

Representation Form for Local Plans



Local Plan
Publication Stage Representation
Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates: Rugby Borough Council Proposed Submission Local Plan

Please return to Rugby Borough Council by 5:00pm Friday 13th March 2026
By email to: localplan@rugby.gov.uk with **Proposed Submission Consultation in the subject line, OR by post to:** Development Strategy, Town Hall, Evreux Way, Rugby, CV21 2RR.

This form has two parts –
Part A – Personal Details: need only be completed once.
Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*		2. Agent's Details (if applicable)
<i>*If an agent is appointed, please complete only the Title, Name and Organisation boxes below (if applicable) but complete the full contact details of the agent in 2.</i>		
Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="Richard"/>	<input type="text"/>
Last Name	<input type="text" value="Allanach"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Line 2	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Line 3	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="[REDACTED]"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<input type="text"/>

Rugby About Turn



Rugby About Turn field trip to what is now the subject of proposed policy EN4

Rugby About Turn, formerly 'Rethink Rugby', was originally created as an umbrella organisation for several campaign groups, resident groups and parish councils who were concerned about the direction of what is now the 2019 Local Plan. The principal focus was Rugby Borough Council's proposals for "SW Rugby" but the group was also concerned about Warwickshire County Council decisions to concentrate all secondary school development in Rugby South of the West Coast Mainline and it opposed the Lodge Farm allocation.

Rugby About Turn pressed their cases at the 2018 Examination-in-Public and eventually HMG's Inspector compelled Rugby Borough Council to make 183 major modifications to the Local Plan, some of which had been requested by Rugby About Turn.

Neither the first of the primary schools nor the GP surgery which we were promised for SW Rugby would be built by now has emerged. The developers who were so confident that they could economically develop SW Rugby "policy on" are now cavilling about providing any affordable housing whatsoever. Hedgerows have been grubbed up and mature grade A trees felled but little of use, beyond an ugly warehouse park, has been provided.

After the 2019 plan and the subsequent Supplementary Planning Document had been approved Rugby About Turn died as a representative organisation but its brand lived on as a

Facebook Page which at the time of writing has 4,144 members. These days there are very few meetings although we occasionally have a field trip to look at a planning proposal.

Rugby Borough Council's "Preferred Options" (plan 1) with its emphasis on rural sites and its failure to address derelict sites that Rugby Borough Council owned in the centre of town sparked some renewed interest and a group of parish councils and residents groups including 'Rugby About Turn' produced the "Realistic Alternative Plan".

Some of the ideas of the "Realistic Alternative Plan" were incorporated into the first version of the proposed Regulation 19 Plan (plan 2) which is generally regarded as superior to the "Preferred Options". Later the Chief Planning Officer used the powers which had been delegated to her by the Council in January this year to make further improvements to the plan which is being consulted on (plan 3).

Whilst the Chief Planning Officer's plan 3 is significantly better than plan 1 there are still improvements which could be made. I have listened to the parish councils and residents groups with whom I work and read many of the comments made by residents on the Facebook page. My suggestions have been informed by these thoughts but are mine alone and unlike the "Realistic Alternative Plan" do not purport to be representative of anything other than the thinking of its author.

Richard Allanach

12 March 2026

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S2"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Strategy for Housing Allocations

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S2 is unsound.

Policy S2 is unsound because it is neither justified nor consistent with national planning policy.

Policy S2 is unjustified either because it does not follow the evidence assembled by the borough council (eg the Urban Capacity Study and the Sustainability Report) or because of a complete lack of evidence (eg on the potential for windfall sites with a capacity of more than 4 dwellings and the presence of our best and most versatile farmland).

The 2017 Regulation 19 submission for the 2019 Local Plan both over-allocated land in rural areas and failed to identify the potential of Rugby town to provide housing sites. Fortunately after the Examination-in-Public exposed the borough council's inadequacies the Inspector struck out allocations in Grandborough, Churchover and Brinklow.

Within months of the plan being approved Rugby Borough Council discovered it owned a large town centre site which could be used for housing. The Charolais Gardens site

was sold to a developer and rapidly received planning permission for 360 units at a density of 208 dwellings per hectare (Planning application R19/0804). Speaking at a Regulation 19 consultation event on 5 March 2026 Rugby's Chief Planning Officer said that the development had been "very successful [and revealed] ... pent-up demand ... because of access to the train station".

The Regulation 18 "Preferred Options" proposal repeated the pattern of the 2017 local plan proposal with too many sites allocated in rural areas and neglect of sites which the borough council owned in Rugby. There was public outrage (as is reflected in the thousands of responses which the council received from its residents) and so the local authority agreed to conduct an urban capacity study.

However the Council has rejected some of the evidence it received in the Urban Capacity Study. In my specific responses to the allocation of sites 5, 14 and 43 I show how the council has systematically applied lower housing number allocations to these sites than it was recommended. Had the local planning authority accepted the evidence it was provided then it would have allocated a further 62 units across those sites. The evidence and arguments which the local authority has provided do not provide any justification for accepting lower densities than those recommended by its own consultants.

In my specific response to the allocation of site 338 I demonstrate that the local planning authority has not followed its own rules with regard to calculating the number of units which this site could generate. I raised this matter during the Regulation 18 "Preferred Options Consultation". The low density the local planning authority are planning for this site is particularly remarkable in the light of the Chief Planning Officer's own remarks on the success of the Charolais Gardens site due to its good access to the train station. A further 100 units could be allocated were the local planning authority to follow its own rules.

As well as allocating fewer units on sites identified in the Urban Capacity Study than the number recommended by their own consultants the local planning authority has also five omitted sites which their consultants are recommending – see below:

Sites recommended in the Urban Capacity Study (UCS) which Rugby Borough Council has omitted

Site	Capacity	UCS page reference
Winfield Street	8	88
Jackson Road	9	104
Perkins Grove	6	116
Freemantle Road	5	119
Avenue Road	6	122
TOTAL	34	

Source: Troy Planning Consultants - Urban Capacity Study Final Report Proformas

Rugby Borough Council has not provided an argument for omitting these sites. Had these sites been included then this could have reduced the pressure on rural sites by 34 units.

Rugby Borough Council has included windfall gains of 850 dwellings over the plan period from small sites with four or fewer dwellings. It has provided evidence to support its calculation of 50 units per year over the period of the plan. Two people, including myself, flagged the likely under-counting of the contribution that windfall units would provide in our comments on the Regulation 18 Preferred Options consultation. Rugby's Chief Planning Officer replied as follows "The windfall assumption is based on evidence of historic windfall supply. This includes sites developed for fewer than 5 dwellings as the delivery of larger windfall sites is inconsistent. A new topic paper will be produced to set out this evidence. There is not evidence of consistent supply to support inclusion of a windfall supply for larger sites" (Smith, 2025, page 32).

The Chief Planning Officer is correct to state that Rugby Borough Council has produced no evidence of the windfall supply of larger sites. This is one of the reasons why policy S2 is unjustified.

As Rugby Borough Council chose not to positively respond to the Regulation 18 request that this issue should be investigated I have endeavoured to assemble the evidence myself. The evidence is shown in appendix 1.

The evidence shows that each and every year for the five years between April 2021 and April 2025 windfall sites for sites over 4 units have come forward and been granted planning permission. Contrary to the Chief Planning Officer's assertion larger windfall sites have consistently come forward.

Looking at the period after the adoption of the 2019 plan and only considering sites with more than 4 units:

Units already built	430
Units under construction	68
Further units with permission	<u>196</u>
Total units on larger windfall sites	694

Within the total Charlois Gardens should be recognised as an exceptional failure of Rugby's planning system and those units should be discounted from further discussion. Considering only the other units it can be seen that significant levels of construction on larger windfall sites started in 2024-25 seven years after the Regulation 19 proposal for the 2019 plan was submitted to the Secretary of State. If a similar pattern held for this planning period then it could be expected that significant numbers of dwellings of new windfall sites of more than four units would start to come forward in significant numbers from 2033-34. Therefore an allowance for windfall units on larger sites should be made for the last eight years of the plan.

Appendix 1 shows that Rugby Borough Council is anticipating a fairly consistent pattern of delivery of windfall units on larger sites:

2024/25	51 units
2025/26	116 units
2026/27	40 units
2027/28	40 units
2028/29	40 units

That is an average of 57 units a year. However for prudence and so as not to pretend that anything human so far away can be predicted with more than one significant figure and an order of magnitude I suggest that an allowance of 50 units per year is made for the last eight years of the plan. That is to say a total of 400 units.

The total capacity Rugby Borough Council could have found if it had followed its own evidence and generated the evidence it had been advised it was missing is shown below:

Ignoring evidence or failing to generate it when required

Urban Capacity Sites included with fewer units than the evidence suggests	62
Capacity calculations breaking the local planning authority's own rules	100
Urban Capacity Sites recommended but omitted	34
Failure to collect evidence on larger windfall sites	400
Total of "unjustified" errors	<u>596</u>

As well as being unjustified policy S2 is also inconsistent with national planning policy.

NPPF paragraph 147 states in part that:

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph and whether the strategy: a) makes as much use as possible of suitable brownfield sites and underutilised land; b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

Nowhere does the Regulation 19 plan adopted by Rugby Borough Council propose that "minimum density standards" should be applied in Rugby town centre and the one other location (338) in the borough which will be well served by public transport once its rail station has been built.

On the contrary rather than adopt and then enforce minimum density standards the local planning authority is proposing that sites should have fewer houses than their own rules would imply and their consultants have recommended.

Nor has the local planning authority sought to make as much use as possible of brownfield sites. Indeed as shown above there are five sites recommended by its Urban Capacity Study consultants which the consultants say are both deliverable and available [principally because they are already owned by the local authority] which have not been allocated as housing sites.

Rugby Borough Council have provided “three exceptional circumstances” for building on the Green Belt these are:

- It is likely to boost the rate of affordable housing delivery. Given our borough’s need for affordable housing [see my representation on policy H2] this is a superficially attractive case until we consider that the borough is not seeking to achieve as much as it might through this measure. Rugby Borough Council are proposing an affordable percentage in the Green Belt of 40% rather than the “default” rate of 50% provided for in the NPPF, they are not making use of their powers to lower the plot size for which the affordable housing percentage applies in the Green Belt and are even proposing an allocation at the Fosse Way in Stretton-on-Dunsmore which will yield no affordable housing at all
- To provide young blood to the villages. Save that the village to which they have allocated the most housing, Long Lawford, has a younger population than Rugby itself. Whilst discussing the situation at Long Lawford they highlight projections that the village school will be “below” capacity without extra housing but fail to mention that Long Lawford Primary School is one of the very few in the Rugby Borough Area to currently have three forms of entry. The vast majority of primary schools in the borough manage to be financially viable with one or two forms of entry. There is no particular reason to suppose that Long Lawford primary school would face “bankruptcy” if it only had two forms of entry.
- Diversifying delivery. Even without the Green Belt sites there are far more sites proposed in the Regulation 19 plan than in the 2019 plan. Furthermore the core housing landowner at SW Rugby is HMG itself in the form of “Homes England” with some 1,600 plots at its disposal. This means that HMG can directly achieve any of the housing diversity aspects it seeks. If more specialist homes for the elderly are required Homes England can sell its land to a specialist provider [in fact its SW Rugby planning application already provides for that]. If HMG wish to see more self-build housing units then Homes England can arrange a special auction to discharge this need.

It is hard to resist the conclusion that none of these circumstances are particularly “exceptional”.

I address multiple additional inconsistencies with national planning policies in the individual sections of this representation form where I discuss particular sites. For ease of reference the main inconsistency issues are set out below:

Site Name	Inconsistencies	Houses
253 Lawford Field Farm	Lack of Exc Circ for building on "green" Green Belt	250
315 Brinklow	Lack of Exc Circ for building on Green Belt, best and most versatile farmland	250
309 Wolvey	Lack of Exc Circ for building on Green Belt, wildlife	20
6 Fosse Way	Lack of Exc Circ for building on Green Belt	3
59 Newton Manor Lane	Landscape, wildlife, road safety	285
129 Lilbourne Road	Landscape, heritage	60
307 North Road	Landscape	10
TOTAL		878

The number of housing units in Wolvey is adjusted by substituting the Marrons proposal for Rugby Borough Council's proposal.

Therefore I have suggested main modifications which would remove seven sites and 878 houses. To compensate I have identified available sites which are not in the borough council's plan (despite being recommended by consultants), proposed minimum housing densities for sites in Rugby town centre and adjacent to railway stations and revealed the inconsistency of limiting windfall calculations to sites of four and fewer units. This provides 596 dwellings which can offset the 878 dwellings proposed above. This leaves me with a residual gap of 182 units to bridge.

An obvious place to look for 182 units is amongst the 917 excess houses which Rugby Borough Council is proposing. A reduction in 182 in this number would still leave a 6.8% buffer. I had previously thought that a minimum 5% buffer was required over the entire plan period. However I have now read RBC, 2025, pages 4&5 and have realised my mistake.

Currently we need to build 300,000 dwellings a year but in the last years of the plan period the growth in England's population is anticipated to be by migration alone and that at much reduced rate. The pressure to build in the later years of the plan should be reduced and with that the need to have a buffer over and beyond HMG requirements.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if

you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete all and replace with:

Strategy for homes

A To meet His Majesty’s Government’s target for the construction of dwellings, 10,812 new dwellings will be delivered in the period 2025-2042 (a rate of 636 a year)

B New dwellings will be constructed in the locations set out in the table below:

South West Rugby	3,505
Houlton	3,060
Eden Park	602
Other locations under the 2011-2031 Local Plan	205
Other sites with planning permission	621
Allocations under Policy S6	2,304
Larger site windfalls (more than 4 dwellings)	400
Small site windfalls (fewer than 5 dwellings)	850
TOTAL	11,547

Supply is allocated for 6.8% more than His Majesty’s Government’s target. This will provide a buffer.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES **Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide balance. I am certain that the Inspector will be able to find many residents who wish to speak against the damage Rugby Borough Council is proposing for their own communities and of course there will be many property developers who will wish to support the local planning authority's unjustified allocations and urge the Inspector to release more of the land they own or have options on. However I suspect that there are far fewer who will have subjected the local planning authority's data to forensic scrutiny with the aim of reducing the amount of damage the local planning authority seeks to impose on our borough. To help redress this potential imbalance I would try to make myself available to speak at the Examination-in-Public should the Inspector summon me.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation: _____

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S3"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Strategy for Employment Land

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S3 is unsound.

Policy S3 is unsound because it is not justified.

There is a general way in which policy S3 is unjustified which I raised during the Regulation 18 "Preferred Options" consultation – see below – in that the needs for some forms of employment do not appear to have been addressed.

"Outside primary industries, manufacturing, construction and warehousing etc RBC's consultants note four main shifts in employment across the six authority area. The figures in Icen Projects Ltd, 2022, page 138 do not add up but once we allow for a probable gross arithmetic error it would seem that broadly 12.3% of employment growth in this area will occur in our borough. If we were to share the study area's growth evenly our figures would be as shown in table D below.

Employment Growth 2019-43

	Six Authority Growth in Employment 2019-43	Rugby's Share @ 12.30%
Hospitality	18,400	2,263
Public Admin, Education & Health*	17,000	2,091
Real Estate & Prof Services	14,500	1,784
ICT & Media	11,500	1,415
(* of which health)	4,000	492

Sources: *Iceni Projects Ltd, 2022, pages 134 and 138*

There is little in the DLP which would guide the provision of sufficient space for over two thousand new workers in hospitality. At the Action for Dunchurch public meeting held on 14 May 2025 Joe Oliver of Dunchurch Pools Marina spoke of Rugby lying at the heart of the English canal network and the significant employment opportunities including those in hospitality which are generated as a result of this. The DLP is silent on those opportunities and its attack on high landscape value areas close to the Oxford Canal eg in the Rainsbrook Valley and Brinklow may, as Joe Oliver fears, restrict the growth of our hospitality sector.

Health has been a recurrent theme in RBC's consultation meetings and it is recognised that the shortage of health workers nationally is HMG's responsibility rather than RBC's. However were HMG to deliver the workers then the local plan should deliver the space for them to work in. There is an existing commitment in CLP policy DS8 for the provision of a seven GP practice in SW Rugby – of which three GPs should already be up and running. The Integrated Care Board has failed to deliver those. RBC has approved planning application R24/0369 at the Hospital of St Cross which will provide space for 58 additional workers. However even after allowing for these two matters it would appear that the DLP has failed to provide space for some four hundred additional health staff (80% of those needed to support the planned growth in our borough's population).

To promote growth our borough should provide space for at least 1,415 ICT & Media workers. The more the better as they are both high GVA and belong to a small occupation group. However apart from policy I3.C the DLP appears to offer nothing which would directly address their needs".

This point does not appear to have been picked up in the Chief Planning Officer's analysis of the responses to consultation (Smith, 2025).

However this is a background point which supports rather than carrying the main weight of my argument that policy S2 is unjustified.

Rugby Borough Council claims that our borough needs an extra 1,053,761m² of employment floorspace by 31 March 2042.

Analysing this claim is not straightforward as it is spread over four “evidence” documents and is first calculated in square metres of floor space before being converted to hectares before being converted back to square metres again. However it can be done as I demonstrate below.

Even without following Rugby Borough Council’s audit trail through the four documents one thing is clear – none of the borough’s consultants believe that you can calculate floorspace need sixteen years hence to an accuracy of a single seven digit number. Unlike Rugby Borough Council they use a range of values. Rugby Borough Council has opted to take a single figure which is it at the highest end of one range of numbers [although that range does not show what Rugby Borough Council claims to believe it does].

I now attempt to follow the audit trail through Rugby Borough Council’s numbers.

1. Proposed policy S3 allows for 19,761.3m² of E(g)i and E(g)ii [offices and R&D] and 1,034,000m² of B2, E(g)iii and B8 [general industrial, un-noisome industrial and warehouses] land development in the proposed plan period (2025-2042).
2. In December 2025 RBC published a topic paper on development needs. Pages 10-19 and 23-27 refer to employment land allocations. Page 12 claims to set out the need for three types of land viz offices 27,100m², industrial land on smaller sites 243,000m² and industrial land on larger sites within area 7 (upper threshold) 430,500m². These claims are cross-referenced to sources.

Offices

3. The office allocation is referenced to a 21 page long report produced by Icen Projects Ltd in 2025 for Rugby Borough Council, *Rugby Office Needs Assessment Update*. The early pages provide background information from which we learn that “Rugby has a relatively small office market, holding just 9% of the Coventry & Warwickshire total stock ... [and] ... there has been a decline in office floorspace since 2015, with a loss of 15,000 sq.m over the 8-year period, linked in particular with the change to permitted development rights which has resulted in office floorspace converted to residential use” (page 4) and that “Rents in Rugby have consistently been below the sub-region and sit at a level at which new-build development will not generally be viable” (page 10).
4. The future “need” for additional office space in Rugby is based on projected changes in employment. The projected changes in employment are derived from Experian forecasts [not a published source] for the period 2024-2042. These forecasts “indicate a total employment growth of 6,800 jobs in the Borough over the 2024-42 period. Professional services and Computing & information services are key drives [sic] of future office requirements and are expected to grow by 2,900 jobs and 300 jobs respectively” (page 11). However Icen believe that this only translates to 2,255 full time equivalent jobs and for each full-time equivalent job they believe 14m² should be allowed giving rise to a calculation of need of 31,570m² (page 15). Icen also consider a “home working adjustment” is possible

and allow 30% for this (page 16) to produce a “need” of 27,099m² which Iceni quote to the nearest three significant figures. Iceni then demonstrate seven different forecasting approaches which produce a “need” ranging from -13,000m² to 102,300m² before concluding “As a minimum, Rugby Borough should be planning for a minimum of 27,100 sq.m of office and R&D floorspace across the Borough, based on the labour demand WFH model” (page 18).

5. From the minimum “need” (expressed to 3 significant figures by Iceni) Rugby Borough Council has deducted the recently completed headquarters building for Wago at Houlton at 7,338.7m² (expressed to 5 significant figures) to arrive at their allocation of 19,761.3m².
6. There are two significant implications from this. First that Rugby Borough Council are prepared to use a labour demand model to calculate the “need” for employment land and secondly that in some cases they are prepared to base a plan on a minimum need.
7. The calculation of office need is an improvement on the “Preferred Options” approach which ignored this needs and so meets some of the concerns I raised in that consultation – although not the concerns regarding health and hospitality workers.

Industrial land on smaller sites

8. The industrial land on smaller sites allocation is referenced to a 30 page long report produced by Iceni Projects Ltd in 2024 for Rugby Borough Council, *Coventry & Warwickshire HEDNA – WMSESS Alignment Paper* and in particular to table 3.9 in that report. Unlike offices the figure given for industrial land on smaller sites is not expressly given in the Iceni paper. Only a figure given in hectares is available [whereas policy S3 is expressed in square metres]. This can be calculated from the figures given in table 3.9 and is the “need” from 2021 to 2041 (58.4 hectares) plus one quarter of the need from 2041 to 2045 (9.6 hectares/4) totalling 60.8 hectares.
9. Analysis of the Iceni paper reveals that the 60.8 hectares is itself the sum of two components viz “local need” and “big boxes on non-strategic sites”.
10. The “local need” figures are based on the gross completion trend between 2011/12 and 2023/24 and include a five-year buffer (page 11). Rugby’s “local need” allocation based on these figures is 28.1 hectares (or 112,400m² of actual floor space). This is for units of less than 9,000m² [or in some documents units less than 9,300m²] To get from the “need” 2021 to 2042 to the “need” 2025 to 2042 Rugby Borough Council later deducted 10,600m² of smaller units which were built in the period 2021 to 2025 (see page 15 of Rugby Borough Council’s 2025 topic

paper on development needs). This gives a “need” for the seventeen year period of the local plan of 101,800m².

11. The second component of industrial land on smaller sites is units of over 9,000m² on sites of less than 25 hectares. No such unit was built in the Rugby Borough Council area in the twelve year period of the Icen study (2011/12 to 2023/24). Never-the-less Icen used a new methodology to claim a “need” of 32.7 hectares (130,800m²). Icen looked at the total big box completions on non-strategic sites across Coventry & Warwickshire, added a five year buffer and then said that 25.5% of that figure should be allocated to Rugby. So that added 32.7 hectares (130,800m²) to Rugby’s need – even although there had been no expressed need of this type in the previous twelve years (page 14). Indeed not only has there been no expressed need for this type of provision in the last twelve years it seems that only 4% of Rugby’s entire “big box” provision has ever been built on non-strategic sites (Mace Ltd et al, 2024, appendix 6).

Larger Units (Big Boxes) on Strategic Sites

12. The final calculated component of employment land is that for larger units (>9,000m²) on larger sites (over 25 hectares). This rests on earlier report by Mace Ltd et al (2024). This looked at the “need” for “strategic sites” across a large part of the West Midlands Region (page 26). They identified nine “opportunity areas” for road based strategic sites (page 15). One of the nine was ‘Area 7’ which includes almost all of Coventry and parts of six further local authorities viz: North Warwickshire; Nuneaton & Bedworth; Rugby; Solihull; West Northamptonshire and Warwick.
13. Mace Ltd et al developed four different approaches to calculating the “need” for big boxes in the period 2022 to 2045. The first was the amount of space required to handle assumed increases in the weight of goods being trafficked in the study region which was forecast to grow at c 1.5% per annum, the second was like the gross completion trend used to predict “local need” for units of less than 9,000m² (see paragraph 9 above) and the third and fourth are methods based on what would have been required to produce a vacancy level of 5% or 8%. A five year supply “buffer” has been added to the first two approaches but not to the third and fourth.
14. The results of the four different approaches are summarised on page 135 of the Mace et al report. The estimated “need” for big box floorspace ranges from 7.9Mm² (third approach with a target 5% vacancy level) [see note 1] to 14.9Mm² (fourth approach with a target 8% vacancy level). However having established this range of “needs” the report then focuses on the **range** provided by the two “inner” values. A lower value of 10Mm² being provided by the trend “big box” completion rate and a higher value of 12.9Mm² being provided using a model developed by

MDS Transmodal “a transport economics consultancy” focused on the weight of goods trafficked in the region.

