



# RYE HILL, RUGBY – PREFERRED OPTION CONSULTATION REPRESENTATION

PROJECT NUMBER: 102-338  
MIDLANDS LAND PORTFOLIO LTD  
RYE HILL, RUGBY

MAY 2025

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## APPENDICES

- Appendix A – 102-388 (P)001 Location Plan
- Appendix B – Call for Sites Form
- Appendix C – 102-388 Rye Hill Vision Document – Rev A
- Appendix D - 'Technical Note' by Wardell Armstrong
- Appendix E – Local Highway Authority Comments
- Appendix F – Consultation Document Questionnaire

## 1 INTRODUCTION

- 1.1 rg+p have been instructed by Midlands Land Portfolio Limited, the property development arm of Severn Trent Water ('Our Client'), as part of their appointed professional team, to support the submission of representations, to the Rugby Local Plan – Preferred Option Consultation.
- 1.2 We welcome the opportunity to submit representations to the Council during this consultation, undertaken in accordance with Regulation 18, of the Town and County Planning (Local Planning) (England) Regulations 2012.
- 1.3 By way of a recap, our client has an interest in a parcel of land some 3.29 hectares in area, which is located in Rugby Borough Council's administrative area, this is shown on the submitted location plan (**Appendix A**).
- 1.4 Herein, we provide our views on the 'Rugby Local Plan – Preferred Option' as outlined in the consultation document (March 20245). We submit that our client's parcel of land, known as "Land at Rye Hill" hereon referred to as 'the site', is considered for allocation, as part of the emerging Rugby Borough Council Local Plan. It is considered that the site is Suitable, Available and Achievable.
- 1.5 Through the promotion of this site we are seeking to work with the Council and other relevant stakeholders to secure its allocation for residential development.
- 1.6 We have carefully considered the consultation documents, the associated evidence base and we have sought clarification from Officers of the Council. We consider that there are compelling benefits associated with the development of the site and respectfully request that the Council gives appropriate consideration to its allocation for residential development. This consultation is in our opinion such an appropriate opportunity to fully inform and test policy choices made by the Council and we look forward to further constructive discussions in due course.
- 1.7 The sections of this report consider the following planning issues:
  - The Site, Surroundings and Context;
  - The Development Concept and Deliverability Assessment;
  - Observations - Prior Consideration of the Site through the Local Plan Review;
  - The Consultation Questions; and,
  - Concluding Remarks.

## 2 SITE AND SURROUNDINGS

- 2.1 As introduced above, our client (Midlands Land Portfolio Limited) has an interest in a parcel of land (~3.29Ha) located to the South of Rugby. The site is formed of two areas and a “Call for Sites” form has also previously been submitted in respect of the site and is appended again to this document for ease of reference (**Appendix B**). We have also included this pro-forma to remind the Council that correct information was provided in regard to land ownership and the intentions of Midlands Land Portfolio Limited.
- 2.2 The focus for development is the ‘northern parcel’. This is identified as ‘Site A’ in the accompanying Vision Document (**Appendix C**). This element of the landholding can accommodate residential development on land totalling 1ha. The vision documents also references and assesses the southern parcel of land, identified as ‘Site B’. This is not the focus for built development but could be enhanced as part of development proposals, or developed later in the plan period.
- 2.3 It is located close to the village of Dunchurch, Warwickshire. The consultation document also identifies an allocation ‘Land south of Coventry Road, Dunchurch’ under draft policy S6 for 180 dwellings, please see below:

