

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)

**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.*

Title	<input type="text" value="Mr and Mrs"/>	<input type="text" value="Ms"/>
First Name	<input type="text"/>	<input type="text" value="Geraldine"/>
Last Name	<input type="text" value="Hudson"/>	<input type="text" value="Hardcastle"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text"/>	<input type="text" value="Sworders"/>
Address Line 1	<input type="text"/>	<input type="text" value="Sworders, The Hall"/>
Line 2	<input type="text"/>	<input type="text" value="Priory Road"/>
Line 3	<input type="text"/>	<input type="text" value="Wolston"/>
Line 4	<input type="text"/>	<input type="text" value="Coventry"/>
Post Code	<input type="text"/>	<input type="text" value="CV8 3FZ"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
E-mail Address	<input type="text"/>	<input type="text" value="REDACTED"/>

(where relevant)

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 Strategy for Homes"/>	Policies Map	<input type="text" value="X"/>
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

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

The Updated Housing Needs for Rugby Borough September 2025 confirms that the net need for affordable housing is 474 dwellings. The net need is calculated as follows:

Net Need = Current Need (allowance for) + Need from Newly Forming Households + Existing Households falling into Need – Supply of Affordable Housing

It should be noted that the current need has been incorrectly calculated for the period 2025-2043 and not the plan period 2025-2042. With this adjusted to the plan period the current need is increased from 49 affordable homes per annum to 53 (882 divided by 17 instead of 18). As such the net need over the plan period 2025-2042 is 478 affordable homes per annum not 474.

Following this through the total gross need for people unable to buy OR rent needs to be increased from 568 to 571 affordable homes per annum. The net need for people unable to buy OR rent then needs to be increased from 338 to 341 affordable homes per annum. When 'existing households falling into need' is then discounted the net

need is increased from 202 to 205 affordable homes per annum (or an increase in 51 affordable homes over the plan period).

The Development Needs Topic Paper December 2025 states that *“The Updated Housing Needs Evidence for Rugby Borough (2025) identifies a net need for affordable housing of 338 homes per year for those unable to buy or rent. If those already in accommodation are excluded, this reduces to 202 homes per year. This is equivalent to 32% of the standard method figure.”* As above the net need is actually 341 and the net need with those already in accommodation discounted is 205 homes per annum. This is equivalent to 32.2% of the standard method figure (increased from 31.8%).

The Draft Local Plan makes provision for 11,729 (including the 8.4% buffer) over the plan period including 2,886 new allocations at Policy S6. Policy H2 Affordable Housing sets out the affordable housing provision for different areas within the borough being:

- i. Within the Rugby urban area: 20%
- ii. Elsewhere in the borough: 30%
- iii. On sites released from the Green Belt through this plan or other Green Belt permissions: 40%

An assessment of the sites allocated under Policy S6 indicates that they would only deliver approximately 885 affordable homes (subject to viability), an average of only 30.7% affordable homes provision (see below). It should be noted that some sites are allocated 10 units and could be reduced by the developer so as to not trigger affordable housing provision. Likewise, West Farm and Home Farm, Brinklow and Land north of Warwick Road, Wolston include specialist homes for over 55s. Some of these homes may be C2 rather than C3 and thus wouldn't contribute toward affordable housing provision.

Site	Units	Affordable Units and %
Morgan Sindall House, Rugby	90	18 (20%)
Albert Street, Rugby	25	5 (20%)
Town Hall, Rugby	114	23 (20%)
Rugby Central Shopping Centre	200	40 (20%)
Rounds Gardens, Rugby	70	14 (20%)
North of Rounds Gardens, Rugby	60	12 (20%)
92 Lower Hillmorton Rd, Rugby	34	7 (20%)
Land adjacent to 44 Craven Road, Rugby	5	0
Stagecoach Car Park, Rugby	32	7 (20%)
Westway Car Park, Rugby	24	5 (20%)

Land adjacent 9 Railway Terrace, Rugby	14	3 (20%)
The Railings (NHS) Rugby	10	2 (20%)
28-29 High St, Rugby	8	0
Former snooker hall, Railway Terrace	7	0
Land to rear of Albert St, Rugby	5	0
Land south of Crick Road, Houlton	250	50 (20%)
Newton Manor Lane, Brownsover	285	57 (20%)
Oakdale Nursery, Brandon (adj Binley Woods)	43	18 (40%)
West Farm and Home Farm, Brinklow	75	30 (40%)
Land south of Rugby Road, Brinklow	250	100 (40%)
Land N of Lilbourne Rd, Clifton upon D'more	60	18 (30%)
Newton Road, Clifton upon Dunsmore	80	24 (30%)
North Road, Clifton upon Dunsmore	10	3 (30%)
Lawford Fields Farm, Long Lawford	250	100 (40%)
Land at Long Lawford	400	160 (40%)
Elizabeth Way, Long Lawford	5	0
Hillcrest Farm, Newton	25	8 (30%)
Land at High St., Ryton-on-Dunsmore	37	15 (40%)
Fosse Way, Stretton-on-Dunsmore	3	0
Land W of Fosse Way, Stretton-on-D'more	40	16 (40%)
The Croft, Stretton-on-Dunsmore	70	28 (40%)
Dyers Lane, Wolston	15	6 (40%)
North of Warwick Rd, Wolston	80	32 (40%)
Land at Coventry Road, Wolvey	60	24 (40%)
Land north of B4109, Wolvey	150	60 (40%)
Total	2886	885 (30.7%)