15. Mace et al converted their projected floorspace “needs” into a hectareage on strategic site “need” by making allowances for “big boxes” built on non-strategic sites, things other than “big boxes” built on strategic sites, recycling of existing sites to provide “big boxes” and a ratio of floor space to strategic site hectareage of 0.35:1 [or 0.25:1 in the case of a road/rail interchange strategic site].

16. Finally Mace et al allowed for strategic sites which had planning permission but which had not yet been built at the time of their study. [“Planning permission” is used broadly here to include, for example, sites which had been allocated in a local development plan as well as sites with outline and full planning permission]. Mace et al listed 1,305 hectares of commitments.

17. Mace et al apportioned the residual “need” for strategic sites which flowed from their modelling over the nine opportunity areas they had identified and concluded that ‘Area 7’ should be allocated one or two logistical sites of around 50 hectares each and one or two industrial sites of around 25 hectares each. Therefore within ‘Area 7’ there was, in Mace et al’s opinion, a **range** of “need” for strategic sites of between 75 and 150 hectares.

18. Three months after Mace et al produced their report Iceni Projects Ltd, who were part of the Mace consortium, produced their own report focussed on the Coventry & Warwickshire area. This was the Iceni, 2024, *Coventry & Warwickshire HEDNA – WMSESS Alignment Paper*. This started with a **range** of residual “need” for strategic sites in ‘Area 7’ of between 75 and 150 hectares over the 2022 to 2045 period (page 9).

19. Iceni then took account of two sites which were either in ‘Area 7’ or closer to ‘Area 7’ than any other area and which Mace et al had not included viz Padge Hall Farm (consent granted) with 64 hectares and Lyons Park (built) with 9 hectares. They then appear to take away the resulting 73 hectares from the range of need for ‘Area 7’ which would produce a range of residual need of 2 to 77 hectares. However they express that need as 9 to 84 hectares which is 7 hectares more than simple arithmetic would suggest. No explanation is provided for this additional 7 hectares (page 20). [Albeit in a later paper Iceni cite the Lyons Park area not as 9 hectares but rather as 2 hectares which might explain the discrepancy. However Iceni do not identify this as a specific correction to their 2024 report.]

20. Iceni conclude that Within Area 7, the local authorities of Coventry, Warwick, Rugby and NBBC [Nuneaton and Bedworth Borough Council] will need to work together to consider potential sites which will inform the specific allocation of

figures to individual LPAs [Local Planning Authorities]" (page 21). Rugby Borough Council have provided no evidence that this **specific** recommendation was implemented although doubtless general discussions took place as part of the "duty to co-operate".

21. Iceni returned with another report in 2025 viz Iceni Projects Ltd, 2025, *Coventry & Warwickshire Employment Needs: Addendum to the Coventry & Warwickshire Alignment Paper*. This reported on two mistakes in the Mace et al report of 2024. One of the mistakes reported was an over-estimate of the "commitments" of strategic space of 90 hectares (7%) – see page 2 of their report. This would mean that Mace's proposed allocation of strategic sites to areas to meet the "need" predicted using the MDS Transmodal weight of goods trafficked model would fall short by some 90 hectares [the rough equivalent of two "logistic" strategic sites]. Despite the size of the error Iceni concluded that "there is no need to fundamentally review or revise the wider WMSESS conclusions" as the error is "is well within the margins of error associated with long-term forecasting such as this" (page 4). Despite this caveat Iceni do recommend that the **range** of "need" identified for 'Area 7' be updated by adding one more "logistic" strategic site giving a **range** of residual need for strategic sites in Area 7 of 125 to 200 hectares over the planning period 2022-2045 (page 4). Thus Iceni say that 56% of the burden of Mace et al's error should be borne by just one of the nine opportunity areas.
22. The following month Rugby Borough Council produced its own argument, RBC, 2025, *Topic Paper: Development Needs* (this has already been referred to in paragraph 2). For industrial land on larger sites Rugby Borough Council cite the starting "need" as 134 hectares. This is the 200 hectare figure at the top of the Area 7 range less Padget Hall Farm (64 hectares) and Lyon Park (now reduced to 2 hectares) – see paragraph 18 above. However this is for the 2022 to 2045 period (23 years). They then convert this into the 2022 to 2042 period (20 years) by multiplying by 20/23 to produce a figure of 116.5 hectares. This is a figure for all of Area 7. Henceforth Rugby Borough Council assumed that all of the Area 7 figure should be met by Rugby Borough Council even although Area 7 embraces parts of seven local authority areas.
23. Rugby Borough Council's next step in arriving at a "need" figure is to convert the new land need (they say 116.5 hectares) into a gross land need ie new land and existing commitments by adding in the 137 hectares which were already in Mace et al's 2024 figures for commitments (see table 1) and the new commitment at Padge Hall Farm of 64 hectares. This gives a figure of 253.5 hectares.
24. The final step in Rugby Borough Council's calculation of "need" is to remove the amount of land which was built on in Rugby Borough in the years 2022 to 2025 to produce the "need" for the seventeen year period 2025 to 2042. Buildings completed in or near to 'Area 7' in **other** local authority planning areas have not been included in this calculation. The completions in the Rugby borough area are 91.35 hectares giving a "need" figure for strategic sites in the seventeen year

period 2025 to 2042 of 226.15hectares. Having started their calculations in square metres and switched to hectares half way through Rugby Borough Council then revert to a square metres calculation by multiplying the hectares figure by 3,500 giving 791,525m². (Rugby Borough Council,2025, pages 13 to 14).

Rugby Borough Council's assessment of the need for employment land

25. This can all be brought together as shown in figure 1 below:

Figure 1: Rugby Borough Council's claims for gross employment land need 2025-2042

	Square metres	Paragraph ref
Offices	27,100	4
Small industrial units	101,800	9
Big-boxes on non-strategic sites	130,800	10
Strategic sites	<u>791,525</u>	23
Sub-total industrial land	<u>1,024,125</u>	
Total calculated gross need	<u>1,051,225</u>	

Problems with Rugby Borough Council's approach

26. There are multiple problems with Rugby Borough Council's approach. In no particular order we have:

- (a) Rugby Borough Council use no fewer than four different approaches to calculating "need" viz: for offices they use a projected growth in the number of employees who will "require" office accommodation; for small industrial units they use gross completions; for big-boxes on non-strategic sites they assume that 25.5% of the Coventry & Warwickshire figure should end up in Rugby [even although no such unit has been built in the last twelve years] and for strategic sites they use a projection of the weight of goods that is forecast to be trafficked across the West Midlands region. Rugby Borough Council do not provide a justification for their choice of methods.
- (b) The apparent double counting. To arrive at the hectarage required for strategic sites Rugby Borough Council assume that 10% of each strategic site will be taken up with non-big box units. Therefore of their projected need of 791,525m² of strategic site square meterage 79,153m² would be expected to end up as small industrial units. However this figure is **not** deducted from the 101,800m² of gross need for this type of unit.
- (c) There is an assumed need of 130,800m² of big boxes on non-strategic sites. Yet no such unit has been built in the Rugby borough area in the last twelve years.
- (d) The starting point of all RBC's calculations is the Mace et al 2024 report. Yet it is now agreed that this report contained a 7% error in the value of "big box" commitments and a 15% error in the value of "need" when calculated using the "supressed demand" method and a 5% target vacancy level. Whilst adjustments have been made for these two errors there remains a distinct possibility that other as yet undetected errors remain. The Mace et al report cannot be considered reliable.

- (e) Icení propose that 56% of Mace et al's commitment error should fall on just one of the nine opportunity areas. If instead the error were to be equally shared over all nine errors then the requirement for Area 7 would fall by 40 hectares or 140,000m².
- (f) Whilst 'Area 7' embraces parts of seven local planning authorities Rugby Borough Council have assumed that the entire burden of meeting the area's "needs" should fall on our borough.
- (g) Both Mace et al and Icení consistently report the "need" for strategic sites as a range. However Rugby Borough Council have only taken the upper boundary of this range into their calculations.

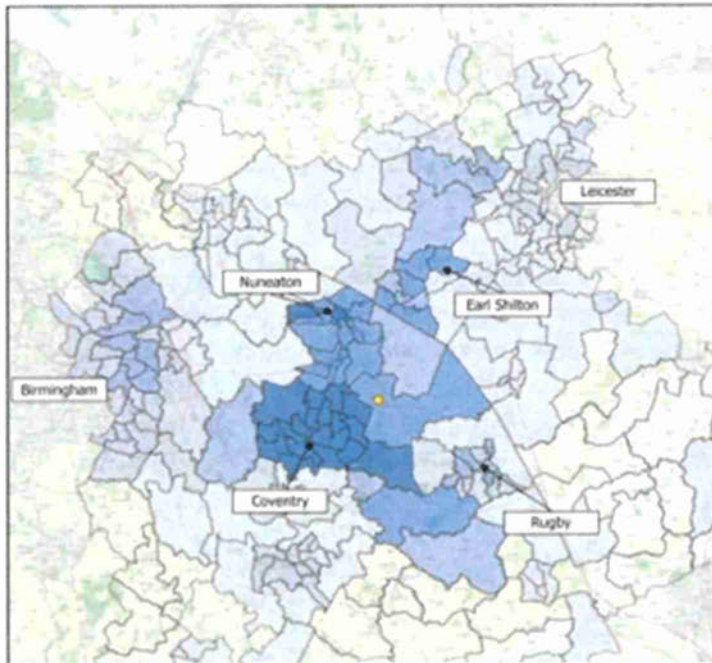
Note 1: Albeit Icení Projects Ltd subsequently argued in their 2025 *Coventry & Warwickshire Employment Needs: Addendum to the Coventry & Warwickshire Alignment* paper that Mace Ltd et al had got this wrong and the correct figure was 9.1Mm². This is still the lowest figure of the four provided. [It may be worth noting that Icení Projects Ltd was one of the "et als" of the Mace Ltd et al 2024 paper].

Both Mace et al and Icení work with a range of figures. Rugby Borough Council eschew this approach. Intuitively it seems unreasonable to claim that you can calculate "need" seventeen years hence to seven significant figures. Figure 2 posted at the end of this comment continues the range approach. It shows how under different scenarios the "need" for employment land in March 2042 could range anywhere from 499,241m², say 0.50Mm², to 945,041m², say 0.95Mm². The table also shows how erroneously RBC's figure was derived.

A way to test these figures is to look at the employment consequences. Rugby Borough Council concede that working from employee numbers to square metreage required is a valid approach for determining workspace required. They used this approach to calculate required office space. Industrial space can be converted into workforce numbers by assuming one worker per forty-four square metres in manufacturing and one worker per eighty square metres in warehousing (Icení, 2022, page 202). The 1,034km² of floorspace that Rugby Borough Council propose can thus be divided by 80 to calculate the additional workforce required to support it (a minimum figure as some of the allocations eg at Ansty should be assessed at 44 square metres per employee). Thus the additional space Rugby Borough Council are proposing would require some thirteen thousand extra workers. However our borough's total workforce is only expected to grow by seven thousand over the plan period and only some 2,300 of these are expected to be in warehousing. If the new units are built and staffed most of the workers will not come from Rugby.

Employers in warehousing units are prepared to draw over large labour markets to find a workforce. The recent application for Crouner Fields Farm shows how wide they expect to cast their net.

Figure 6.9: Distribution of Blue-Collar Workers



Here the prospective employer for a Green Belt site in the Borough of Rugby, but close to junction 2 of the M6, is expecting to draw workers from as far afield as Birmingham and Leicester to staff their warehouses.

Even at the smaller scale of allocations which I am proposing, 0.57Mm², an extra seven thousand workers would be required and thus only some one-in-three would be likely to come from the borough.

Despite the duty to co-operate Rugby Borough Council do not appear to have fully considered what was happening in neighbouring authorities. Both Magna Park in Leicestershire and the vast road-rail interchange at Crick in Northamptonshire are within seven miles of Rugby's town centre and appear to fall in the same local labour market area. Their nearest settlements have populations which are smaller than the town of Rugby and it is therefore likely that a significant proportion of their workforce is drawn from Rugby itself (Magna Park's nearest settlement is Lutterworth with a population of 11,000; DIRFT's nearest settlement is Crick with a population of 2,000 whereas the town of Rugby has roughly 78,000).

Through the use of existing allocations and new proposals both Magna Park and DIRFT are likely to expand.

Harborough District Council's local planning process is about ten months further forward than Rugby Borough Council's. They are proposing to allocate 122 additional hectares at Magna Park [equivalent to some 5,300 jobs] (Harborough District Council, 2024). West Northamptonshire's planning process appears to be about a year behind Rugby's [as I write they are engaged in a Regulation 18 consultation]. They are proposing to allocate an additional 106 hectares in DIRFT IV three miles to the East of Rugby [equivalent to 4,600 jobs] (West Northamptonshire Council, 2026, page 285). Meanwhile existing allocations

in DIRFT continue to be taken up. We are told the new M&S warehouse in DIRFT III will create a further 1,000 jobs (Odell, 2026).

There are some significant issues with some of the sites Rugby Borough Council are proposing and these are set out site by site later in my comments but to rehearse the main issues in this section:

- Walsgrave Hill Farm is in green Green Belt, developing it would mean losing a major landscape feature (the A46) which currently marks the eastern boundary of Coventry;
- Cawston Spinney is next to ancient woodland and is badly sited as a distribution centre with movements to the North and East having to pass through three junctions which have capacity problems and which are without funding solutions; and
- Access to Coton Park East has to be through junction 1 of the M6 which suffers from queuing issues at the Gibbet Hill roundabout which will not be resolved until the early thirties [at the earliest].

Given the huge range of forecasts of “need” and the paucity of suitable sites consideration has to be given to whether there is an alternative solution. Rugby Borough Council’s Sites for Gypsies and Travellers policy S4 does not meet the forecast need for sites rather it is adequate to provide supply to beyond 2035 [when there should be another Local plan]. Providing 0.57Mm² of floorspace would meet all the demand under one scenario to 2042 and all the demand under all scenarios to 2035. If the opportunity to do a mid-course correction is satisfactory for Gypsy and Traveller sites then it should also be satisfactory for employment sites.

Potential Inspector viewpoints

To observe the workings of Rugby’s warehouse labour market working and covering also the needs of Magna Park and DIRFT the Inspector may wish to observe the workers being ferried by buses from the bus stops in Clifton Road opposite Lawrence Sheriff School.

Figure 2: Calculation of employment floorspace requirements in Rugby 2025-2042

	Low	Medium	High
Strategic sites			
Icenl, 2024, page 20	9.00	9.00	84.00
Correct Mace et al error	10.00	50.00	50.00
"Need"	19.00	59.00	134.00
Convert need to twenty years	16.52	51.30	116.52
Commitments	201.00	201.00	201.00
Constructed (2021-25)	-91.35	-91.35	-91.35
Total Strategic site hectares	126.17	160.95	226.17
Local Need			
Icenl, 2024, page 12 for 2021-41	27.00	27.00	27.00
For the period 2021-2042	28.10	28.10	28.10
Big Boxes on non-strategic sites	0.00	16.35	32.70
Conversion to square metres			
Strategic sites (at 35% plot ratio)	441,601	563,340	791,601
Local need (at 40% plot ratio)	112,400	112,400	112,400
Less constructed 2021-2025	-10,600	-10,600	-10,600
Less 10% on strategic sites	-44,160	-56,334	-79,160
Final local need	57,640	45,466	22,640
Big Boxes on non-strategic sites (at 40% plot ratio)	0	57,225	130,800
TOTAL (square metres)	499,241	666,031	845,041
Double count 10% on strategic sites			79,160
Rugby Borough Council estimate of need			1,024,201

This part of the figure is expressed in hectares

This part of the figure is expressed in square metres

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete all and replace with:

- A. Rugby Borough's need for employment land in classes B2, B8 and E(g)(iii) may lie in the range 0.5Mm² to 0.95Mm².
- B. To meet that need the following allocations are provided

<u>Employment allocations</u>	<u>Square metres</u>
Existing permissions	
Padge Hall Farm	137,730
Prospero Ansty & Ansty Park	26,663
Coton Park	26,421
Houlton	15,000
Other planning permissions	13,424
Total existing permissions	219,238
New allocations under policy S7	
Crowner Fields Farm	275,000
Ansty Park North	75,000
Total new allocations	350,000
GRAND TOTAL	569,238

Therefore a total supply of 0.57Mm² is identified, adequate to provide supply under all the scenarios considered to beyond 2035.

1.25 To support economic diversification of the borough's economy and the expansion of its regionally significant manufacturing and R&D cluster, the Ansty Park north allocation under Policy S7 is ring-fenced for these uses.

1.26 As existing supply of office floorspace exceeds the identified requirement, the only new allocation for office use is at Crowner Fields Farm, Ansty which has planning permission.

1.27 E(g)(ii) floorspace is included within the office requirement, but given flexible mixes of employment use classes both within planning permissions, buildings and sites (augmented by permitted development) precise use class requirements are not possible and this use is likely to be delivered on mixed industrial land.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES

I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Amongst all those who are sceptical about Rugby Borough Council's employment land target I suspect only Dr Robert Ashford of Thurlaston Parish Council has a similar level of knowledge of the under-pinning documentation.

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

The Rugby Borough Council Privacy Notice for Development Strategy is available here:

<https://www.rugby.gov.uk/w/privacy#development-strategy>

The Planning Inspectorate's privacy notice can be accessed here:

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices>

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	6				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

A very small site on the Fosse Way, Stretton-on-Dunsmore

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because of its unsound allocation of site 6 for housing.

The allocation of site 6 is unsound because it is unjustified.

Rugby Borough Council's rules stated "residential sites ... below the threshold of five dwellings ... were discounted in the initial assessment" (RBC 2025c, page 8). This is a site for three dwellings. Three is less than five therefore the site should have been discounted in the initial assessment.

I raised this issue in the consultation on the 'Preferred Options' (plan 1). However this concern was not recorded by Rugby Borough Council (Smith, 2025, pp 85-89 and 402-409).

Many other sites with a capacity for housing but less than five dwellings were discounted by Rugby Borough Council for example appendix 2 to Rugby Borough Council's HELAA (RBC, 2025) identified 27 such sites and also the Urban Capacity Study identified seven sites with an assessed capacity of less than five yet these were not brought forward to policy S6. The irregular application of a declared rule is unfortunate as it has the possibility of engendering suspicion of untoward dealings at Rugby Borough Council.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Site 6 should be deleted from policy S6 and consequential changes made elsewhere in the proposed local plan (plan 3).

This will make Rugby Borough Council's plan consistent with the set of rules it claimed to apply in drawing up the plan.

Elsewhere, see comments of policy S2, I demonstrate how this site can be deleted and the Secretary of State's requirements with regard to housing numbers can still be met.

or

In the alternative should the Inspector not wish to propose the major modification I am suggesting then the development requirements for this site should be altered to include affordable housing on this site. The provision of affordable housing appears to be one of the few benefits which would arise from allocating sites for housing in the Green Belt but without a specific development requirement none will arise on this site as its size exempts it from the general application of proposed policy H2.

(Continue on a separate sheet /expand box if necessary)

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	54				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

An abandoned horticultural nursery near Binley Woods

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 54 are unsound.

The development requirements for site 54 are unjustified and inconsistent with national planning policy.

It is recognised that changes to the proposed local plan might have limited effect on what is developed on site given that the site is already the subject of planning application R24/0716.

Whilst the ecological constraints report (Lepus, 2025, pages 91 to 95) clearly indicates that this site is a special place it fails to provide the full context for the site.

First at the macro scale the site lies in the Princethorpe ancient woodland belt which stretches from Bubbenhall Wood in the South to the Coombe Abbey woodlands in the North. At the medium scale Lepus acknowledge its proximity to the Brandon Marsh Site of Special Scientific Interest (SSSI) but do not acknowledge the development of a cluster of nature reserves. Brandon Marsh is the headquarters of the Warwickshire Wildlife Trust, they have also acquired Brandon Reach which is just to the North of the SSSI and abuts Brandon Wood. The wildlife trust continues to acquire sites in the neighbourhood. In 2024 they purchased the 23 hectare Sheeps Field. Thus working together with the Friends of Brandon Wood a large nature reserve is being established North of the River Avon, East of the A46 and South of the A428. The decision of Coventry City Council to turn the golf course lying to the East of this block into a nature reserve (Lawrence, 2026) gives further importance to the site. At the smallest scale the site as Lepus acknowledges abuts the ancient woodland of the Little Brandon Wood local wildlife site.

Lepus refers to this “irreplaceable habitat” as follows:

Ancient woodland located immediately adjacent to the site’s southwestern boundary. Ancient woodland is vulnerable to changes in air quality, surface water quality and hydrological regime. Indirect impacts may include recreational disturbance. Woodlands often support species of birds, bats, mammals and invertebrates. These species may be affected by development impacts such as lighting, noise and visual disturbance.

Lepus, 2025, page 94

... and concludes

The location of ancient woodland and Brandon Little Wood LWS adjacent to the south western site boundary requires careful mitigation to ensure this habitat is not adversely impacted by hydrological, air quality, urbanisation and recreation effects through the use of buffer zones. Development would most appropriately be located adjacent to the northwestern boundary alongside the A428.

Lepus, 2025, page 95

However this evidence is not reflected in the development requirements for the site.

Paragraph 192 of the NPPF provides advice to local planning authorities:

To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for

biodiversity

This is a significant site whose stated development requirements* do not reflect the advice of paragraph 192 and are therefore inconsistent with national planning policy.

[* Albeit Rugby Borough Council are proposing that a small portion of the site should retain Green Belt status]

(Continue on a separate sheet /expand box if necessary)

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Add to the development requirements the conclusion of the Lepus ecological constraints report for this site viz:

"The location of ancient woodland and Brandon Little Wood LWS adjacent to the south western site boundary requires careful mitigation to ensure this habitat is not adversely impacted by hydrological, air quality, urbanisation and recreation effects through the use of buffer zones. Development would most appropriately be located adjacent to the northwestern boundary alongside the A428".

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	59				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Newton Manor Lane in the parish of Newton & Biggin

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the allocation of site 59 for housing is unsound.

The allocation of site 59 is neither justified nor consistent with national planning policy.

I shall deal first with justification matters where Rugby Borough Council have ignored evidence or failed to provide necessary evidence.

This site is within the civil parish of Newton & Biggin. It is not within Brownsver parish. It does not fall within Rugby Borough Council’s Newbold & Brownsver ward, nor does it fall within Warwickshire County Council’s Brownsver & Coton Park electoral division. Despite this Rugby Borough Council have labelled this site Newton Manor Lane, Brownsver and included it within the block of allocations for Rugby rather than the allocations for Newton. Newton & Biggin Parish Council and others pointed out this error to Rugby Borough Council during the Regulation 18 ‘Preferred Options’ consultation. The local planning authority have rejected these

representations. Ascribing this site to Brownsover is not supported by the evidence and is unjustified.

Rugby Borough Council's sustainability consultants state that there is "no strategic case for allocation at any of the smaller villages (third tier settlements)" AECOM, 2025, page 20). Newton is a third tier settlement. Therefore its allocation by Rugby Borough Council is contrary to the advice of its sustainability consultants and hence is unjustified.

