



Richborough Estates

Land East of Rugby Road

Rugby Local Plan

Regulation 18 Consultation – Preferred Options

May 2025



## 1. Objectives

### **Question 1 – To what extent do you agree with the selection of these objectives?**

Disagree

### **Question 2 – What are the reasons for your answer to Question 1?**

Whilst Richborough do not disagree with the objectives listed, it considers an objective should be added related to meeting housing needs, particularly affordable housing. Housing affordability is a key issue in the Borough as evidenced in the HEDNA and the failure to address the issue can have wider consequences for the growth of the economy and for health and wellbeing of residents. It should be added as an objective of the Plan to address housing need.

## 2. Strategy for Homes and Residential Allocations (Policies S2 and S6)

**Question 3 - To what extent do you agree with the more dispersed overall spatial strategy for new homes?**

Neither Agree/Disagree

**Question 4 - What are the reasons for your answer to question 3 and if you disagree with the proposed spatial strategy what alternative should we pursue?**

### *Policy S1 Settlement hierarchy*

Richborough agree with Policy S1 and consider the identification of Clifton upon Dunsmore as a main rural settlement capable of accommodating development as sound. This policy is justified and evidenced within the Rural Sustainability Study. In addition to facilities within the village, the settlement is well related to Rugby and Houlton and therefore the need to travel for residents is reduced and there is a genuine choice of modes of transport modes to many of its services. Locating new development at Clifton should focus on locations which can improve its connectivity between the village and Rugby and Houlton.

### *Policy S2 (Strategy for homes)*

Richborough strongly disagree with the approach for meeting the future need for housing as set out in Policy S2 (Strategy for homes) and Policy S6 Residential allocations. The housing requirement and supply within Policy S2 is not positively prepared, justified, effective, or consistent with national policy having regard to the following evidence:

### ***Local Housing Need***

National planning practice guidance is clear that the Local Housing Need derived from the Standard Method may only be relied upon for a period of two years from the time the

Local Plan is submitted for Examination<sup>1</sup>. It would therefore be prudent for the Council to update the housing requirement calculated utilising the Local Housing Need derived from the Standard Method in the Publication version, and be mindful of any potential changes between Publication and Submission.

The 2024 National Planning Policy Framework altered the methodology for calculating the Standard Method. The consultation document has correctly incorporated this methodology in calculating their Standard Method. However, the updated affordability ratios published on 24<sup>th</sup> March 2025 (which form a part of the Standard Method calculation) increased Rugby's Standard Method from 12,978 dwellings over the Plan period (2024 – 2045) to 13,125.

### **Unmet Housing Needs**

The Council needs to ensure they have considered accommodating unmet housing needs arising from outside of the Borough to ensure compliance with the Duty to Cooperate and to ensure that the New Local Plan can meet the positively prepared soundness test set out in Paragraph 36 of the Framework.

The adopted Rugby Local Plan provides 2,800 dwellings to meet the unmet needs of Coventry until 2031. The Coventry Local Plan Review has progressed past Regulation 19 consultation, in which the Publication version of the Local Plan Review reported a housing need of 29,100 dwellings with a supply of 31,493 dwellings, in a Plan period of 2021 to 2041. Thus, Coventry consider they will be able to wholly meet their housing need within the City Boundary.

The Coventry Local Plan Review will be tested through Examination once it progresses to that stage, including the Council's draft housing allocations and assumed level of supply, and this should be monitored closely by the Council. The Framework is clear that effective strategic planning is critical to the delivery of sustainable growth (Paragraph 24) and that effective and on-going joint working is integral to the production of a positively prepared and justified strategy (Paragraph 26).

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<sup>1</sup> Housing and Economic Development Needs Assessment Planning Practice Guidance, Paragraph 008.

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### ***Affordable Housing Need***

The Framework outlines that the Standard Method should be utilised to determine the minimum number of homes needed. The Framework also states that the housing requirement “may be higher than the identified housing need” (Paragraph 69) should reasons exist to justify doing so. Planning Practice Guidance (PPG) states that an increase in the total housing figures included in the Plan may need to be considered “where it could help deliver the required number of affordable housing”. As outlined in full in the appended Affordable Housing Need Statement, Richborough consider that the Council must increase their housing requirement to account for their affordable housing need.

To deliver the required affordable need (495dpa) with a 20 – 30% affordable housing delivery rate, an overall housing need of 1,650 – 2,475dpa would be required. This represents a 167% to 300% increase in the Standard Method (618dpa).