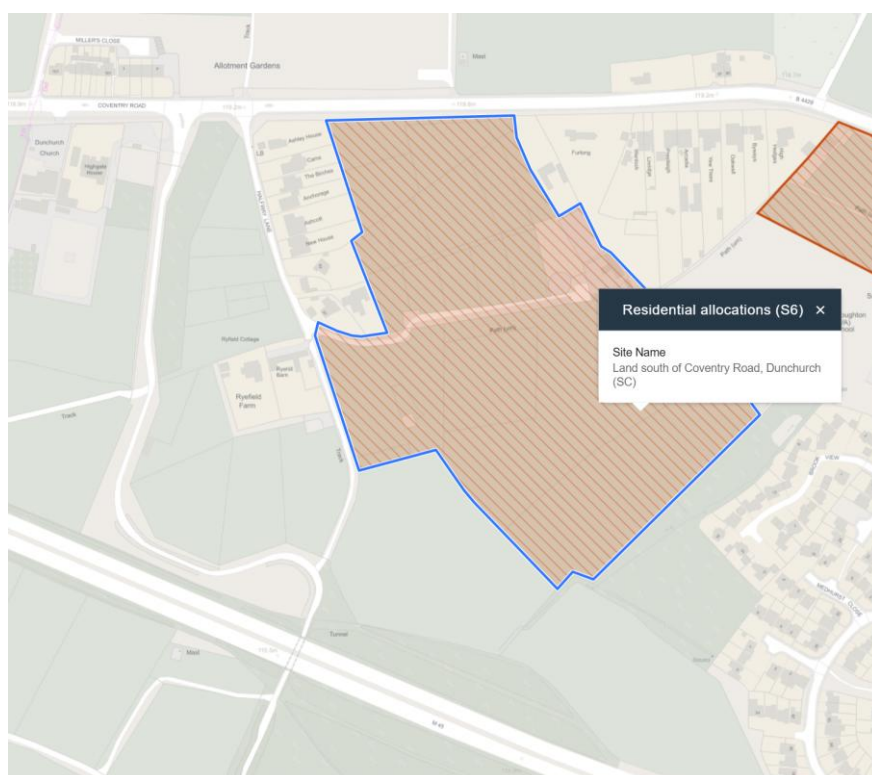


Figure 1 – extract of the [emerging policies map](#)

- 2.4 The development of the site offers an opportunity to create a mixed and balanced wider community in a sustainable location alongside the emerging land allocation.

2.5 The site is currently greenfield land used for purposes of keeping and grazing horses and is characterised by pasture. Various land uses surround the site. A Severn Trent access road to Draycote Water (which lies to the south of the M45) borders the site to the west. A public right of way borders the northern site and runs through the southern parcel. An embankment (c.3m high) occupies the western side of the site which has been planted with a mix of mature native trees. The northern boundary of the site benefits from a road frontage onto the B4429 (Coventry Road). The site also benefits from a road frontage onto Halfway Lane, which forms part of the National Cycle Route 41.

2.6 In summary, the wider surrounding land uses are as follows:

- Limited ribbon development and an extensive area of allotments lie to the north of the sites. The dwellings present are generally terraced in nature and their back gardens 'face onto' the Coventry Road. The dwellings are accessed by a small parking courtyard forming part of Miller's Close.
- To the north west of the site lies the recently rebuilt Dunchurch Baptist Church. It occupies a relatively large plot and contains a large parking area to the frontage.
- To the east of the site, along Halfway Lane, lies a number of larger dwellings. They generally differ from the dwellings to the north of the site but are similarly well-established. They tend to occupy larger plots but vary from large detached houses, semi detached houses and bungalows.
- To the south of site is Rye Hill stables. This is accompanied by two large dwellings, one being a barn conversion.

2.7 In respect of other technical baselines, a summary is provided below:

#### Flood Risk

2.8 In respect of flood risk, Environment Agency flood maps show that the appraisal site would not be at risk of fluvial flooding or surface water flooding. Surface water attenuation would be considered as part of a detailed scheme design.

#### Biodiversity

2.10 Online data held by DEFRA indicates that there are no internationally designated (SAC/Ramsar/SPA), nationally designated (SSSI) or locally designated (LNR) sites within the boundary of appraisal site. However, The Draycote Water Supply Reservoir (LWS), Fox Covert and Cawston Spinnery (LWS), Dunchurch Hall Meadow (LWS) and Springfields Pond (Ecosite)

are located within 1km of the site.

