local shops, surgery and primary school could be made on foot within the village, trips to



secondary school, employment locations and main shopping and leisure destinations off-site would be largely car dependent. As such, I am not persuaded it is a location which could be made sustainable in transport terms.”

The assessment of Site 73 – Lodge Farm within the Stage 2 HELAA in relation to *Transport* notes the potential for significant trip generation onto SRN for journeys to Rugby and Coventry, in addition to potential significant impact upon A45 as there is no eastbound merge at A45/M45 junction onto eastwards M1. It concludes in relation to this site there to be a high level of concern with regards to the impact on the strategic road network, also noting its very rural location and limited potential for access by sustainable modes. In comparison, in respect of Site 22 – Land South of the M45, Dunchurch, whilst there is similarly a high level of concern for the level of physical highway mitigation required and the potential for significant impacts onto the SRN, it does note the potential for mitigation at the M45/A45 junction off-slip. In addition, far less negative impact on the SRN is noted in comparison to Site 73 – Lodge Farm.

The HELAA explains that the Public Transport Accessibility Level (PTAL) is a measure of the accessibility of a location to the public transport network, taking into account walk access time and service availability. It further explains that the score is measured on a 1-6 scale, with 1 being the least accessible and 6 being the most accessible.

Site 73 – Lodge Farm receives a PTAL score of 0 for both AM and PM, which would not be improved by proposed and recent public transport improvements. Further, the HELAA states:

*“Using other data, including an assessment of walking and cycling, and locations from the site accessible within a 1 hour bus journey, the overall accessibility of the site **is ranked 119 of the 125 sites considered as part of Rugby’s current site assessment.**”*

In comparison, Site 22 – Land South of the M45, Dunchurch receives a higher PTAL score of 1a. The overall accessibility of the site is ranked **“22 of the 125 sites considered as part of Rugby’s current site assessment”** (our emphasis). This is within the top 20% of all of the sites assessed.

When comparing to the two sites in relation to *Transport*, it is clear that Site 22 - Land South of the M45, Dunchurch is considerably more sustainable than Site 73 – Lodge Farm, which is further reinforced in the Inspector’s Letter to the Council of 16 May 2018. We question why, despite being one of the poorest performing sites of all those assessed in terms of accessibility it is still being considered as an alternative site for allocation. s39(2) of the Planning and Compulsory Purchase Act 2004 states that an authority preparing a plan must do so *“with the objective of contributing to the achievement of sustainable development”*. The inclusion of Site 73 – Lodge Farm fails to achieve this and as such should be altogether removed from the Plan.

In terms of *Landscape*, the HELAA concludes the landscape sensitivity of Site 73 – Lodge Farm to be ‘Medium’. This fails to take into account the previous comments made by the Inspector in his aforementioned letter, which states:



*“Lodge Farm is also located in the countryside, within the Leam and Rainsbrook Valleys. Although not subject to a national or local designation, the landscape surrounding the site is open and attractive, visible from the surrounding valley sides including the Rainsbrook escarpment, and contains many historic features, including both designated and non-designated heritage assets. The area also has a distinctive settlement pattern, characterised by small scale villages and hamlets. It is a core planning principle in paragraph 17 of the NPPF that account should be taken of the intrinsic beauty and character of the countryside. **The development of a new settlement of 1,500 dwellings in this setting, even with the inclusion of landscaping and green space, would cause significant harm to the intrinsic beauty and character of the countryside in this part of the borough.**” (Our emphasis).*

The Assessment itself notes broad and expansive views to the south, the presence of woodlands adding scenic and biodiversity value to the area, the isolated farmhouses and expansive views adding to the strong rural character, as well as the strong sense of remoteness to the south further away from Rugby and the M45 motorway. Further, the SA states at paragraph 6.2.49. that *“In conclusion, the most landscape sensitive sites are Lodge Farm and South Rugby, such that Scenario 2, which omits both of these sites, performs best, while Scenario 5, which includes both, performs least well.”*

In light of the above, we question how the landscape sensitivity for Lodge Farm could be described as ‘Medium’, particularly when compared to the assessment for Site 22 – Land South of the M45, Dunchurch, which we believe receives an unduly and inaccurate ‘High/Medium’ score for landscape sensitivity. The HELAA acknowledges for Site 22 that the fields within the parcel are bounded by mature hedgerows and trees, and that the view from the surrounding transport infrastructure is predominantly obscured by hedgerow and trees. The Site is located close to the settlement of Dunchurch, with the presence of the M45 and the A45 along the northern and north-eastern boundaries providing definitive boundaries and strong urbanising influences on the site. As such, we consider the ‘High/Medium’ landscape sensitivity scoring for this site to be inaccurate.

