



Richborough

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL
DEVELOPMENT: LAND EAST OF RUGBY ROAD, CLIFTON-UPON-
DUNSMORE

PLANNING STATEMENT (INCLUDING AFFORDABLE HOUSING
STATEMENT, BROADBAND STATEMENT, & DRAFT HEADS OF TERMS
FOR A SECTION 106 AGREEMENT)

JUNE 2025





CONTENTS

	Page No
Executive Summary	2
1. Introduction	3
2. Site Location and Characteristics	4
3. Details of the Proposed Development	5
4. Pre-Application Engagement	6
5. Assessment of Proposal Against the Development Plan	8
6. Material Considerations and the Planning Balance	16
7. Draft Heads of Terms for a Section 106 Agreement	20



EXECUTIVE SUMMARY

Richborough is seeking outline planning permission from Rugby Borough Council (RBC) for residential development (up to 160 homes) on land east of Rugby Road, Clifton-upon-Dunsmore. The Application Site is a large agricultural field, not designated for its environmental or landscape value, well related to the village being adjacent to the village recreational ground, within a sustainable location with access by active travel to a range of services and facilities offered by Clifton-upon-Dunsmore and Rugby.

Although the application is contrary to Policy GP2 of the Rugby Borough Local Plan as it is outside the settlement boundary, the Policy is out-of-date and of limited weight by virtue of the fact there is a lack of a deliverable 5-year housing land supply. The NPPF's 'tilted balance' therefore applies, and there are no policies of the NPPF that protect areas of assets of particular importance that provide a strong reason to refuse the application.

Furthermore, the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits in relation to the delivery of housing, affordable housing, the economic benefits during construction and operation of the development, the provision of public open space to help address the deficiency in playing field provision within the village, and other environmental benefits associated with the landscaping and biodiversity net gain.

Accordingly, the Applicant respectfully requests that planning permission is granted.



1.0 INTRODUCTION

- 1.1.1. This Planning Statement has been prepared by Marrons on behalf of Richborough ('the Applicant') and forms part of an outline planning application for residential development on land East of Rugby Road, Clifton-upon-Dunsmore. The application site ('the Site') is identified on the submitted Site Location Plan.
- 1.1.2. This Planning Statement describes the proposed development and demonstrates how it accords with the relevant policies of the Rugby Borough Local Plan (June 2019) and material considerations, notably policies within the National Planning Policy Framework ('the NPPF', December 2024).
- 1.1.3. This report should be read alongside the suite of documents submitted as part of the planning application, including the Design and Access Statement (DAS). A full list of submitted documents is included within the application covering letter.
- 1.1.4. This report is structured as follows.
- **Section 2** provides an overview of the Site, its characteristics and context.
 - **Section 3** sets out the description of development for which outline planning permission is sought.
 - **Section 4** describes the engagement undertaken that has informed the planning application.
 - **Section 5** demonstrates how the proposals accord with the adopted Development Plan.
 - **Section 6** addresses material considerations.
 - **Section 7** provides draft heads of terms for a Section 106 Agreement.



2.0 SITE LOCATION AND CHARACTERISTICS

2.1.1. The Site and its characteristics are described in detail within the DAS. The relevant matters for the purpose of this Planning Statement are:

- The Site measures circa 9.21ha and comprises a large agricultural field. The field is bounded by hedgerows, trees and fencing;
- The Site adjoins the public highway at Rugby Road and includes land associated with Newall Close;
- The Site is immediately adjacent to existing housing and Clifton Recreational Field to the north and west, and agricultural land to the east and immediate south;
- Houlton Way is located 100m further south of the Site, beyond which lies the Oxford Canal, Golf Course, railway line, and then the town of Rugby;
- The Site is solely within Flood Zone 1, with small areas of surface water flood risk;
- The Site itself is not designated for its environmental or landscape value;
- The Site has a gradient, with a gradual rise in a north easterly direction; and,
- The Site is well located to access services and facilities available in Clifton-upon-Dunsmore, including a primary school, public house and retail.