2.11 A Preliminary Ecological Appraisal has been prepared by Wardell Armstrong which confirms that there are no significant ecological constraints that would impede development. Furthermore, a Preliminary Biodiversity Impact Assessment has also been prepared by Wardell Armstrong which confirms that measurable net gain could be accommodated on site, with suitable enhancements.

#### Heritage

2.12 There are no designated or non-designated heritage assets within the site or immediately adjoining it.

#### Highways

2.13 As noted above, the appraisal site benefits from a road frontage onto the B4429 (Coventry Road) which runs along its Northern Boundary of site A. Site A also benefits from a road frontage onto Halfway Lane, which forms part of the National Cycle Route 41.

2.14 The B4429 (Coventry Road) connects the site to the nearby village of Dunchurch and beyond to the wider strategic road network, including direct access to the M45.

2.15 Suitable, enhanced, road access via Halfway Lane has been tested and identified as suitable for the estimated number of dwellings to be provided, with suitable visibility splays. The access option had been designed to limit any impact on established hedgerows along Halfway Lane and to avoid tree removals.

2.16 Further consideration in regard to highways matters is provided within the submitted 'Technical Note' by Wardell Armstrong. This is included at (**Appendix D**). It has been prepared in response to comments made by the Highway Authority in regard to the Call for Sites Assessments, a copy of these comments are included at **Appendix E**. Further assessment of these matters is contained within sections 4 and 5 of these representations.

#### 2.17 Arboriculture

2.18 There are a number of mature trees on the site, principally occupying the large bund to the western portion of Site A. development has been designed to limit impact on trees and limit removals.

#### 2.19 Rights of Way

2.20 There is 1 public right of way registered within the site. It runs along the eastern and southern

boundaries of Site A, before running from the north eastern corner to the south western corner of the Site B.

### 3 THE DEVELOPMENT CONCEPT & DELIVERABILITY ASSESSMENT

3.1 **Appendix C** provides the previously prepared vision document, containing concept drawings to illustrate how development could be accommodated within the site and respond to the constraints and opportunities posed by this location.

3.2 The vision documents concludes that there are a number of key features for future development. They include:

- The retention of hedge to Halfway Lane.
- Avoiding individual driveway accesses to Halfway Lane to reduce impact on hedgerow and existing properties.
- Development organised to define and overlook internal streets.
- Bungalows adjacent to Halfway Lane to reflect existing bungalows.
- A new footway within the site, linking the existing footway on Coventry Road and the PROW to the south of the site, offering a safer alternative to pedestrians using Halfway Lane.
- The opportunity to utilise localised or full carriageway widening to Halfway Lane, subject to further consultation with the Local Highway Authority.
- Development arranged to overlook PROW to south.
- Swales or attenuation basin to the south of the site, to make best use of topography.
- Development offset from existing woodland to the west of site.
- Two storey development to the west of the site.
- Architecture to reflect the materials & details of the locality

3.3 Government Guidance defines that for a site to be considered deliverable it must be; Suitable, Available and Achievable.

#### Suitable & sustainable location

3.4 The site is considered to be a suitable location for development that would contribute to the creation of a sustainable and mixed community. This is especially relevant given the mixed nature of surrounding development and the location of the South West Rugby Allocation to the north. With regard to policy restrictions, currently, the principal policy restriction is the settlement boundary policy.

Available

- 3.5 This site is owned by willing landowners, Midlands Land Portfolio. As such, there are no impediments to the site becoming available in legal or practical terms.

Achievable

- 3.6 The site is being promoted and will be developed by Midlands Land Portfolio, who have extensive experience in delivering sites providing market, affordable and other specialist housing. If delivery of homes from this site is required in the first 5 years of the plan period to meet a specific locational need, Midlands Land Portfolio are willing and able to submit an outline planning permission, in discussion with the Council at an agreed point in the emerging plan period.
- 3.7 There are no substantive viability issues (when considered against current legislative and infrastructure requirements) at this time or third party ownership requirements to prevent early delivery.