In the Regulation 18 'Preferred Options' consultation Rugby Borough Council ascribed 240 dwellings to this site. They received representations that this was too intense a development for the site during the consultation but the local planning authority responded that "We disagree. We think this is a reasonable extension at the edge of the urban area" (Smith, 2025z, page 348). However the Regulation 19 consultation lists this site not at the allocation of 240 which the chief planning officer had said was "reasonable" but rather at 285. An increase of 45 dwellings. No evidence has been produced to show that the Chief Planning Officer's earlier judgement was wrong or that an increase was appropriate. The increased allocation is unjustified.

Rugby Borough Council have failed to establish the nature of the farmland they are proposing should be allocated for housing. This site shares with the Brinklow site (315) climate and a gentle south facing slope but without soil analysis we cannot currently be certain it is some of our "Best and Most Versatile" farmland. However the local planning authority have not taken steps to establish whether it is or is not either. For this they are rightly condemned by their own consultants who conclude that "... it is clear that the Local Plan will result in the loss of a quantum of BMV [best and most versatile] agricultural land that might be considered significant ..." (AECOM, 2025a, page 66). It is not just that the local planning authority have failed to assemble the information they need they also appear to miss the point. The issue of the potential loss of best and most versatile farmland was raised with them during the Regulation 18 "Preferred Options" consultation. The response of the Chief Planning Officer was "The best and most versatile farmland is a constraint identified through site assessments (Stage 2 Site Assessments) where relevant. We do not consider it possible to meet the identified development need without allocations on green field sites". First as AECOM confirm Rugby Borough Council do not know which of their proposed allocations are on "Best and Most Versatile" farmland and therefore cannot have taken it into account as a constraint. Secondly not all green field sites are "Best and Most Versatile" farmland therefore the question is not whether the Secretary of State's housing targets could be met without intruding on green field sites [probably not] but whether the Secretary of State's housing targets could be met without intruding on those green field sites which are also "Best and Most Versatile" farmland. The failure of the local planning authority to gather the necessary evidence before making allocations is further evidence of the unjustified nature of this allocation.

A fourth example of the unjustified nature of this allocation is to be found in policy EN4. I explore this matter in my representation on this policy. Rugby Borough Council are correct that Rugby should not sprawl to take in neighbouring settlements. The four closest settlements to Rugby are Dunchurch, Long Lawford, Newton and Clifton. Rugby's evidence for EN4 explores the landscape between Rugby [on the one hand] and Clifton and Dunchurch [on the other] but fails to

conduct a similar analysis for either Long Lawford or Newton. Without such evidence, rightly considered appropriate when considering allocations for Dunchurch, the allocation for Newton & Biggin is unjustified.

As well as being unjustified this allocation is also inconsistent with national planning policy.

Some national planning policies are set out below:

NPPF paragraph 187 states (inter alia) that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland...”

and

“...minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs”.

NPPF paragraph 188 continues to say

“Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries”.

NPPF paragraph 109 states:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

- a) making transport considerations an important part of early engagement with local communities;
- b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places ...
- e) identifying and pursuing opportunities to promote walking, cycling and public transport use ...”

NPPF paragraph 110 continues:

“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to

reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.

NPPF paragraph 115 states:

“In assessing sites that may be allocated for development in plans ... it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach”.

Transport considerations should be “an important part of early engagement with local communities” and “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.

Consideration should first be given to whether the site is sustainable. As the crow flies the site is 0.7km away from services in Newton (pub, village hall and place of worship); 1.1km away from services in Brownsover (shops and a GP surgery) and 1.5km away from services in Clifton on Dunsmore (shop, pub, village hall and place of worship). The two closest primary schools are in Brownsover (1.3km) and Clifton on Dunsmore (1.5km). As the crow flies the two closest secondary schools are Avon Valley (3.2km) and Houlton (4.1km). The local road pattern probably means that unless Avon Valley could offer places to all secondary school children on any new development the local education authority would probably have to provide transport for secondary education.

There is no bus service running past the site. There is no pavement on any of the roads linking the site to the nearest service centres. There is no cycleway running past the site. Currently the site does not offer a genuine choice of transport modes. Therefore consideration has to be given to whether or not the site could be made sustainable.

In the 2019 Local Plan Rugby Borough Council required the developers at Coton Park East and SW Rugby to contribute to the provision of a high quality public transport link to Rugby town centre. Here the local planning authority is proposing no such contribution. In the absence of such a contribution it is most unlikely that bus routes would be extended into any new development. (I am aware that some local residents are concerned that there will be a bus stop in Newton Manor Lane which would block traffic using that road and that there may be some Regulation 19 responses which

raise this concern. However I believe that it is unlikely that such a bus stop will be created). HMG guidance on this matter is clear "Bus stops should be easily accessible. All buildings should be located within 400 metres from a bus stop. The routes to the bus stops should be safe, direct, convenient and accessible for people of all abilities. Development sites should be served by frequent and reliable bus services which provide connections between the development and key destinations" (Active Travel England). The nearest bus stop is in Crowthorns [some Rugby streets are named with a single noun]. There will be many parts of any development which will be further than 400 metres from a bus stop. Unless a transport contribution is required it is highly likely that HMG requirements will not be met. It is reasonable to conclude that the Regulation 19 proposed local plan would not provide a bus service for this allocation.

The needs of pedestrians would be secured by a development requirement for the "Provision of pedestrian footway ... along Newton Manor Lane".

Cyclists are to be provided with a "cycle track along Newton Manor Lane" however unless this is to be interpreted as a "cycle track along the entire length of Newton Manor Lane" (which I fear the development control team in the borough council would not do) such a cycle track does not link up with any cycle routes to any of the three nearest service centres.

With no mitigation measures for buses and insufficient ones for cyclists the borough council's proposals amount to little more than providing safe [but see below] pedestrian routes to the nearest service centres. At less than a mile these might be considered reasonable but in practice many of these journeys would be undertaken by car. Certainly this site is less sustainable than sites such as Winfield Street and Freemantle Road which the local planning authority's Urban Capacity Study found both deliverable and available and yet have not been brought forward (see my representations on policy S2).

On transport matters the final issue to be raised is the nature of the St Thomas Cross junction. The configuration of this junction gives priority to vehicles travelling West along Market Harborough Road to sweep left into Newton Road. Unfortunately many motorists appear to believe the priority should be given to continuing straight on into Newton Manor Lane and that vehicles travelling North along Newton Road should come to complete stop before either turning left into Newton Manor Lane or right into Market Harborough Road. Not only do they believe this should be the case they also act as if it was the case. Problems are compounded by the alignment of Market Harborough Road which means that very little of it is visible to vehicles travelling South from Newton. It is one of the scariest junctions in our borough.

Residents and Newton & Biggin Parish Council raised the dangerous nature of this junction during the Regulation 18 "Preferred Options" consultation and the Chief

Planning Officer replied that “The Strategic Transport Assessment will consider if mitigations are required based on the cumulative impacts of allocations” (Smith, 2025, page 81). However the Strategic Transport Assessment was more concerned with issues of congestion than issues of safety and did not specifically address concerns about this junction. The development requirements do not include mitigation measures for the St Thomas Cross junction.

A distinctive landscape feature of the area is the former Great Central Line which now forms a recreational route and a green infrastructure corridor [albeit one threatened by Rugby Borough Council’s switch of planning policy in Coton Park East – see my comments on policy S7]. At the Regulation 18 “Preferred Options” stage Newton and Biggin Parish Council said “... the north/south alignment of the former Great Central Railway has long provided a defensible boundary to the urban edge of Rugby, a line where the urban area ends and the countryside begins. As such it becomes of value to both urban and rural residents. The proposal sees a relatively isolated residential development crossing over that boundary. This is bound to increase future pressure for development on neighbouring land, something that will be detrimental to the quality of life of existing Coton residents as well as compromising the identity of Newton as a village...” (2025, page 2).

Rugby Borough Council has adopted the following criteria for determining whether an area of separation should apply:

PHYSICAL AND VISUAL SEPARATION

5.8. The evaluation of physical and visual separation considers the distance between settlements, the presence of separating features (including those created by topography), and the links that currently exist.

5.9. Land within an assessment area is deemed to make a stronger contribution to the separation of settlements where:

- It contributes to a broad gap between settlements;
- It has land cover or a topography which restricts intervisibility between the settlements;
- It has a clear physical feature that marks the settlement edge; or,
- It does not contain direct vehicular links between settlements.

URBANISING INFLUENCES

5.10. The evaluation of urbanising influences considers the presence of existing development within the assessment area. Land is deemed to make a stronger contribution to settlement separation where:

- It lacks any development, or the development which exists is rural in character;
- It lacks infrastructure associated with human activity; or,
- It has natural or semi-natural land uses, such as woodland or wetlands.

Rugby Borough Council, 2025e, page 11

The former railway line constitutes a very clear physical feature that marks the settlement edge of Rugby and the other land features are broadly supportive of an

area of separation assessment: the location contributes to a broad gap between settlements, the railway embankment and hedges restrict inter-visibility, the land does not contain a direct vehicular link between Brownsover and Newton, with the exception of the electricity transmission line which cuts across the northern section of the allocation it lacks development and infrastructure associated with human activity.

Had Rugby Borough Council applied their separation criteria to this parcel of land it is highly likely that their requirements would have been met.

Lupus, 2025, page 103 conclude that there are “medium ecological constraints” affecting this site. Here Rugby Borough Council have responded with a development requirement that developers should “Ensure an appropriate edge, including landscape buffer, to the Great Central Walk Local Wildlife Site”. This is appropriate and pleasing albeit inconsistent with their “do-nothing” approach to the protection of the Great Central Walk Local Wildlife Site from development at Coton Park East. As well as identifying the local wildlife site Lupus also site the stream which marks the eastern boundary of the site as being a habitat of medium to high distinctiveness “Warwickshire’s LBAP for rivers and streams recognises watercourses among the most important wildlife corridors within the intensively farmed local landscapes. Loss of this habitat is likely to affect the distribution of habitat of local importance. Warwickshire’s LBAP aims to prevent any deterioration of status, improve all failing waterbodies to GES or GEP if heavily modified, as set out by the WFD. Development impacts from diffuse and point solution is of particular concern” (2025, page 102).

A further landscape and wildlife issue to consider is the interaction between the requirement for pedestrian footways and cycle tracks and the natural and semi-natural environment. There is not room within the current width of Newton Manor Lane for the two-way movement of motorised traffic, a footpath and a cycle track. Faced with this situation the standard approach of developers in the Rugby area is to adopt a “slash and burn” strategy for the roadside hedges. In my regulation 18 “Preferred Options” consultation response for this site I suggested that this issue be resolved instead by placing the required footpath and cycleway on the development side of the hedge. However this point was not noted by Rugby Borough Council in their analysis of the consultation responses. We should protect our hedges for their landscape and wildlife value.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete site 59 from policy S6. I explain how this can be done and still meet HMG housing targets in my comments on policy S2.

or

In the alternative the development requirements should be strengthened by adding:

- A requirement to make a contribution to secure “a high quality public transport link to Rugby town centre”. [Which in this case could be achieved by subsidising Stagecoach to extend their number 4 route into the proposed development];
- A requirement to provide measures to mitigate safety concerns at the St Thomas Cross junction;
- A requirement to “Ensure an appropriate edge, including landscape buffer, to the stream at the eastern edge of the site”.

... and modifying the requirement for the “Provision of pedestrian footway and cycle track along Newton Manor Lane” to “Provision of a pedestrian footway and cycle track along the line of Newton Manor Lane but on the development side of the lane’s northern hedge”.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In the Regulation 18 "Preferred Options" consultation Newton & Biggin Parish Council presented a robust case against the development of this site. If they should continue to do so I would have no wish to speak at the Examination in Public. However my understanding is that they may pragmatically alter their position to one of just seeking strengthened development requirements. I know that residents on the Brownsover side of the Great Central Way intend to object but they have only recently come to a discovery of planning procedures. Were the parish council to drop their objection I believe I might be better able to provide some balance to the developer and Rugby Borough Council.

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	100				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Land at High Street, Ryton-on-Dunsmore

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 100 are unsound.

The development requirements for site 100 are unjustified and inconsistent with national planning policy.

Warwickshire County Council has this site mapped as the Warren Farm Local Wildlife Site and abutted to the South and West by the Warren Farm Extension Potential Local Wildlife Site (Warwickshire County Council, undated a).

Despite the ecological potential of the site and its surroundings Rugby Borough Council has failed to undertake an ecological constraints evaluation of the site.

Without this evidence being available and evaluated the inclusion of this site is unjustified.

Paragraph 192 of the NPPF provides advice to local planning authorities:

To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

This is a significant site whose stated development requirements do not reflect the advice of paragraph 192 and are therefore inconsistent with national planning policy.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Add to development requirements:

“An ecological appraisal of this site should be undertaken at the outset and all proposals should follow the national policy hierarchy of avoid, mitigate and compensate”.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

The Rugby Borough Council Privacy Notice for Development Strategy is available here:

<https://www.rugby.gov.uk/w/privacy#development-strategy>

The Planning Inspectorate's privacy notice can be accessed here: <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices>

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	129				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Lilbourne Lane site in Clifton-upon-Dunsmore

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the allocation of site 129 for housing is unsound.

The allocation of site 129 is not consistent with national planning policy.

NPPF paragraph 187 states (inter alia) that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland...”

NPPF paragraph 203 states that:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- d) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- e) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- f) the desirability of new development making a positive contribution to local character and distinctiveness; and
- g) opportunities to draw on the contribution made by the historic environment to the character of a place.

Rugby Borough Council acknowledges that this land is grade 2 farmland and thus part of our best and most versatile farmland inheritance. Its allocation runs counter to NPPF 187 and our ability to feed ourselves. The local planning authorities own sustainability consultants have condemned the borough council's approach to this valuable agricultural asset (AECOM, 2025a, page 66).

The reference to hedges in the development requirements is somewhat misleading as the field boundaries do not really qualify as hedges being for the most part fences and low walls. This means that the site is open and development here would change the character of the approach to the village from the East.

Clifton Parish Council point out that:

"The site is adjacent to one of the key features of the village, the outstanding properties of the Old Manor (Grade 2 Listed) adjacent to the old duck pond site at the junction of Lilbourne Road and Hillmorton Lane which is within the Conservation area.

The inclusion of this development stops the Old Manor being the gateway to the village and significantly detracts from the character of this old and picturesque junction".

Clifton Parish Council, 2025, page 6

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete site 129 from policy S6. I demonstrate how this can be done and the borough still meet HMG's housing targets in my response to policy S2.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	136				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Land to the North of Warwick Road in Wolston

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 136 are inconsistent with national planning policy.

In the NW corner of the site there is a reed-lined pond surrounded by trees – in their development requirements for the site RBC appear to be oblivious of this pond and its wildlife potential. The land lies in a green infrastructure corridor as shown by the current Green and Blue Infrastructure Corridor Policy map.

Paragraph 192 of the NPPF requires local planning authorities to “safeguard components of local wildlife-rich habitats” and yet RBC are not proposing any special measures to do so with regard to this site despite their wildlife consultants Lepus stating that “sensitive site layout” should be applied (Lepus, 2025, page 238).

Potential Inspector view points

The Inspector may wish to view the pond from Warwick Lane and the footpath which runs along its northern edge.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Add to development requirements:

"All development proposals should safeguard the pond in the NW corner of the site and its immediate semi-natural surroundings both during and after construction".

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	153				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Westway – a little used car park owned by Rugby Borough Council

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 153 are unsound.

The development requirements for site 153 are unjustified and inconsistent with national planning policy.

The development requirements for site 153 are unjustified because they do not follow the evidence. Despite being in the ownership of Rugby Borough Council and being flagged to the Council in responses to the "Preferred Options" consultation site 153 was not identified by Rugby Borough Council in its HELAA nor yet its HELAA addendum. Instead it was left to the consultants Troy Planning and Design to identify

this site. They said “Viable and available site owned by RBC, subject to remediation of possible contamination, surface flood risk mitigation and conservation area considerations. It offers opportunities to improve pedestrian permeability. Has potential for 38 homes” (Troy Planning and Design, 2025, page 37). Therefore the evidence points to an allocation of 38 dwellings. However contrary to the evidence the development requirement is for 24 units and this has been taken into policy S6 and thus into policy S2. Neither of the two argument documents provided by Rugby Borough Council provide a justification for under-utilising this site.

The development requirements are inconsistent with national planning policy. Paragraph 130 of the National Planning Policy Framework states:

“ Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate ...”.

The proposed allocation of Green Belt land for housing indicates that Rugby Borough Council considers there is a shortage of land for meeting identified housing needs. It is therefore essential that developments make optimal use of the potential of each site. To opt for 24 units when the evidence suggests 38 units is a sub-optimal use of this land. Site 153 is currently in the High Access Zone defined by the current local development plan and would remain so if Rugby Borough Council’s proposals for a new local plan were adopted. As the crow flies it is just 850 metres from the bus stands in Clifton Road which support routes to DIRFT, Magna Park and Coton Park and around 1,200 metres from Rugby Railway Station. The site offers a genuine choice of transport modes and therefore should receive preferential allocation under paragraph 110 of the NPPF. Its development should not be artificially constrained.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The development requirements for site 153 should be reset at the 38 units identified in the evidence. Consequential changes should be made to policies S6 and S2.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This is a crucial point illustrating Rugby Borough Council's bias against sustainable locations in favour of developing on good agricultural land. Westway Car Park was identified during the "Preferred Options" consultation and yet it was only included in Rugby's listing of developable sites (and then only a half-hearted manner) as late as November 2025.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

The Rugby Borough Council Privacy Notice for Development Strategy is available here: <https://www.rugby.gov.uk/w/privacy#development-strategy>

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	253				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Lawford Fields Farm

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the allocation of site 253 is unsound.

The allocation of site 253 is unsound because it is unjustified and inconsistent with national planning policy.

Originally Rugby Borough Council's sustainability consultants supported the exclusion of this site. They wrote.

" Allocation of Site 316 for 400 homes is the emerging preferred option.

Site 253 to the east is then considered to perform less well for two reasons, namely: 1) Green Belt

noting that this land is not likely to comprise Grey Belt on the basis of contributing to avoiding the sprawl of Rugby as a large built-up area; and 2) the site would not link as well to the village centre. However, it is recognised that the site has been promoted for just 150 homes, with extensive land made available for green / open space and a primary school (but there is no clear need for a new school here).

In conclusion, in addition to the emerging preferred approach (Site 316 for 400 homes) it is considered reasonable to test the possibility of no allocation at Long Lawford. This is primarily a reflection of Green Belt sensitivity ahead of a Green Belt Assessment that will be published later this year and will identify land within the Green Belt that is in fact Grey Belt. With regards to comprehensive growth involving additional allocation of Site 253, this is ruled out as unreasonable on balance. There is no clear case for large-scale growth of this nature at Long Lawford although, on the other hand, it is recognised that allocation of Site 316 would likely increase pressure for additional allocation of Site 253 down the line”.

AECOM, 2025, page 31

Since that time the argument against the inclusion of site has become stronger. A green belt study has been completed and has indeed concluded that site 253 is green Green Belt land (LUPUS, 2025, pages 35 to 52) with LUPUS making many adverse comments on development on this site including “Development of land in the parcel would have an incongruous impact on the urban pattern. The lack of features to restrict and contain development mean that development here would have an incongruous impact, and would contribute to sprawl associated with the large built up area of Rugby” (LUPUS, 2025, pages 47-48).

Whilst the disadvantages of developing this site because of its impact on the Green Belt have thus crystallised since the “Preferred Options” the putative advantage of a site for a primary school is now dismissed as a result of Rugby Borough Council’s analysis of the need for additional school places. Warwickshire County Council has areas which it uses for the planning for primary school capacity. One of these is Long Lawford and Long Lawford is the only primary school serving this planning area. Rugby Borough Council’s report shows that there is projected surplus capacity at this primary school from 2022-23 right through to 2044-45 (Rugby Borough Council, 2025b, page 43). Therefore the offer of land for a primary school has no value whatsoever and should be completely discounted in any evaluation of this site.

There is one related “red-herring” claimed advantage for this site which is funding for a crossing of the A4011. This crossing would take pupils from a public footpath (R126) on the North side of the A4011 to Henry Hinde primary school on the South side of the A4011. As shown above Rugby Borough Council’s own report shows that Long Lawford primary school pupils have no need to cross this busy road to go to a primary school as there are sufficient places in the village [although see my comment on pedestrian crossings below].

Conversely there is a need for Long Lawford pupils to travel to a secondary school [as no secondary is provided or will be provided in Long Lawford]. One of the borough councillors has been trying to persuade the relevant highways authority to ameliorate

safety concerns regarding their travel (Green, 2025) by improving the Bilton Lane/A4011 crossing. [The development requirements for the other Long Lawford site, 316, already include “Connections with off-site public rights of way to provide a link to Bilton”].

Whilst the Sustainability Appraisal of the Preferred Option distinguished between the two main Long Lawford housing allocations the Sustainability Appraisal of the Regulation 19 proposal does not. Amongst other matters it states:

“Also, at Long Lawford, whilst limited concerns were raised through the Draft Plan consultation, at which time there was one proposed allocation for 400 homes, there is a need to consider whether the new proposed higher growth strategy (650 homes in total across two sites) may generate concerns. This could feasibly be the case because these growth locations are set to deliver relatively little in terms of community infrastructure (they will deliver new open space, new convenience retail and space for a community use, e.g. a pharmacy). Also, the effect of the new proposed allocation will be to reduce separation with Rugby. However, growth is set to deliver transport infrastructure, including a new walking and cycling route to Bilton. The context at Long Lawford is that there has been considerable recent growth, and another consideration is that a new community to the south of the village will be somewhat separated from the existing village on account of the intervening A428”.

AECOM, 2025a, pages 60 & 61

All of these predictions were confirmed at Rugby Borough Council’s consultation meeting in the village on 24 February 2026. There were raised concerns, the new community infrastructure which was promised appeared to offer little [a GP surgery would be much preferred], the erosion of the barrier with Rugby was raised as a concern together with the impact of the A428 acting as a barrier to establishing a future cohesive community. Finally the offer of a sustainable transport link over the A4011 along the line of the R126 compared to one along the line of Bilton Lane was not supported by those attending the meeting.

Rugby Borough Council rightly raise concerns about the separation effect of the A45 on the potential Lodge Farm development but have not been consistent in recognising the similar potential of the A428 to prevent community cohesion in Long Lawford.

The run of evidence since the publication of the “Preferred Options” has been to weaken the case for the inclusion of site 253 amongst the proposed housing allocations. Rugby Borough Council’s approach of a significant reduction in the overall number of houses proposed for the borough with adding this site is therefore unjustified.

It also runs counter to national planning policy.

NPPF paragraph 96 states “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction ...”. Rugby

Borough Council appear not to have taken account of the extent to which traffic flows along the A428 will prevent social interaction between the new inhabitants of Long Lawford to the South of the main road and the established residents to the North. The requirement that the southern residents should be furnished with a convenience store will reduce the potential for social interaction at the established Co-op within the current area of the village.

The impact on the Green Belt must also be considered. NPPF paragraph reminds us that "The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". The LUPUS study confirms that the inclusion of site 253 would indeed lead to urban sprawl.

Paragraph 145 states [in part] that "Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans...".

Paragraph 148 provides a clear hierarchy of land which might be released from the Green Belt if and only if exceptional circumstances have been fully evidenced and justified. It states [in part] "Where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt which is not previously developed, and then other Green Belt locations".

Site 253 is not previously developed and nor is it grey belt. Therefore it should only be allocated for housing in the last resort.

In my submission on policy S2 I demonstrate that the last resort has not yet been reached.