2.1.2. In summary, the Site is not a Valued Landscape, not designated for its environmental or landscape value, and is a large agricultural field with few features of interest (save for boundary trees and hedgerows). The Site adjoins existing development within Clifton-upon-Dunsmore on two sides and is in a sustainable location, being within walking distance to Clifton's services and facilities and cycling distance of Rugby town.



3.0 DETAILS OF THE PROPOSED DEVELOPMENT

3.1.1. The proposed description of development for this application is as follows:

“Outline planning application for the demolition of all buildings and the residential development of up to 160 dwellings, and creation of associated vehicular access off Rugby Road, pedestrian/cycle access points, parking, landscaping, drainage features, open space, children’s play area and associated infrastructure (all matters reserved except for vehicular access off Rugby Road).”

3.2.1. The proposal is described in full within the DAS and illustrated on the submitted Parameter Plan. The only plans submitted for approval are the Site Location Plan and the Access Drawing.

3.2.2. In terms of the key elements, the proposed development entails:

- The provision of up to 160 residential dwellings, including 30% affordable housing, helping to meet the housing need in Rugby Borough both for market and affordable homes;
- Vehicular and pedestrian/cycle access points from Rugby Road with a reconfigured access with Newall Close;
- An area of open space adjacent to the Clifton Recreational Ground which could form an extension to the facility, and provision of a children’s play area and car park; and,
- Landscaping, drainage features and open space contributing to the achievement of biodiversity net gain.



4.0 PRE APPLICATION ENGAGEMENT

4.1 Pre Application Advice

- 4.1.1. The Applicant has received a Screening Opinion and pre-application advice from the Rugby Borough Council (RBC). The Applicant submitted an EIA Screening Request to RBC in March 2025 (R25/0230). A response was received 14th March 2025, determining an EIA is not required for this planning application.
- 4.1.2. Pre-application advice was requested from RBC in March 2025. Following a meeting between the applicant and RBC planning officers on 2nd May, a written pre-application response was received 15th May 2025 (PR25/0168). The submitted application follows the advice received in this written response.
- 4.1.3. Consultation has also been undertaken with the Local Highway Authority in respect of highway modelling and transport.

4.2 Clifton-upon-Dunsmore Parish Council

- 4.2.1. Several meetings have been held with Clifton-upon-Dunsmore Parish Council, most recently on Wednesday 23rd April 2025, where the emerging proposals have been presented for their awareness and comment.

4.3 Community Engagement

- 4.3.1. A community consultation event was undertaken to allow local residents to provide comments on the emerging proposal. The consultation period ran from 14th May until 31st May 2025. An exhibition event was held on 21st May 2025, providing residents with the opportunity to see proposals in more detail, ask the consultant team questions, and provide feedback on the proposals.
- 4.3.2. To raise awareness of the consultation, an informative leaflet with details of the proposals was distributed to all properties within Clifton-upon-Dunsmore. This directed people to a dedicated website which was created to provide residents with an accessible means to view the emerging proposals. The website included a 'Your Views' section, allowing residents the opportunity to respond to a questionnaire online.



4.3.3. Details of how stakeholder and community feedback informed the proposed development are provided in the accompanying Statement of Community Involvement.



5.0 ASSESSMENT OF THE PROPOSAL AGAINST THE DEVELOPMENT PLAN

5.1 Introduction

- 5.1.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.1.2. The development plan relevant to determination of this application consists of the Rugby Borough Local Plan 2011-2031 (RBLP), adopted in June 2019.
- 5.1.3. Given the age of the Development Plan policies, the weight given to the policies of the Development Plan must have regard to inter alia their consistency with the NPPF (paragraph 232). Further, having regard to the judgement in *Hallam Land Management v SSCLG*, weight must also be considered in light of the nature of the restrictive policies, the interests they are intended to protect, whether they find support in policies of the NPPF, and the implications of them being breached.
- 5.1.4. The assessment in this section reflects the plans submitted for approval, the DAS and the conclusions and recommendations within the suite of technical reports submitted as part of this planning application.