As such, whilst the affordable housing need makes up some 32.2% of the local housing need using the standard method, it is considered that the allocations could only deliver

approximately 30.7% given the 20%, 30% and 40% targets on different sites and the emphasis on the Rugby urban area. This represents a shortfall of approximately 10 affordable homes per annum or 170 over the plan period. On this basis it is considered that the draft Local Plan could not deliver its affordable housing need without an uplift to the housing provision.

As such, this is considered to provide evidence that suggests that the housing provision should be uplifted beyond the minimum local housing need to ensure that more of the need for affordable housing can be met over the plan period.

The Planning Practice Guidance (PPG) sets out at Paragraph: 001 Reference ID: 67-001-20190722 that *“This need [for particular groups] may well exceed, or be proportionally high in relation to, the overall housing need figure calculated using the standard method.”* It goes on to add that *“Strategic policy-making authorities will need to consider the extent to which the identified needs of specific groups can be addressed in the area, taking into account:*

- *the overall level of need identified using the standard method (and whether the evidence suggests that a higher level of need ought to be considered);*
- *the extent to which the overall housing need can be translated into a housing requirement figure for the plan period; and*
- *the anticipated deliverability of different forms of provision, having regard to viability.”* [Emphasis added]

The Planning Practice Guidance adds at Paragraph: 024 Reference ID: 2a-024-20190220 that *“The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by eligible market housing led developments. **An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.**”* [Emphasis added]

At present the Plan would not meet the need for affordable housing identified in the Updated Housing Needs for Rugby Borough September 2025. It is therefore not based on the evidence and is therefore not sound pursuant to Paragraph 36(b) in the NPPF.

We would also highlight the potential for non-delivery of affordable housing on committed sites, as a result of viability, such as the South West Rugby allocation, as set out below.

In respect of planning application R25/0491 on South West Ruby:

“Outline application for up to 1,600 residential dwellings; a 2 form entry Primary School; a 6 form entry Secondary School and Community Sports Hub including floodlit outdoor sports & changing/social/indoor fitness facilities; healthcare facilities; a mixed use centre containing residential dwellings, supported living facility, up to 11,200 sqm of community and commercial development which could include retail, office, food and

drink, nursery/creche, community/public hall and sui generis uses such as drinking establishments and take aways. Supporting development including open space, play areas, public realm, vehicle parking, cycle parking, a mobility hub, landscaping, drainage (all matters reserved except for access).

Full application for part of the Sustainable Transport Link between Homestead Link Road and land to the west; new estate road from the Community Spine Road to land to the north; associated landscaping and drainage. Demolition of parts of Cherry Tree Farm, Windmill Farm and Dunkleys Farm. Change of use of the retained buildings at Dunkleys Farm and Windmill Farm to commercial and community uses listed (included within the 11,200 sqm) as flexible uses under Class V of the GDPO.”

The South West Rugby Masterplan SPD (Readopted 11 December 2024) confirms at paragraph 14.2 that Local Plan Policy H2 requires greenfield sites to provide 30% affordable housing. Despite this, The Updated Viability Assessment (October 2025) prepared for Homes England in respect of the application confirms at paragraph 8.1.7 of the report that:

“Even with no affordable housing, the scheme is still not considered viable.”

Similarly, in respect of the planning application for Land off Cawston Lane, Rugby (R25/0487):

“Outline Planning Application. Residential development of up to 470 dwellings, associated vehicular access points to Cawston Lane, pedestrian/cycle access points, parking, landscaping, drainage features, open space, children's play area and associated infrastructure. Demolition of all existing buildings. (All matters reserved except for access).”

Paragraph 8.1.5 of the Financial Viability Assessment (June 2025) submitted with the application states:

“This shows that due to the burden of the overall cost so the scheme, even with 100% open market units the proposals are viability challenged.”

The outline planning application (R25/0407) at Alwyn Road, Rugby for phased residential development of up to 800 homes (Use Class C3) as well as drainage, landscaping, open space, and associated infrastructure with all matters reserved is also accompanied by a Financial Viability Assessment (March 2025). At paragraph 8.1.3, this confirms that:

“Given that the RLV generates a deficit against the BLV under both scenarios, the scheme is not considered commercially viable in planning viability terms. Even with 0% affordable housing, the scheme is not viable against the BLV.”

At a 30% requirement for affordable housing in accordance with the SPD, this would generate up to 861 affordable homes, which is a considerable amount towards the identified need.