In terms of *Opportunities and Benefits*, the HELAA notes in relation to Site 73 – Lodge Farm that these are residential with secondary school, two primary schools, local centre and substantial areas of open space. The assessment in respect of Site 22 – Land South of the M45, Dunchurch fails to reflect the Call for Sites submission, through which the Site was promoted for ‘1,500 homes together with employment, community and educational facilities.’ The potential uses on the site are not adequately reflected in the HELAA, with the benefits which could be provided through development of the Site overlooked.

The Outcome of further assessment in relation to Site 73 – Lodge Farm notes the poor current accessibility, as well as the high levels of congestion in the surrounding road network. It also acknowledges the Inspector’s comments in the aforementioned letter, yet despite this, concludes that:

“Despite significant constraints, on balance, the site remains a potential site option.”

In contrast to Site 22 – Land South of the M45, despite positive acknowledgement as to its potential to improve public transport accessibility, the assessment concludes:



“The site is not progressed past the stage 2 site assessment on the basis of its poor connectivity and assessed High/Medium landscape sensitivity.”

This conclusion is wholly consistent with the commentary in the HELAA with regards to connectivity and accessibility, and as noted above, the assessed landscape sensitivity is unjustified.

It is inconceivable that, given the scrutiny Site 73 – Lodge Farm has been subject to in the Inspector’s comments, the conclusions reached in the HELAA and the SA, the site continues to be considered as a reasonable alternative allocation within the Plan. The SA reinforces this, at paragraph 5.2.56. stating that *“the Inspector’s Report also says much more besides, and the great majority of the concerns raised remain entirely applicable at the current time.”* (Our emphasis).

The SA acknowledges Site 22 – Land South of the M45, Dunchurch as a potential alternative at paragraph 5.4.83, which states:

“Finally, it is noted that there are two very large sites to the north of Lodge Farm (i.e. south of Rugby in the vicinity of Dunchurch) that have been made available, but which are not being actively promoted to anything like the same extent as Lodge Farm, namely Site 22 and Site 91.”

The SA confirms that Site 91 performs poorly, but in relation to Site 22 states:

“With regards to Site 22, which is near adjacent to Lodge Farm, there is little reason to suggest that it is a preferable location to Lodge Farm at the current time (and, again, there is a need to give some weight to the fact that Lodge Farm has been a focus of promotion and work over recent years); however, it does perhaps warrant ongoing consideration as a comparator to Lodge Farm, plus its availability serves to highlight potential concerns regarding containment of growth / a risk of sprawl over time. Site 22 does have the benefit of linking to Dunchurch, the Rains Brook Valley could perhaps assist with landscape containment and nearby Draycote Water is a ‘plus’; however, Lodge Farm would have the benefit of more clearly acting as a new settlement that links to both Daventry and Rugby.”

We question how the SA could arrive at the conclusion that Site 22 is not a preferable location to Lodge Farm, given the earlier commentary and conclusions in the SA, as noted above, as well as the HELAA and the Inspector of the now adopted Plan’s comments and required deletion to make the Plan sound. Further, it is not an acceptable approach to discount sites in favour of ones which are deemed to have received a greater level of promotion through the process.

Site 22 has been consistently promoted through this emerging Local Plan process for 1,500 homes together with employment, community and educational facilities. The promotion of Site 73 also does not alleviate the fundamental issues raised by the Inspector of the now adopted Plan, nor the issues identified in both the HELAA and the SA, therefore reference to this site warranting greater consideration as a result of how it has been recently promoted is irrelevant and should not be a factor.