The lower end of this range is not considered unrealistic in the context of the net housing completions, with 2022/23 seeing 1,349 dwellings delivered. The past 6 years have also seen average delivery rates just below 1,000dpa.

Furthermore, net affordable housing delivery between 2011/12 to 2023/24 was only 808 affordable dwellings, only 30% (2,700 affordable dwellings) of the Council’s own acknowledged need for the same period. 808 dwellings in this period only represents 9% of all housing delivery in this period.

Alongside the lack of delivery, Rugby’s housing waiting list has increased to 646 households since 2020, with 260 households assessed as homeless. Subsequently, Rugby’s lower quartile and median affordability ratios have experienced the 2<sup>nd</sup> highest increases (22% and 20% respectively) of all West Midlands authorities in the past decade. This is compared to increases of just 10% for both measures and 3% for both measures in the West Midlands and nationally respectively.

### ***Housing Requirement***

On the evidence outlined above, there is a clear need to increase the housing requirement beyond the Standard Method, which currently stands at 625dpa. Failure to

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do so would exacerbate the poor affordability of Rugby and fail to acknowledge the desires of the Government as clearly set out in the Framework.

Housing delivery in Rugby has averaged 965dpa since 2018/19, despite the national slowdown experienced during the COVID-19 pandemic. In 2022/23 net completions, reached 1,349 dwellings.

Based on this, it is considered that Rugby must set its housing requirement at over c. 1,000dpa for the Plan period as a minimum to be positively prepared in accordance with the Framework.

### ***Approach to Site Selection/Sources of Supply***

It is evident from Policy S2 that over reliance has been placed on larger sites. Over 60% of the housing need to be met within the new Local Plan is to come from the three strategic housing allocations adopted through the current Local Plan (South West Rugby, Houlton and Eden Park). If for any reason these sites do not come forward at pace over the Plan period (particularly South West Rugby and Houlton at c. 200 dpa), the Plan will fail in so far as meeting housing need notwithstanding the 9% buffer applied. The Council will be mindful of past Local Plans that have contained ambitious trajectories on the larger sites that have not delivered. The Council will need to evidence at the next stage of the Plan-making process it is effective and deliverable, with realistic trajectories for these three sites in accordance with paragraph 78 of the Framework. This is especially pertinent if these sites are being relied upon for demonstrating a five year supply on adoption.

Any further reliance on new large, strategic scale sites would therefore risk delivery of the Plan's housing requirement, particularly affordable housing. The Preferred Option approach of identifying small and medium size sites is therefore justified and supported by Richborough. The allocation of small and medium sized sites is also directly supported by Paragraph 73 of the National Planning Policy Framework. The Framework recognises the importance of small and medium sized sites in helping meet the housing requirement, and the need to assist SME housebuilders.

In respect of other sources of supply, it is noted that the consultation proposes to include 1,050 dwellings in the anticipated supply arising from windfall development.

Framework is clear at Paragraph 75 that any windfall allowance should be supported by compelling evidence that windfall sites will provide a reliable source of supply, and be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. The Council should ensure that the assumed windfall allowance is compliant in that regard.

Furthermore, Richborough consider that including a windfall allowance for each year of the Plan period is unsound given the likelihood of double counting with sites with planning permission also taken into account in the supply. The windfall allowance should therefore be reduced to 900 dwellings, i.e. 18 years and not 21 years worth of windfall supply, assuming there is compelling evidence that a windfall allowance of 50 dwellings per annum is provided by the Council in line with the Framework Paragraph 75.

Finally, Richborough would encourage the Council to consider identifying reserve allocations. This can be effective in maintaining a five year housing supply if allocations do not come forward as envisaged, and can be aligned with an effective monitoring policy within the Plan for which there is not one currently drafted. This would help supplement the 9% buffer planned, and the Council should be targeting a buffer of at least 15-20% consistent with other Councils approach.

#### *Policy S6 (Residential allocations)*

Richborough consider that the sites chosen for allocation in Clifton-upon-Dunsmore in Policy S6 (Sites 129, 202, and 307) are not sound as they are not justified taking into account the reasonable alternatives (the western part of Site 238, which we understand is referred to as Site 335 in the SA). The HELAA Assessment of Site 238 has assessed the entirety of the land put forward by Richborough south of the village, however Richborough have advised that a smaller scheme on the western part of the Site 238 (around 150 dwellings) is deliverable and has been considered in the SA at para 5.4.40 as Site 335.

The reasoning for this is set out in response to Question 5.