#### 4 OBSERVATIONS - PRIOR CONSIDERATION OF THE SITE THROUGH THE LOCAL PLAN REVIEW

- 4.1 Within this section, we have taken the opportunity to provide a short summary of the prior consideration of the site within the published evidence base. This is to confirm relevant factors and clarify points which are considered important.
- 4.2 Firstly, Appendix 5 to the published [HELAA](#) document confirms the location of the site geographically, including its relationship with other promoted sites. Sites 42 and 285 make up 'the site' for the purposes of our client's interest, please refer to the extract below:

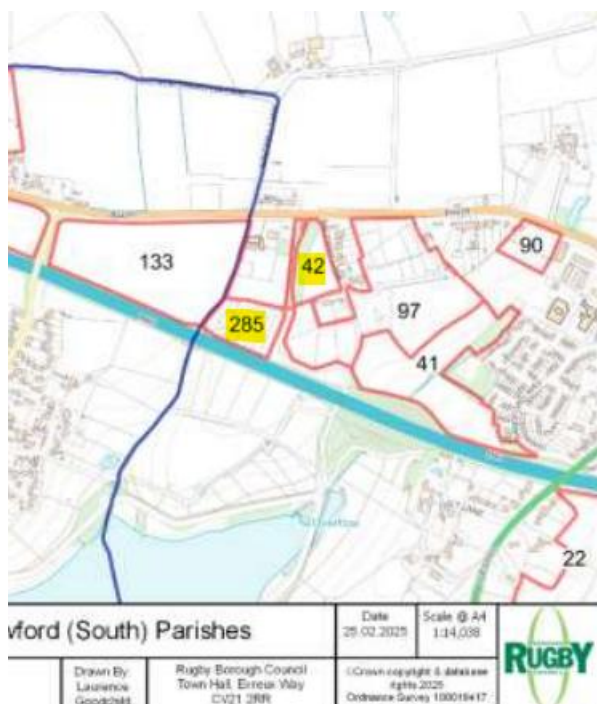


Figure 1 – HELAA extract

- 4.3 It is noted that the Council has not published a site assessment proforma for site 42. A proforma has however been published for site 285. A link to this assessment is [here](#).
- 4.4 It is also noted that as part of the published 'Stage 2 Site Assessment' our client's northern land parcel has in fact been considered as part of site reference 97, promoted by Taylor Wimpey Strategic Land. It is noted that an illustrative masterplan submitted for site 97 includes our clients land as open space (rather than built form) and was done without prior agreement.
- 4.5 Please see the extract below showing the area in question annotated:



Figure 2 – mapping extract showing client owned land within the area promoted by Taylor Wimpey Strategic Land

4.6 The published Stage 2 Site Assessment confirmed in regard to site 97 (with our emphasis underlined):

- “The site comprises arable and pastoral fields located at the fringe of Dunchurch, situated between the M45 and B4027.”
- “The surrounding road network is considered congested, but the site performs well on overall accessibility and is walkable to the village and its facilities.”
- “Neither heritage, nor ecology sensitivities have been flagged, and landscape sensitivity is Medium/Low. The site is not within the Green Belt.”
- “Warwickshire County Council have expressed concern with access from Sandford Way. Therefore, the site is not progressed in this configuration, but it taken beyond stage 2 as site 341 which comprises just the northern section of the site accessed from the B4429. This site is not assessed separately here but is discussed in the Sustainability Appraisal report.”

4.7 Within this evidence, no highway related concerns are published.

4.8 The published sustainability appraisal considers the ability of Dunchurch to accommodate

development, within which it is noted:

- Paragraph 5.4.42 – “There is broadly a case to be made for focusing growth to the west of the village given topography / landscape and historic environment sensitivities to the east of the village.”
- Paragraph 5.4.44 – “Allocation of Sites 90 and 341 would deliver 210 homes in combination, whilst there is capacity at the local primary school to accommodate ~250 [homes].”
- Paragraph 5.4.47 – “there is a strategic case for supporting growth at Dunchurch, given a strong settlement score and a location outside the Green Belt.”

