

RUGBY BOROUGH LOCAL PLAN (2024 – 2045)



REPRESENTATIONS
PREFERRED OPTION CONSULTATION
MAY 2025

Project Name: Rugby Borough Local Plan – Regulation 18

Client Name: Storm Consulting Limited

Prepared By:

[REDACTED]

Signed:

[REDACTED]

Date:

17th May 2025

Reviewer

[REDACTED]

Signed

[REDACTED]

Date:

17th May 2025

Revision:

1

Table of Contents

1. Introduction	4
2. The Strategy for Homes and the Settlement Hierarchy (Policies S1 and S2)	6
3. Land East of Kilsby Lane, Hillmorton, Rugby	10
4. Summary and Conclusion	14

List of Appendices

Appendix 1

Site Location Plan

1. Introduction

1.1 Background

1.1.1 These representations to the Rugby Borough Local Plan (“RBLP”) have been prepared by Marrons on behalf of Storm Consulting Limited (“Storm Consulting”).

1.1.2 These representations are made to ensure the soundness of the RBLP, and we trust officers will find them helpful. These representations are made in the context of Land east of Kilsby Lane, Hillmorton, Rugby (“the Site”) (ID Reference 40).

1.2 Policy Framework

1.2.1 The Government’s planning policy framework for England is contained within the National Planning Policy Framework (“NPPF”), December 2024 edition. Paragraph 234 of the latter states that where a Plan has reached Regulation 19 stage on or before 12th March 2025, and its housing requirement meets at least 80% of local housing need calculated using the updated Standard Method, policies in previous versions of the NPPF will apply. In this case, the transitional provisions of the NPPF do not apply and so at the present time, the soundness of the RBLP will be examined against the NPPF 2024.

1.2.2 Paragraph 36 of the NPPF sets out that local plans will be examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are sound where they are:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs and informed by agreement with other authorities, so that unmet need can be accommodated where it is practical to do so and consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent** with national policy – enabling the delivery of sustainable development in accordance with the policies of the Framework and other statements of national planning policy, where relevant.

1.3 Structure of Representations

1.3.1 These representations are structured as follows:

- **Section 2** – Housing requirement and spatial strategy for new homes (Policies S1 and S2)
- **Section 3** – Land East of Kilsby Lane, Hillmorton, Rugby
- **Section 4** – Summary and Conclusions

2. Strategy for Homes and the Settlement Hierarchy (Policies S1 & S2)

2.1 The Housing Requirement

2.1.1 Policy S2 of the RBLP sets out a housing requirement of 12,978 homes over the Plan period 2024 to 2045, equating to an annual average of 618 dwellings per annum (“dpa”). As explained in Development Needs Topic Paper published alongside the consultation, the figure of 618 dpa represents the Borough’s local housing need (“LHN”) calculated using the Standard Method. It has been multiplied by the number of years within the Plan period to arrive at the overall housing requirement.

Plan Period

2.1.2 Storm Consulting **supports** the Plan period which extends between 2024 and 2045. As the Council will be aware, paragraph 22 of the NPPF requires local plans to look a minimum of 15 years forward from adoption. As the RBLP is anticipated for adoption in 2027, a Plan period extending to 2045 is a sensible response to ensure that potential slippage in plan-making timescales does not result in the Plan covering less than the required timescale from adoption.