Possible Inspector Viewpoints

To examine the relative merits of a sustainable transport route over the A4011 following either the line of Bilton Lane or the R126 a visit might be made at either the start or the close of the school day and this should confirm that the Bilton Lane route is far more popular.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to

say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete site 253 from the housing allocations.

In my submission with regard to policy S2 I demonstrate how this is possible and still remain within the Secretary of State's housing target for Rugby.

In the event that my submission is not accepted then the development requirement for the site should be strengthened by replacing the phrase "Pedestrian crossing" with the phrase "Controlled pedestrian crossing".

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	307				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

North Road, Clifton-upon-Dunsmore

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the allocation of site 307 is unsound.

The allocation of site 307 is unsound because it is unjustified.

The site was included in the "Preferred Options" Regulation 18 consultation but since then Rugby Borough Council policy has been developed and now supports the separation of Rugby and Clifton-on-Dunsmore.

The evidence that Rugby Borough Council deploys in support of policy EN4 is exactly the same evidence which would be deployed against the allocation of site 307. To support **both** policy EN4 **and** site 307 is irrational.

Rugby Borough Council set out the criteria for including land within a separation area as follows:

“Land within an assessment area is deemed to make a stronger contribution to the separation of settlements where: It contributes to a broad gap between settlements; It has land cover or a topography which restricts intervisibility between the settlements; It has a clear physical feature that marks the settlement edge; or, It does not contain direct vehicular links between settlements.

The evaluation of urbanising influences considers the presence of existing development within the assessment area. Land is deemed to make a stronger contribution to settlement separation where: It lacks any development, or the development which exists is rural in character; It lacks infrastructure associated with human activity; or, It has natural or semi-natural land uses, such as woodland or wetlands”.

Rugby Borough Council, 2025e, page 11.

Site 307 fell within the Clifton-on-Dunsmore assessment area (Rugby Borough Council, 2025e, page 12).

The characteristics of the field in which site 307 sits are exactly the same as the field immediately to its North and the field immediately to its South viz:

- It contributes to a broad gap between settlements; and
- It does not contain direct vehicular links between settlements.

- It lacks any development; and
- It lacks infrastructure associated with human activity.

It is therefore irrational and thus unjustified to include the fields to the North and South within the proposed area of separation but not to include all of the field lying between them.

Potential Inspector Viewpoints

The corner of North Road looking West towards Rugby. With the exception of one “big box” which scars the view the outlook is predominantly rural and the settlement of Rugby is well screened by trees.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Remove site 307 from the housing allocations.

An explanation of how this can be done and yet the Secretary of State's housing targets can still be delivered is contained within the representation on policy S2.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	309				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Wolvey site north of the B4109 and next to the River Anker



The development site and the River Anker

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the allocation of site 309 is unsound.

The allocation of site 309 is unsound because it is unjustified and inconsistent with national planning policy.

The River Anker lies within a metre or two of this site. The GI policies map of the current local plan shows that a blue infrastructure corridor runs through site 309 and Warwickshire County Council's Green Infrastructure mapping shows the potential Shelford-Wolvey Flood Meadows Local Wildlife Site overlaps with part of site 309. Therefore Rugby Borough Council should have had the ecological value of the site evaluated. However they failed to do so and thus this proposal is unjustified.

Paragraph 192 of the NPPF provides advice to local planning authorities:

To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

However Rugby Borough Council have failed to identify the wildlife value of site 309 and thus breach paragraph 192 of the NPPF.

Potential Inspector Viewpoints

The Inspector may wish to consider following the route of the R11 from Wolvey village to the fishing lakes.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete site 309 and shift the development proposals for the village in line with the Marron's proposal made to and accepted by the Wolvey Parish Council meeting of 19 January 2026. The land allocated for development thus avoids both the blue infrastructure corridor and the Shelford and Wolvey Flood Meadows PLWS in favour of arable fields to the South of the village with no particular identified wildlife value. This reduces the total new housing allocation for the village from 210 dwellings to 190 dwellings.

An explanation of how this can be achieved and yet the Secretary of State's requirements for housing allocations still be met is provided in the comments on policy S2.

(Continue on a separate sheet /expand box if necessary)

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies
Map

Site ID

4. Do you consider the Local Plan:

(1) is Legally compliant

Yes

No

(2) is Sound

Yes

No

(3) complies with the
Duty to co-operate

Yes

No

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The fields South of Crick Road next to the proposed railway station

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 338 are unsound.

The development requirements for site 338 are unjustified and inconsistent with national planning policy

The development requirements for site 338 are unjustified because they do not follow the evidence. This site is immediately adjacent to the proposed Rugby Parkway Railway Station. It might be considered broadly equivalent to the site on which the Charolais Gardens development has been secured immediately adjacent to Rugby Railway Station – see planning application R19/0804. This site with a gross area of approximately 1.73 hectares yielded 360 dwellings ie 208 dwellings per gross hectare (Maber, 2019). Speaking at a Regulation 19 consultation event on 5 March 2026 Rugby’s Chief Planning Officer said that the development had been “very successful [and revealed] ... pent-up demand ... because of access to the train station”.

Site 338 is listed as a site with a gross hecтарage of 6.24 hectares (three and a half times larger than the Charolais Gardens site) and yet the development requirements suggest that only 250 dwellings should be built there (less than the Charolais Gardens site) at a rate of just 40 dwellings per gross hectare. As a site whose promoters claim has no constraints and which is smaller than 10 acres 75% of the area should be available for development - that is roughly 5 hectares. RBC believe that densities of 75 to 100 dwellings per hectare should be obtainable in an urban context (Rugby Borough Council, 2025b, pages 18 to 19). Even at the lowest of these densities then the development requirement should be some 350 dwellings (ie 6.24 hectares * 75% * 75 dwellings per hectare]. RBC's sustainability consultants state "The safeguarded land for Rugby Parkway Station is adjacent, such that the site should be suitable for higher density development" [AECOM, 2025a, page 33].

This point was made in the consultation on the preferred options. In the Chief Planning Officer's report to the Cabinet it was summarised as "Density should be increased to deliver 375 dwellings (with 5ha assumed developable area)". The Chief Planning Officer's response was "In calculating approximate capacities, an assumption of the developable area is applied. We do not agree therefore that it is appropriate to increase the capacity as suggested" (Smith, 2025, page 83). However the assumption I used to calculate the developable area ie 75% was not my assumption rather it was Rugby Borough Council's own assumption drawn directly from page 18 of their own *Rugby Borough Council Housing and Economic Land Availability Assessment 2025* (RBC, 2025c).

Pages 3 and 4 of the site's promoter's view of the site (David Lock Associates, 2025) contain a long list of the absence of constraints on the site including, but not limited to, no land constraints, no heritage designations, no physical constraints and no pylons, gas mains or telecommunications.

Rugby Borough Council have not provided any evidence that either their assumption of 75% developable land on sites of less than 10 hectares was badly drawn or that there are constraints on this site which were omitted in promoter's assessment. Rugby Borough Council have not explained why their own assumption of 75% developable land is incorrect in this particular case. Their approach is unjustified.

The development requirements are inconsistent with national planning policy. Paragraph 130 of the National Planning Policy Framework states:

"Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate ...".

The proposed allocation of Green Belt land for housing indicates that Rugby Borough Council considers there is a shortage of land for meeting identified housing needs. It is therefore essential that developments make optimal use of the potential of each site. To opt for 250 units when the evidence

suggests at least 350 units is a sub-optimal use of this land. Site 338 sits next to the proposed Rugby Parkway Railway Station. With access to rail, bus and private motoring [albeit sadly without currently a good cycle link to Rugby Town Centre] the site offers a genuine choice of transport modes and therefore should receive preferential allocation under paragraph 110 of the NPPF. Its development should not be artificially constrained.

In the Preferred Options consultation my submission on this site continued to say that “The advantages of the site’s location next to a proposed railway station should be recognised. Pedestrian and cycle access needs to be provided to the station and a controlled pedestrian and cycle crossing needs to be provided across Crick Road”. This was summarised in the Chief Planning Officer’s report to Cabinet as follows “Add development requirements: 1) Creation of pedestrian and cycle access to the new Rugby Parkway Station, 2) Improved pedestrian and cycle crossings on Crick Road” (Smith, 2025, page 83) and her response was “Agree to add to development Requirements”. However this has not been done as the development requirements proposed by Rugby Borough Council only refer to pedestrian access to the new station.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There should be two additions to the development requirements viz.

1. All development on this site must meet the minimum density standard of 100 dwellings per usable hectare.
2. The phrase “and cycle” should be added after “pedestrian” to the first development requirement.

(Continue on a separate sheet /expand box if necessary)

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES **Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I believe the Crick Road proposal received limited attention during the 'Preferred Options' consultation and this is likely to be repeated in the consultation on the proposed 'Submission Plan'. I suspect I fall into the group which would be defined as the twenty residents of the Rugby Borough area who have given most consideration to the potential of this site.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S6	Policies Map	
Site ID	350				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Rounds Gardens – a derelict site close to Rugby’s town centre owned by Rugby Borough Council

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 350 are unsound.

The development requirements for site 350 are unjustified and inconsistent with national planning policy.

The development requirements for site 350 are unjustified because they do not follow the evidence. Despite being in the ownership of Rugby Borough Council, already having planning permission for housing and having been flagged to the Council in responses to the “Preferred Options” consultation site 350 was not identified by Rugby Borough Council in its HELAA nor yet its HELAA addendum. Instead it was left to the consultants Troy Planning and Design to identify this site.

They said “Viable and available site owned by RBC with significant development capacity, subject to surface water flood risk mitigation and consideration of existing trees. Has potential for 75 homes (Troy Planning and Design, 2025, page 387). Therefore the evidence points to an allocation of 75 dwellings. However contrary to the evidence the development requirement is for 70 units and this has been taken into policy S6 and thus into policy S2. Neither of the two argument documents provided by Rugby Borough Council provide a justification for under-utilising this site.

The development requirements are inconsistent with national planning policy. Paragraph 130 of the National Planning Policy Framework states:

“ Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate ...”.

The proposed allocation of Green Belt land for housing indicates that Rugby Borough Council considers there is a shortage of land for meeting identified housing needs. It is therefore essential that developments make optimal use of the potential of each site. To opt for 70 units when the evidence suggests 75 units is a sub-optimal use of this land. Site 350 is currently in the High Access Zone defined by the current local development plan and would remain so if Rugby Borough Council’s proposals for a new local plan were adopted. As the crow flies it is under a kilometre from the bus stands in Clifton Road which support routes to DIRFT, Magna Park and Coton Park and around 1,200 metres from Rugby Railway Station. The site offers a genuine choice of transport modes and therefore should receive preferential allocation under paragraph 110 of the NPPF. Its development should not be artificially constrained.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The development requirements for site 350 should be reset at the 75 units identified in the evidence. Consequential changes should be made to policies S6 and S2.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This is a crucial point illustrating Rugby Borough Council's bias against sustainable locations in favour of developing on good agricultural land. Rugby Borough Council's failure to identify Rounds Gardens as a potential development site, whilst arguing for 700 units to be allocated to remote Wolvey was the subject of controversy during the "Preferred Options" consultation and yet it was only included in Rugby Borough Council's list of developable sites (and then only in this half half-hearted manner) as late as November 2025.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and pu council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redac representations are published.

The Rugby Borough Council Privacy Notice for Development Strategy is available here: <https://www.rugby.gov.uk/w/privacy#destrategy>

The Planning Inspectorate's privacy notice can be accessed here: <https://www.gov.uk/government/publications/planning-inspecnotices>

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

	Policy	S6	Policy
			Ma

Site ID

351

4. Do you consider the Local Plan:

(1) is Legally compliant

Yes	
Yes	YES

(2) is Sound

(3) complies with the
Duty to co-operate

Yes

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No

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5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Former GEC recreation ground near Rugby's town centre

Rugby Borough Council have put forward a highly sensible set of development requirements for this site which would provide accessible green space in an area which suffers from a shortage and which enforces the development of this site and the Rounds Gardens site to the South.

However the principal purpose of writing about this site is not to praise Rugby Borough Council (even in this matter they do deserve praise) but rather to flag a possibility.

I am anticipating HMG's decision on St Modwen's planning appeal APP/E3715/W/25/3373251 against Rugby Borough Council's refusal of planning application R24/0111 to arrive after the closing date for the Regulation 19 submissions but before the date on which the Chief Planning Officer will determine whether or not she proceeds to submit the Regulation 19 plan to the Secretary of State.

Rugby Borough Council's refusal to give planning permission for St Modwen's poorly designed scheme is not soundly based. However the combination of the tilted planning balance (which has been present in national planning policy since 2012) and the decision of the Rt Hon Angela Rayner MP as Secretary of State that planning authorities should be given no credit for years in which they have exceeded their house building targets when calculating the five year land supply means that the scales of justice were loaded in St Modwen's favour.

Therefore despite refusing planning application R24/0111 for good reason it is possible that Rugby Borough Council will end up with a consented scheme for 115 dwellings on a site for which they had only planned for 10.

An excess of 55 dwellings could be used to strike out some of the worst features of the Regulation 19 gap between the borough council's proposals for Wolvey and the alternative (Marrons') scheme advanced by the parish council, the North Road, Clifton-on-Dunsmore scheme and the Fosse Way, Stretton-on-Dunsmore scheme.

In my comments on policy S2 I show how these schemes can be removed without endangering the delivery of the Secretary of State's housing targets but in the alternative should the Inspector disagree with my argument that the planning appeal go against the borough council then there would still be scope for major modifications to remove some of the worst housing allocations or indeed for the Chief Planning Officer to suggest these modifications if she chooses to submit this plan.

(Continue on a separate sheet /expand box)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that compliance with the duty to co-operate is incapable of modification at examination). You will need to set out how each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in an examination hearing session(s)?

NO	No, I do not wish to participate in hearing session(s)	
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Please note that while this will provide an initial indication of your wish to participate in hearing sessions you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.



Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in a hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from business addresses), but not names, will be redacted before representations are published.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S6"/>	Policies Map	<input type="text"/>
Site ID	<input type="text" value="353"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	
(2) is Sound	Yes	<input type="text"/>	
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No <input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Rugby's Town Hall

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S6 is unsound.

Policy S6 is unsound because the development requirements for site 353 are unsound.

The development requirements for site 353 are unjustified and inconsistent with national planning policy.

The development requirements for site 353 are unjustified because they do not follow the evidence. Despite being in the ownership of Rugby Borough Council, site 353 was not identified by Rugby Borough Council in its HELAA nor yet its HELAA addendum. Instead it was left to the consultants Troy Planning and Design to identify the Town Hall site. Of the block of land including the Town Hall which Rugby Borough Council owns they said "Viable site, owned by RBC and available in the longer term, subject to government reorganisation. The site has capacity for a significant

residential development subject to the conservation and adaptation of existing historic buildings (including listed buildings) which could have costs implications. Has potential for 157 homes, subject to the mix of uses to be provided on site. (Troy Planning and Design, 2025, page 387). Rugby Borough Council's consultants assessed that the site was available and that development on this site was deliverable (Troy Planning and Design, 2025a, page 140). Therefore the evidence points to an allocation of 157 dwellings.

However in their proposed local plan (plan 3) Rugby Borough Council have neither taken the site identified by Troy Planning and Design nor have they used the consultants capacity assessment of 157 dwellings rather they are proposing just 114 units.

None of the 81 evidence documents provided by Rugby Borough Council suggests that part of the site analysed by Troy Planning and Design became unavailable or un deliverable between November 2025 and December 2025. Neither of the two arguments provided by Rugby Borough Council suggest that part of the site investigated by the Council's consultants should be omitted. Nor have Rugby Borough Council provided a calculation showing that 114 units is the appropriate capacity of this site.

The development requirements are inconsistent with national planning policy. Paragraph 130 of the National Planning Policy Framework states:

“ Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate ...”.

The proposed allocation of Green Belt land for housing indicates that Rugby Borough Council considers there is a shortage of land for meeting identified housing needs. It is therefore essential that developments make optimal use of the potential of each site. To opt for 114 units when the evidence suggests 157 units is a sub-optimal use of this land. Site 353 is currently in the High Access Zone defined by the current local development plan and would remain so if Rugby Borough Council's proposals for a new local plan were adopted. As the crow flies it is under 800 metres from the bus stands in Clifton Road which support routes to DIRFT, Magna Park and Coton Park and under a kilometre from Rugby Railway Station. The site offers a genuine choice

of transport modes and therefore should receive preferential allocation under paragraph 110 of the NPPF. Its development should not be artificially constrained.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Change the site shown in the proposed local plan (plan 3) for the site assessed by Troy Planning and Design, increase the capacity to 157 dwellings and make the consequential changes to policies S2 and S6.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO	No , I do not wish to participate in hearing session(s)
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Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S7"/>	Policies Map	<input type="text"/>
Site ID	<input type="text" value="17"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Cawston Spinney



The intrusive nature of the current development is particularly stark at night

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S7 is unsound.

Policy S6 is unsound because the allocation of site 17 for industrial/warehousing is unsound.

The allocation of site 17 is neither justified nor consistent with national planning policy.

The first reason that site 17 is unjustified is because it is part of a suite of allocations which together add up to more than one million square metres of floorspace. This is significantly more than is "needed". I explain why this is so in my comments on policy S3 and shall not repeat that analysis here.

A second associated point is that site 17 is not well located to be a warehouse complex. It is the worst located of all the warehousing sites and therefore when distilling down the sites to the ones that best fit our needs site 17 would be the first to go.

To support my point that site 17 is the worst located of all the warehouse sites I shall first refer to geography and then turn to the Strategic Transport Analysis.

Site 17 has very good links via the M45 and the M1 to London, Essex, Kent, the Channel Tunnel, Surrey and Sussex. It has poor links to the rest of the country and hence is a poor choice for a distribution centre. Mace et al, 2024, page 15 placed the A45/M45/B4429 junction in the bottom half of all the strategic road junctions they surveyed. From site 17 you cannot take the most direct route South to the M40 and hence Oxford, Newbury and Southampton because access to the A426 is restricted by a planning condition which bans HGV movement through Dunchurch's historic centre. The route North to the M1 or the M6 or East to Cambridge and Harwich along the A14 takes you through Rugby. This is undesirable in itself but the lack of wisdom of this option is revealed more fully below. Finally if you wanted to travel West to Bristol, Cardiff and the Westcountry you have to travel through Tollbar Island on the outskirts of Coventry. [However the local planning authorities fears about over-loading this junction was one of the principal reasons why the swapped from Prologis Park to Walsgrave Hill Farm as they moved from "Preferred Options" to "Submission Plan". It is probably no coincidence that the early occupier of the first Symmetry Park units was Iron Mountain. This is not a company which deals with the ins and outs of fast moving consumer goods but rather a company which deals with the long-term storage of documents.

[There is a minor matter to be resolved here. Whilst a planning condition restricts HGV movements from the current extent of Tritax's warehousing complex no such condition appears in the development requirements for this site. I raised this issue at the Regulation 18 "Preferred Options" consultation and my point is noted in the Chief Planning Officer's report (Smith, 2025z, page 437) but without resolution of the issue. Without a similar restriction at this site there would be heavy goods vehicle movement through the village, past the scheduled ancient monument and then through a congested crossroads and along the narrow Southam Road].

That site 17 is a bad choice can be gleaned from studying a road atlas. However to discover just how bad a choice it is requires reading the Strategic Transport Analysis on one hand and the Chief Officer's Green Belt Exceptional Circumstances argument in the other.

The Strategic Transport Analysis is flawed. One of its flaws is that it overstates modal shift and thus under-states the congestion the "Submission Plan" allocations will cause.

The Strategic Transport Assessment assumes that a significant increase in bus travel can be delivered "Based on WCC active travel survey, the current modal share of bus travel is at 9%... the target modal share for bus travel in WCC is expected to increase to 14%. Thus, the net change of bus modal share will increase around 5% which will be used in calculating the reduction of trips to remove from the model demands" (STC Consulting Ltd, 2025, page 37).

Similarly the Strategic Transport Assessment factors in significant increases in the share of trip undertaken by walking or cycling "The current modal share of walking and cycling within WCC is 10% and 16% respectively. According to the Cycling and Walking Investment Strategy within WCC's LCWIP document, the proportion of shorter walking and cycling journeys is forecasted to increase from 46% in 2025, 50% in 2030 and to 55% in 2035. Thus, taking the more optimistic cycling mode shift assumptions of 55%, the net change of shorter journeys by walking/cycling will increase by 9%, via an increase 3.5% and 5.5% for walking and cycling respectively, meaning that the target modal share for walking and cycle is 13.5% and 21.5% respectively, this has been applied to the model demands..." (STC Consulting Ltd, 2025, page 39).

There are multiple problems with this approach. The Warwickshire County Council survey used to establish modal share was a self-selected sample collected in 2022 of which just 154 came from the borough of Rugby (Warwickshire County Council, undated). The modal split of this self-selected sample is significantly at variance from the near universal sample of the 2021 census which shows a modal split for travel to work of 3% bus, 10% walking and 3% cycling (Office for National Statistics, 2024). Furthermore the changes in shorter journey modes is not the county council's forecast at all for the council's document merely cites HMG's aspirations for England as a whole (Warwickshire County Council, 2024, page 18). Therefore the "dampening" effect of modal shift is likely to be significantly less than predicted by the STA and thus problems due to traffic congestion will be worse.

On page 125 of the Strategic Transport Analysis the consultants provide a table of the traffic improvements they consider necessary and when they consider they should be provided. This table is reproduced below for ease of reference.

Table 8 Highway Mitigation Requirements

SCHEME	STAGE REQUIRED				EXISTING OR PREDICTED ISSUE
	Prior to New Local Plan	2032	2038	2045	
A426/A4071 Avon Mill	X				Existing
A426/Boughton Road Roundabout	X				Existing
A426/A5 Gibbet Hill Roundabout	X				Existing
A5/A428 Halfway House Roundabout		X			Predicted
M1 Junction 18 Signal Optimisation		X			Predicted
A4071/Potsford Dam Roundabout			X		Predicted
A426/Newton Manor Lane Roundabout				X	Predicted
A4071/B4112 Newbold Road Roundabout				X	Predicted

**Predicted issue is one that is triggered by the inclusion of the new Local Plan sites.*

So before any new sites are allocated the first three problems should be resolved.

HGVs leaving site 17 and travelling North or East will travel through the Avon Mill roundabout and the A426/Boughton Road roundabout. Only those HGVs heading North along the M1 would need to travel through the Gibbet Hill roundabout but the problems are so bad here that the consultants models found that congestion here would affect junction 1 of the M6. The Strategic Transport Assessment noted that “During the development of the RWA future year models as part of the latest model forecasting, significant congestion issues were predicted to occur at the A426/A5/Gibbet Hill roundabout, with extensive queues forming to the extent that the impacts extended to M6 Junction 1” (STC, 2025, page 24).

Therefore all HGVs leaving site 17 and heading North and East would be affected by congestion at these three junctions. Nor are these problems that will occur during the lifetime of the plan. These are current problems which need fixing now before any further allocations are made.

With regard to the Avon Mill roundabout in the Strategic Transport Analysis the consultants record Warwickshire County Council’s opinion that “funding is uncertain”

(STA, 2025, page 25). The county council's capital programme for 2026-2031 only commits £1.2M of the £22M needed to complete this scheme (Warwickshire County Council, 2026, page 118). A resolution of this bottleneck is far from certain.

The consultants record the consequences should this scheme not be progressed

"Without this scheme significant delays are predicted along the A426 which is a key route to/from Rugby town centre. These delays will be significantly exacerbated as a consequence of future traffic growth which may also lead to safety concerns as adjacent junctions (including those providing access to Elliotts Field Retail Park) experience exit blocking and vehicles are prevented from accessing the A426 from the side roads".