**Question 5 - Is there a site that is proposed to be allocated for housing in policy S6 that you do not support? If so, which site and why?**

Richborough do not support the allocation of Sites 129, 202, and 307, as they are not justified as an appropriate strategy having regard to reasonable alternatives which in this case is the western part of Site 238 (Land east of Rugby Road, Clifton upon Dunsmore)/Site 335 of the SA. The western part of Site 238 is comparable in terms of dwelling capacity to Sites 129, 202 and 307 combined (150 dwellings), and would provide a number of advantages as follows:

Delivering a sufficient supply of homes (Section 5 of the Framework)

There is a greater ability to secure a mix of house types to cater for all housing needs (such as homes for older people or self-build) on Site 238/335 due to its scale, when compared to smaller sites such as 307 which will be more limited due to the relative viability of development.

Promoting healthy and safe communities (Section 8 of the Framework)

There is a greater ability to secure social, recreational and cultural facilities on Site 238/335 due to the scale of land available, when compared to smaller sites 129, 202 and 307. Furthermore, Site 238/335 immediately adjoins the village playing fields. It has therefore the ability to offer land to extend this asset to provide more pitches to cater for an increased population within the village, as well as land and contributions towards a community building if required and parking to improve the attractiveness of this asset for the village. The Council will be aware from its Playing Pitch and Outdoor Sport Strategy (July 2023) that the existing pitches are poor quality, played to capacity, and with no dedicated parking facility. The recommended actions are to improve quality and increase capacity which is something this proposal alone could help deliver in Clifton Upon Dunsmore.

Sites 129, 202 and 307 do not have that ability and will not be able to address their impact on demand for recreation space. This is a clear, positive differential for the Richborough site.

The Council recognise that piecemeal development leads to missed infrastructure benefits as set out in the Sustainability Appraisal (paragraph 5.4.40). There is therefore acknowledged merit in allocating one site as opposed to three smaller sites.

#### Promoting sustainable transport (Section 9 of the Framework)

Development to the south-west of Clifton is the most logical and sustainable location to extend the settlement from a sustainable transport perspective. As the urban area of Rugby is to the south west of the village, and the growing new community at Houlton is also to the south, locating new development to the south west of the village makes it more likely new residents will use active and sustainable modes of travel to access services and jobs within the urban area. New residents on Site 238/335 will be at least 1km closer to the urban area than on the alternative sites to the north and east of the village, making it more likely they will walk or cycle to the urban area.

Site 238/335 also has the potential to provide more direct active travel connections from the village via the Recreation Ground through the development to the village allotments to the south and to Rugby Road to the west. Providing attractive, direct and safe alternative pedestrian/cycle routes for residents of the village would encourage use of active travel.

Further, the majority of trips from residents of the village will be to the urban area of Rugby. When new residents of Site 238/335 have to use the private car for journeys to the urban area, they will use Rugby Road and not generate through traffic within the village and its Conservation Area. Conversely, all traffic from the alternative sites (129, 202, and 307) have to go through the Conservation Area to the detriment of its character and amenity.

In transport terms, Site 238/335 is therefore more likely to encourage walking and cycling to the urban area of Rugby, and less likely to have negative environmental impacts on the character of the Clifton Conservation Area and its listed buildings when compared to sites 129, 202 and 307.

Furthermore, depending on the scale of allocation required at Clifton, Richborough also control land between the village and Houlton, and can assist in facilitating improved walkways and cycleway, including potentially along Hillmorton Lane which is noted as

being strongly requested by the local community within its emerging Neighbourhood Plan.

Conserving and enhancing the natural environment (Section 15 of the Framework)

The Framework requires Plans to allocate land with the least environmental or amenity value.

In the Sustainability Appraisal (paragraph 5.4.40), it states the principal reason to not carry forward Land east of Rugby Road (Site ID 335) is due to its landscape impacts. This, however, is based on the Landscape Sensitivity Assessment which has assessed the entirety of Site 238, the much larger parcel. The landscape impacts of a smaller parcel of land at the western end of Site 238 (Site 335) would be much less, and Richborough would encourage the Council to fully assess this smaller parcel in isolation.

Notwithstanding the above, the Landscape Sensitivity Assessment assesses Site 238 the same as Site 202 and 129 as having Medium/low landscape value. Further, the Landscape Sensitivity Assessment acknowledges that the visual value can be mitigated through tree planting on the Site boundaries. The emerging masterplan for the Site shared with the Council through its current pre-application (PR25/0168) proposes significant landscaping and planting around all Site boundaries.