LHN and the Housing Requirement

2.1.3 As explained by the Planning Practice Guidance (“PPG”), local housing need is an unconstrained assessment of the minimum number of homes needed in an area. This is the first step in the process of deciding how many homes need to be planned for. **It is different from establishing a housing requirement figure.¹ The Standard Method does not produce a housing requirement figure.²**

2.1.4 In contrast to the LHN, the housing requirement is the minimum number of homes that a plan seeks to provide during the plan period. The PPG explains that:

“The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The National Planning Policy Framework explains that the housing requirement may be higher than the identified housing need, and authorities **should consider the merits of planning for higher growth if, for example, this would seek to reflect economic growth aspirations.** Where authorities plan for higher growth this should not normally have to be thoroughly justified at examination.”³ [Emphasis Added]

¹ Paragraph: 001 Reference ID: 2a-001-20241212

² Paragraph: 002 Reference ID: 2a-002-20241212

³ Paragraph: 040 Reference ID: 2a-040-20241212

2.1.5 That point is also reiterated at paragraph 49 of the NPPF, which states that the housing requirement may be higher than the LHN if, for example, it includes provision for neighbouring areas, responds to growth ambitions or infrastructure investment. These examples cited within the NPPF are clearly not intended as a “closed list” and accordingly, we expect the evidence base to grapple with the question of whether the housing requirement should be higher than the LHN. On this point, we would make the following observations.

Delivery Trends and Previous Assessments of Need:

2.1.6 The Housing and Economic Development Needs Assessment (“HEDNA”) 2022 estimated a need for 735 dpa for Rugby based upon the demographic projections available at the time. The figure 735 dpa for Rugby is arrived at using a trend-based projection driven by stronger population growth underpinned by changes in migration levels as well as fertility and mortality rates.

2.1.7 In addition, between 2021/22 and 2023/24 housing delivery in Rugby has averaged 1,037 dpa. Having regard to monitoring data reported in the Rugby Borough Council Authority Monitoring Report (2023 – 2024), housing delivery has been consistently and materially more than the LHN since the 2018/2029 monitoring year, averaging 965 dpa since that time.

2.1.8 **Previous assessments of need and delivery trends all point towards housing needs being greater than the LHN. We would therefore encourage the Council to explore whether the current housing requirement based upon the minimum LHN figure is justified based upon the demographic trends evidenced in the HEDNA and recent, sustained levels of housing delivery.**

Economic Growth:

2.1.9 Economic development needs were considered in the HEDNA and more recently within the West Midlands Strategic Employment Sites Study 2024 (“WMSESS”). The WMSESS calculates needs for large-scale employment sites but does not apportion that need to individual local authority areas. Rather, it apportions need to a series of opportunity areas including to Area 7, which largely corresponds to Rugby Borough Council’s administrative area. That wider strategic need alone generates a requirement of 139.5ha of strategic industrial employment land. When non-strategic needs for industrial land are considered, the calculated need for all industrial land stands at 202ha net of committed supply. This is before any unmet economic development needs from Coventry are considered.

2.1.10 The HEDNA 2022 concluded that there was no case to uplift the housing requirement to support economic growth, except potentially in North Warwickshire. However, this conclusion was made in respect of a lower assessment of employment land needs in Rugby, which did not reflect

strategic industrial needs within the wider sub-region. The WMSESS has subsequently sought to do so and in line with this, Policy S3 of the emerging RBLP plans for a total of 1,231,987 sq m of employment land over the Plan period. No part of the evidence base explores whether the overall housing requirement is sufficient to support the level of employment growth planned for, noting that it seeks to respond to wider sub-regional needs as well as the Borough's own needs.

Affordable Housing:

2.1.11 The PPG states:

“The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by eligible market housing led developments. 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 homes.”⁴

2.1.12 The HEDNA 2022 estimates that Rugby Borough's affordable housing need is 495 dpa. This represents 80% of the Borough's LHN (618 dpa). Therefore, it stands to reason that the housing requirement, which is based only upon local housing need calculated the Standard Method, will not come close to meeting the objectively assessed need for affordable homes presented within the HEDNA given that the viable level of affordable housing contributions sits at 20-30%. **Increasing the housing requirement to meet affordable housing needs should therefore be explored.**

2.1.13 The HEDNA 2022 does provide comment on the above matter from paragraph 8.54 onwards. Essentially, it concludes on an HMA-wide basis that the amount of housing required to meet affordable housing needs in full would be unrealistic. The HEDNA also refers to the technical complexity of making a link between affordable housing needs and the overall housing requirement.