Site 22 – Land South of the M45, Dunchurch receives a much more positive assessment in the HELAA, has been consistently promoted and is more sustainably located than Lodge Farm, as confirmed



within the Plan's evidence base. It could comfortably deliver the shortfall of dwellings as well as a suitable buffer, as highlighted within these representations.

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 Settlements, 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 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 51343×0.008 , which equates to 410.744 dwellings 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 most up-to-date 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 for **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 most sustainable sites, such as the land south of the M45,



Dunchurch. This would provide not only the required shortfall in the short-term but also a healthy buffer in the event that other allocated sites do not deliver as expected.

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 the 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, 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 significantly 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 sit 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 directed towards the most sustainable sites, which would not require further Green Belt release, such as Site 22.

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 that the Housing and Economic Development Needs Assessment (HEDNA) sets out 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 LPAs to provide compelling evidence to support their windfall allowance, taking into account historic windfall delivery rates and expected future trends. 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 annum. 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 a more appropriate windfall allowance based on the previous 5 years to be around 25 dwellings per annum (please see below table).

Year	2020	2021	2022	2023	2024	2025 (to date)	Total
Number of dwellings granted on windfalls sites of <5 dwellings	15	26	25	14	32	10	122

Appendix B to these representations shows all residential Windfall approvals over the last 5 years. This would equate to 525 dwellings over the plan period. To ensure the plan is sound, a further 525 dwellings should be provided through further residential allocations. Again, it is suggested that these could be provided on sites such as Site 22, whereby further Green Belt release would not be required.

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 is based on proportionate evidence, and is therefore not justified or sound pursuant to NPPF 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 Inspector's 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 that would make such options car dependent, and scores Growth Options 4 and 5 poorly with regard to accessibility, air quality, landscape and transport. As such, it is considered that as an alternative, Site 22 – Land South of the M45, Dunchurch represents a more suitable option to deliver additional homes without the need to deliver a new settlement, in a sustainable location on the edge of Dunchurch, without accessibility, landscape and other constraints identified in respect of Lodge Farm.

Whilst we support a dispersed spatial strategy, development should be targeted toward the most sustainable 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 settlement's 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 in 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 private cars to access shops, services, and employment opportunities. It is therefore considered that these allocations should be directed to more sustainable sites, outside of the Green Belt, such as the land south of the M45, Dunchurch. Such allocation is of a scale which would be capable of re-providing the housing proposed at Wolvey in a more sustainable, non-Green Belt location as well as including a sufficient buffer to address the shortfalls as identified within these representations.

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 sustainable sites around the Rugby urban area.



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, being 52% of all new residential allocations at Policy S6. As detailed above, NPPF Paragraph 145 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 NPPF Paragraphs 36(b) and (d), and in turn cannot 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 the land south of the M45, Dunchurch (Site 22) 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 Council can meet a larger proportion of its identified need for homes without releasing land from the Green Belt, and thus ‘exceptional circumstances’, as set out in NPPF Paragraph 146, cannot be demonstrated, and the plan again is neither justified nor consistent with national policy, or 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 NPPF Paragraphs 36(b) and (d).

We would also like to draw attention to Site 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 exceptional circumstances exist to justify this change to the Green Belt, and thus we consider this draft allocation to be contrary to NPPF 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) should stipulate 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 NPPF 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 39 Dyers Lane, Wolston, which would need to deliver 7 affordable dwellings with only 8 market dwellings, and Site 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 NPPF 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 Council’s 5-year supply of housing. Accordingly, it is considered that residential development should be prioritised to non-Green Belt sites, such as the land south of the M45, Dunchurch (Site 22) 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).