4.9 In regard to these points, it is noted that our clients landholding is located to the west of the village, it is free of heritage, ecology and landscape constraint, it is not in the Green Belt and a comprehensive vision document has previously been provided during the prior consultation stage. However, in regard to the ‘vision’ the Council has mistakenly taken account of a site area provided by another promoter and not our client.

4.10 This is an unfortunate oversight and it is difficult to understand why the Council did not clarify matters when refining the allocation, particularly as the same area was put forward by different promoters. On this basis, clarification was sought by email from Officers. These officers have confirmed that our client’s site has been excluded from the proposed allocation area. The reason given for this is highways related, however this does not feature in the site selection assessment or the published sustainability appraisal. Rather a set of comments from the Local Highway Authority have been provided and these are included at **Appendix E** to these representations.

4.11 These comments have not formed part of the suite of evidence published for consultation. Notwithstanding this, the comments state:

“The Highway Authority has significant concerns over the proposed use of Halfway Lane as a vehicular access to/from the proposed site:

1. Halfway Lane is narrow (c. 3.5m wide), forms part of NCN41 and provides access to several PROWs.
2. Intensification in use would raise significant safety and amenity issues.
3. As such Halfway Lane is considered not to be suitable for any further intensification in use.”

4.12 The comments are comprehensively rebutted within the submitted 'Technical Note' by Wardell Armstrong at **Appendix D** to these representations.

4.13 Within the technical note, it is confirmed that:

- Residential development to the west of Halfway Lane would result in low levels of additional vehicle traffic using Halfway Lane. This is particularly the case since the Council do not propose allocating any other residential development from Halfway Lane.
- The extent of traffic impact on Halfway Lane can be limited as necessary through siting of access junctions so that not all development traffic will use the full extent of Halfway Lane.
- Potential issues relating to highway safety due to additional vehicles using Halfway Lane can be mitigated by design, by locating access junctions where there is good visibility, and by introducing localised widening, or full carriageway widening.
- Pedestrian, cyclist and residential access amenity will not be materially impacted by development at the site, and there is opportunity for significant benefit to active travel users through delivery of active travel infrastructure as part of the development.
- It is concluded that there are no material potential highway safety or amenity impacts arising from residential development at the site, that can not be mitigated as part of development design.

## 5 THE CONSULTATION QUESTIONS

5.1 As part of the consultation document the Council has published a questionnaire setting out 27 questions about the document and 11 questions about the respondent. Our completed questionnaire is provided as **Appendix F** to these representations. This includes all the 'respondent' questions answered. Where appropriate we respond to consultation questions below under sub-headings.

### Questions 1 & 2 – The Main Objectives

5.2 Our client strongly agrees with the six main objectives set out within the consultation document. In particular because, the development of their site:

- 1) Is in a sustainable location within the Borough. As identified within the published sustainability appraisal.
- 2) It is within a reasonable distance of the town centre whereby future residents would support services and facilities to aid its ongoing revival.
- 3) Would include reasonable sustainability measures, in line with prevailing legislation to reduce emissions and adapt to climate change.
- 4) Would provide an appropriate design response, in line with prevailing guidance.
- 5) Not result in an adverse impact on local infrastructure, with sufficient headroom in local education facilities evident. The development would also result in natural surveillance over the public right of way network and offer an improvement to its function.
- 6) Deliver biodiversity net gain and appropriate open space.

### Questions 3 & 4 – Dispersed Spatial Strategy

5.3 Our client agrees with the spatial strategy, particularly the allocation of housing land at Dunchurch. The evidence base confirms the sustainability of this location and also highlights that there is capacity for further development. This could include our client's land without significant or demonstrable environmental impacts for the reasons set out within these representations.