5.2 Principle of Development

- 5.2.1. Policy GP2 of the RBLP sets out a settlement hierarchy which supports development within the existing boundaries of main rural settlements (such as Clifton-upon-Dunsmore), but resists development within the countryside. Paragraph 3.14 defines countryside locations as those which are not defined by a settlement boundary, and therefore would apply to locations outside of a defined settlement boundary. The application is therefore contrary to Policy GP2.
- 5.2.2. However, as confirmed in the Council's pre-application response, the Council acknowledges it does not have a five year housing land supply. On this basis, the policies most important to the determination of the application (including Policy GP2) are out-of-date (paragraph 11 of the NPPF). Accordingly, the NPPF says that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the



policies in the NPPF as a whole. This is assessed within Section 6.

- 5.2.3. Notwithstanding the above, it is necessary to consider what weight might be attached to this policy having regard to paragraph 5.1.3 above. The policy is restrictive, and resists general housing development on greenfield land outside of allocated sites and the settlement boundary. However, the policy is now out-of-date and there is therefore an inevitability that this restrictive policy will need to be breached during the Plan period in order to address housing need. The weight to be given to the breach of this policy in the context of this application is therefore very limited. Consideration must also be given to whether the application complies with the Development Plan when read as a whole. The following sections below consider the application against the other policies of the Development Plan.

5.3 Housing Policies (AFFORDABLE HOUSING STATEMENT)

- 5.3.1. Policy H1 (Informing Housing Mix) of the RBLP requires the delivery of a wide choice of high quality market homes that form a mix of house types and sizes in order to meet the need in the Borough. The mix and size of housing do not form part of this application and will be addressed at the reserved matters stage.
- 5.3.2. Policy H2 (Affordable Housing Provision) of the RBLP sets an affordable housing target of 30% on green field sites in the Borough, with a tenure and mix in compliance with the latest SHMA guidance. The development will provide a policy compliant 30% affordable housing, however the tenure and mix does not form part of this application and will be addressed at the reserved matters stage.

5.4 Healthy, Safe and Inclusive Communities Policies

- 5.4.1. Policy HS1 (Healthy, Safe and Inclusive Communities) of the RBLP provides support for development proposals which propose to create healthy, safe and inclusive communities, listing a number of principles which should be taken into account.
- 5.4.2. The majority of these principles relate to matters which will be addressed at the reserved matters stage or are not relevant to this proposed development. Notwithstanding, the submitted Development Framework Plan demonstrates how walking and cycling routes, areas of formal and informal recreation, and green infrastructure can be provided within the Site. The Site also has good access to local



shops and services within Clifton through Clifton Recreational Ground and along Rugby Road.

- 5.4.3. A Health Impact Assessment Screening Report has been prepared based on the template used by the neighbouring Coventry City Council. The Screening Report demonstrates that the proposed development will not have a detrimental impact on health and wellbeing, in accordance with Policy HS2 (Health Impact Assessments) of the RBLP.
- 5.4.4. Policy HS3 (Protection and Provision of Local Shops, Community Facilities and Services) states that new community amenities will be supported providing they are readily accessible by a choice of means of transport, including by foot and cycle. The scheme proposes additional public open space and parking as a possible extension to the Clifton Recreational Ground. This will be accessible via a network of existing paths within the village, and within the proposed development that connect it to Rugby Road. The nature and scale of the proposed facility is commensurate with the size of the village.
- 5.4.5. Policy HS4 (Open Space, Sports Facilities and Recreation) of the RBLP requires residential development to provide or contribute towards attaining the Council’s open space standards. The Site is in the urban area of Rugby and so the open space standards set out are as follows:

Open Space Typology	Urban Area Open Space Standard
Children’s Play	0.2ha per 1,000 population
Natural and Semi Natural Green Space	2.5ha per 1,000 population
Parks and Gardens	1.5ha per 1,000 population
Amenity Green Spaces	1.1ha per 1,000 population
Allotments	0.65ha per 1,000 population
Outdoor Sports Playing Pitches: Football Pitches Cricket Pitches Rugby Pitches	0.38ha per 1,000 population 0.23ha per 1,000 population 0.32ha per 1,000 population

- 5.4.6. The proposed development would generate up to a maximum of 384 people based on 160 dwellings at 2.4 residents per dwelling, which would require 2.64ha of open



space. The submitted Development Framework Plan shows how circa 3.5ha could be accommodated along with the proposed dwellings and associated infrastructure, with the ability to satisfy all typologies if considered necessary at reserved matters stage. There is, therefore, more than sufficient space within the Site to meet the open space standards required for the development alongside the proposed housing and associated infrastructure.

- 5.4.7. Furthermore, the Rugby Borough Council Playing Pitch & Outdoor Sport Strategy (2023) identifies a need to improve the quality of existing football pitches at the adjacent Recreational Ground which are currently overplayed. It also identifies the lack of car parking, and the need for additional tennis courts. The proposed development has the potential to help address these issues through the provision of circa 0.65ha of land adjoining the Recreational Ground and financial contributions.
- 5.4.8. All dwellings will be within a convenient walking distance to opportunities for informal and formal open space through the provision of children's play areas, natural play in extensive areas of new landscaping and recreational routes, creating a safe and well-connected neighbourhood in line with Policy HS4.
- 5.4.9. RLBP Policy HS5 (Traffic Generation and Air Quality, Noise and Vibration) states that development proposals should promote a shift towards the use of sustainable transport modes and low emission vehicles, in order to minimise the impact on air quality, noise and vibration caused by traffic generation. The Site is well located to access services and facilities within Clifton-upon-Dunsmore, being within walking distance of the playing fields, primary school, early years facility, public house, church, village hall, mobile library and village shop. It is also within cycling distance of facilities within Rugby, and the Site is served by existing bus services on Rugby Road. It is noted that Clifton-upon-Dunsmore scores highly in terms of its Public Transport score within the Council's Rural Sustainability Study. Active travel links are shown illustratively within the Development Framework Plan to promote sustainable transport choices.
- 5.4.10. An Air Quality Assessment and Noise Impact Assessment form part of this application. The Assessments conclude the development will have an insignificant impact on both air quality and noise. The effects of air quality, noise and vibration on the layout of the dwellings will be addressed at reserved matters stage. The impact of the proposed development on air quality levels outside of the Site will be mitigated



through measures to encourage sustainable modes of travel and low emission vehicles as set out in the submitted Transport Assessment.

5.5 Natural Environment Policies

- 5.5.1. Policy NE1 (Protecting Designated Biodiversity and Geodiversity Assets) of the RBLP requires that new development deliver a net gain in biodiversity, and avoid, mitigate, or compensate for any significant harm to biodiversity. An Ecological Appraisal has been submitted as part of this application and demonstrates how the proposed development has been designed to avoid any significant harm to biodiversity.
- 5.5.2. The proposed development has the potential to result in a Biodiversity Net Gain of at least 10%, all of which can be delivered on Site. The potential to maximise net gain within the site boundary has been explored, at this outline stage, based on the design parameters and targeting realistic and deliverable habitats as part of the developments soft landscaping. The mandatory requirement for 10% BNG can therefore be achieved. As a result, the proposal complies with Policy NE1.
- 5.5.3. Whilst there will be a small loss of some hedgerow and trees to facilitate the access into the Site and provide a pedestrian and cycle footpath, the impact will be mitigated by extensive new planting within the Site.
- 5.5.4. Other effects on protected species can be avoided through measures to be adopted during construction. Taking into account all of these measures, the proposed development complies with Policy NE1.
- 5.5.5. The western and southern part of the Site falls within a Strategic Green Infrastructure Network as defined on the Proposals Map. Local Plan Policy NE2 (Strategic Green and Blue Infrastructure) requires new developments to provide suitable Green Infrastructure corridors throughout the development, and to protect, restore and enhance existing assets within the Network shown on the Proposals Map.
- 5.5.6. The Network shown runs around the western side of the village and incorporates the existing housing and gardens along Rugby Road before sweeping south easterly across the southern half of the Site. The proposed development incorporates a significant amount of green infrastructure along its southern boundary consistent with the Network, and provide space for recreation, support biodiversity and enable sustainable drainage. The Development Framework Plan therefore demonstrates the