We would also highlight the comments made in the Sustainability Appraisal (SA) further highlighting the issues with affordable housing delivery within the Borough. This states at paragraph 5.2.41:

“Specifically, there have been unforeseen delays to delivery that have impacted the Borough’s ability to maintain a five year housing land supply and the sites in question have all faced viability challenges such that ability to deliver affordable housing, alongside delivering on wider requirements, has been severely limited (e.g. Houlton is delivering zero affordable).”

With concerns over the ability for these sites to deliver any affordable housing, in addition to the concerns raised above, it is not considered that the Plan will be able to meet the need for affordable housing during the plan period. As such, we would suggest that additional sites should be identified to secure adequate delivery.

Minimum Housing Need Buffer

It is not considered that a 8.5% supply buffer would provide sufficient flexibility to continually demonstrate a five-year housing land supply if some sites do not come forward, particularly when taking into account unforeseen delivery issues from allocated sites (namely the increase in brownfield allocations) and noting that small site windfalls make up some 7.25% of the current housing provision. With the small site windfall allowance taken into account (which cannot be relied upon to the same extent as an allocated site) it is considered that a 15.8% buffer (8.5% over the 7.25% small site windfall allowance) would be more appropriate. This surplus would be more consistent with the 17% surplus in the adopted Local Plan 2011-2031 which the Inspector supported in Inspector’s Report – 27 March 2019 stating *“I consider the soundness of the Plan’s housing land supply in more detail under issue 6 below. However, in relation to the need for Lodge Farm, since the Housing Market Delivery Study was published, the housing land supply set out in the Plan has increased from 13,664 dwellings in the publication draft Plan to 15,369 homes at the point of submission. In the revised housing trajectory, the allocation at Lodge Farm is projected to deliver 665 dwellings within the Plan period, representing around 4% of the total housing supply in the Plan. Whilst I note the site promoter’s evidence that the Lodge Farm development could deliver more than this within the Plan period, without Lodge Farm the remaining housing land supply would still exceed the Plan’s housing requirement of 12,400 dwellings by more than **17%, which would be a comfortable surplus.**”* [emphasis added].

It should also be noted that even with a 17% buffer Rugby currently find themselves with a 5-year housing supply shortfall of 4.16 years as set out within the 5 Year Housing Land Supply Position Statement 2025-2030 only 6 years after adoption. A 5 Year

Housing Supply Position Assessment has been undertaken as part of Local Authority Reference R25/1041 which concludes that Rugby's shortfall is actually closer to 2.85 years against their local housing need, equating to a shortfall of 1435 dwellings. This 5 Year Housing Supply Position Assessment is submitted alongside these representations.

As set out within the Whole Plan Trajectory (Detailed) December 2025 the current housing provision and trajectory would only provide for a 5-year housing land supply up until 2034/35 (it may be even earlier as the local housing need figure will increase year on year as the base housing stock increases). From 2035/36 to the end of the plan period, Rugby would not be able to demonstrate a 5-year housing land supply. Taking into account the Plan-Making Policies contained within the Draft NPPF 2025 which would require the establishment of sub-regional Strategic Development Authorities, the adoption of a Spatial Development Strategy and then the adoption of a new Local Plan, it is not considered that Rugby (or the subsequent Unitary Authority) could adopt a new Local Plan to boost housing supply before 2036 at the earliest, indeed the Chief Officer for Growth and Investment noted at the Scrutiny Committee on 21 January 2025 it would be approximately a decade. As such, there is a considerable risk that Rugby could not demonstrate a 5-year housing land supply in the middle and end years of the plan period.

The Sustainability Appraisal December 2025 makes reference to the Draft NPPF 2025 at Paragraph 2.2.2 stating "*and a new draft NPPF is now anticipated in 2025*" however the implications of the Draft NPPF on the ability for a new Local Plan to boost housing supply during the plan period has not been taken into consideration when determining an appropriate supply buffer. The evidence base for underpinning the decision to use an 8.5% buffer is therefore considered to be incomplete.

A 15.8% buffer would generate a housing provision of 12,520 dwellings and could in turn provide a 5-year housing land supply for the entirety of the plan period to 2042 and would provide additional protection should Rugby's Housing Delivery Test results drop below 85% requiring the application of a 20% buffer. The Sustainability Appraisal December 2025 acknowledges at Footnote 14 that "*A strong focus on supply from existing committed sites and smaller greenfield sites suggests the need for a lower supply buffer (e.g. 5%), **but the new focus on supply from urban allocations suggests the need for a larger buffer, e.g. 10%.***" [Emphasis added]. Growth Scenarios 3 to 8 in the Sustainability Appraisal would all provide a more suitable supply buffer ranging from 13%-24%.

It should also be noted that increasing the housing supply buffer would also help to address the unmet net need for affordable housing identified above.

Taking into account the above, it is not considered that the buffer is appropriate nor has it been justified given the anticipated time frames for a new Local Plan to boost housing supply in the middle of the plan period. Accordingly, Policy S2 is not considered to be sound pursuant to Paragraph 36(b) in the NPPF.