STA, 2025, page 25

With regard to the A426/Boughton Road roundabout the consultants report:

"The A426/Boughton Road roundabout forms a key junction on the A426/Leicester Road corridor. Previous modelling assessments have identified junction as a constraint to growth, with significant queues forming on all approach arms. A scheme has been identified for this junction, which was originally developed as part of the previous local plan and further refined through the Rugby Radio Mast (Houlton) development planning application. The scheme proposals consist of widening the roundabout along with fully signalling the junction. WCC have advised that there are currently uncertainties around the funding for the scheme itself".

STA, 2025, page 26

The truth of the matter is that there is no uncertainty regarding the funding for this project which is necessary now. In their recent capital budget approval for the years 2026-31 Warwickshire County Council have allocated **no funds** whatsoever for the scheme (Warwickshire County Council, 2026).

In her Green Belt – Exceptional Circumstances argument the Chief Planning Officer gives her opinion of how soon we might expect solutions to the Gibbet Hill roundabout problem.

"A scheme for the A426/A5 Gibbet Hill junction is currently within the National Highways Project Control Framework (PCF) stage 1 (options identification). This is expected to conclude in 2025. It is then up to Department for Transport to decide whether options can progress to PCF Stage 2 (option selection). National Highways have indicated that if the scheme were to enter PCF stage 2 this would take until the end of 2027. It is only at the end of this stage that a preferred scheme would be identified. Following that would be Stage 3 (preliminary design) and stage 4 (statutory procedures and powers, if required) and stage 5 (detailed design). This stage may take 2-5 years to complete depending upon the complexity of the preferred scheme. It is only at the end of stages 3-5 (the development stage) that DfT takes the final decision as to whether to fund the project. Therefore, for the moment there remains significant uncertainty about whether a scheme for Gibbet Hill will take place and this will remain the case if the scheme proceeds to PCF stage 2 in 2026. Delivery of a scheme would not be until the early 2030s and so a development north of Houlton would not be able to proceed until then. The risk of non-delivery or late

delivery of a National Highways scheme for Gibbet Hill is a consideration in assessing the desirability of the North of Houlton as a proposed allocation”.

Rugby Borough Council, 2025a, pages 20-21

However if this is an issue for considering an allocation on the A5 North of Houlton it should also be an issue for considering site 17 whose HGVs would also need to use this junction.

Whilst there are three critical junctions which site 17 would use which the Strategic Transport Analysis states needs to be resolved **before** new allocations are made none of them have an agreed capital programme or a delivery date.

The site itself fails to meet one of the key potential occupier requirements identified in one of RBC’s consultants that is to say it is not “away from incompatible land uses (including residential) and has the ability to undertake 24/7 unrestricted operating hours and manage noise/lighting expectations” (Mace Ltd with Icen Projects Ltd, Knight Frank and MDS Transmodal, 2024, page 95).

Therefore the allocation of this site is not supported by the evidence before the local planning authority and is unjustified.

The history of this site can be briefly set out. Rugby Borough Council promoted this area of land as part of its SW Rugby “sustainable urban extension” in both its Regulation 18 “Preferred Options” consultation and its Regulation 19 “Submission Plan” consultation before the adoption of its 2019 Local Plan. Warwickshire County Council had prepared a landscape analysis of the area but this was not shared with Rugby’s citizens or HMG’s Inspector for the Examination in Public. We now learn that this may have been a criminal offence (Deaves, 2026).

This site is not directly addressed in policy DS8 of the current local plan but it is addressed in supporting paragraph 4.61:

“The site is a long term commitment for the Council in meeting the growth needs of the Borough and will continue to be built out beyond the life of this Local Plan. Once built, it will create a new community within Rugby and it is thus important for the Borough Council and developers of the site to do this to the highest standard possible. An essential element of this is sustainability and the balance of housing to jobs, and as such there is the potential for the growth targets of housing and employment to be revisited as a result of changing demands for the Borough as it moves beyond the 2031 period. As such an area of land is safeguarded within the South West Rugby allocation, as identified in the Policies Map to assist in meeting the Borough’s development needs beyond 2031”.

The relative housing and job needs of the borough for the period beyond 2031 were to be explored and weighed in the balance before the fate of this site was settled. New housing targets have been given to the local planning authority and the authority claims they can only be met by taking Green Belt land (Rugby Borough Council, 2025a).

Conversely Rugby Borough Council has granted (or resolved to grant) significantly more planning permissions for employment land than was envisaged in 2029 with major sites at Crouner Fields Farm and Padge Hall Farm. The developers of the Crouner Fields Farm site acknowledge that their labour needs cannot be met from the Coventry & Warwickshire area alone, let alone the borough of Rugby itself, and envisage commuting from as far afield as Birmingham and Leicester. See my comments on policy S2 which demonstrate first how Rugby has over-calculated its need for warehousing floorspace and the resulting imbalance between workers required and the growth in Rugby's workforce.

Within the SW Rugby area planning permission has been granted for more land than allocated in the 2019 plan (46 hectares rather than 35 hectares) and at height of 18 metres rather than the 15 metres envisaged – see planning application R20/1026.

Despite being flagged as a potential housing site in the 2019 plan Rugby Borough Council failed to evaluate it in their *Housing and Employment Land Availability Assessment* (Rugby Borough Council, 2025b). Rugby Borough Council has failed to undertake the evaluation step it promised its citizens and HMG's Inspector during the 2018 Examination-in-Public. The *South West Rugby Design Code SPD* shows how site 17 could be used for housing (RBC 2025a, pages 72-74 & 77).

It is correct that had the local planning authority evaluated this land they would have concluded there were serious doubts about its availability for housing. It has been argued that this site could not credibly be allocated for housing as the owners of the majority of the 'Safeguarded Area', Tritax Big Box, are not interested in housing development. Tritax Big Box is not understood to be a housing developer. However when explaining their business strategy to Cllr Isabelle McKenzie and Richard Allanach on 30 October 2024 Tritax Big Box's representatives explained that where they had acquired a development site which would not be solely used for employment they would sell the non-employment land to housing developers. Elsewhere within the SW Rugby "Sustainable Urban Extension" Tritax Big Box have pursued planning applications for housing viz R18/0995 and R22/0853 thereby providing concrete evidence that the strategy explained on 30 October is indeed the one pursued by Tritax Big Box.

Were a major modification to remove site 17 from the plan then it would not be expected to be developed for either warehousing or housing before the next local plan [2034?] was approved but its capacity to meet either need would be retained.

The more recent planning history of the site is also a potential source of confusion. In their "Preferred Options" proposal, plan 1, Rugby Borough Council were pursuing a scheme for a larger warehousing component and an even smaller "country park". At the same time Tritax were developing a parallel application for a slightly different site with a large warehousing component and no "country park" – R25/0896.

Whilst Rugby Borough Council's current proposal (plan 3) for this site is neither justified nor consistent with national planning policy it is better than either their "Preferred Option" or Tritax's proposal.

NPPF paragraph 187 states (inter alia) that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland..."

and

"...minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs".

NPPF paragraph 188 continues to say

"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries".

This site should be recognised for its high wildlife and landscape value. Cawston Spinney contains ancient woodland. This has intrinsic value but also recreational value. Apart from the spinney Rugby residents wishing to enjoy this type of habitat would have to fly nine kilometres to the West to Bubbenhall Woods [the distance is longer by car].

Most of the site falls into parcel 20n of the 2017 study although a small area around the reservoir falls in parcel 22a. On a five point scale from 1 – Low to 5 – High both parcels were considered to have high sensitivity (scale 5) to commercial development. The report describes parcel 20n:

This zone comprises an open medium –large scale field pattern managed for cropping within the Dunsmore Plateau Farmlands landscape. Hedges are trimmed with insignificant hedge trees surviving. Tree cover is limited to within the green lane public right of way R168 (Northampton Lane). Landform in this zone is undulating and gives rise to some very prominent skylines. The group of properties of Oak House, The Barn and Station Farm Cottage are visible within this zone, as well as from neighbouring zones. The disused Leamington – Rugby railway line, which is a Local Wildlife Site, runs through the western edge of the zone and a tributary of the River Avon, also a Local Wildlife Site, cuts across the central part of the zone. The zone has a strong landscape framework comprising adjacent Ancient and Semi-Natural Woodland, the disused railway line and the mature trees along PRow R168 (Northampton Lane). However, internally it is very open, with views right across almost the whole zone, which is typical of landscapes in the Plateau Farmlands.

Warwickshire County Council, 2017, page 34.

With regard to its potential for commercial development the report concludes that “Due to its gently rolling landform, openness, emptiness, large geometric fields with closely cropped hawthorn hedgerows, mature hedgerow oaks and large blocks of ancient woodland, this zone is typical of Plateau Farmlands. Therefore commercial development is inappropriate” (page 34).

Regarding parcel 22a Warwickshire County Council reported that:

“This zone lies on the plateau fringe and comprises a medium to large scale field pattern of mixed farming on undulating topography. Tree cover within and adjacent to the zone makes it feel less open than zones to the south. There is a lake with vegetation along its northern edge which connects to Cawston Spinney to the east and forms part of a Local Wildlife Site. A second Local Wildlife Site, Rugby to Leamington Disused Railway, lies within the western part of the zone. PRoW R168b runs through the zone, linking with the B4642 Coventry Road to the north. Views within the zone are quite varied, in the southern part of the zone views are enclosed / framed by trees, but are more open from the higher ground in the northern part”.

... and concluded

Due to the presence of two Local Wildlife Sites and adjacent Ancient and Semi-Natural Woodland this zone is inappropriate for commercial development.

Warwickshire County Council, 2017, page 67

Sadly this conclusion was not available to the residents who were fighting this development nor to HMG’s Inspector who conducted the 2018 Examination-in-Public.

In 2018 landscape architects warned of the potential impact warehousing development would have on this part of our borough:

“... the proposed planting that would form the Proposed Infrastructure Landscaping could take over fifty years, potentially well beyond the lifespan of the proposed buildings to reach the heights of the tallest proposed buildings, and some tree species might never attain those heights. The current proposed width of the Proposed Infrastructure Landscaping is variable, resulting in a variable influence in terms of visual integration. Boundary landscape treatments need to be substantial to respond to the significant scale of the proposed buildings, and TLP considers that a minimum of 30m width woodland planting is required to have a meaningful effect, both in terms of creating new boundaries with proposed residential areas and open space, but also adjoining countryside. The latter is the most significant in order to create an effective new settlement edge and enable the integration of the proposed development within the existing areas of woodland and proposed woodland ... we would advise that the structural landscaping and ‘landscape measures’ are not sufficient in themselves to address the Inspector’s concerns regarding scale and provide an effective safeguard. We would advise that additional wording is required to ensure that the scale of the proposed buildings is not so large that structural landscaping and landscape measures could not provide an effective mitigation with a reasonable timescale, relating to the lifespan of the proposed development. In addition, the proposed woodland planting needs to be of a scale, in terms of width, to reflect the scale of the proposed development, and therefore needs to be ‘substantial’...”.

The Landscape Partnership, 2018, pages 9 to 10

These landscape architects again reviewed Tritax's site in 2021 and concluded:

"This report sets out a number of key concerns regarding the proposed development that make the current proposals unacceptable, and do not accord with Local Plan policy and the outline consent and applied conditions. As stated in the Outline Application Officer's Report, in relation to the Local Plan Inspector's comments, 'I am satisfied the visual impact of large buildings could be mitigated by appropriate design measures, such as building height limitations and recessive colour palettes for external materials, together with structural landscaping' (para 11.21). Thus the acceptability of the proposals, is subject to building height limitations being followed and sufficient structural landscaping delivered to mitigate the visual impact of the large buildings. This has not been provided as part of the current proposals. These issues need to be addressed by the Applicant, in terms of: the height of the propose buildings; providing sufficient mitigation to address the landscape and visual effects of the proposed development; significantly increasing the extent of structural landscaping in the form of native tree and shrub planting; and addressing detailed elements of the design and proposed planting. It is also strongly recommended that advanced peripheral planting is also provided as part of this RM application for other parts of Symmetry Park".

The Landscape Partnership, 2021, page 10

Finally Rugby Borough Council commissioned its own landscape assessment of this site and this time it has shared the report with the citizens whose Council Tax paid for it. This report was produced in January 2026 and not published until 22 January 2026 so it was not available to inform "the Cabinet" on 6 January 2026 when they were deliberating on whether or not to recommend plan 2 to the Council. This report came after Tritax had built their overlarge and under-mitigated warehousing development. This report divides the western limb of the SW Rugby "sustainable urban extension" into three areas for evaluation and places site 17 within the 'Cawston Spinney' area. The strip containing Symmetry Park is referred to as 'Land South of Cawston Spinney'.

A new methodology is used to evaluate these areas. There are many positive remarks about the Cawston Spinney parcel.

"Cawston Spinney character area makes a strong contribution to landscape value, owing to the presence of ancient and semi-natural woodland, its inclusion within a LWS, and its ecological, perceptual, and structural importance within the surrounding landscape".

Node, 2026, page 42

"Cawston Spinney character area makes an elevated moderate contribution, tending towards strong. Well-established woodland blocks, generally intact hedgerows, and a coherent landscape framework provide structure and ecological value".

Node, 2026, page 46

"Large woodland blocks, undulating topography, and historic farmsteads provide a recognisable and characterful sense of place"

Node, 2026, page 47

“Cawston Spinney character area— moderate to strong contribution, leaning towards strong. Woodland paths and public rights of way are well used for walking and dog walking, and the wooded setting provides a high quality recreational experience”.

Node, 2026, page 48

“Cawston Spinney character area – moderate to strong contribution, tending towards strong. Enclosed woodland areas provide a strong sense of seclusion and calm, with birdsong and limited intrusion creating locally high levels of tranquillity, despite some disturbance at more exposed edges”.

Node, 2026, page 51

“Cawston Spinney character area makes strong contribution. Ancient and semi-natural woodland and Local Wildlife Sites provide important ecosystem services, habitat connectivity, and a key role in the local green infrastructure network”.

Node, 2026, page 52

Conversely time and again the report refers to how the value of the ‘Land to the South of Cawston Spinney’ has been reduced by Tritax’s development.

The insensitivity of the local planning authority’s scheme for this site is shown by their indicative development area which blithely cuts across field boundaries ignoring principles A and B of their proposed policy D3 eg “Proposals should integrate landscape **from the outset**, and be landscape led” [my emphasis].

With regard to the wildlife value of this site RBC’s consultants advise that the site is located immediately adjacent to the irreplaceable ancient woodland habitat of Cawston Spinney (Lepus Consulting, 2025, page 53). “Ancient woodland is vulnerable to changes in air quality, surface water quality and hydrological regime. Indirect impacts may include recreational disturbance. Ancient woodlands often support species of birds, bats, mammals and invertebrates. These species may be affected by development impacts associated with employment development such as lighting, noise and visual disturbance. Warwickshire’s LBAP for woodland aims to expand and restore ancient woodland currently in unfavourable condition to favourable or recovering”.

There is an argument which has some merit which runs as follows - by securing a 23 hectare buffer to Cawston Spinney the proposal which Rugby Borough Council are advocating now is significantly better than their March 2025 proposal. [It is also significantly better than Tritax’s R25/0896 proposal.]

Against this needs to be set a stronger argument. RBC are over-stating the need for warehouse floorspace (see my representation on policy S2) of the five new employment sites they are allocating, site 17 is the weakest because of its poor transport links. There are also strong landscape and wildlife arguments against the development of this site. Therefore the site should be deleted.

Potential Inspector Viewpoints

- From the R167a as it leaves Cawston Spinney heading South;
- From the R168 in the vicinity of Windmill Lane; and
- Dunchurch crossroads from the old market cross.

Note: to fully appreciate the likely impact of an extension of Symmetry Park one of the first two viewpoints should be appreciated after dark.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete this allocation.

or

In the alternative add a development requirement that the same traffic management scheme which prevents HGVs from Symmetry Park moving through the Dunchurch crossroads should also be applied to this site.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph		Policy	S7	Policies Map	
Site ID	64				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Coton Park East



Coton Park East from the Great Central Line local wildlife site

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S7 is unsound.

Policy S7 is unsound because the allocation of site 64 is unsound.

The allocation of site 64 is unsound because it is unjustified and incompatible with national planning policy.

Coton Park East was one of three "sustainable urban extensions" proposed by Rugby Borough Council for the 2019 local plan. Unlike other sites it remained a constant from those Regulation 18 proposals to that Regulation 19 proposal.

It was tested and evaluated at the 2018 Examination in Public but never fiercely contested. The Public and the Inspector reported on his conclusions in his final letter to RBC

"DS7 limits the employment allocation at Coton Park East to 7.5 ha of land and to smaller units of industrial floorspace and ancillary B8 warehousing. With regard to the amount of employment land, the quantum of additional employment land provided for in the Plan at 212 ha already exceeds the requirement of 208 ha established above as necessary to meet Rugby's objectively assessed needs and the apportionment of Coventry's unmet needs. Whilst Coton Park East could accommodate a larger employment land area, there is little justification for this to meet the needs of the borough over the plan period. Any further significant allocation of employment land beyond the objectively assessed needs would risk creating an imbalance in the supply of jobs and housing in the borough, leading to unsustainable commuting journeys contrary to paragraph 37 of the NPPF".

(Hayden, 2019, page 28).

"In terms of landscape impact, whilst the Council's 2006 Landscape Assessment locates Coton Park East within an area of high landscape sensitivity, the visual quality of the landscape in this area to the immediate south of the M6 has undoubtedly changed since 2006 by the development of large scale industrial and warehousing buildings at Rugby Gateway. The visual impact of further housing and employment development in this location on the landscape to the north and east could be mitigated by the use of landscaping along the M6 boundary and an open space buffer to the east adjacent to the Great Central Railway Local Nature Reserve (LNR), which would also prevent coalescence with Newton village. The Landscape Assessment of the Borough of Rugby – Sensitivity and Condition Study (LP34) indicative masterplan for the site shows the potential for this as part of a green infrastructure (GI) network for the site linking to the walking and cycling route along the disused Great Central Railway. The open space buffer would also serve to mitigate impacts on habitats and biodiversity within the LNR. Policy DS7 as drafted in the submitted Plan requires proposals to incorporate such a GI network as part of the development".

(Hayden, 2019, pages 25-26)

"On the basis of the above analysis, I conclude that the allocation of Coton Park East for a strategic, mixed use housing and employment allocation and a SUE to Rugby is justified as part of the overall development strategy to meet the development needs of the Plan. Subject to the MMs to Policy DS7 and the IDP, the mitigation measures proposed, and the provision of the infrastructure identified, I am satisfied that the site would be capable of making a useful contribution to the housing land supply from 2020/21 throughout the plan period and enable the delivery of sustainable development consistent with national policy.

(Hayden, 2019, page 29)

After the 2019 Local Plan was adopted there was a further consultation and a supplementary planning document elaborating on how the plan's requirements could be met on the DS7 site was adopted by RBC in December 2019 (Rugby Borough Council, 2019b). The uncontentious nature of the mixed use development which was planned then is illustrated by the fact that the resolution to adopt the SPD was adopted without a recorded vote [compare and contrast with the SW Rugby Masterplan SPD]. The majority of the comments received were strongly supportive of the educational provision within the allocation and there were further comments regarding landscaping and the promotion of wildlife corridors through the site (RBC, 2019c).

Instead of the uses endorsed by HMG's Inspector, adopted in the 2019 plan and set out in the SDP RBC are now proposing an employment floorspace allocation of around 115,000 square metres.

In their response to the "Preferred Options" Regulation 18 consultation Newton & Biggin Parish Council state "Given that the site is already allocated for residential development Rugby Borough Council should give very careful consideration before changing it to employment. The loss of an existing and substantial housing site only adds to the difficulties of allocating sufficient residential land to meet targets ... (2025, page 7).

Rugby Borough Council respond that as the landowner has withdrawn their proposals to develop the land for housing and instead now wish to develop the land for industrial/warehousing purposes they cannot now count this land towards meeting the Secretary of State's target for housing. Short of compulsory purchase, which Rugby Borough Council are not proposing, it seems inevitable that if the local authority had continued to maintain that the land would deliver housing within the plan period then then the plan would be struck down at the Examination in Public as being ineffective.

It would seem as if paragraph 127 of the National Planning Policy Framework is now triggered:

"Planning policies and decisions need to reflect changes in the demand for land.

They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan: it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped) ...".

Rugby Borough Council's argument appears to be that as the landowner no longer wants to do what was previously agreed as being reasonable we have to assign this parcel of land to what the landowner now says they want to do with it. The local planning authority do not appear to have considered the possibility of exploring the other limb of paragraph 127 and deallocating the site instead.

The burden of the argument that this land is not needed for industrial/employment uses is set out in my response to policy S3 but here it is worth considering some site specific features of the land.

The site is not "away from incompatible land uses (including residential) and has the ability to undertake 24/7 unrestricted operating hours and manage noise/lighting expectations" (Mace Ltd et al ,2024, page 95) and therefore they say it is unlikely to meet one of the key potential occupier requirements.

The same consultants also stress the importance of being close to a labour market (Mace Ltd with Iceni Projects Ltd, Knight Frank and MDS Transmodal,2024, page 88). At a ratio of floor space (measured in square metres) to workers of 80:1 as set out in the HEDNA (Iceni Projects Ltd, 2022, page 202) the circa 115,000 square metres of employment floorspace RBC are proposing would require some 1,400 workers. The 60,000 square metres of employment floorspace RBC are proposing in SW Rugby would require 750 workers. We are told the new M&S warehouse in DIRFT III will create a further 1,000 jobs (Odell, 2026). Harborough District Council are proposing to allocate 122 additional hectares at Magna Park [equivalent to some 5,300 jobs] (Harborough District Council, 2024) whilst West Northamptonshire Council are proposing to allocate an additional 106 hectares in DIRFT IV three miles to the East of Rugby [equivalent to 4,600 jobs] (West Northamptonshire Council, 2026, page 285). It is clear that the extra employment cannot be met by from the workforce of Rugby, Lutterworth and Crick and that this allocation would force additional commuting.

This allocation which would be fed through junction 1 of the M6 is not at a green flagged junction (Mace Ltd et al, 2024, page 169).

Furthermore this junction is likely to come under increased pressure in the future. The Strategic Transport Assessment noted that "During the development of the RWA future year models as part of the latest model forecasting, significant congestion issues were predicted to occur at the A426/A5/Gibbet Hill roundabout, with extensive queues forming to the extent that the impacts extended to M6 Junction 1" (STC, 2025, page 24).

The consultants tried to unblock their model by assuming that a scheme proposed to alleviate congestion being caused by the development of DIRFT III had been built. However that did not solve the problem either "Accordingly, the signalisation and widening scheme at this junction has been included within the Adopted Local Plan Reference Case. Despite this, significant congestion issues continue to be predicted via the modelling within the adopted 2045 Local Plan scenario (i.e. prior to the inclusion of the additional local plan sites). This level of congestion impacts the entire model stability" (STC, 2025, page 24).

So with no solution in sight the consultants were left forcing their traffic model to assume that there were no constraints at Gibbet Hill "On this basis, for the purposes of this assessment, the model coding has been adjusted to un-constrain the junction, to in effect act as though a scheme is delivered at this location which removes the congestion issues. This is included as a scheme assumption, however, for the purpose of this assessment, the network has been unconstrained (i.e. traffic can move freely) to reflect an improvement and ensure the rest of the model operation (and therefore the resulting assessment) is not adversely

impacted upon by the issues observed. It is expected that a scheme at this location will be developed in due course by National Highways, and therefore, in order to avoid predicating this Local Plan assessment on a scheme that is as yet unknown, the junction coding has simply been modified to remove the congestion causing stability issues in the model. A scheme [but we do not know what] at this location is therefore considered essential" (STC, 2025, page 24).