2.1.14 We agree that it is often not realistic to meet a local authority's affordable housing in full and there is no requirement in national policy to do so. However, increasing the overall housing requirement will deliver more affordable homes than would otherwise come forward based on the minimum LHN alone and therefore, to use the PPG's phrasing, “help to deliver” the required number of affordable homes over the Plan period. Being unable to meet the affordable housing need in full does not mean the matter should be ignored. As set out above, Rugby Borough has seen recent annual completions significantly in excess of the LHN and therefore, the Borough is able to realistically sustain a higher rate of housebuilding than the bare minimum.

⁴ Paragraph: 024 Reference ID: 2a-024-20190220

2.1.15 Whilst making the link between the overall housing requirement and the affordable housing need may be complex, this does not obviate clearly stated national policy on the subject, which requires consideration of uplifting the housing requirement to meet the affordable housing need. This has not been undertaken within the Consultation Document or the wider evidence base. We would ask that the Council explore the matter further.

Sustainability Appraisal

2.1.16 The interim Sustainability Appraisal (SA) Report by AECOM dated March 2025. The matter of the housing requirement is discussed from paragraph 5.23 onwards.

2.1.17 We agree with the SA that there is little question of setting the housing requirement below the LHN given the lack of strategic constraints in Rugby Borough and recent trends of delivery. We note that in respect of unmet need from surrounding areas, the SA refers to potential unmet needs arising from Coventry, Greater Birmingham and Leicester and Leicestershire.

2.1.18 Coventry City Council, it is noted, is currently anticipating meeting its own needs to 2041. However, this will need to be kept under review given that Coventry's capacity to deliver the amount and rate of housing growth necessary to meet those needs will be subject to examination by the Secretary of State. In addition, Coventry's emerging local plan only runs to 2041 and given that Rugby's Local Plan looks ahead to 2045, it is unclear whether Coventry will be able to meet its own housing needs over that timescale. Given the uncertainty, it would be sensible for Rugby Borough Council's emerging local plan to include a contingency to address Coventry's unmet need should it arise in the Plan period to 2045.

2.1.19 The SA acknowledges the possibility of setting a housing requirement above the LHN to account for growth ambitions, but dismisses this, stating that it is unlikely to be a significant consideration. The HEDNA 2022 is cross-referenced on this matter, but the conclusions of that document have been superseded by more recent evidence of economic development needs, which also include consideration of wider sub-regional needs to which the Plan, at least in part, aims to respond. Therefore, the conclusions of the HEDNA 2022 cannot be relied upon to dismiss uplifting the housing requirement to achieve an appropriate alignment between homes and jobs.

2.1.20 Finally, in respect of affordable housing the SA states at paragraph 5.2.29 that "...there is a clear high-level case for remaining open to the possibility of higher growth scenarios, subject to consideration of supply options below. This high-level case primarily relates to affordable housing need." That conclusion reflects our own views expressed above and we would encourage the Council to explore the matter in further detail.

2.2 Spatial Strategy

Settlement Hierarchy

- 2.2.1 Policy S1 of the Consultation Document identifies a settlement hierarchy and sets out that new development should be of a scale commensurate with the services and facilities of the settlement. The settlement hierarchy identifies three tiers of settlements, with the Rugby urban area sitting at the top, followed by the main rural settlements and other rural settlements.
- 2.2.2 **Overall, we consider that the settlement hierarchy, as presently drafted and as it relates to the Rugby Urban Area is sound and justified by the evidence base.**