Development of Site 238/335 maintains an appropriate level of separation between Houlton, Rugby and Clifton-upon-Dunsmore, and will not diminish the sense of separation between these settlements. All built development will be to the rear of properties on Rugby Road and therefore will not be visible from public vantage points when people are travelling between the settlements.

The SA refers to Site 335 not relating well to the village. Richborough disagree as the Site's northern boundary immediately adjoins the village playing fields which are at the heart of the community, and a significant local resource. The Site is also contained on its western side by the existing village, and to the south by the village allotments. It is therefore very well related.

The SA also makes reference to concern regarding further piecemeal growth to the east, however the appropriateness of any further growth to the east beyond Site 335 would be a matter for the Council to decide as part of any future Local Plan Review.

Development of Site 238/335 also does not adjoin potential local wildlife sites (Site 307), and is not impacted by Tree Preservation Orders (Site 209). The site therefore is of lower environmental and amenity value compared to the alternative sites.

#### Conserving and enhancing the historic environment (Section 16 of the Framework)

The Framework requires Plans to allocate land with the least environmental or amenity value.

As noted above, development of Site 238/335 will not result in through traffic to Rugby within the Conservation Area of the village. Moreover, development of Site 238/335 will not impact on the setting of the Conservation Area unlike Sites 129 and 202. Site 238/335 is therefore of lower environmental and amenity value compared to the alternative sites.

In conclusion, Richborough consider Site 238/335 is justified as an alternative allocation to Sites 129, 202 and 307, and respectfully request its allocation. The land is of lesser environmental and amenity value, is well related to the village and more likely to encourage active travel, has less vehicular impact on the Conservation Area of the village, and has the greatest potential to provide a mix of housing and community benefits to mitigate the increase in population within the village.

Richborough would be happy to work with the Borough Council and Parish Council in relation to agreeing a policy wording that captures the benefits of the proposed allocation.

**Question 6 - The development sites annex lists development requirements for the allocated sites. Are there additional or different requirements we should be seeking? Please specify which site you are referring to.**

No response

### 3. Climate

#### **Question 11 – To what extent do you agree with the approach to reducing emissions and adapting to the effects of climate change?**

Neither agree nor disagree

#### **Question 12 - What are the reasons for your answer to question 11?**

##### *Policy CL1 (Net Zero Buildings)*

The target of Net Zero is noted and it seems logical to implement policies which encourage the construction of Net Zero Carbon buildings. Notwithstanding this, the definition of “ultra-low energy” and “fossil fuel free” is unclear. Fossil fuel free developments from construction through operation may lead to unviable and unfeasible developments.

In relation to subparagraph A(iii) and (iv) it may not be the most efficient use of land to require that electricity is generated on-site, nor present a viable case for many developers.

It should be noted that the United Kingdom is currently in a housing crisis, and whilst the delivery of Net Zero buildings and housing should be promoted and supported, a requirement for all new buildings to be designed and built to be fossil fuel free is likely to come at the expense of housing delivery and viability on some sites. In order to be sound, any Net Zero policy will need to ensure that it has been viability tested.

An Energy Use Intensity (EUI) target of 35kWh/m<sup>2</sup>/yr sets a very high fabric standard requirement, regardless, the EUI metric should not be used within the Local Plan as the Future Homes Standard will not utilise this metric moving forward.

With regards to Criteria B i, ii, and iii, as per paragraph 164 b) of the Framework, the requirements in Local Plans should be in line with the requirements of Building Regulations, which themselves are expected to be changed by the forthcoming Future Homes Standard.

##### *Policy CL3 (Water Supply, Quality and Efficiency)*

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In our experience it is difficult to reduce water use to the levels described without compromising functionality, unless Rainwater Harvesting (RWH) for internal use is incorporated. RWH is rarely used on housing due to the cost, ongoing management issues and additional embodied carbon. Research also suggests that RWH increases CO<sup>2</sup> emissions at a time when we are seeking to reduce emissions. A target of 110 litres per person is considered more achievable and in line with the Government's own guidance<sup>5</sup>.

*Policy CL4 (Climate Adaptation)*

Richborough Estates consider that the need for Policy CL4, criterion (i) been superseded as a result of Part O of the Building Regulations which now requires an assessment of overheating risk, and if necessary, the introduction of mitigation measures.

Criteria ii and iii are not required due to further policies within the Climate Change and Sustainable Design and Construction SPD and Policy EN6 of the draft Local Plan.

Policy CL4 should be removed.