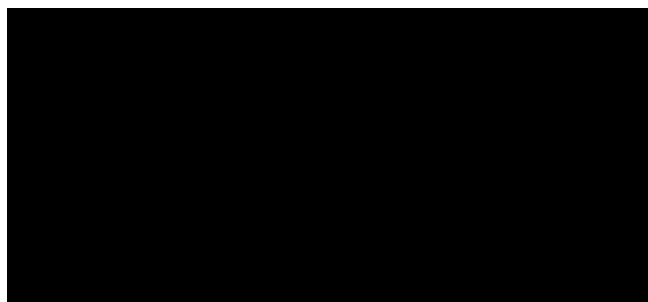
Conclusions and Suggested Amendments

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. Remove the allocation of the two alternative sites, Lodge Farm and Cosford and Newbold-on-Avon (NW Rugby) and cease further consideration of such sites on the basis of their lack of suitability. Replace instead with sites such as Site 22.
2. Wolvey Heath to be distinguished from Wolvey in the Settlement Hierarchy at Policy S1, and listed under S1A(iii) as an Other rural settlement.
3. The Housing and Economic Development Needs Assessment (HEDNA) should be updated to include the new standard methodology calculation for the Local Housing Need.
4. Policy S2A to be updated with the correct Local Housing Need, and should read as follows “To meet our future need for housing, **13,125** new homes will be delivered in the period 2024-2045 (**625** each year).”
5. 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 **15,278**.
6. 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.



7. Remove allocations and Green Belt release at Wolvey and Wolvey Heath (Sites 84 and 96) in Policy S6, and replace with allocations in more sustainable locations adjacent to the Rugby urban area that do not require Green Belt Release, such as Site 22.
8. Remove allocation at Newton (Site 87) at Policy S6, and replace with allocations in more sustainable locations adjacent to the Rugby urban area, such as Site 22.
9. Publish the Green Belt Contribution Study, and undertake a further Regulation 18 Preferred Options Public Consultation.
10. Reduce the number of housing allocations requiring Green Belt release, and replace with allocations in more sustainable locations adjacent to the Rugby urban area that do not require Green Belt Release such as Site 22.
11. Remove allocation of Fosse Way, Stretton-on-Dunsmore (Site 6) at Policy S6.
12. Policy H2A to be updated to reflect the 'Golden Rules' 45% affordable housing requirement on Major Developments (15% higher than the 30% at H2A(ii)).
13. 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.
14. All proposed allocations that would be Major Developments requiring Green Belt release should be subject to site-specific Viability Assessments to ensure deliverability.
15. 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

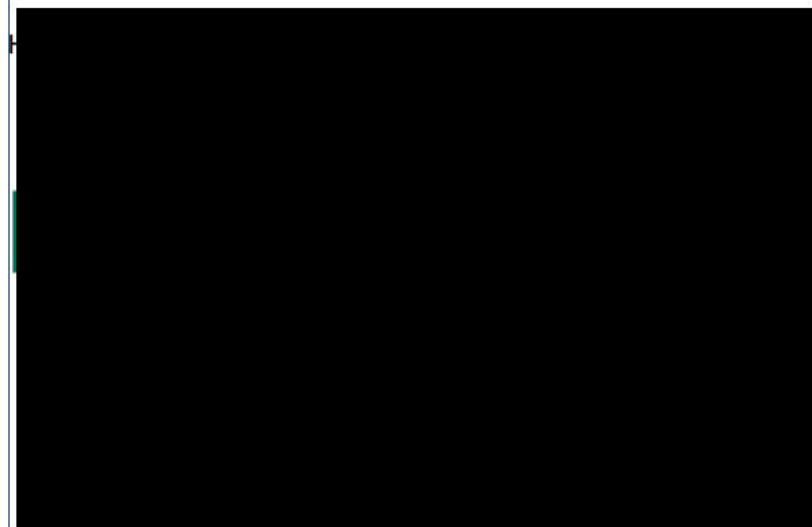
Good afternoon [REDACTED]

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 - Small site windfalls (fewer than 5 homes) since April 2020

LPA Ref	Location	Proposal	Number of Units	Decision Date	Notes
R25/0026		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.dwellinghouse (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	1	24/07/24	



		alterations and addition of porch to side.			
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 approval 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
R21/1223	15 Church Road, Shilton	Application for reserved matters approval of access, appearance, landscape, layout and scale, for the construction of 4no.	4	07/06/22	Pursuant to outline planning approval R18/1641



		dwelling with associated access, parking and turning with all matters reserved other than access and appearance			
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 08 Sep 2022
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 hasting, 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 of R19/0212
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	1	12/04/21	Amendment to previous approval R18/1293



		approved under R18/1293 approved 31st July 2019)			
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 adj 26 The Green, Long Lawford	Erection of one dwelling with associated parking.	1	07/08/2020	