Small Windfall Sites

Windfall sites are defined in the NPPF as sites not specifically identified in the development plan which are taken into account to produce the housing trajectory. Paragraph 75 of the NPPF sets out that *“Where an allowance is to be made for windfall sites as part of anticipated supply, **there should be compelling evidence that they will provide a reliable source of supply.** Any allowance should be **realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.** Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”*

Policy S2 sets out a windfall expectation of 850 dwellings over the plan period equating to 50 dwellings per annum. The supporting text at Paragraph 1.23 states that *“Additional sources of supply will be windfalls on sites of fewer than 5 dwellings (50 homes per year), non-allocated sites within settlement boundaries, and new allocations made through neighbourhood plans. Appendix 1 is a housing trajectory for the plan period.”* It is not considered that compelling evidence has been provided to justify the number of small site windfalls in the housing provision over the plan period. As per Paragraph 75 in the NPPF the windfall allowance should have regard to:

1. the strategic housing land availability assessment
2. historic windfall delivery rates
3. expected future trends

Taking each of these in turn, the Housing and Economic Land Availability Assessment (HELAA) December 2025 makes no assessment of windfall sites. Paragraph 7.2 states that *“Windfall sites for 4 or fewer dwellings would generally be too small for inclusion within the HELAA. Therefore, no assessment of windfall has been undertaken as part of this report.”* The HELAA does include at Appendix 2 a list of 27 discounted small sites that it states: *“Where within settlement boundaries, these sites could potentially form windfall sites”*. However, no assessment of these sites has been made with respect to their availability, achievability and suitability. Indeed, it does not even confirm whether said sites are located within the proposed settlement boundaries or not. To this end the settlement boundaries as shown on the Policy Map have been drawn very tightly around the built extent of the settlements and therefore provide very little ‘white land’ where windfall sites could realistically come forward.

If the Draft Local Plan is going to rely partly on allocations made through neighbourhood plans for its housing provision, the Draft Local Plan should include an identified housing need for each settlement to ensure the subsequent neighbourhood plans can comply with Paragraph 30 in the NPPF which states that *“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. **Neighbourhood plans should not promote less development than set out in the***

strategic policies for the area, or undermine those strategic policies” [Emphasis added].

Turning to historic windfall delivery rates and expected future trends, the Small Site Windfall Allowance Report September 2025 sets out the ‘Number of Windfall Units Completed’. Whilst the 5-year average shows 51 dwellings per annum have been completed over the period 2020/21-2024/25 this is heavily skewed by the 2020/21 year (79 dwellings) and there has been a continued decline year on year with the 2024/25 year only providing 41 dwellings. The summary of findings states that “*While the 10-year average for small site windfall completions is 56, the average for the past 5 years is 51. It seems logical to round down to 50 rather than round up to 55 as the number for the past 4 financial years has been under 50 and, in general, the amount has trended downwards for the last 10 years.*” [Emphasis added]. Acknowledging a downward trend in completions it is considered that the small site windfalls should be reduced to 45 dwellings per annum (765 dwellings over the plan period) accounting for the last 4 years of completions being 49, 45, 41, 41 (an average of 44) rounded up to 45). The evidence base does not provide any evidence of expected future trends that would indicate windfall completions increasing.

It is not considered that the current projection of 850 dwellings via small site windfalls (fewer than 5 homes at 50 homes per year) at Policy S2 is based on proportionate evidence and is therefore not justified and not sound pursuant to Paragraph 36(b). Likewise given the reliance on windfall sites being allocated in Neighbourhood Plans and no identified housing needs, the Draft Plan is not considered to be in conformity with Paragraph 30 and is thus not sound pursuant to Paragraph 36(d).

Plan Period

Policy S2 establishes that the plan period is 2025-2042. This has been reduced from 2024-2045 in Policy S2 in the Regulation 18 Preferred Options Local Plan in order to reduce the number of dwellings that need to be planned for by the Local Plan. Paragraph 22 in the NPPF is clear that “*Strategic policies should look ahead over a minimum 15-year period from adoption*”.

Rugby’s current Local Development Scheme (LDS) sets out that Rugby expects to submit the Plan for examination in June 2026 with adoption scheduled for June 2027. Assuming strict accordance with this timetable the Plan would only look ahead for 14.5 years from adoption, taking into account the fact that local housing need is calculated for a full annum. Moreover, it is considered that the timetable itself is ambitious and could be subject to change. The LDS assumes that the Local Plan Examination and post-examination to adoption will only last 12 months. Government guidance contained in the ‘Local plans: taking part in examinations’ sets out that “*Most examinations take around a year to a year and a half, from start to end.*” not including the time after the examination process has closed for the Council to agree to adopt the Plan. It should also be emphasised that the Chief Officer for Growth and Investment noted at the

Scrutiny Committee on 21 January 2025 that the Inspectorate had written to the Council to express that a number of Local Planning Authorities are planning to submit Local Plans for examination before the December 2026 deadline which could result in capacity issues for examiners and delays to the examination process. The revocation of the postponement to Rugby's local elections in May could likewise delay the submission of the Draft Local Plan for examination.

