

## 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 13<sup>th</sup> March 2026**  
**By email to:** [localplan@rugby.gov.uk](mailto: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\*

*\*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.*

#### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mrs"/>	<input type="text"/>
First Name	<input type="text" value="Linda"/>	<input type="text"/>
Last Name	<input type="text" value="Johnson"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value=""/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text" value=""/>	<input type="text"/>
Line 3	<input type="text" value=""/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value=""/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text" value=""/>	<input type="text"/>

(where relevant)

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

Name or Organisation: Linda Johnson

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

Paragraph		Policy	S1 Settlement Hierarchy; S6 Residential allocations	Policies Map	Brinklow
Site ID	315 and 337				

4. Do you consider the Local Plan:

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

This representation objects to the classification of **Brinklow as a Main Rural Settlement under Policy S1** and to the associated allocation of **approximately 325 dwellings under Policy S6 through Sites 315 and 337**. The Brinklow strategy is **not positively prepared, not justified, not effective and not consistent with national policy**. It should be removed from the Local Plan.

The plan overstates Brinklow's sustainability and infrastructure capacity. Brinklow does not function as a settlement with the "greatest range of rural services and facilities" in the sense required by Policy S1. It does not have a full village primary school, secondary education is some distance away, public transport is limited, and many daily needs require travel out of the village. The proposed level of growth is therefore being directed to a location that is structurally car-dependent rather than genuinely sustainable. That is inconsistent with the plan's own objective of infrastructure-led growth and with transport policy requiring development to be located where car travel can be minimised and safe active travel maximised.

The scale of growth is disproportionate. Around **325 dwellings** in a small historic Green Belt village of around **464 existing dwellings** amounts to growth of roughly **70%**. That is transformative rather than proportionate. It would fundamentally alter Brinklow's scale, function and character. The plan does not demonstrate why this level of growth should be directed to Brinklow rather than to locations with greater infrastructure capacity or to less constrained alternatives. This means the strategy is not justified.

The education case is a major weakness. The evidence records that Site 315 is progressed notwithstanding the lack of a village primary school. Children already have to travel out of Brinklow for education. There are no realistic safe walking or cycling routes to school from the village for many trips. A village where school access depends heavily on car travel should not be treated as a strategic rural growth location of this scale. The later use of older persons' housing at Site 337 to reduce child yield does not solve the underlying problem. It simply attempts to manage one consequence of an unsustainable location.

Healthcare access and capacity are also inadequate. The parish evidence states that access to the Revel Surgery and pharmacy is along **Barr Lane**, a constrained single-track lane with **no pavement**, limited lighting and no realistic scope to create a footway because the lane is tightly enclosed by existing houses. The GP partners state that their building has **insufficient space**, parking is already inadequate, there is no foreseeable estate solution for meaningful expansion, and they would **not support large-scale development in Brinklow**. A settlement where the principal healthcare facility is unsafe to reach on foot, physically constrained and incapable of expansion is not a sound location for strategic housing growth.

Flooding and drainage provide another strong reason why the Brinklow strategy is unsound. Local evidence records actual flood events and foul sewer exceedance at **Heath Lane/Coventry Road, Green Lane/Coventry Road** and along **Barr Lane, Heath Lane and Green Lane**. That evidence includes reports of **raw sewage overflow**, a **manhole lifted by foul-water pressure**, raw sewerage has entered my father in laws home in Broad street as a result. This is not a theoretical risk from a strategic map. It is evidence of an existing combined drainage and foul sewer network already failing in storm conditions. The plan is not effective unless it shows, with local and deliverable evidence, how major development would avoid worsening surface water flooding, foul exceedance and sewer overload. It does not do so.

Heritage and historic culture are being undervalued. Brinklow is not an ordinary village edge. It is a sensitive historic settlement with a **scheduled monument at Brinklow Castle**, a **Conservation Area**, listed buildings, ridge and furrow, and a surviving medieval form. The evidence records that Site 315 contains ridge and furrow earthworks and contributes to the setting of Brinklow Conservation Area and Brinklow Castle, while Site 337 lies in or immediately adjoining the historic core and listed buildings. The issue is not simply site-specific harm in isolation, but the cumulative urbanisation of the most sensitive historic edges and approaches of the village. That is inconsistent with national policy requiring great weight to

the conservation of heritage assets and their settings, and raises concerns over whether the statutory duties in **sections 66(1) and 72(1)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been properly addressed at plan-making stage.

The plan also conflicts with the made **Brinklow Neighbourhood Plan**, which supports limited and proportionate growth and protection of Green Belt, heritage and local character. No convincing evidence has been provided to show a material change in circumstances since the Neighbourhood Plan was made that would justify such a large and intrusive departure from its spatial strategy. This undermines the justification for Brinklow's treatment in the proposed submission plan.