Spatial Apportionment of Housing

- 2.2.3 Policy S2 sets out a strategy for homes and breaks down the amount of housing planned into sources of supply. To clearly articulate the Plan's spatial strategy, we recommend that the housing figures within Policy S2 are also broken down by tiers of the settlement hierarchy, accompanied by a statement that clarifies the role and function of each tier. The key role of the Rugby Urban Area in accommodating development needs over the Plan period should be reinforced within Policy S2.
- 2.2.4 Paragraph 1.17 of the Consultation Document sets out that new homes will be focused on the Rugby Urban Area, which will accommodate at least 75% of new housing over the Plan period. Given the spatial characteristics of the Borough and the settlement hierarchy, we consider that a principal focus on Rugby as a focal point for growth is inevitable. Despite Rugby's primacy within the settlement hierarchy, however, the Plan's strategy decides against allocating further SUEs around the town due to the extent of existing commitments. Instead, it directs most net growth towards the Main Rural Settlements (MRS), while also allocating some additional small and medium-sized sites around the Rugby Urban Area.
- 2.2.5 Storm Consulting agrees that the RBLP must bring forward a balanced portfolio of sites, including smaller and medium sized sites to achieve sustained delivery throughout the Plan period, to allow the rural settlements to grow and to address issues of rural affordability. However, we also agree that further land allocations should be made at Rugby to deliver a sustainable pattern of growth. We consider allocating land at Rugby to be essential for delivery the RBLP's strategy in relation to infrastructure.
- 2.2.6 Land is identified within the draft RBLP for a new 6FE (six-form entry) secondary school at St Thomas Cross to the northeast of Rugby, under draft Policy I6. Paragraph 9.19 of the supporting text explains that, to deliver this school through the more dispersed spatial strategy, Section 106 contributions will need to be sought from all new residential development, regardless of location—even outside the school's catchment. In our view, such an approach would not be

consistent with the statutory and policy tests for planning obligations and indicates the difficulties of attempting to deliver critical infrastructure through a more dispersed pattern of growth. Whilst we do not object to the level of growth directed toward the Main Rural Settlements, we consider that further residential growth should be apportioned to Rugby to achieve the critical mass required to deliver the secondary school in a more appropriate and targeted manner. This matter should also be considered in light of our broader comments on the housing requirement.

2.2.7 We are pleased that even the SA at paragraph 5.4.10 in some measure acknowledges the somewhat counterintuitive nature of the RBLP's current stance towards the delivery of infrastructure:

“With regards to broad spatial strategy, Section 5.2 explains primary considerations as: A) there is a need to deliver a new secondary school; and B) there is a strong case against allocating a further strategic urban extension. These two factors are somewhat conflicting, because it is typically strategic urban extensions that are able to deliver a new secondary school, but this is a matter to explore further below.”

2.2.8 We have reviewed the conclusions of the SA in respect of reasonable alternatives for the scale of growth. We agree with the conclusions of 5.2.50 of the SA that the edge of Coventry within the Borough of Rugby is not a realistic option for strategic housing growth, given the strong, clearly defined boundary presented by the A46 to Coventry's growth eastwards. The capacity of the A5 remains a significant barrier to any further strategic growth on the edge of Hinckley within the Borough of Rugby, even if suitable sites could be identified.

2.2.9 Section 5.5 of the SA considers reasonable growth scenarios. We are pleased that spatial distribution scenarios are considered alongside options for varying scales of housing growth. In light of the settlement hierarchy and broader sustainability considerations, it is sensible for Rugby to be the focal point for a higher growth scenario. We fully support the commentary in paragraph 5.5.5 of the SA, which states that such a high growth scenario would be driven by the desire to deliver more affordable housing, to mitigate the risks of unmet needs elsewhere in the Housing Market Area, and to provide a greater supply buffer.

3. East of Kilsby Lane, Hillmorton, Rugby

3.1 Introduction

3.1.1 As set out above, Storm Consulting is promoting Land east of Kilsby Lane, Hillmorton for residential development. Below, we set out our representations on the planning merits of this Site with reference to the evidence base.