The SA concludes at paragraph 7.2.4 that:

"The weak performance of the high growth scenarios also weakens the case for extending the plan period and supports the council's view that decisions about longer term strategy for the mid 2040s and beyond are better taken by the successor unitary authority in the context of a strategic development strategy, the new plan-making system and new national policy."

We disagree with this conclusion, being contrary to paragraph 22 of the NPPF, whereby deference to a future authority or as a result of a future possibility is not recognised as an exception to this requirement. The Plan is therefore not sound pursuant to Paragraph 36(d).

Whole Plan Trajectory

We have concerns as to the over-reliance on existing allocations to deliver a large proportion of the housing need over the Plan period, including affordable housing need, as set out in our comments on Policy S2. For example, the South West Rugby allocation is expected to contribute 3,505 of the homes within the supply (30%). The Whole Plan Trajectory that these sites will start to deliver in years 2028/29 onwards.

All of the sites at South West Rugby noted in the Whole Housing Trajectory awaiting determination are outline applications. This includes R22/0853, R25/0487, R25/0407 and R25/0491, in total, expected to deliver as early as 2028/29 (with the exception of Homes England's application R25/0491 which is anticipated to commence delivery in 2031/32).

It is considered unrealistic that sites which have not yet received outline planning permission could be expected to deliver this timeframe, when factoring in the time to agree the s106 agreements, prepare and submit reserved matters applications and discharge all pre-commencement conditions. It is also noted that Farm 1 (Ref R22/0853) was submitted in August 2022, and remains undetermined over three and a half years after submission.

As set out in our comments in relation to affordable housing provision, three of the aforementioned sites have also submitted viability assessments, which is likely to delay determination further.

We would reiterate the issues identified with deliverability and viability in paragraph 5.2.41 of the SA, as referenced above, which notes unforeseen delays to delivery.

As such, it is considered that the Whole Plan Trajectory is unrealistic, and as does not provide sufficient flexibility should these complicated allocations not deliver as predicted. In its current form, the Plan is not considered sound in accordance with paragraphs 36(a) and (c) of the NPPF.

(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.

Policy S2 Strategy for Homes should be modified to uplift the future need for housing to ensure the plan can deliver 205 affordable homes per annum. In order to meet the shortfall of affordable homes over the plan period, which could be even greater in consideration of the viability concerns at South West Rugby, the housing provision should be revisited and additional sites allocated at Policy S6.

Policy S2 Strategy for Homes should be modified to include a larger housing buffer to take into account unforeseen delivery issues on brownfield site allocations, deliverability of windfall sites and the risk posed by the anticipated time frames for a new Local Plan to boost housing supply in the middle of the plan period. The supply buffer should be increased to at least 10% (the above example is 15.8%). Additional sites should be allocated at Policy S6 which would deliver homes within years 2035-2042.

Paragraph 1.22 should be modified to read as follows "Supply is allocated for [+10%] more than the minimum requirement as a buffer to increase the likelihood of the council being able to continually demonstrate a five-year housing land supply [over the plan period]."

The small site windfalls at Policy S2(B) should be reduced from 840 to 765 with Paragraph 1.23 modified to read as follows "*Additional sources of supply will be windfalls on sites of fewer than 5 dwellings ([45] homes per year), non-allocated sites within settlement boundaries, and new allocations made through neighbourhood plans. Appendix 1 is a housing trajectory for the plan period.*" The reduced 75 dwellings should then be re-allocated under Policy S6 (Policy S6 to be modified as required).

An additional strategic policy should be added to ensure suitable homes are allocated within Neighbourhood Plans (where Neighbourhood Plan Areas have been designated) to ensure the windfall allowance is robust. In the absence of Neighbourhood Plans coming forward the Local Plan should be modified to ensure these homes could come

forward in a subsequent Development Plan Document. This could read for example as below (using the West Northants Regulation 18 Draft Plan as an example):

“Housing sites will be identified to provide for the parish housing requirements set out below. Suitable sites, within or immediately adjoining the confines of the villages referenced, will be identified either through neighbourhood development plans or through a development plan document.

If draft neighbourhood development plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress within two years of the adoption of the Plan the Council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan. Progress thereafter will be reviewed on an annual basis.

Minimum Housing Figure by Parish

[Provide list of Parish', settlements and identified housing figures]”

The plan period should be extended from 2025-2042 to 2025-2043/44 to ensure that the plan period provides for a minimum of 15 years on adoption. This would necessitate allocating additional sites under Policy S6 to ensure the Local Plan provides for the minimum local housing need over the extended plan period.

The above changes would ensure that the Plan is sound pursuant to Paragraphs 36(b) and (d) in the NPPF.