development can contribute to the Green Infrastructure Network.

- 5.5.7. Policy NE3 (Landscape Protection and Enhancement) states that new development which positively contributes to landscape character will be permitted. Proposed developments will need to demonstrate that they integrate landscape planning into the development design at an early stage and consider its landscape in context to the local area and its surroundings. Although landscape is a reserved matter, an indicative Landscape Strategy has been prepared which explains how features of importance will be retained, and new planting can be accommodated.

5.6 Sustainable Design and Construction Policies

- 5.6.1. Policy SDC1 (Sustainable Design) of the RBLP requires all development to demonstrate high quality, inclusive and sustainable design and ensure the living conditions of existing and future neighbouring occupiers are safeguarded and should add to the overall quality of the areas in which they are situated. New development will only be supported where the proposals are of a scale, density and design that responds to the character of the area.
- 5.6.2. Layout is a reserved matter, however the Council commented at the pre-application stage that the Development Framework Plan was a 'logical block structure' and it provides sufficient space for ensuring standards of privacy, amenity and light can be met. The density of development based on up to 160 dwellings represents circa 37 dwellings per hectare (net) on the total developable area of 4.3ha. This is an efficient use of the land consistent with the nature and character of the surrounding area.
- 5.6.3. Policy SDC2 (Landscaping) of the RBLP requires landscape aspects to form an integral part of the design. Although landscaping is also a reserved matter, the indicative Landscape Strategy submitted with this application explains how existing features can be retained, sustainable drainage methods incorporated, and new planting can be accommodated into the design.
- 5.6.4. Policy SDC3 (Protecting and Enhancing the Historic Environment) of the RBLP states that development will be supported that sustains and enhances the significance of the Borough's heritage assets, including Listed Buildings. The Site is located approximately 200m south of the Clifton-upon-Dunsmore Conservation Area, and makes no contribution to its setting and significance. The proposed development will



have a neutral impact upon the setting and significance of the Conservation Area. There are no other built heritage assets within 1000m of the Site. Further details can be found in the Heritage Impact Assessment submitted as part of this application.

- 5.6.5. An Archaeological Assessment confirms there are no archaeological remains of a level of interest which might undermine the principle of the Site's development, however the Site has the potential to impact upon archaeological remains of local archaeological interest. A geophysical survey has been commissioned to further understand the nature, level and extent of archaeological resource within the Site and this will be submitted prior to determination. A mitigation programme comprising archaeological evaluation and, if required, further archaeological works can be secured by condition.
- 5.6.6. Policy SDC4 (Sustainable Buildings) refers to the need to ensure that all new dwellings should meet the Building Regulations requirement of 110 litres of water per person a day unless it can be demonstrated that it is financially unviable. It is considered that this can be secured by condition.
- 5.6.7. Policy SDC5 (Flood Risk Management) of the RBLP states that new development will be steered to areas with the lowest probability of flooding. A Flood Risk Assessment and Drainage Strategy has been submitted in support of this application. The Site is located wholly within Flood Zone 1. There is a small area of surface water flood risk, however built development avoids this area. The Site is at low risk of flooding from all other sources and is therefore in accordance with Policy SDC5 of the RBLP.
- 5.6.8. Policy SDC6 (Sustainable Drainage) of the RBLP states that Sustainable Drainage Systems (SuDS) are required in all major developments. The proposed development can include SuDS, and there will be attenuation basins which will serve the residential areas as shown on the Development Framework Plan. The details can be secured by condition and therefore accords with Policy SDC6 of the RBLP.