Meanwhile in the real world we are left with a junction that does not work and cannot be improved just by writing a few lines of code. Rugby Borough Council's Chief Planning Officer believes we should be cautious that the Department for Transport will readily resolve this matter "... there remains significant uncertainty about whether a scheme for Gibbett Hill will take place and this will remain the case if the scheme proceeds to PCF stage 2 in 2026. Delivery of a scheme would not be until the early 2030s ..." (Smith, 2025a, page 21).

Therefore the best outcome would be to deallocate this site.

Should the Inspector not agree with this proposed major modification. Then the best outcome would be a strengthening of the development requirements for this site. Rugby Borough Council's Chief Planning Officer has already strengthened the proposals given to her by councillors on 27 January 2026. However her changes do not meet the observations made by the Inspector following the 2018 Examination in Public which are repeated here for ease of reference:

"The visual impact of further housing and employment development in this location on the landscape to the north and east could be mitigated by the use of landscaping along the M6 boundary and an open space buffer to the east adjacent to the Great Central Railway Local Nature Reserve (LNR), which would also prevent coalescence with Newton village. The Landscape Assessment of the Borough of Rugby – Sensitivity and Condition Study (LP34) indicative masterplan for the site shows the potential for this as part of a green infrastructure (GI) network for the site linking to the walking and cycling route along the disused Great Central Railway. The open space buffer would also serve to mitigate impacts on habitats and biodiversity within the LNR".

If this site is reallocated for employment then the development requirements should be significantly strengthened. The initial assessment states that the "Site abuts an area of Priority Habitat - Deciduous woodland to its east (also a Local Nature Reserve). An appropriate buffer may be required to mitigate any impacts" (Rugby Borough Council 2025c, page 66). However this thinking has not been carried forward into the development requirements. Other evidence strongly suggests it should have been. The existing SPD for this site shows a thin belt of landscaping along the site's eastern boundary (Rugby Borough Council, 2019b, page 14) and the ecological reason for this is spelt out (Rugby Borough Council, 2019b, pages 25-27) to support the Green & Blue Infrastructure Corridor which runs North to South through the site.

Possible Inspector Viewpoints

The inspector may wish to view this land from the Great Central Way and in particular where the former railway line is crossed by the R104 and R105 public rights of way.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete site 64 from policy S7, deallocate the site and make the consequential changes to policy S3. [I set out the reasons why S3 over-allocates land for warehousing in my comments on that policy].

or

In the alternative add as a development requirement:

“Structural landscaping must be provided on the eastern margin of the site to:

- (a) Mitigate the adverse impact of the development on the landscape;
- (b) Prevent coalescence with Newton;
- (c) To provide an effective buffer to the Great Central Railway Local Nature Reserve and green-infrastructure corridor”.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S7"/>	Policies Map	<input type="text"/>
Site ID	<input type="text" value="121"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Walsgrave Hill Farm

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S7 is unsound.

Policy S7 is unsound because the allocation of site 121 is unsound.

The allocation of site 121 is unsound because it is incompatible with national planning policy.

The Walsgrave Hill Farm has been considered previously. It was in the 2016 "Preferred Options" but not in the Regulation 19 proposal. This time around it was not in the 2025 "Preferred Options" but has been included in the Regulation 19 proposal. The then Walsgrave Hill Farm promoters mounted a sustained effort to promote their site at the 2018 Examination in Public. However they were given short shrift by HMG's Inspector Mike Hayden who wrote:

"I have considered the merits of potential locations on the eastern edge of Coventry, including the site at Walsgrave Hill Farm (WHF), which was identified for development in the Preferred Option draft of

the Plan, but not taken forward in the Publication draft Plan. The advantage of these sites is that they would serve to meet Coventry's unmet needs in locations which afford easier access to the city's employment opportunities and facilities. However, land on the edge of Coventry within Rugby borough lies within the Green Belt. The NPPF establishes that Green Belt boundaries should only be altered in exceptional circumstances and that regard should be had to their permanence in the long term, using physical features likely to be permanent. The A46 on the east side of the city represents a strong, clearly defined boundary. The sites promoted on the edge of Coventry, including WHF, would breach this boundary extending Coventry into the countryside on the eastern side of the A46, causing significant harm to the purposes of the Green Belt in this location in checking the unrestricted sprawl of Coventry and safeguarding the countryside from encroachment".

...

"With particular regard to the WHF site, the Council explained its reasons for not selecting this site when considered against the non-Green Belt alternatives⁵¹. In addition to the harm to the Green Belt, this includes the potential for harm to Coombe Park, a Grade 2* registered park and garden, which provides the setting for Coombe Abbey, a Grade 1 listed building, on the southern edge of the site, and to Coombe Pools Site of Special Scientific Interest (SSSI) located within the park. These impacts on nationally important heritage assets and wildlife habitats also weigh heavily against the WHF site in assessing the case for exceptional circumstances".

Hayden, 2019, pages 21-22

There are four significant features of the site which cause its allocation to run counter to national planning policy. These are its presence in the Green Belt, its landscape value, its wildlife value and its potential impact on traffic flows.

Green Belt

Paragraph 145 states [in part] that "Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans...".

The Chief Planning Officer has put forward an argument for exceptional circumstances. The main problems with her argument are as follows:

- (a) It assumes a need for over one-million square metres of floorspace. As I demonstrate in my comments on policy S3 the borough of Rugby does not need an allocation of this size.
- (b) It relies on an argument against long-distance commuting. However RBC has already, at Crouner Hills Farm, resolved to give planning permission for a site which involves long distance farming and staffing all the warehouses which RBC is proposing allocating land for will inevitably involve further long distance commuting. I develop this argument further in my comments on policy S3.
- (c) She argues that the development would foster diversification of Rugby's economy. This is not true. Rugby's economy is already over-weight in logistics (Iceni, 2022, page 17) and Iceni forecast that this will intensify (Iceni, 2025a, page 11). There may be an economic need for more "big-box" warehouses to

be sited in Rugby (although not to the extent claimed by Rugby Borough Council) but they will result not in a diversification of employment but rather in a concentration of employment in a sector in which Rugby [for obvious reasons] is already “over” represented.

Landscape

Paragraph 187 of the National Planning Policy Framework enjoins local planning authorities to ensure that “Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes ...”

Most of the site has significant landscape value and is not just an administrative area which happened to be zoned as Green Belt.

LUC allocated this site into two parcels with the majority (179 out of 202 hectares or 89%) falling into evaluation area W1. LUC provide a clear conclusion for this area, after noting along the way that “Development of land in the parcel would have an incongruous impact on the urban pattern. The parcel forms a large part of a gap between Coventry and the industrial estate at Ansty Park, and any development would weaken the gap between the settlement and industrial estate, and be incongruous with the urban pattern. The A46 also forms a strong feature, and development would breach this boundary and so would be incongruous” they state “The parcel makes a strong contribution to the Green Belt purpose A and therefore does **not** have the potential to be grey belt land” [my emphasis] (LUC, 2025a, pages 105-110).

Wildlife

Paragraph 192 of the National Planning Policy Framework requires that:

“To protect and enhance biodiversity and geodiversity, plans should: Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation...”

Rugby Borough Council’s consultants Lepus Consulting note not only the presence of habitats of medium to high distinctiveness on site but also the site’s close proximity to a Site of Special Scientific Interest, Coombe Pool, and numerous Local Wildlife Sites. They conclude that there are “high ecological constraints at Site 121” and recommend that “that development be concentrated along the A46 with a buffer of at least 500m maintained between new development and the SSSI” (Lepus, 2025, page 212).

Later that year Lepus were asked if further information provided changed their evaluation. They replied that “the conclusions of the ECA remains that ecological

constraints at Site 121 are classified as high” (Lepus, 2025a, page 9).

Traffic

Paragraph 11 of the NPPF states (inter-alia) that “all plans should promote a sustainable pattern of development that seeks to: ... align growth and infrastructure ... “. However growth off the A46 would be poorly aligned with the available road infrastructure.

A strategic transport assessment has not been prepared for the “Regulation 19” plan. Rather an assessment has been undertaken of the “Preferred Options” with an additional assessment of some “omission sites” which have subsequently found their way into the Chief Planning Officer’s proposal.

The starting point of the strategic transport assessment are two road models developed for use by Warwickshire County Council – a Rugby Area Model and the Rugby Rural Area Model. It should be noted that the Rugby Rural Area Model of Warwickshire County Council (WCC) is based on data from 2016, 2017 and 2018 and is therefore significantly out-of-date (SLR Consulting Ltd, 2025, page 8).

The Strategic Transport Assessment assumes that a significant increase in bus travel can be delivered “Based on WCC active travel survey, the current modal share of bus travel is at 9%... the target modal share for bus travel in WCC is expected to increase to 14%. Thus, the net change of bus modal share will increase around 5% which will be used in calculating the reduction of trips to remove from the model demands” (STC Consulting Ltd, 2025, page 37).

Similarly the Strategic Transport Assessment factors in significant increases in the share of trip undertaken by walking or cycling “ The current modal share of walking and cycling within WCC is 10% and 16% respectively. According to the Cycling and Walking Investment Strategy within WCC’s LCWIP document, the proportion of shorter walking and cycling journeys is forecasted to increase from 46% in 2025, 50% in 2030 and to 55% in 2035. Thus, taking the more optimistic cycling mode shift assumptions of 55%, the net change of shorter journeys by walking/cycling will increase by 9%, via an increase 3.5% and 5.5% for walking and cycling respectively, meaning that the target modal share for walking and cycle is 13.5% and 21.5% respectively, this has been applied to the model demands...” (STC Consulting Ltd, 2025, page 39).

There are multiple problems with this approach. The Warwickshire County Council survey used to establish modal share was a self-selected sample collected in 2022 of which just 154 came from the borough of Rugby (Warwickshire County Council, undated). The modal split of this self-selected sample is significantly at variance from the near universal sample of the 2021 census which shows a modal split for travel to

work of 3% bus, 10% walking and 3% cycling (Office for National Statistics, 2024). Furthermore the changes in shorter journey modes is not the county council's forecast at all for the council's document merely cites HMG's aspirations for England as a whole (Warwickshire County Council, 2024, page 18). Therefore the "dampening" effect of modal shift is likely to be significantly less than predicted by the STA and thus problems due to traffic congestion will be worse.

All this suggests that there are significant challenges in drawing conclusions from the STA. However the STA does point to significant issues with the Walsgrave Hill Farm proposal.

The Walsgrave Hill Farm evaluation comes closest to predicting the impact of the Local Plan on roads to the West of the borough. This shows a 21% increase in forecast journey times during the morning peak and a 16% increase in journey times during the evening peak (STC Consulting Ltd, 2025, page 98). Increased queueing occurs at several junctions including Tollbar Island, junction 2 on the M6, in Brinklow, the outskirts of Hinckley and Magna Park (STC Consulting Ltd, 2025, page 99). Of junction 2 the consultants say "It is not clear what further mitigation measures could be introduced at this location to minimise the predicted impacts ..." (STC Consulting Ltd, 2025, page 100).

A red herring. One advantage claimed for the Walsgrave Hill Farm proposal is that it would provide a so-called "blue light access" to Walsgrave Hospital. Three things need to be said about this:

- (a) The Walsgrave Hill Farm proposal is not a necessary prior condition for the provision of a second access to Walsgrave Hospital. A second access to Walsgrave Hospital might be provided to gain access for development of land to the West of the A46. Even before Rugby Borough Council adopted its Regulation 18 "Preferred Options" which did **not** allocate the Walsgrave Hill Farm site the Coventry City Plan regarded this access as a done deal "In addition, a new grade separated junction will be created on the A46 near Walsgrave Hill Farm to support new development access and secure a blue light access to the city's hospital" (Coventry City Council, 2024a, page 30).
- (b) No evidence has been produced to demonstrate that the net effect of the increased congestion caused by the development and the quicker access to the hospital on the second access would result in a reduction in ambulance journey times from an emergency to the hospital.
- (c) The title "blue light access" is a piece of marketing puff as the hospital intends that the second route would not only be used by ambulances but also be generally available to all their staff.

The suggestion that the provision of a second “staff only” access to Walsgrave Hospital might constitute a material consideration was previously considered by HMG’s Inspector in the 2018 Examination-in-Public. After weighing numerous factors he wrote that it “...does not constitute exceptional circumstances to justify the release of a significant area of GB land...” (Hayden, 2019, page 22).

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Remove site 121 from policy S7. In my comments on Policy S3 I explain how this can be done and yet the borough’s requirements for “big box” land can be met.

or

In the alternative if the Inspector does not agree then I believe that in line with NPPF paragraph 192 and the mitigation recommendation from the local planning authorities own wildlife consultants the “development requirements” should be enhanced by adding:

“A buffer of at least 500m must be maintained between new development and the Coombe pool SSSI”.

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S8"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Rugby Borough Council's proposals to weaken the development requirements for the SW Rugby "sustainable urban extension"

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S8 is unsound.

Policy S8 is unsound because it is unjustified and inconsistent with national planning policy.

Policy S8 is unjustified because it ignores the evidence which was submitted before the current local plan was adopted and the Planning Inspectorates judgement on Rugby Borough Council's flawed 2017 proposal. This is particularly noteworthy because the evidence which Rugby Borough Council withheld from the 2018 Examination in Public would have supported the strengthening of the local plan in particular areas which Rugby Borough Council are now proposing a relaxation.

The current local development plan's policy DS8 states, in part:

"...proposals must:

- Incorporate a continuous Green and Blue infrastructure corridor, as part of the wider allocation, identified in the GI Policies Map, linking to adjacent networks and utilising existing and potential habitats and historic landscape, in particular between Cawston Spinney and Cock Robin Wood;
- Provide a Woodland Management Plan setting out how woodland within the boundaries of the allocation, in particular Cawston Spinney, will be protected from potential adverse impacts of new development, including details of a buffer in accordance with Natural England's standing advice on Ancient Woodland and Veteran Trees;
- Specifically regarding the employment allocation to incorporate design and landscaping measures, including structural landscaping, to mitigate the impacts of the buildings on the surrounding landscape and setting of any nearby heritage and GI assets, including Thurlaston Conservation Area;

Development proposals shall respect and maintain a physical and visual separation between Rugby town and Dunchurch to prevent coalescence and protect their individual character and identity. A significant buffer between Rugby and Dunchurch, which incorporates a Green Infrastructure Corridor from Cock Robin Wood to Cawston Spinney, as identified in the South West Rugby Masterplan SPD, must form an integral part of proposals for the site".

As can be seen the proposed policy S8 is weaker than than the current policy DS8 and in particular Rugby Borough Council are proposing to:

- (1) Abandon the requirement that the Green and Blue Infrastructure Corridor should link to adjacent networks [thereby undoing a primary purpose of these corridors];
- (2) Abandon the requirement for structural landscaping for the employment land [a particularly egregious change to the current requirement which was imposed by the Planning Inspectorate as major modification 45 to make the 2019 plan sound (Hayden, 2019, page 31)].
- (3) Alter the concept that the SW Rugby "sustainable urban extension" should develop a separate character and sense of community from both Dunchurch and Rugby and instead merely distinguish the development from the village of Dunchurch.

The first, second and fourth of these points were raised during the "Preferred Options" consultation but were rejected by Rugby Borough Council without the council producing a sustained argument for why policy S8 was superior to the current policy DS8 which it proposes to replace.

I make representations in support of government policy on strategic green and blue infrastructure corridors in my comments on policy EN1 and these are not repeated here.

During the 2018 Examination-in-Public process HMG's Inspector was denied the 2017 Landscape Sensitivity appraisal but did receive evidence from qualified landscape architects on the inadequacy of Rugby Borough Council's original proposals for an earlier version of policy DS8. They concluded that:

"... the proposed planting that would form the Proposed Infrastructure Landscaping could take over fifty years, potentially well beyond the lifespan of the proposed buildings to reach the heights of the tallest proposed buildings, and some tree species might never attain those heights. The current proposed width of the Proposed Infrastructure Landscaping is variable, resulting in a variable influence in terms of visual integration. Boundary landscape treatments need to be substantial to respond to the significant scale of the proposed buildings, and TLP considers that a minimum of 30m width woodland planting is required to have a meaningful effect, both in terms of creating new boundaries with proposed residential areas and open space, but also adjoining countryside. The latter is the most significant in order to create an effective new settlement edge and enable the integration of the proposed development within the existing areas of woodland and proposed woodland ... we would advise that the structural landscaping and 'landscape measures' are not sufficient in themselves to address the Inspector's concerns regarding scale and provide an effective safeguard. We would advise that additional wording is required to ensure that the scale of the proposed buildings is not so large that structural landscaping and landscape measures could not provide an effective mitigation with a reasonable timescale, relating to the lifespan of the proposed development. In addition, the proposed woodland planting needs to be of a scale, in terms of width, to reflect the scale of the proposed development, and therefore needs to be 'substantial' ...".

The Landscape Partnership, 2018, pages 9 to 10

The Inspector was persuaded of the inadequacy of the local planning authority's original proposals (which they are now seeking to reinstate) and required Rugby Borough Council to enhance them:

"Concerns have also been raised about the potential visual impact of the proposed B8 employment allocation at SWR on the surrounding landscape and the nearby village of Thurlaston. The framework masterplan in the Draft Masterplan SPD for SWR72 shows the indicative location of the employment area in the south west corner of the site adjacent to the junction of the A45/M45 junction. Whilst this would be well located for the strategic road network to support logistics uses, the potential scale of distribution buildings on this site could have a significant visual impact on the surrounding landscape and the setting of any nearby heritage assets, including Thurlaston Conservation Area, which lies just to the south of the A45 around 300m from the proposed employment allocation. I am satisfied the visual impact of large buildings could be mitigated by appropriate design measures, such as building height limitations and recessive colour palettes for external materials, together with structural landscaping. However, as submitted Policy DS8 does not provide such safeguards. Therefore, to ensure it is effective MM45 adds a further criterion to Policy DS8 to require mitigation to be provided as part of any proposals brought forward".

Hayden, 2019, page 31

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In paragraph C (v) add after the word “corridor” the phrase “linking to adjacent networks and”.

Replace paragraph F with “The physical and visual separation of Dunchurch and the town of Rugby shall be maintained by a significant green buffer to prevent coalescence”.

In paragraph G add the word “structural” before the word “landscaping”.

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is possible that I am the only willing participant in the forthcoming "Examination in Public" who remembers the struggle against RBC's inadequate proposals in their 2019 plan and the line of argument which persuaded the Inspector to rule that the plan would be unsound without the addition of major modification 45.

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Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	1.40	Policy	S9	Policies Map	
Site ID					

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes		No	
(2) is Sound	Yes		No	NO
(3) complies with the Duty to co-operate	Yes		No	

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Sustainable Transport Links in the SW Rugby “sustainable urban extension”

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy S9 is unsound.

Policy S9 is unsound because the defining description in paragraph 1.40 is unsound.

The defining description in paragraph 1.40 is unsound as it is unjustified and inconsistent with national planning policy.

The defining description in paragraph 1.40 is unjustified as it does not reflect the evidence in the *SW Rugby Supplementary Planning Document* and in particular paragraphs 19.21 to 19.24.

“19. 21 The Sustainable Transport Link (STL) is a requirement of DS9, to provide fast and efficient bus access to serve the South West Rugby allocation. It is also required to provide a safe and attractive route for pedestrians and cyclists, connecting the employment and residential elements of the allocation. It is not proposed to enable general traffic to use the STL as a through route as this would potentially reduce the attractiveness of bus as an alternative to the private car and make the route

less attractive for pedestrians and cyclists. The STL has two parts: the east-west link through the employment elements of the allocation, and the southern part of Cawston Lane which links to the Homestead Link.

19.22 Opening the east-west STL as a through route to all traffic would be likely to have the following undesirable implications: - - It would encourage HGVs to route via the residential parcel to the east of the proposed employment allocation and other residential areas which would have detrimental environmental, road safety and amenity implications. It would encourage traffic, including HGVs, to route via other established residential areas in Rugby via A426 Dunchurch Road which feeds onto Rugby Gyratory where there is a recognised air quality problem. It would reduce the potential use of the Potsford Dam Link (as the key north/ south corridor through the site) and the A4071 Rugby Western Relief Road thus preventing HGVs and general traffic to avoid Rugby Gyratory where opportunities for further capacity improvements are limited.

19.23 Opening the southern part of Cawston Lane as a through route to all traffic would be likely to have the following undesirable implications: - It would encourage drop-off/pick-up journeys to be made to the primary and secondary schools off Cawston Lane. - It would encourage local re-assignment of traffic along Cawston Lane which has less capacity to cope owing to the pinch-point at its northern end. - It would require a loss of trees and hedgerows to widen Cawston Lane for the two way passage of large vehicles and provision of suitable footway and cycleway infrastructure.

19.24 Any proposals to enable general traffic to use the STL as a partial or full through route will be required to provide an evidence-based strategy that addresses the implications listed above and avoids the impacts of a through road”.

An enhancement to the proposed text of policy S9 to align the wording with the evidence was suggested in the consultation on the Preferred Options but was rejected by Rugby Borough Council who stated “The adopted South West Rugby Design Code SPD identifies a modal filter on Cawston Lane. We do not consider it necessary to add to the supporting text” (Smith, 2025, page 116) . However this is inconsistent with their approach to the bus gate required for the sustainable transport corridor (with a bus gate) between the Homestead Link and the Potsford Dam Link.

National planning policy is unequivocally in favour of sustainable transport. For example:

NPPF paragraph 109:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve ... identifying and pursuing opportunities to promote walking, cycling and public transport use”.

and NPPF paragraph 111:

“Planning policies should ... provide for attractive and well-designed walking and cycling networks with supporting facilities ...”

In order to speed the planning process it is desirable that policies are clearly expressed in order to give developers certainty about how to design projects to obtain planning consent. For example NPPF paragraph 132 states (inter-alia) “Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable”.

Surfacing the requirement for one bus gate in the supporting text to proposed policy S9 whilst burying an equivalent requirement in the text of a supplementary planning document does not provide clarity to developers about the local planning authority’s requirements.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The three word phrase “(with a bus gate)” should be inserted into the third bullet point of paragraph 1.40 after the words “Cawston Lane”.

(This wording follows the style of the fourth bullet point).

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

 YES

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

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Rugby Borough Council have been trying to avoid the sustainable transport requirements of their own policies for the SW Rugby "sustainable urban extension" – see for example the Chief Planning Officer's report to committee on planning application R22/0928 – which omitted reference to the three undesirable implications of abandoning this policy set out in the supplementary planning document and the need for all applicants seeking to do so to provide an evidence based strategy.

It might take an oral hearing on this matter to ensure that Rugby Borough Council embrace this important planning issue.

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Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="CL3"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Local Plan is unsound as policy CL3 is unsound. Policy CL3 is unsound because it is not justified.

Policy CL3 is not justified because the limit proposed to the estimated water consumption per person per day is not supported by the evidence on which Rugby Borough Council claims to rely.

Rugby Borough Council propose a limit of 110 litres per person per day in their proposed policy CL3

“New dwellings shall demonstrate that they are water efficient, incorporating water efficiency and re-use measures and that the estimated consumption of wholesome water per dwelling, as calculated in accordance with the methodology in the water efficiency calculator, does not exceed 110 litres per person per day in line with regulation 36(2)(b) of the Building Regulations 2010 (as amended)”.

Of the 81 evidence documents on which Rugby Borough Council claimed to rely when drawing up its plan only one refers to proposed limits to estimated water consumption per person per day. However this recommends not the 110 litres per person per day in Plan 3 but rather 100 litres per person per day.