In order to provide sufficient flexibility within the housing trajectory and ensure housing need is met in full, additional site allocations with Policy S6 should be identified which can deliver housing within the short and medium plan period, in the event of changes to the trajectory. This would ensure the Plan is sound pursuant to Paragraphs 36(a) and (c) of the NPPF. An example of this could be Site 15 - Southam Road, Kites Hardwick, which is in an accessible location, within close proximity to Dunchurch and owing to its size could contribute towards the provision of housing in the short-term.

(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:

To set out the requirements for modifications detailed above to address soundness issues.

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-notice>

9. If you have used AI to produce or substantially alter your representation, please declare which tool you have used, how it was used, and what checks you have undertaken to ensure the AI-produced material is accurate.

AI has not been used for any purpose in respect of these representations.

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

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

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	S6 Residential Allocations	Policies Map	X
Site ID	<input type="text"/>				

4. Do you consider the Local Plan:

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

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.

Spatial Strategy

We broadly support the location of the majority of growth to the most sustainable settlements within the District as set out in the Settlement Hierarchy (Policy S1).

Green Belt Release

The Draft Local Plan proposes releasing a significant amount of land from the Green Belt for both residential and employment development. Residential allocations requiring Green Belt release at Wolvey, Brinklow, Long Lawford, Stretton-on-Dunsmore, Brandon and Wolston make up 1,476 or 51% of all new residential allocations at Policy S6 (a marginal decrease when compared to the 52% in the Regulation Preferred Options).

The evidence for the Plan includes a Green Belt Review in two parts, Green Belt Contribution Study Strategic Assessment (Stage 1) and Green Belt Contribution Study Stage 2: Site Contribution Assessments. Stage 1 identifies the areas that are suitable for definition

as Grey Belt and Stage 2 provides an assessment of those sites which are not identified at Stage 1. The Stage 2 assessment states that *“In March 2025 RBC carried out a Preferred Options Consultation [see reference 2]. This proposed 12 residential allocations within the Green Belt, three employment allocations and four Gypsy and Traveller site allocations. Of these, 10 residential sites, one employment site and two Gypsy and Traveller sites lie within areas identified at Stage 1 as grey belt.... RBC requested LUC to assess the contribution of the remaining preferred option sites – that is, those located in areas not identified as grey belt at Stage 1 – together with three substantial omission sites (that is, sites which are not preferred options).”* As such all of the residential site allocations with the exception of Sites 253 and 316 in Long Lawford have been identified as Grey Belt. We agree that residential allocations within the Green Belt (excluding Sites 253 and 316) meet the NPPF definition of Grey Belt.

Turning to Site 253 (Lawford Fields Farm), it is identified as having a strong contribution to both purposes A and C as set in Paragraph 143 of the NPPF. Indeed, the Stage 2 assessment recognises that *“There are limited mitigation measures which would be able to limit impacts on contribution to Purpose A”*. Whilst Long Lawford is not identified as a town and thus provides a weak/no contribution to purpose B it should be noted that it would result in the merging of Rugby and Long Lawford and as such would result in an incongruous expansion of Rugby. This is noted within the Stage 2 assessment which states that *“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 builtup area of Rugby. The parcel forms half of a fragile gap between Rugby and Long Lawford, and any development would weaken the gap, and be incongruous with the urban pattern.”* [Emphasis added]. Whilst a small area of Green Belt is retained between Rugby and Long Lawford this is proposed to provide public recreational use. The development requirements specify that this could be *“for example sport pitches with a community use agreement, allotments or other public open space”*.

It should be noted that some outdoor sport and recreational buildings which include the provision of buildings and hardstanding could compromise previously developed land and could in turn result in this area meeting the NPPF definition of Green Belt. It is considered that that the merging of Rugby and Long Lawford would in turn cause a fundamental weakening of the wider Green Belt. It is thus not considered that this alteration to the Green Belt has been fully evidenced or justified in accordance with Paragraph 145 in the NPPF and is therefore not sound pursuant to Paragraphs 36(b) and (d) in the NPPF.

Suitability of Site Allocations

Brinklow (Site ID: 315 and 337)

We do not support the allocations at West Farm and Home Farm (Site ID: 337) and Land south of Rugby Road (Site ID: 315). Both sites would have a significant impact on the designated heritage assets within Brinklow which includes the Brinklow Conservation Area (and the number of constituent listed buildings within), Brinklow Castle (Motte and bailey castle Scheduled Ancient Monument) and potential archaeological remains that can be

identified on the Historic Environment Record (HER). The Heritage Statement states with respect to Site ID's 315 and 337 respectively that "*Potential impacts include the **loss of views across the rural landscape, the demolition of historic buildings on Rugby Road to facilitate site access, and the destruction of the ridge and furrow earthworks. All would have the potential to harm the character of the conservation area, and the setting of some of its constituent heritage assets, including Brinklow Castle.***" and "*Key concerns include: the potential **loss of historic agricultural buildings; erosion of the farmsteads' setting, and Brinklow Castle's historic landscape setting; and loss of archaeological earthworks.***" [Emphasis added]

It is considered that an Archaeological Desk-Based Assessment and Geophysical Surveys should be undertaken (if they have not already) and be made available to Policy Officers (and the public) to confirm the extent of potential archaeological remains on these sites before they are allocated.