(BROADBAND STATEMENT)

- 5.6.9. Policy SDC9 (Broadband and Mobile Internet) requires developers to contribute towards the provision of broadband infrastructure and ensure that the appropriate service is available to those who need it. These details can be secured by condition.



5.7 Delivery Policies

- 5.7.1. Policy D1 (Transport) of RBLP relates to sustainable modes of transport and sets out that development will be permitted if sustainable modes of transport are prioritised, and measures are designed to mitigate transport impacts from development.
- 5.7.2. The proposed development accords with this policy as the Site will have safe and convenient access for pedestrians and cyclists which will connect future residents safely to nearby public transport services which will be improved where necessary.
- 5.7.3. The Transport Assessment submitted with this application explains how there will be no adverse impacts on existing highway infrastructure, and transport modelling is to be undertaken to confirm and be submitted prior to determination.
- 5.7.4. Policy D2 (Parking Facilities) seeks to ensure adequate car parking can be achieved on site. The amount of parking does not form part of this application and will be addressed at the reserved matters stage.
- 5.7.5. New development will be dependent on sufficient capacity being available in existing infrastructure. Policy D3 (Infrastructure and Implementation) of the RBLP states that where this cannot be demonstrated, permission for new developments will only be granted where additional capacity can be released through new infrastructure or better management of existing infrastructure. Contributions towards infrastructure will be made where necessary and in accordance with Policies D3 and D4 (Planning Obligations) of the RBLP. A draft Heads of Terms for a Section 106 agreement is provided in Section 7 of this Planning Statement.

5.8. Conclusion

- 5.8.1. The proposed development accords with all policies of the Development Plan, save for Policy GP2 which restricts development outside of settlement boundaries. However, this Policy is out-of-date by virtue of the absence of a five year housing land supply. Furthermore, the Policy is of limited weight given its restrictive nature and the need to release additional greenfield land to meet housing needs within the Borough.



6.0 MATERIAL CONSIDERATIONS AND THE PLANNING BALANCE

- 6.1.1. Material considerations include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), relevant Supplementary Planning Documents (SPDs), and emerging Rugby Borough Local Plan Review and Clifton-upon-Dunsmore Draft Neighbourhood Plan.
- 6.1.2. The SPDs of relevance to this application relate to Air Quality, Climate Change and Sustainable Design and Construction, Housing Needs and Planning Obligations. These relate to matters of detail which will be addressed at reserved matters stage, or are matters which can be covered by conditions or planning obligations.
- 6.1.3. The weight given to the emerging Local Plan Review is very limited as it has only reached the Preferred Options consultation stage. Similarly, the Neighbourhood Plan has only reached Pre-Submission Stage and is of limited weight in the determination of this application.
- 6.1.4. The key material consideration is therefore the NPPF and, as established in Section 5, the tilted balance of Paragraph 11d applies in this case, namely that permission should be granted unless:
- the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.1.5. The following explains why there are no policies in the NPPF that protect areas or assets that provide a strong reason for refusing the development proposed. Further, there are no adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 6.1.6. The provision of homes directly supports the Government's objective of significantly



boosting the supply (Chapter 5). In the context of the shortfall in housing supply within the Borough, and urgent need to boost affordable housing, very significant weight should be afforded to the delivery of housing.