3.1.2 The Site is proposed for allocation for 125 dwellings under Policy S6 (Residential allocations). Storm Consulting supports the broad thrust of the allocation and trusts that officers will find the following comments helpful.

3.2 Site-Specific Representations

Stage 2 Site Options Assessment

3.2.1 The Stage 2 Site Options Assessment draws on the earlier Housing and Economic Land Availability Assessment (“HELAA”) and comprises sites which passed the initial sifting exercise undertaken as part of the HELAA.

Highways & Transport:

3.2.2 No concerns are raised in respect of the Site being accessed from Kilsby Lane. The road network in the vicinity of the Site is assessed as having “medium” levels of congestion.

3.2.3 The Site performs well in respect of accessibility to the wider services and facilities to Rugby when compared to most other sites assessed.

Landscape/Heritage:

3.2.4 The Site performs well in respect of landscape impact. The overall landscape sensitivity of the Site is assessed as being Medium/Low. It is observed that the Site is gently sloping and has no remarkable landform features. In terms of heritage, no designated heritage assets are identified within 50m of the Site.

Ecology:

3.2.5 The assessment notes that the Site is not in an Impact Risk Zone of a Site of Special Scientific Interest, nor a Local Wildlife Site. Given the nature of the Site which lacks natural features save for the vegetated field boundaries which can be retained through suitable masterplanning, it does not affected by any material, ecological constraints to development

Development Requirements

3.2.6 The Annex to the Consultation Document sets out a number of development requirements in respect of the Site. We comment on each of these in turn below:

3.2.7 The Annex requires creation of a pedestrian access to the canal towpath and creation of pedestrian access between existing residential development to link to Crick Road. Whilst we do not necessarily object to these requirements, ensuring connectivity and linkages to the surrounding area is a key consideration within the design process, and this can be considered in further detail at the planning application stage. We would therefore recommend a rephrasing of the text to essentially require the promoter to explore the creation of these linkages through the masterplanning process, rather than being so prescriptive at the plan-making stage.

3.2.8 We do not object to producing a masterplan in consultation with the Canal and River Trust, but we would caution against being overly prescriptive about the orientation of dwellings toward the canal towpath and to Kilsby Lane. The feasibility and desirability of doing so will be shaped by further technical work, as well as the Canal and River Trust's views, and we would encourage the Council to reconsider whether it is necessary to be so prescriptive in these respect at this stage.

Additional Land

3.2.9 Storm Consulting controls additional land in the form of the commercial premises to the south. This is shown on the Plan at **Appendix 1**. Expanding the allocation to include this land would allow further housing to be delivered at this sustainable location, outside of the Green Belt, as well as removing a potential “bad neighbour” use. We would recommend that the Council expands the allocation to include this area of land and makes the appropriate adjustment to the development quantum.

4. Summary & Conclusion

- 4.0.1 Storm Consulting is promoting Land East of Kilsby Lane, Hillmorton for a residential allocation. The Site, given its scale and location, can meet housing growth needs in a sustainable location consistent with the RBLP's settlement hierarchy.
- 4.0.2 In respect of the housing requirement, we encourage the Council to consider whether it remains appropriate to plan only for the Borough's minimum LHN figure calculated using the Standard Method given the matters discussed above, all of which point to the requirement for housing being greater than the LHN.
- 4.0.3 In our view, the Council should reconsider certain development requirement in respect of the Site set out within the Annex to the Consultation Document, as some are too prescriptive and best explored through the planning application process.
- 4.0.4 We trust that the Council will find these representations helpful in progressing a sound and legally compliant plan.



1st Floor, One Colton Square, Leicester, LE1 1OH

Marrons is a business name of Shakespeare Martineau LLP. Shakespeare Martineau LLP is a limited liability partnership registered in England and Wales with number OC319029 and authorised and regulated by the Solicitors Regulation Authority, with number 442480 with its registered office at No 1 Colmore Square Birmingham, United Kingdom, B4 6AA

MES289 site plan