### Question 5 – Residential Allocations

5.4 Our client considers that the wording of this question is neither helpful nor reasonable. It is written with the sole purpose of understanding the extent of opposition to housing land allocations rather than offering the opportunity for positive discourse. This is an unfortunate

approach. Notwithstanding this, our client supports the general approach of allocating housing land to Dunchurch, namely site 341. However, it is submitted that our client's landholding 42 has not been assessed on a consistent or coherent basis, given the relative lack of constraints identified in the evidence base. Upon questioning, Officers have suggested a highways reason for not including our client's land within the allocated site and provided comments from the Local Highway Authority. These comments have been rebutted within the submitted technical note.

#### Questions 11 & 12 – Climate Change

- 5.5 Our client, which forms part of the wider Severn Trent business positively supports the drive towards net zero. Severn Trent is leading the water sector in reducing greenhouse gases by building the world's first net zero wastewater treatment hub and sharing their learnings with others. Our client strongly supports the introduction of water efficiency standards for non-residential development.
- 5.6 However, our client urges caution around the feasibility of adopting a net zero approach to all residential development as is proposed in this consultation document. The published sustainability appraisal confirms 'A Viability Study has been prepared, but there is a need for further work'.
- 5.7 The viability evidence confirms that the adoption of such a policy is likely to lead to pressures on land values. Based on the modelled scenarios this could reduce residual land values in Rugby Urban Area by between -38% to -57% and outside the Urban area by between -26% to -39%.
- 5.8 This presents significant risk of landowners not choosing to release land because (amongst other factors) the values achieved are not attractive, a disproportionate cost burden on areas where the Council will need to seek regeneration opportunities (such as urban brownfield land) and the ability of all developments to fund important affordable housing, infrastructure and potentially biodiversity net gain.
- 5.9 Further evidence should be provided by the Council in this regard.

## 6 CONCLUDING REMARKS

6.1 To inform the Local Plan process and in order to demonstrate the deliverability credentials of this proposal succinctly the following points are key when considering its credentials against the three dimensions of sustainable development:

### The Environmental Role

6.2 The development will:

- Provide an estimated 20 new homes in an area of low flood risk;
- Form a logical extension to an area of residential use to a sustainable location – Dunchurch and a proposed allocation for 120 dwellings and will be incorporated into the landscape through sound landscaping and master planning principles;
- Not result any demonstrable highway safety or amenity related impact (as per our submitted technical evidence); and,
- Provide a high-quality environment for residents, utilising green infrastructure and landscaping alongside techniques to deliver a high level of environmental performance

### The Social Role

6.3 The development will:

- Develop homes for a flexible number of end users, not limited to housing for those looking to get onto the property ladder, family homes, plots for self and custom builders and affordable housing.
- Not result in significant harm to any cultural or historical assets;

### The Economic Role

6.4 The development will:

- Constitute financial investment in the rapidly developing area south of Rugby, with good links to areas of employment growth
- Create direct and indirect employment opportunities

6.5 These representations have looked at the potential development of Land at Rye Hill. Through the undertaking of technical and master planning studies, it can be clearly demonstrated that the development would be achievable and deliverable within the timescales of the future Rugby Borough Council Local Plan. This is particularly the case given the Council's published

evidence base has not identified any significant or demonstrable reason why the land should not be considered positively for allocation. It is also relevant to consider that the Council should exhaust all sustainable non-green belt locations for development before considering the release of green belt for development. Our submission is that a robust approach in this regard is yet to be demonstrated and it should be from the 'initial thinking' of plan preparation.

- 6.6 Our clients are committed to playing an active role in the preparation of the draft Local Plan and look forward to taking part in future consultation, including oral participation at the eventual examination (as may be required). We trust that the information provided in this document is sufficiently clear and provides assistance in further developing the emerging Local Plan. We will actively seek further discussions to understand the Council's response to these representations.