Overall, the Brinklow strategy fails the tests of soundness. It is **not positively prepared** because infrastructure is not aligned with the scale of growth. It is **not justified** because the evidence does not show Brinklow is an appropriate location for this amount of development. It is **not effective** because no credible and deliverable solution is identified for school access, GP access, health capacity, drainage failure or safe active travel. It is **not consistent with national policy** because it conflicts with sustainable transport, Green Belt and heritage protection objectives. These are not matters that can properly be left to planning application stage. They go to whether Brinklow is a sound strategic allocation at all.

#### **NPPF failings – Overall Brinklow strategy**

The Brinklow allocations fail **NPPF paragraph 36** because the plan is not shown to be **positively prepared, justified, effective or consistent with national policy**. The evidence base itself records weak accessibility, lack of a full village primary school, health constraints, significant heritage sensitivity and doubtful deliverability, yet Brinklow is still asked to take around 325 dwellings. That is not a sound strategy.

They fail **NPPF paragraph 32** because strategic policies must be based on **relevant, up-to-date and proportionate evidence**. Brinklow's evidence base is internally inconsistent: the Sustainability Appraisal acknowledges weak connectivity and no village school, the heritage evidence identifies contribution to setting and recommends avoiding part of Site 315, and the surgery says it cannot support large-scale growth, yet the allocations remain.

They fail **NPPF paragraph 100** because the plan does not show a **sufficient choice of early years, school and post-16 places** for Brinklow. The council's own appraisal records that Site 315 is progressed notwithstanding the lack of a village primary school, and the parish evidence states that all Brinklow children must travel out of the village on narrow, unlit roads with no continuous footways.

They fail **NPPF paragraphs 109 and 110** because transport should be considered from the earliest stages of plan-making and significant development should be focused on locations that are or can be made sustainable by **limiting the need to travel and offering a genuine**

**choice of transport modes.** Brinklow does not offer that choice. The evidence says there are no realistic active-travel options to school, the surgery is accessed by narrow constrained lanes, and the village remains overwhelmingly car-dependent.

They fail **NPPF paragraph 115** because the plan does not demonstrate that **safe and suitable access can be achieved for all users.** The evidence records constrained, pavement-free lanes, unsafe access to healthcare, speeding on the main roads and no credible mitigation that would make these routes safe for the scale of growth proposed.

They fail **NPPF paragraphs 145 and 148**, and especially **paragraph 155**, because even where Green Belt / grey belt changes are relied upon, the site still has to be in a **sustainable location** and sustainable patterns of development still matter. Brinklow is not made sustainable simply because land is described as grey belt. The plan's own evidence shows the opposite: weak connectivity, no village school, constrained roads, and healthcare that cannot expand.

They fail **NPPF paragraph 181** because the plan does not demonstrate that flood risk will not be increased elsewhere and that suitable drainage can be incorporated. The local evidence is of actual repeated flooding and foul sewer exceedance, not just mapped theoretical risk, and the plan does not show a site-specific local solution.

They fail **NPPF paragraph 203** because plans should set out a **positive strategy for the conservation and enjoyment of the historic environment**, taking account of the contribution of heritage assets and historic character to place. Brinklow is a highly sensitive historic settlement, yet the allocations erode the setting of Brinklow Castle, the Conservation Area, ridge and furrow and key historic approaches.

They fail **NPPF paragraph 212** because great weight must be given to the conservation of designated heritage assets, including their settings. The evidence does not show that the cumulative impact of Sites 315 and 337 on Brinklow Castle, the Conservation Area and listed buildings has been shown acceptable at plan stage.

### **Policy failures**

The Brinklow strategy fails multiple parts of the proposed submission Local Plan and national policy.

It fails **Policy S1 (Settlement hierarchy)** because Brinklow does not function as a Main Rural Settlement with the greatest range of rural services and facilities. It has no full village primary school, limited public transport, constrained access to healthcare, and many daily needs require travel out of the village. The evidence does not justify Brinklow being treated as a strategic rural growth location.

It fails **Policy S2 (Strategy for homes)** because the spatial distribution of housing is not shown to be the most appropriate strategy when applied to Brinklow. The plan does not demonstrate why approximately 325

dwellings should be directed to a constrained historic Green Belt village with weak infrastructure rather than to more sustainable or less constrained locations.

It fails **Policy CL3 (Water supply, quality and efficiency)** because new development is supposed to minimise the need for new infrastructure and be located where there is an adequate water supply and where water quality will not be harmed. The evidence from Brinklow is of existing drainage stress, foul sewer exceedance and combined sewer problems during storm events. The plan does not demonstrate that Brinklow can accommodate this level of growth without worsening those conditions.