In order to deliver ~75 dwellings in the developable site area identified for Site ID: 337 the indicative density would need to be over 30 dwellings per hectare. This is considered to overly dense given the site's edge of settlement and highly sensitive heritage setting location.

The allocations at West Farm and Home Farm (Site ID: 337) and Land south of Rugby Road (Site ID: 315) would fail to conserve and enhance the historic environment and are therefore not compatible with Chapter 16 in the NNPF and are in turn not considered to be sound pursuant to Paragraph 36(d).

Newton (Site ID: 87)

Newton is the only 'Other rural settlement' in the Settlement Hierarchy at Policy S1 to receive a residential allocation (whilst Brandon is an Other rural settlement the site allocation adjoins Binley Woods which is a Main Rural Settlement). As an Other rural settlement Newton scores poorly for sustainability in the Rural Sustainability Study Report December 2024 with no leisure centre, bank, café, dentist, early years nursery or garage. It likewise has poor access to public transport infrastructure with no railway station and a poor bus service. Clearly future occupants would be reliant on the private car to access shops, services and employment opportunities with the Rugby urban area.

The development requirements set out that that the scheme would need to "*Upgrade walking and cycling links (footpath to the north and bridleway to the south) to Great Central Walk/LCWIP Route 46 (Great Central Walk between Crowthornes and Newton) **which connects to schools, local amenities and employment sites in Coton Park.***" [Emphasis added]. The expectation then is that children would walk via the Great Central Walk, PRow network and Coton Park East in order to access Rugby Free Primary School. When taken in conjunction with the indicative concept plans provided for Coton Park East, this would necessitate children, who may be unaccompanied, walking along a combination of unlit footpaths with no natural surveillance and an industrial estate. This would not encourage active travel and potentially puts unaccompanied children in areas that could attract

criminal and anti-social behaviour. This would not be in accordance with Paragraph 96 which states that “**Planning policies and decisions should aim to achieve healthy, inclusive and safe places** which:

a) *promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*

b) **are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and**

c) *enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that **encourage walking and cycling.**” [Emphasis added]*

This would likewise not be in accordance with Paragraph 135(f) which states that “**Planning policies and decisions should ensure that developments:**

f) **create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.**” [Emphasis added]

It is far more likely in practice that parents would then have to drive children to school putting additional pressure on Newton Manor Lane and the A426 at peak times.

Newton and Biggin had a Neighbourhood Area designated on 20 September 2023. Given the size of the settlement, it is considered that residential development should come forward via a Neighbourhood Plan whereby local residents would have the opportunity to have a Referendum on said development. Alternatively, residential development could be delivered on this site by way of small site windfall.

Taking into account the above Site ID: 87 is not considered to be sustainable and suitable for development. The allocation of Site ID: 87 is considered to be contrary to Paragraphs 96 and 135 and therefore not considered to be sound pursuant to Paragraph 36(d) in the NPPF.

Wolvey (Site ID: 358 and 309)

Whilst the reduction in allocations at Wolvey and Wolvey Heath from the Regulation 18 Preferred Options Local Plan are supported, the proposed allocations at Wolvey would still

see the total number of dwellings within Wolvey increase from 275 to 485 (a 176% increase) which would still have a significant impact on the settlements character and townscape in addition to its residents.

As detailed within the Rural Sustainability Study December 2024 Wolvey has limited access to shops and services (including no pharmacy, leisure centre, bank, dentist or garage). Wolvey also has poor access to public transport infrastructure with no railway station and a poor bus service when compared to other main rural settlements. Wolvey also scores poorly for internet access being outperformed in this respect by a number of other rural settlements.

There is no secondary school within Wolvey, (the nearest being in Hinckley and therefore outside of Warwickshire County Council's local education system). With respect to the Wolvey CofE Primary School, the Education Topic Paper states that "*Wolvey School is unlikely to be over-capacity based on planned housing growth, because a worst case scenario is presented and not all children who live in new homes built in Wolvey are likely to attend this school*". Whilst not all of the children would attend Wolvey CofE Primary School nearly all of the remaining children would attend The Revel. Whilst The Revel is not forecast to have the same shortfall as Wolvey CofE Primary School it is still the case that The Revel is forecast to have a shortfall for Years R-6 within the plan period. It is not clear from the Education Topic Paper what the in-combination demand across both the Wolvey CofE Primary School and The Revel would actually be taken into account the split across both schools. What is however the case is that when taking a worst case scenario (which should be the basis for determining school capacity), both Wolvey CofE Primary School and The Revel would have shortfalls within the plan period.