“Based on the EA [Environment Agency] classification of water stress and the information contained in the RBMPs [River Basin Management Plan] alongside the national objective to achieve a water

efficiency target of 110 l/p/d [litres per person per day] across the UK by 2050, there is clear evidence to support the 110 l/p/d as a minimum. Many LPAs [Local Planning Authorities] are going further than the optional standard of 110l/p/d and specifying 100l/p/d or lower in their Local Plans.

In response to the Environmental Improvement Plan, the Future Homes Hub have proposed a roadmap to achieve the 110 l/p/d national target that includes a target of 100 l/p/d in water stressed areas from 2025. This figure reduces to 90 l/p/d by 2030. This WCS [Water Cycle Study] therefore recommends that the Council adopts a policy requiring a water efficiency target of 100 l/p/d in their Local Plan and allow for a reduction in this target to 90 l/p/d from 2030”.

Jeremy Benn Associates Ltd, 2025, page 54

Neither of the two argument documents provided by Rugby Borough Council provide even an attempt at a justification for departure from the evidence they claim to have based the plan upon.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to align the Local Plan with the evidence on which Rugby Borough Council claim they have based it, which recommends a limit to the estimated water consumption of 100 litres per person per day rather than the figure of 110 litres per person per day which Rugby Borough Council propose the relevant section of CL3 should be rewritten as follows:

“New dwellings shall demonstrate that they are water efficient, incorporating water efficiency and re-use measures and that the estimated consumption of wholesome water per dwelling, as calculated in accordance with the methodology in the water efficiency calculator, does not exceed 100 litres per person per day.”

[The reference to building regulations in Rugby Borough Council’s proposed wording was otiose as buildings must comply with building regulation regardless of whether or not the building regulation is specifically mentioned in the Local Plan.

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="EN1"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Protecting our environment

Policy EN1 is unsound because it is unjustified and inconsistent with national planning policy.

Rugby Borough Council has not produced evidence to show how either EN1 or EN2 were derived although they appear to have evolved from policies which are in the current plan.

Policy EN1 whilst expressed more concisely seems to cover much the same ground as policy NE1 in the current plan.

Similarly policy EN2 which again is expressed concisely (and when taken with policy D3) seems to cover much the same ground as policy NE3 in the current plan. It would be possible to argue that there is currently an area of overlap between NE3 and SDC2 and that this has been eliminated in the Regulation 19 proposal.

There is also in the current local plan policy NE2 which reads:

“The Council will work with partners towards the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network which is inclusive of the Princethorpe Woodland Biodiversity Opportunity Areas (also known as the Princethorpe Woodlands Living Landscape), as shown on the Green and Blue Infrastructure Policies Map. This will be achieved through the following:

- The protection, restoration and enhancement of existing and potential Green and Blue Infrastructure assets within the network as shown on the Policies Map; and
- The introduction of appropriate multi-functional corridors between existing and potential Green and Blue infrastructure assets.

Where appropriate new developments must provide suitable Green and Blue Infrastructure corridors throughout the development and link into adjacent strategic and local Green and Blue Infrastructure networks or assets where present.

Where such provision is made a framework plan should be produced as part of the planning application demonstrating the contribution to the overall achievements of the multi-functional strategic Green and Blue Infrastructure network. A management plan, based on delivering the framework plan and detailing how the infrastructure will be managed, may be required by condition”.

This policy was reviewed by HMG’s Inspector in the 2018 Examination in Public. They reported that:

“Policy NE3 [renumbered to policy NE2 as a result of major modifications] seeks the creation of a comprehensive Strategic Green Infrastructure (GI) network across the borough, through the protection and enhancement of existing GI assets and the introduction of multi-functional linkages between them. It has been informed by a borough-wide Green Infrastructure Study, which defines the strategic GI network as including the rivers, canals and disused railways, woodlands and accessible natural greenspace. The purpose and functions of the GI include supporting wildlife, recreation, access for walking and cycling and providing flood storage capacity. The emphasis of the strategic network is on assets which provide multi-functional linkages, for example the Oxford Canal. New development is expected to provide GI to link into the borough-wide network”.

Hayden, 2019, page 73

They concluded that:

“Overall, subject to the MMs set out above, I conclude that the Plan’s policies for the natural environment of Rugby borough are justified, effective and consistent with national policy”.

Hayden, 2019, page 74

I challenged the loss of this policy in my response to the Regulation 18 “Preferred Options” consultation. Warwickshire Wildlife Trust’s response also referred to “important green infrastructure corridors” (Warwickshire Wildlife Trust, 2025, page 2).

The response was:

"Policy NE2 in the adopted local plan identifies existing and potential green infrastructure corridors. Having reviewed this policy, we do not consider that it clearly directs decision makers regarding planning applications made in these corridors, and on this basis have not proposed to carry this policy into the new plan".

Smith, 2025, page 142

Whilst Rugby Borough Council state they have carried out a review they have not published this review and it is not in the evidence provided to support their proposed local plan. The loss of the policy content of policy NE2 in the Regulation 19 "Submission Draft" is therefore unjustified.

Nature can be viewed as having an intrinsic value and this is probably a view taken by many of the borough's citizens and some philosophers. Nature can also be viewed for the value it provides through 'ecosystem services' and this is probably closer to the view taken by HMG through the NPPF.

However regardless of whether nature is intrinsically valuable or just valuable through the benefits it confers on humans the actions that need to be taken either to conserve nature per se or to protect those 'ecosystem services' are similar.

Humanity dominates what was once the 'natural world'. "The mass of humans is [now] an order of magnitude higher than that of all wild mammals combined" (Bar-On et al, 2018). The idea that humanity is driving a great reduction in the number of species on our planet was first popularised by Richard Leakey (Leakey & Lewin, 1995) and is now widely supported eg Wilson (2016). The 2023 State of Nature report states that the UK's native species have declined by a fifth since 1970 and one-in-six face extinction. Habitat fragmentation is isolating populations and results in a loss of genetic diversity. The loss of genetic diversity weakens the ability of populations and ultimately species to withstand environmental stress and change (eg Scribner et al, 2018; Futuyama, 2009, page 229).

The *Making Space for Nature* report highlighted the benefits of providing wildlife corridors (Lawton, 2010). As our climate changes habitats change too and our wildlife needs to be able to move across our countryside to seek out appropriate living spaces. Isolated populations suffer in-breeding and are less able to respond to environmental change. Wildlife corridors are an important mitigation. As adaptation to climate change is proposed as an objective for the new local plan then wildlife corridors should be part of the response.

NPPF paragraph 187 (d) requires local planning authorities to produce policies that establish coherent ecological networks. Specifically NPPF paragraph 188 requires local planning authorities to "take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries". The current local plan went some way towards this through its GI Green and Blue Infrastructure Policy Map and policies. Removing this map and associated policy

takes RBC further away from HMG's policy requirement. The Council's economic strategy refers to the promotion of a "Green and sustainable future" and one of the six objectives claimed for the new local plan is that it will "facilitate a greener, more biodiverse borough". To help RBC achieve these goals the core content of policy NE2 supporting wildlife corridors should be reinstated.

Rugby Borough Council have produced no evidence to support stripping evaluation of green and blue infrastructure infrastructure corridors from their planning policies. Conversely HMG's planning policy requires that these should be taken into account. A sound plan must take account of them.

Possible Inspector Viewpoints

Warwickshire Wildlife Trust's nature reserve originally embracing the Brandon Marsh Site of Special Scientific Interest (but now extended) lies at the heart of the Princethorpe Woodland Biodiversity Opportunity Area and would be an excellent point to go and contemplate this policy.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Proposed changes to policy EN1:

Add "blue and green infrastructure corridor" to the list of sites which are not to be harmed unless ... in paragraph C.

... add new paragraph:

E "Proposals for developments in the continuous green and blue infrastructure corridor which is to be established in SW Rugby in accordance with policy S8 shall

provide a framework plan demonstrating the contribution of the development to the corridor”.

Add a new supporting paragraph.

“The borough’s blue and green infrastructure corridors are those shown in the GI Green and Blue Infrastructure Policies Map and the Green Infrastructure Map in the SW Rugby Masterplan SPD”.

Note: In an ideal world Rugby Borough Council would update the GI policies map to include the agreed SW Rugby corridor and then the text of the supporting paragraph could be simplified

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Through the work of Rugby About Turn I believe I have come into contact with many of the Rugby citizens who are striving to improve Rugby's local plan. I have come across many who see the plan from a planning, transport or flooding perspective and many from their love of our countryside and communities but I do not recall coming across another biologist in this group. Therefore I suspect I am the only one of this group who could bring a qualified biologist's perspective to this particular discussion.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="EN3"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text" value="YES"/>	No	<input type="text"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Rainsbrook Valley



The Rainsbrook Valley from Barby Hill

Paragraph 20 of the NPPF says (in part) “Strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for ... conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure ...”.

Paragraph 187 of the NPPF says (in part) Planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value ...”.

Rugby Borough Council have commissioned a solid body of evidence in support of EN3 albeit with some omissions. Their policy proposal could be strengthened still further by the consideration of the following matters:

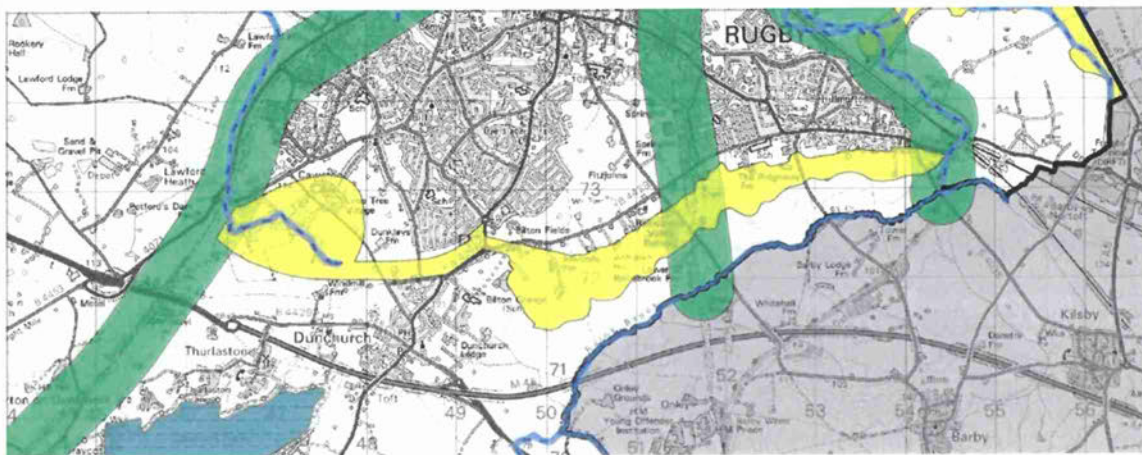
Natural Heritage

The presence within the study area of the Dunchurch Hall Meadow Local Wildlife site.

The study notes the Cock Robin Local Nature Reserve immediately to the North of the study area but fails to note the increased importance that this site will play should Rugby Borough Council effectively implement policy DS8 from the current local plan and the proposed policy S8. Cock Robin Wood is destined to be the eastern terminal of a green infrastructure corridor which will reach at least as far West as the ancient woodland of Cawston Spinney (and might even link to the Draycote Meadow Site of Special Scientific Interest via the Cawston Greenway).

The question then becomes what should happen to this green infrastructure corridor after it arrives at Cock Robin Wood.

After the 2018 Examination-in-Public the Inspector appeared to leave Rugby Borough Council with a clear guide. The Green Infrastructure Corridor could turn South after Cock Robin Wood and then link with Ashlawn Cuttings and onto the Green and Blue Infrastructure Corridor around the Oxford Canal. [Incidentally in Northamptonshire they do not take this hyper-localist approach. Organisms, including Homo Sapiens, rarely take note of local authority boundaries and freely cross them so in that county the Oxford Canal is recognised as part of the Cherwell Valley Sub-Regional Green Infrastructure Corridor running across both Northamptonshire and Warwickshire (CBA, 2022).



Sadly Rugby Borough Council appear to be indifferent to national policy on green corridors. I expand more on this point in my representation on policy EN1.

The presence within the study area of the Royal Oak Gravel Pit and Cutting Local Geological Site “A partially land-filled site with exposures of the Hillmorton Member of the Middle Pleistocene Wolston Formation, comprising sands and gravels with fractured flints and smooth sandstone pebbles” (Warwickshire Geological Conservation Group, 2009).

The potential local wildlife sites mapped in Warwickshire’s Green Infrastructure map:

- Hillmorton Sand Pit, surveyed in August 2023 and awaiting determination by Warwickshire County Council’s panel;
- Old Cross Fields, surveyed in October 1997 and still awaiting determination by Warwickshire County Council’s panel;
- Ashlawn Cuttings Extension, surveyed in October 2014 and awaiting determination by Warwickshire County Council’s panel; and
- Land East of Laurel Farm, surveyed in July 2023 and awaiting determination by Warwickshire County Council’s panel.

Whilst including the valley south of the Rainsbrook the study is largely silent on natural environment issues in the Northamptonshire part of the study area. This county recognises the area around the Oxford Canal as part of the Cherwell Valley sub-regional green infrastructure corridor. The Hillmorton end of the valley is also recognised as the start of the Great Oxenden-Rugby local green infrastructure corridor (a corridor of lesser importance). As with the Warwickshire side of the valley there appear to be potential local wildlife sites on the Northamptonshire side – on the field system of the abandoned village of Onley and South of the Oxford Canal which await determination by West Northamptonshire Council.

The report does not describe the great variety of wildlife which may be found in the valley. Who knows the skylarks we encounter today on descent into the valley may be the distant descendants of the very larks Rupert Brooke extolled when writing to Lady Eileen Wellesley on 2 August 2014 “...there are no such larks as ours ... [Warwickshire’s]”.

Cultural

Further factors which could have been included.

- Late Bronze/Early Iron Age. The linear pit features which have been excavated to the immediate North of the study area and from their alignment almost certainly continue into it
- The Roman pottery works excavated next to Ashlawn School in the study area which are significant in their own right but also provide evidence that the top of the escarpment along what is now Rugby Road/Ashlawn Road/High Road/Crick Road is an ancient route-way.

- Anglo-Saxon boundaries. There is the remarkable fact that following Alfred's defeat of the Great Heathen Army at the battle of Edington (878), the Treaty of Wedmore and the subsequent Treaty of Alfred and Guthrum the boundary distinguishing what was to become known as Danelaw from Alfred's interests based in Wessex but incorporating parts of Mercia ran along Watling Street. Save that here we have a departure with the boundary between Northampton and Warwickshire being not Watling Street at all but rather the Rainsbrook itself.
- Middle Ages – the market crosses in Hillmorton (just inside the study area) and at Dunchurch (a few metres outside the study area).
- Civil War – the movement of troops along the top of the escarpment and the cavalry skirmishes before the battle of Naseby.

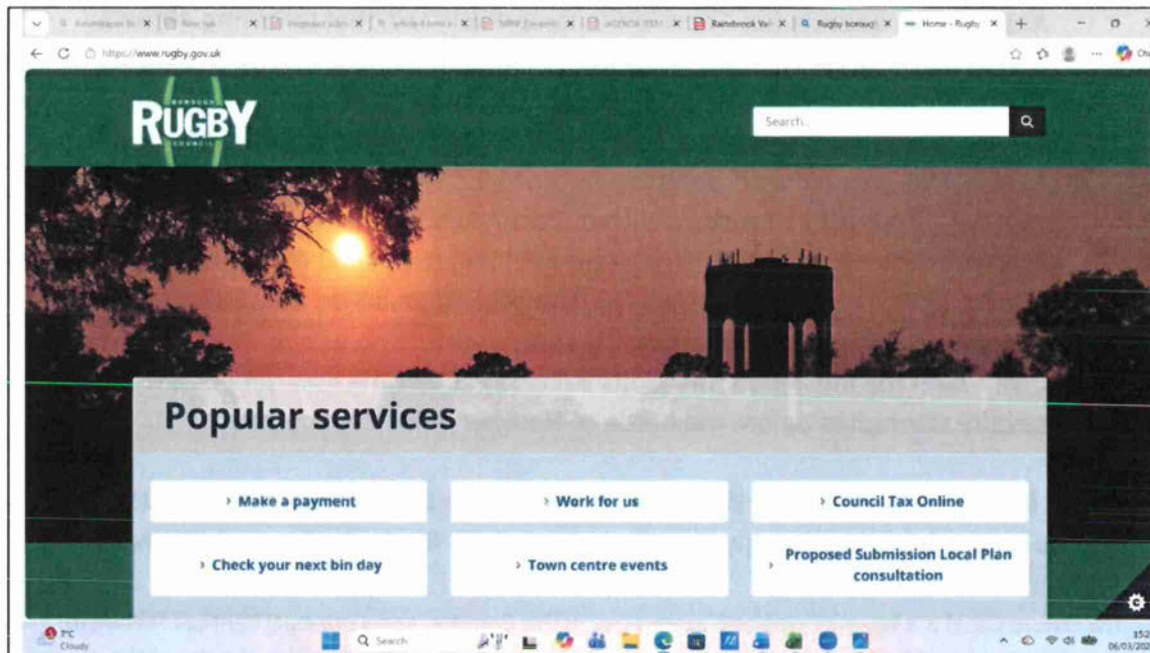
It could be argued that CBA for West Northamptonshire describe the historical assets of the area somewhat more warmly than Node have done for Rugby Borough Council:

“The Oxford Canal is a key green infrastructure asset in this Corridor, and a principal heritage feature in view of the industrial heritage it represents. In the northern section of the Corridor, the site of the medieval village of Onley lies is located on the banks of the Rains Brook in close proximity to the canal. Here, fields of ridge and furrow are extensive and scattered throughout the area ... “

(CBA, 2022, page 25)

In general Node appear to have little passion for industrial archaeology. The Great Central Line was the last mainline railway opened by the Victorians and leaves its presence in the valley. The striking bridge spanning the line is used as a framing device in many locals' photographs but is only visible in Node's collection (page 40) if you already know it is there.

Given that the Water Tower has been chosen by Rugby Borough Council to illustrate its home page the significance of this feature rising above the escarpment edge could have been given greater prominence. It is visible for miles around including the Jurassic Way as it cuts the A45 just to the North West of Daventry, Napton-on-the-Hill and Upper Shuckburgh.



Recreation

Node states that there is very limited opportunity to follow clearly defined circular routes. Allow me to suggest two of my favourites.

- (1) Start at Hillmorton Locks, cut through Hillmorton to Ashlawn School and descend into the valley to meet up with the Oxford Canal and then follow the canal back to Hillmorton Locks – a walk which combines striking views from the top of the escarpment and the wildlife and industrial archaeology of the Oxford Canal. The full recreational experience can be enhanced by refreshments either or at the Waterside or the café at Hillmorton Locks.
- (2) Make use of Sainsbury's car park, briefly walk along Ashlawn Road to the bridleway connecting Rugby to the [lost] Onley Village, descend into the valley (with in the appropriate season every chance of a chorus of skylarks), then along the Rainsbrook itself to the M45 [every silver lining has a cloud] before turning right for the Dunchurch conservation area (with a multiplicity of choices for refreshment) and then through the grounds of the Dunchurch Park Hotel and Bilton Grange School to Lion Farm, across Rugby Road into Cock Robin Wood and hence back to Sainsbury's.

On the Northamptonshire of the valley the map clearly reveals opportunities for circular walks embracing Kilsby, Barby and the Oxford Canal but whilst I have walked stretches of these I have no personal experience of them as "circular walks".

Functional

It is not clear that Node have fully assessed the functionality of this site in providing for gene flow and ecosystem services. Aspects of the SW Rugby site they surveyed (Node, 2026) receive strong markings for the services they provide but despite the presence of the Cherwell Valley sub-regional infrastructure corridor around the Oxford Canal this aspect is not mentioned in Node's assessment of this area's functionality.

Associations

As I am not a literary critic I do intend to refight the battles of the 2018 Examination-in-Public about which of his poems could be attributed to his crossing and re-crossing the Rainsbrook Valley on his way to visit one of his [numerous] lovers in the lead up to the First World War.

However it is impossible to read Rupert Brooke's letter to Lady Eileen Wellesley of 2 August 2014 "I'm a Warwickshire man. I know the heart of England. It has a hedgy, warm, bountiful, dimpled air. Baby fields run up and down little hills and all the roads wriggle with pleasure ... " without wondering whether that was inspired by his passage across the valley.

Sadly Node have not picked up on the role played by the Cock Robin public house, as it then was, in *Tom Brown's Schooldays*.

Potential viewpoints

The Inspector may wish to consider visiting:

- SP528275 on the PROW running from Barby Hill to Wood Bridge over the Oxford Canal [this is my favourite view];
- The view from Waldins Farm on the footpath from Ashlawn Road to Norman's Bridge;
- The Rainsbrook Crematorium;
- The Great Central Way local wildlife site;
- The south-facing terrace of the Dunchurch Park Hotel [the very spot that what is now Rugby About Turn was founded]; and
- The Dunchurch Conservation area with its church, almshouses, just out of study area market cross, and the in-study-area HQ of the Gunpowder plot revolutionaries.

(Continue on a separate sheet /expand box if necessary)

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(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I do not particularly want to participate in this session. However in the event that the property developers wish to argue that the valley lacks biodiversity and there is no balancing voice at the Examination then I could provide evidence on the vascular plants to be found in the valley.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	EN4	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	YES	No	<input type="text"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

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If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Areas of Separation

I support policy EN4 regarding areas of separation.

The policy stems from local people being given a platform to shape their future and is aspirational (NPPF paragraph 15).

The policy serves “a clear purpose” and does not duplicate other policies, it is available on the web, it is “clearly written and unambiguous”, shaped by engagement with the residents of Dunchurch, Thurlaston and Clifton-upon-Dunsmore, is “aspirational but deliverable” and “prepared with the objective of contributing to the achievement of sustainable development” (NPPF paragraph 16).

The policy meets the four tests of soundness:

- (1) It has been prepared in the framework of a positively prepared plan which meets [and indeed exceeds – see my responses to policies S2 and S3] His

Majesty's Government's housing targets for our area and our borough's need for industrial and warehousing floorspace whilst contributing to the aim of sustainable development.

- (2) It is justified – see the evidence prepared by Rugby Borough Council in 2025 *Areas of Separation: Study Report*
- (3) It is effective – it can [and indeed should] be applied immediately and last for the life of the plan
- (4) It is consistent with national planning policy (see below)

Rugby Borough Council (2025, page 6) correctly refer to NPPF paragraphs 20, 135 and 187 in support of the policy but they only cite paragraph (c) of paragraph 135. Paragraph (d) which expresses the government's commitment to maintaining "a strong sense of place" through appropriate planning policies also appears relevant.

I wonder whether the remarks of the planning inspector in the Canterbury Local Plan Examination might not have unduly restricted the local planning authority's vision in compiling this policy. Surely NPPF paragraph 125 "Planning policies and decisions should encourage multiple benefits from both urban and rural land ..." would be supportive of a local authority which identified and secured a block of land which delivered many uses of which the government approved (landscape value – NPPF 187; high quality farmland – NPPF 187; leisure – NPPF 20; a sense of place – NPPF 35 and wildlife – NPPF 125).

Rugby Borough Council have developed a series of criteria which they have then applied (Rugby Borough Council, 2025, pages 10-11). They correctly determined that the land between Long Lawford and Rugby was covered by their proposed policy S5 and that therefore it would constitute an undesirable duplication of policies to have both S5 and for proposed policy EN4 to apply to that land. [Sadly they do not appear to have considered proposed policy S5 whilst allocating site 253 under policy S6. I cover this issue in my representation on site 253].

One could be critical of the timing of the development of this policy. Had the policy been developed first and then locations selected afterwards it would surely have resulted in site 59 being rejected and stronger development requirements applied to site 64. Selecting sites and then and only then developing policies would appear to be the inverse order from the order to be expected.