It fails **Policy CL4 (Climate adaptation)** because development is required to be resilient to climate impacts and minimise vulnerability to flooding. A strategy that adds substantial housing to a settlement already experiencing local flooding and sewer surcharge, without clear and deliverable local mitigation, is not climate resilient.

It fails **Policy EN2 (Landscape protection)** because development must avoid significant adverse impacts on landscape character and on features contributing to the setting of a heritage asset or settlement. Brinklow's setting, approaches, open fields and historic relationship with surrounding countryside are materially harmed by the combined allocations.

It fails **Policy EN7 (Flood risk)** because development in areas at risk must be safe for its lifetime without increasing flood risk elsewhere and should, where possible, reduce flood risk overall. The plan does not show how this can be achieved in Brinklow given the existing evidence of flood events, drainage failure and foul overflow.

It fails **Policy EN8 (Environmental protection and amenity)** because development must not cause or be affected by unacceptable harm to human health and living conditions through water pollution and related environmental effects. Existing foul overflow and sewer surcharge evidence shows a material risk that further growth would worsen existing environmental harm.

It fails **Policy D4 (Historic environment)** because development affecting heritage assets and their settings must be supported by sufficient assessment and understanding of impact. The cumulative effect of Sites 315 and 337 on Brinklow Castle, the Conservation Area, listed buildings, ridge and furrow and historic approaches has not been shown to be acceptable.

It fails **Policy I1 (Transport)** because development must be located where car travel can be minimised, opportunities for walking, cycling and public transport maximised, safe access by all modes provided, and adverse impacts on highway safety fully mitigated. Brinklow fails those tests because school trips, healthcare trips and many daily needs are car-dependent, while Barr Lane and Green Lane are constrained, unsafe and not realistically capable of proper footway mitigation.

It fails **Objective 5 of the plan – infrastructure-led growth** because the allocation proceeds ahead of demonstrated solutions for school access, healthcare access, GP capacity, drainage and sewerage.

It is also inconsistent with national policy, including the requirement for plans to be **justified, effective and consistent with national policy** under **NPPF paragraph 35**, with the requirement to promote sustainable patterns of development, and with national heritage policy requiring great weight to the conservation of designated heritage assets.

(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.

To make the plan sound, **Brinklow should be removed as a strategic growth location for the purposes of Policies S1 and S6, and Sites 315 and 337 should be deleted from Policy S6, the development site allocations annex and the Policies Map.**

Brinklow should be treated only as a location for **limited and proportionate growth**, consistent with its actual service base, infrastructure limitations, Green Belt context, heritage sensitivity and the Brinklow Neighbourhood Plan.

If the Inspector is not minded to remove both allocations entirely, then at a minimum the council should be required to:

- reassess Brinklow's position in the settlement hierarchy;
- reassess the sustainability and road safety implications of having no full village primary school;
- produce site-specific evidence on flood risk, foul sewer capacity and drainage failure;
- demonstrate a safe, deliverable and physically realistic access solution to healthcare and other daily services;
- and reassess the cumulative heritage impact of Sites 315 and 337 on Brinklow Castle, the Conservation Area, listed buildings, ridge and furrow and historic approaches.

In the absence of that evidence, the Brinklow allocations should not remain in 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:

Participation is necessary because the Brinklow allocations raise substantial issues of soundness and legal compliance that should be tested in public examination, including:

- whether Brinklow has been correctly classified in the settlement hierarchy;
- whether the absence of a village primary school has been properly taken into account; Nearest school being 3.5 miles, via national speed limit rural roads, no footpath or streetlighting.
- whether the scale of growth is disproportionate;
- whether healthcare access and capacity are adequate;
- whether flooding, drainage and foul sewer constraints have been properly assessed;
- and whether the cumulative heritage impact on Brinklow's historic environment has been lawfully and adequately considered.

**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>



(where relevant)

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

Name or Organisation: Linda Johnson

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

Paragraph	<input type="text"/>	Policy	<input type="text" value="S6 Residential allocations"/>	Policies Map	<input type="text" value="Brinklow"/>
Site ID	<input type="text" value="315"/>				

4. Do you consider the Local Plan:

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

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.

This representation objects specifically to **Site 315 – Land south of Rugby Road, Brinklow**. The allocation is **not positively prepared, not justified, not effective and not consistent with national policy**. It should be deleted from Policy S6.

Site 315 is not a neutral edge-of-village housing site. The council's own evidence identifies it as a site with **relatively weak accessibility and connectivity, greater potential heritage sensitivities**, and the presence of **ridge and furrow earthworks**. It also records that the site contributes to the setting of **Brinklow Conservation Area, Brinklow Castle** and nearby historic farmsteads, yet the site is still progressed notwithstanding the lack of a village primary school. That is a clear indication that the site is being forced forward despite acknowledged strategic weaknesses.