- 6.1.7. Delivery of the development will create local employment, particularly in the construction phase through the need for local workers and materials, and have indirect impacts through increased spend in the local area, contributing to building a strong, competitive economy (Chapter 6). Such matters would have a positive effect and attract significant weight in the planning balance.
- 6.1.8. Housing growth on the edge of the town will also support the vitality of the town centre (Chapter 7), as well as supporting an economically active population to sustain the town centre's key employers and businesses.
- 6.1.9. The provision of homes is also central to promoting healthy communities (Chapter 8), including through the delivery of a mix of homes and the provision of open space and opportunities for recreation. The ability of the proposed development to potentially address an existing deficiency within the sports provision within Clifton-upon-Dunsmore as evidenced in Section 5 above attracts significant weight in the planning balance.
- 6.1.10. The proposed development will promote sustainable transport (Chapter 9) through its proximity to local services and facilities, and the provision of active travel links within the layout which will promote sustainable modes of travel and decrease private car reliance.
- 6.1.11. The proposed development can incorporate high quality communications as set out in Chapter 10 of the NPPF.
- 6.1.12. The proposed development makes effective use of the land (Chapter 11) by maximising the use of land for new homes (37 dwellings per hectare) whilst maintaining local character and preserving assets such as the existing trees and hedgerows.
- 6.1.13. Although matters in respect of scale, layout, appearance, and landscaping do not form part of this application, the submitted Development Framework Plan shows the development can be well-designed and address all necessary requirements (Chapter 12).



- 6.1.14. The Site is not within the designated Green Belt (Chapter 13), and is within an area of low flood risk (Chapter 14) where flood risk can be designed not to be increased elsewhere through incorporating sustainable drainage systems within the proposed development.
- 6.1.15. The proposed development can contribute towards the conservation and enhancement of the natural environment (Chapter 15) through the provision of green infrastructure, protection and enhancement of existing hedgerows and trees, and achieve a biodiversity net gain in excess of 10%.
- 6.1.16. The proposed development causes no harm to any designated heritage assets, and therefore contributes to the protection and enhancement of the historic environment (Chapter 16).
- 6.1.17. The above demonstrates there are no policies in the NPPF that protect areas or assets of particular importance that provide a strong reason for refusing the development proposed.
- 6.1.18. With reference to the second part of paragraph 11d and the planning balance, the NPPF requires particular regard to be given to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (paragraph 11).
- 6.1.19. In respect of sustainable locations, future residents of the Site will have a genuine choice of modes of travel. The Site has the benefit of being within walking distance of village facilities, and cycling distance of Rugby town and its facilities. Furthermore, existing bus services that connect with the town pass the Site and active travel routes within the Site can be designed for safety and convenience.
- 6.1.20. In respect of making effective use of land, the Development Framework Plan and the assumed average density of 37 dwellings per hectare illustrates how the balance has been struck between the need for homes and the desirability of maintaining the areas prevailing character.
- 6.1.21. In respect of securing well-designed places, the proposed development can incorporate a quantum of open space which will secure a well-designed, attractive and healthy place.



- 6.1.22. Finally, the proposed development will deliver up to 48 affordable homes in an area where there is an urgent need to boost affordable housing supply.
- 6.1.23. The above analysis illustrates that the adverse impacts would not significantly and demonstrably outweigh the benefits. Accordingly, planning permission should be granted in accordance with the NPPF and the Development Plan.



7.0 DRAFT HEADS OF TERMS FOR A SECTION 106 AGREEMENT

- 7.1.1. The Council has an adopted Community Infrastructure Levy (CIL) Charging Schedule which came into effect on 1st April 2024. The Charging Schedule confirms that residential development in the Rural Area is subject to a £160 rate per sq. m.
- 7.1.2. The Applicant also accepts that they will enter into an agreement with the Borough Council and County Council to address site specific matters, and to provide (unless the matter can be dealt with by condition):
- a) an appropriate level of affordable homes;
 - b) any necessary highway works (under Section 278 of the Highways Act);
 - c) the provision and on-going maintenance of the open space within the development; and
 - d) any other reasonable and directly related requirements as may be shown to be necessary based on detailed evidence of need.
- 7.1.3. This agreement is subject to any obligation being demonstrated to meet the tests as required within Paragraph 58 of the NPPF, taking into consideration the viability and costs associated with the development in accordance with Policy D4 of the RBLP.