It was noted by Warwickshire County Council in their response to the Regulation 18 Preferred Options consultation that "*Feedback from Commissioners across Children's and Adult Social Care Services, Social Work teams, and colleagues in the Integrated Care Board, is that the proposed dispersal strategy may add further burdens in areas with already existing challenges. **The proposals for example in Wolvey, factoring that policy H7, could lead a requirement to develop 175 social rent homes in that area. It is likely that some of the 175 residents will be accessing social care services or early help prevention. However, there is limited care infrastructure within that area and due to the rural nature of the location, it is anticipated that there could be service viability issues. The local GP practice for example, is a branch of a service provided from Hinckley and outside our local care system.***" Whilst the number of dwellings has decreased since Regulation 18, as sites 358 and 309 would require release from the Green Belt they would be subject to 40% affordable housing provision with 70% of those being socially rented. As such this could still generate ~59 socially rented homes and thus would still place pressure on social care services.

Taking the above into account, Wolvey is not a sustainable settlement for development and future occupants would likely be reliant on the private car to access shops, services and employment opportunities. As such it is not considered that this allocation has been justified by the evidence base and is in turn not sound pursuant to Paragraph 36(b).

Land east of Fosse Way opposite Knob Hill, Stretton-on-Dunsmore (Site ID: 6)

We raised concerns as to the suitability of this site in our Regulation 18 response. Whilst it is located adjacent to the settlement of Stretton-on-Dunsmore, identified as a Main Rural Settlement in Policy S1, the site itself is not well located with regard to the settlement and the facilities therein.

It is located on the outskirts of the settlement, with no connecting footway to provide safe pedestrian access to the facilities, including the doctors surgery and the school. It is positioned directly opposite the junction of the B4455 Fosse Way with Knob Hill. In addition, there is a further junction of the B4455 Fosse Way with Frankton Lane within close proximity to the south, which presents a hazardous situation for pedestrians/cyclists from the site, and raises the question as to how safe and suitable access could be delivered from this site given the proximity of existing junctions and the lack of footways. Pedestrians (including children) would have to travel c.150m northwards on Fosse Way to reach the nearest footpath, and cross the junction with Knob Hill with very poor visibility to oncoming traffic from Knob Hill to the west due to the angle of the junction.

We also note that part of the site falls within Flood Zone 2/3, therefore would question its suitability for allocation within the Plan.

On the contrary, other more suitable sites have been discounted, such as Site 15 – Southam Road, Kites Hardwick. The site was discounted at Stage 1 of the HELAA, citing its '*Unsustainable location remote from settlement.*' As set out in our Regulation 18 consultation response, this site is located within a cluster of residential dwellings, adjacent to Draycote Water. This is a popular site, providing a number of activities and facilities including leisure and watersports activities, a Visitor Hub including a small shop, as well as a restaurant. There is a bus stop less than 125m from Site 15, which provides hourly bus services between Royal Leamington Spa and Rugby.

Dunchurch is located c.2.5km to the north-east, accessible within an 8-minute bus journey from the Site, providing a nursery and primary school as well as a doctor's surgery, pharmacy and other local shops. Further beyond this is Rugby, with a greater number of facilities and services, including a train station, which is located less than 10km from the Site.

As such, it is considered that the HELAA conclusions fail to take into account the close proximity of larger settlements accessible via sustainable modes of transport such as the bus service close to the Site.

(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 number of residential allocations at Policy S6 requiring Green Belt release should be reduced to ensure that the plan is sound pursuant to Paragraphs 36(b) and (d).

Site ID 253 (Lawford Fields Farm) should be removed as an allocation from Policy S6 and retained as Green Belt to prevent a fundamental weakening of the Green Belt by virtue of the merging of Rugby and Long Lawford. This would ensure that the plan is sound pursuant to Paragraphs 36(b) and (d).

The residential allocations at West Farm and Home Farm (Site ID: 337) and Land south of Rugby Road (Site ID: 315) should be removed from Policy S6 to preserve the setting of designated heritage assets. This would ensure that the plan is sound pursuant to Paragraph 36(d).

The residential allocation at Newton (Site ID: 87) should be removed from Policy S6 and a housing requirement provided for Newton so that this site could be delivered as part of a new/updated Newton and Biggin Neighbourhood Plan. This would ensure that the plan is sound pursuant to Paragraph 36(d).

The residential allocations at Wolvey (Site ID: 358 and 309) should be removed from Policy S6. This would ensure that the plan is sound pursuant to Paragraph 36(b).

The residential allocation at Stretton-on-Dunsmore (Site ID: 6) should be removed from Policy S6. This would ensure that the plan is sound pursuant to Paragraph 36(b).

In order to account for the removal of the above sites from Policy S6 alternative sites will need to be allocated for residential development. Such allocations should be directed toward the most sustainable settlements in the Borough that would not require the release of Green Belt land.

This should include the allocation of as Site 15 – Southam Road, Kites Hardwick, which, as also set out in our comments on Policy S2, could provide a valuable contribution to housing delivery within the first five years of the Plan.

(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:

To set out the requirements for modifications detailed above to address soundness issues.

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.

9. If you have used AI to produce or substantially alter your representation, please declare which tool you have used, how it was used, and what checks you have undertaken to ensure the AI-produced material is accurate.

AI has not been used for any purpose in respect of these representations.

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-notice>