However the inexplicable exclusion of Newton should not detract from the quality of the work executed with regard to Dunchurch, Thurlaston and Clifton-upon-Dunsmore [save for site 307].

With regard to Clifton-upon-Dunsmore the assessment area is entirely logical and follows clearly defined features, the railway line, the built-up edge of Rugby, Newton Manor Lane, Newton Road and Hillmorton Lane. The criteria established by Rugby

Borough Council have been applied correctly [save for site 307] and the result follows logically.

Clifton-upon-Dunsmore might have been the last Mercian settlement before Watling Street and the Danelaw was entered at Yelvertoft. It stands high on a hill currently physically separated from Rugby by the Avon and the Oxford Canal. Policy EN4 might serve to support its strong sense of place.

The assessment area for Dunchurch and Thurlaston appears somewhat more random in places. The M45 forms a clear southern boundary but would not the disused Rugby-Leamington railway line have formed a clearer boundary to the West? The middle section is lawfully defined by the extent of the Homestead Link, and maybe clearer on the ground if the consented landscaping is applied and maintained, the northern section is mainly defined by the built-up area of Rugby [but why are the rear gardens of Montague Road not consistently taken to form that boundary?] If Warwickshire County Council ever get around to building the primary school for which they have received funding from the developers of Ashlawn Fields then the new school would form a clear full stop to the extent of the policy to the East.

Parts of the assessment area were also assessed parcel by parcel in the “missing” 2017 Warwickshire County Council study. With regard to the Halfway Lane parcel, 17a, the report says that the parcel is highly sensitive to both housing (page 8) and commercial (page 9) development “This zone comprises a rolling regular small to medium scale pastoral landscape with a combination of hedged and fenced fields separated by the M45 corridor ... there is still a sense of a separation between Dunchurch and Thurlaston” (page 10). The assessment area to the West of Thurlaston maps closely to parcel 21d in the 2017 study which again confirms that the area is highly sensitive to housing (page 8) and commercial development (page 9). The report states “This zone is typical of Plateau Farmlands owing to its general openness, large geometric fields with closely cropped hawthorn hedgerows and surviving mature hedgerow oaks. Due to the zone’s strong rural character and the degree of separation currently afforded between Rugby and Thurlaston, housing development within this zone is therefore inappropriate. ” (page 52). Parcel 21c covers the area North of the settlement of Thurlaston and Coventry Road. Again pages 8 and 9 confirm the high sensitivity of this area. The report concludes “It is important to maintain a gap between Thurlaston and the potential expansion of Rugby and to retain the rural character of PRow R168 (Northampton Lane). Therefore this zone is inappropriate for development” (Page 49).

Taken together with policy EN3 we have the exciting possibility of a clearly defined southern edge for Rugby. We can start with the Draycote Meadows SSI (just outside policy area EN4 but hopefully protected by policy EN1 and the disused railway line (also just outside policy area EN4 – but see my comments on policy EN1). To the South the area is anchored by Draycote Water which is a very important piece of

water infrastructure but is also very significant as a leisure destination and a wildlife site. We then continue through Whitefields Golf Course which is not only an important leisure asset but also secures an important landscape feature before arriving at the Thurlaston Conservation area (outside the EN4 area but hopefully receiving some protection from paragraph 8.11 which should help shape the interpretation of policy D4. We now jump over the M45 [and shield our eyes from Symmetry Park where Rugby's SW "sustainable urban extension" is to be buffered from Dunchurch and Thurlaston partly by the Homestead Link's profuse, if inappropriate landscaping, and partly by buffering around Coventry Road and including the important R175D leisure access to Draycote Water. We then arrive at the Dunchurch Conservation Area (excluded from EN4 but partially included in EN3). Now we have the historic settings of the Dunchurch Park Hotel and Bilton Grange School together with their registered gardens additionally shielded by EN3, as are Cock Robin Cottages and to the North Cock Robin Wood Local Nature Reserve now additionally protected by EN3. The remaining open land North of Ashlawn Road is again protected by EN3 which has the additional benefit of giving some protection to the setting of the former Bilton Grange gatehouse. EN3 provides some protection for the magnificent escarpment slope here and also to the setting of Ashlawn House, the riding school, the engineer's railway track, Ashlawn Cuttings local wildlife site and green infrastructure corridor, the Crematorium – which will have an increasingly strong emotional attachment for many Rugby families, Diamond Jubilee Woods, St Andrews Rugby Football Ground, Ashlawn School, the allotments, the English Catholic Martyrs School, Rugby Borough Football Club and various actual and potential local wildlife sites until finally we arrive at the Oxford Canal and the Royal Oak Gravel Pit and Cutting site of geological interest which tie up the south-eastern corner of Rugby. EN3 and EN4 taken together form a good package of work by Rugby Borough Council.

(Continue on a separate sheet /expand box if necessary)

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As set out above I believe this is already a sound policy.

I believe others are seeking a purpose statement:

"The purpose of Areas of Separation is to maintain the physical and visual distinction between Rugby town and surrounding settlements, safeguarding their individual identity, preventing coalescence, and contributing to strategic green infrastructure connectivity".

... and I would support this [or a similarly worded] enhancement.

(Continue on a separate sheet /expand box if necessary)

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="EN6"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text" value="YES"/>	No	<input type="text"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Tree Canopy Cover

Paragraph 162 of the NPPF states (inter-alia) "Plans should take a proactive approach to mitigating and adapting to climate change ...".

Paragraph 136 of the NPPF states "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible".

This policy is supported.

I responded to RBC's Regulation 18 'Issues and Options' consultation supporting the inclusion of such a policy in a new local plan. I provided data from Tree Equity Score UK. This showed how some of the least well off areas of our town were hotter in summer than surrounding wealthier areas because of the lack of tree cover. Through both shade and evapo-transpiration more trees in our built-up areas will help keep our homes, streets and workplaces cooler than they otherwise would be.

Since my 2023 submission we have experienced the warmest year in the Anthropocene (Copernicus Climate Change Service, 2025) and the World Health Organisation (2024) reports that “Heat stress is the leading cause of weather-related deaths ...” with around half a million fatalities each year across our globe. RBC is right to take steps to mitigate against this threat.

However to avoid confusion the Inspector could recommend the removal of paragraph 5.19 “In 2023 Friends of the Earth estimated, based on National Forest Inventory data, that just 4.5% of Rugby Borough is woodland. This places Rugby Borough in the bottom 20% of English local authorities for woodland cover. The policy seeks to address that shortfall”. Street trees do not constitute “woodland” and the tree canopy cover in woodland typically far exceeds 20%.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete paragraph 5.19. Paragraph 5.19 does not make the plan unsound but it is irrelevant to the policy it is supposed to support.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="H2"/>	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	<input type="text"/>	No	<input type="text" value="NO"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Affordable Housing

The proposed local plan (plan 3) is unsound.

Plan 3 is unsound because policy H2 is unsound.

Policy H2 is unsound because it is unjustified and inconsistent with national planning policy.

Parts of Rugby Borough Council's Regulation 19 proposed plan are unsound because they are unjustified and they are unjustified because the council has not collected the evidence required to evaluate or justify the proposed policy. Policy H2 is different as the council has collected the necessary evidence. However it has failed to use the evidence collected to inform policy H2.

Paragraph 20 of the NPPF states, inter-alia "Strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for: a) homes (including affordable housing), employment, retail, leisure and other commercial development ...".

Paragraph 35 of the NPPF states "Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable

housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan”.

Paragraphs 63 to 68 of the NPPF state:

63 Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.

64 Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required (including the minimum proportion of Social Rent homes required), and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
- b) the agreed approach contributes to the objective of creating mixed and balanced communities.

65 Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

66 Where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures.

67 As part of the ‘Golden Rules’ for Green Belt development set out in paragraphs 156 157 of this Framework, a specific affordable housing requirement (or requirements) should be set for major development involving the provision of housing, either on land which is proposed to be released from the Green Belt or which may be permitted on land within the Green Belt. This requirement should:

- a) be set at a higher level than that which would otherwise apply to land which is not within or proposed to be released from the Green Belt; and
- b) require at least 50% of the housing to be affordable, unless this would make the development of these sites unviable (when tested in accordance with national planning practice guidance on viability).

68 The affordable housing requirement for land within or released from the Green Belt may be set as a single rate or be set at differential rates, subject to the criteria above.

Rugby Borough Council has a long history of failing to secure sufficient affordable housing to meet the needs of its residents.

The 2011 Rugby Local Plan had an affordable housing target of 40%.

In the run up to the adoption of the current local plan the best evidence on affordable housing need came from a G L Hearn study across the Coventry and Warwickshire Housing Market Area. The study concluded that the Rugby borough area required 478 affordable homes a year (Hearn, 2015, page 107).

Despite this identification of need the proposed Regulation 19 submission version proposed that that target should be reduced to 30% for greenfield sites and 20% for brownfield sites. The current deputy leader of the Council correctly determined that this would not meet Rugby's housing needs and on 21 May 2017 moved an amendment to increase the targets. Sadly his amendment was lost by 18 votes to 13.

The proposed plan with the lower affordable housing target moved through the Examination-in-Public stage in 2018 and was adopted by Rugby Borough Council as its new plan in 2019.

Successive annual monitoring reports correctly report that Rugby Borough Council failed to set an annual affordable housing completion target as part of its 2019 Local Plan. Despite this failure the evidence that 478 affordable homes a year were required remains. Over the last six years Rugby Borough Council has fallen 1,682 affordable homes short of its need – see table below:

Rugby Borough Council - change in housing stock

	Total Dwellings	Affordable Dwellings	Affordable Percentage
24-25	676	120	18%
23-24	873	205	23%
22-23	1,349	212	16%
21-22	939	125	13%
20-21	832	233	28%
19-20	859	291	34%
TOTAL	5,528	1,186	21%
Assessed need		2,868	
Therefore shortfall		1,682	

Sources: Local Authority Annual Monitoring Reports

Note: the change in the stock of affordable dwellings includes dwellings built and dwellings acquired. However the annual monitoring reports do not specify the number of affordable dwellings sold so the numbers will over-estimate the improvement in the stock of affordable dwellings.

In preparation for the current Regulation 19 proposal Rugby Borough Council has received two further pieces of evidence on the need for affordable housing in its borough. The first of these was Iceni’s 2022 HEDNA which determined that the borough required 407 affordable homes per year (Iceni, 2022, page 169).

Against this need in their “Preferred Options” Regulation 18 consultation Rugby Borough Council proposed a 20% affordable housing target in Rugby and 30% affordable housing in the countryside. At the time my own calculations suggested this approach would yield 101 affordable dwellings per annum (17%) well below the volume required and therefore during the consultation I suggested that the affordable housing targets should be increased.

Eight residents (including myself) responded to this part of the consultation pointing out that Rugby Borough Council had failed to follow His Majesty’s Government’s rules as set out in paragraph 67 of the NPPF. The Chief Planning Officer responded “We agree to update this policy to reflect the ‘golden rules’ set out in the NPPF (para 67)”. However all that glitters is not gold and the Regulation 19 proposal is not set at the minimum level of 50% proposed in NPPF paragraph 67 but rather should be lower “On sites released from the Green Belt through this plan or other Green Belt permissions: 40%”. Elsewhere the Regulation 19 proposal is for 20% in the town and 30% in the non-Green Belt countryside.

Meanwhile new evidence on the scale of need was being prepared by the local authority’s consultants Iceni.

Lower quartile private monthly rent levels in Rugby

	2021/22	Quoted in 2025	Increase
1-bedroom	550	675	23%
2-bedroom	660	850	29%
3-bedroom	795	1100	38%

Sources: Iceni, 2022, page 158 and Iceni, 2025, page 49

Rents in Rugby had gone up – making housing more expensive and beyond the reach of more households.

This means that roughly half of all “newly forming households” need “affordable housing” in order to be able to put a roof over their heads. As a result of this piece of bad news the annual need for new affordable houses has now risen from 407 homes a year to 474 homes a year.

Estimated need for new affordable homes in the Borough of Rugby

	2022 Estimate	2025 estimate
New households being formed	1,053	1,120
Of which percentage needing affordable housing	37.8%	49.8%
From above affordable housing for new households	398	558
Clearing backlog of need	77	49
Existing households falling into need	166	136
Less - lets into existing stock of affordable housing	-233	-230
Less - resales of low-cost home ownership "products"		-40
Total Need	408	473

Sources: Icení, 2022, pages 166 & 169 and Icení, 2025, pages 52 & 58

[Note Icení appear to have applied some hidden rounding to their figures. They express their 2022 calculation of need as 407 and their 2025 calculation of need as 474].

Icení's 2025 figure would be larger still if they had not cut the number of new homes needed to clear the current backlog of need. They have done this by extending the period "needed" to get rid of the backlog from 10 years which they proposed in 2022 to 18 years - their 2025 current proposal.

It is necessary to test how far the Regulation 19 policy H2 proposal will go in delivering the 473/474 affordable homes required each year.

It is possible to calculate the intended delivery for the new, policy S6, sites by applying the relevant H2 percentage to the number of dwellings proposed. This is shown overleaf.

Total new housing proposed and affordable homes

Site No	Rugby Borough Council's name	Dwellings	Affordable Target	Affordable Homes
62	Morgan Sindall House, Rugby	90	20%	18
332	Albert Street, Rugby	25	20%	5
338	Land South of Crick Road, Houlton	250	30%	75
59	Newton Manor Lane, Brownsover	285	30%	86
87	Hillcrest Farm, Newton	25	30%	8
129	Land north of Lilbourne Road, Clifton upon Dunsmore	60	30%	18
202	Newton Road, Clifton upon Dunsmore	80	30%	24
307	North Road, Clifton upon Dunsmore	10	30%	3
316	Land at Long Lawford	400	40%	160
100	Land at High St, Ryton on Dunsmore	37	30%	11
6	Fosse Way, Stretton on Dunsmore	3	0%	0
81	Land west of Fosse Way, Stretton on Dunsmore	40	40%	16
34	Dyers Lane, Wolston	15	30%	5
337	West Farm and Home Farm, Brinklow	75	40%	30
315	Land south of Rugby Road, Brinklow	250	40%	100
96	Land at Coventry Road, Wolvey	60	40%	24
309	Land north of B4109, Wolvey	150	40%	60
253	Lawfields Field Farm	250	40%	100
348	The Croft, Stretton on Dunsmore	70	40%	28
136	Land North of Warwick Road, Wolston	80	40%	32
353	Town Hall, Rugby	114	20%	23
283	Rugby Central Shopping Centre	200	20%	40
350	Rounds Gardens, Rugby	70	20%	14
351	North of Rounds Gardens, Rugby	60	20%	12
354	Lower Hillmorton Road, Rugby	34	20%	7
355	Land adjacent to 44 Craven Road, Rugby	5	0%	0
279	Stagecoach Car Park, Rugby	32	20%	6
153	Westway Car Park, Rugby	24	20%	5
294	Land adjacent to 9 Railway Terrace, Rugby	14	20%	3
356	The Railings (NHS) Rugby	10	20%	2
357	28-29 High Street, Rugby	8	0%	0
352	Former snooker hall, Railway Terrace	7	0%	0
349	Land to rear of Albert Street, Rugby	5	0%	0
54	Former Oakdale Nursery, Binley Woods	43	30%	13
172	Elizabeth Way, Long Lawford	5	0%	0
TOTALS		2,886	32%	926

Then we can take these new allocations and feed them into the overall pattern of development proposed by the Chief Planning Officer.

The calculations here have to be influenced by the information provided in the Chief Planning Officer's "exceptional circumstances" argument. Here she says the large "sustainable urban extension" agreed in the 2011 plan is not yielding any affordable homes "The s106 agreement for Houlton dated 21 May 2014 and varied on 25 May 2017, 28 June 2017 and 20 December 2019 provided for 0% affordable housing for the first 350 dwellings and then 10% affordable housing for the remaining dwellings

in the first key phase. Subsequent key phases were to be subject to viability review. It is understood that viability reviews to date have not demonstrated an ability to deliver further affordable housing" (Smith, 2025a, page 22).

In her view a similar situation applies to the large "sustainable urban extension" included in the 2019 plan where the situation appears to have deteriorated from all the assurances given to the Inspector at the 2018 Examination in Public that the development was viable even with "policy-on". Here she says "Although at the time of writing outline applications for the largest parts of the South West Rugby site allocation of 4,000 homes remain to be determined, the position appears likely to be similar there. A viability note prepared by the council's consultants BNP Paribas as evidence to support the preparation of the updated South West Rugby Masterplan SPD in October 2024 suggested a site-wide ability to viably deliver 2% affordable housing based on then current values and assessed infrastructure costs. It is understood that the outline applications currently awaiting determination for the largest parcels on the site propose 0% affordable housing on viability grounds" (Smith, 2025a, page 22). Indeed in their planning application for 1,600 dwellings in SW Rugby (R25/0491) Homes England have indeed asked "to be excused boots" when it comes to meeting any of our borough's needs for affordable homes.

At Eden Park (another 2011 "sustainable urban extension") Bloor's planning application R23/0453 was approved by officers even although it only allowed for 10% affordable homes.

Projected Affordable Homes Delivery

Area	Forecast Dwellings	Affordable Percentage	Affordable Homes
South West Rugby	3,505	2%	70
Houlton	3,060	0%	0
Eden Park	602	10%	60
Other 2019 Local Plan sites	205	30%	62
Projects Drive in "other sites"	108	100%	108
Other "other sites"	513	30%	154
New allocations	2,886	32%	926
Small sites	850	0%	0
Total	11,729	12%	1,380
Annual delivery over 17 year plan (2025-2042)			81
Annual Need			474
Annual Shortfall			393

The Regulation 19 proposed H2 policy is projected to lead to annual shortfall of 393 in the affordable dwellings our borough needs.

Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Delete the proposed paragraph A and substitute:

“A. Developments that result in ten or more new homes (including conversions and subdivisions but excluding specialist older persons’ accommodation) shall provide at least the following proportion of new homes as affordable homes:

i. 30%;

ii. Save that on sites released from the Green Belt through this plan or other Green Belt permissions the proportion should be 50% and this proportion should apply to all developments including those of nine or fewer new homes”.

[Note: These requirements may give rise to issues of viability. These can be resolved through the operation of paragraphs 6.5 and 6.6 of the proposed local plan.

(Continue on a separate sheet /expand box if necessary)

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

YES

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

If the 2018 'Examination in Public' may be considered a precedent then the only voices likely to be arguing for greater action to provide social housing are myself and Thurlaston's Brian Coleman.

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

All representations received will be submitted to the Planning Inspectorate alongside the Proposed Submission Local Plan and published on the council's website. Personal addresses and email addresses (as distinct from businesses addresses), but not names, will be redacted before representations are published.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

		Poli	H	Policie					
		cy	7	s Map					

Site ID

4. Do you consider the Local Plan:

(1) is Legally compliant

Ye		N	
s		O	

(2) is Sound

Ye	YES	N	
s		O	

(3) complies with the
Duty to co-operate

Yes

No

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Housing Standards

NPPF paragraph 63 says (inter-alia) "Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies ...".

NPPF paragraph 131 says (inter-alia) "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this ...".

NPPF paragraph 134 says (inter-alia) "Design guides and codes can be prepared at an area-wide ... scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents".

No one has a need for sub-standard or low quality housing. A contribution to high quality and good design can be made by specifying in the local development plan expectations at the local plan level.

Rugby Borough Council should be commended for adopting this approach.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

N O	No , I do not wish to participate in hearing session(s)	Yes , I wish to participate in hearing session(s)
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Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	H8	Policies Map	<input type="text"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

(1) is Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) is Sound	Yes	YES	No	<input type="text"/>
(3) complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Houses in Multiple Occupation

NPPF paragraph 16 provides (inter-alia) that "Plans should ... contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

Rugby Borough Council has recently invoked article 4 of the Town and Country Planning (General Permitted Development) Order 1995. In order to assist those seeking to promote houses in multiple occupation (and for the reasons set out in my responses to policies S3 and H2 there will doubtless be many more of these should the Regulation 19 plan be accepted) it is desirable that the local planning authority should provide clarity and certainty concerning which such proposals will be granted planning permission and which will be refused.

Policy H8, coupled with H7 and the car and cycle parking provisions set out in appendix 2 – Parking Standards, provide clearly written and unambiguous guidance.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with

the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

NO

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

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Appendix 1 – Windfalls on sites with more than four dwellings

Rugby Borough Council - windfall sites with more than four units

Identified Name	Reference	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	TOTAL	Notes
April-21	Charolais Gardens			125	235								360	1
April-21	7-8 St Matthews Street						3	4					7	2
April-22	Pailton Radio Station							10					10	
April-22	Rosewood House								5				5	3
April-22	Grange Farm, Ryton				6	1							7	4
April-22	Diamond House					6	2						8	5
April-22	Manor Farm House, Frankton					4	1						5	6
April-22	15 Bilton Lane					2	1	2					5	
April-22	Manor Farm, Burton Hastings							6					6	
April-23	Elms Farm, Marton							11					11	
April-23	32, High Street							27					27	
April-23	Wolston Allotments						44	4					48	
April-23	Malthouse, Thurlaston							6					6	
April-23	11-12 Sheep Street							5					5	
April-23	Cawston House, Rugby							6					6	
April-23	7-8 Church Street							10					10	
April-24	2-3 High Street							6					6	
April-25	Projects Drive									40	40	28	108	
April-25	Rugby Business Centre I							6					6	
April-25	140 Railway Terrace							5					5	
April-25	Rugby Business Centre II							8					8	
April-25	West Side of Heritage Close								10				10	
April-25	Inwoods House								25				25	7
TOTAL		0	0	125	241	13	51	116	40	40	40	28	694	

Rugby Borough Council report under construction



Independently observed under construction



Sources: Rugby Borough Council Housing Land Supply Position Statements April 2021 to April 2025 and the Regulation 19 Housing Trajectory

Notes

- 1 The April 2022 Housing Land Supply Position Statement reported that 125 units had been completed the previous year and it was expected that 118 would be completed in 2022/23 and 117 in 2023/24. Thereafter this site disappears from these statements. Based on recollection and the bumper year of dwellings completed in 2022/23 I have assigned all the remaining dwellings to 2023/24.
- 2 The April 2023 Housing Land Supply Position Statement reported that 6 units had been completed the previous year. However the April 2025 Housing Land Supply Position Statement reported that 3 units had been completed the previous year and there were four more to come. This would push the number of units on the site over the planning permission. I have assumed that the April 2023 statement was premature.
- 3 The April 2025 Housing Land Supply Position Statement reported that this site was under construction. However it appears to have dropped out of the Regulation 19 housing trajectory. Visual inspection in February 2026 suggests that this site has not completed construction. I have assumed that completion will be delayed until 2026/27.
- 4 The April 2023 Housing Land Supply Position Statement reported that 6 units had been completed the previous year with one unit to be completed the following year. Thereafter the site appears to disappear from the statements. I have assumed that the one remaining unit was indeed completed the following year.
- 5 The April 2024 Housing Land Supply Position Statement reported that 6 units had been completed the previous year with two units to be completed the following year. Thereafter the site appears to disappear from the statements. I have assumed that the two remaining units were indeed completed the following year.
- 6 The April 2024 Housing Land Supply Position Statement reported that 4 units had been completed the previous year with one unit to be completed the following year. Thereafter the site appears to disappear from the statements. I have assumed that the one remaining unit was indeed completed the following year.
- 7 The Regulation 19 housing trajectory reports that the site has full planning permission and the first units should be completed in 2025/26. Visual inspection of the site in March 2026 showed that the site had moved beyond just receiving planning permission to being under construction however it seemed unlikely that any of the units currently under construction would be completed before the end of that month. All the units have been assumed to be completed in 2026/27.