Heritage is one of the strongest objections. Site 315 forms part of the historic western and southern setting of Brinklow. The evidence records that the ridge and furrow contributes positively to the significance and setting of the Conservation Area and Brinklow Castle, that the fields' rurality contributes to understanding Brinklow's historic form and western approach, and that harm would include **loss of ridge and furrow, dilution of the historic rural setting, erosion of the Conservation**

**Area's setting**, and loss of important historic landscape character. The recommended heritage response was to **avoid development in the eastern parcel**. This demonstrates that the site itself makes a positive contribution to significance and that development causes heritage harm. The statutory heritage duties are therefore highly relevant. Under **section 66(1)** and **section 72(1)** of the Planning (Listed Buildings and Conservation Areas) Act 1990, considerable importance and weight must be given to preserving listed buildings, conservation areas and their settings. Site 315 affects the setting of Brinklow Castle, the Conservation Area, listed buildings and a wider historic agricultural landscape. The Local Plan does not demonstrate that these statutory duties have been properly discharged at the allocation stage. That raises legal compliance concerns as well as soundness concerns.

Landscape harm is also substantial. Site 315 forms a sensitive approach to Brinklow and contributes to the transition between historic village and countryside. Development here would urbanise an important edge, replace open rural character with suburban built form, and weaken the visual and historic distinction between Brinklow and its surrounding landscape. This conflicts with plan policies on landscape protection and with the requirement to avoid detrimental impacts on features contributing to the setting of heritage assets and settlements.

The site is also unsustainable in transport terms. Access to essential services from this part of the village is poor. Children would still need to travel out of the village to school, and many trips would be by car as unsafe to walk, rural national speed limit roads without lights or footpaths. Local roads are already constrained and unsafe, with recorded accidents and most recently a child knocked down getting off a school bus, high levels of speeding and narrow roads without suitable pedestrian infrastructure. The plan does not demonstrate that Site 315 can be served in a way that provides genuinely safe and convenient active travel connections to school, healthcare and other day-to-day needs.

Flooding and drainage are another major concern. Parish evidence records local flooding and foul sewer exceedance in Brinklow, including raw sewage overflow and combined drainage problems in storm conditions. Site 315 would add substantial development to a village where the drainage and foul network is already evidenced as being under stress. The allocation is therefore not effective unless the plan demonstrates a deliverable local solution to existing and future drainage pressures. It does not do so. Site 315 is not justified because it combines multiple constraints: weak sustainability, no village primary school, major heritage sensitivity, landscape harm, drainage concerns and poor active travel credentials. The site only survives in the evidence base because the most sensitive parts are acknowledged as needing avoidance or mitigation. That is not a robust basis for strategic allocation. It is evidence that the site is fundamentally unsuitable.

### **NPPF failings – Site 315**

Site 315 fails **NPPF paragraph 32** because the evidence itself shows major unresolved constraints: weak accessibility, no village primary school, heritage sensitivity, ridge and furrow and contribution to the setting of heritage assets. That is not the kind of robust, proportionate evidence base needed to justify a strategic allocation.

It fails **NPPF paragraph 100** because Brinklow has no full village primary school and children would have to travel out of the village, often qualifying for publicly funded transport due to unsafe routes and distance.

It fails **NPPF paragraphs 109 and 110** because the site is not in a location offering a genuine choice of transport modes. Warwickshire County Council's own consultation response, quoted in the parish submission, says there are "**No options for active travel**" and highlights concern about school-related transport and school expansion feasibility.

It fails **NPPF paragraph 115** because safe and suitable access is not demonstrated. The parish evidence raises unsafe access conditions, use of narrow lanes and doubts about whether realistic mitigation is physically possible.

It fails **NPPF paragraph 181** because local flooding and drainage stress are unresolved and the plan does not demonstrate that development can proceed without worsening risk to existing residents.

It fails **NPPF paragraph 187** because Site 315 is part of Brinklow's rural setting and open countryside character, and the parish evidence also identifies it as productive agricultural land. Even aside from grading arguments, the countryside and openness functions of the site remain planning harms of real weight.

It fails **NPPF paragraphs 203 and 212** because the site contributes positively to the setting of Brinklow Conservation Area and Brinklow Castle, contains ridge and furrow, and the heritage evidence recommends avoiding the eastern parcel. That is strong evidence that the site is not heritage-neutral and that strategic allocation causes harm.

### **Policy failures**

The Brinklow strategy fails multiple parts of the proposed submission Local Plan and national policy.

It fails **Policy S1 (Settlement hierarchy)** because Brinklow does not function as a Main Rural Settlement with the greatest range of rural services and facilities. It has no full village primary school, limited public transport, constrained access to healthcare, and many daily needs require travel out of the village. The evidence does not justify Brinklow being treated as a strategic rural growth location.

It fails **Policy S2 (Strategy for homes)** because the spatial distribution of housing is not shown to be the most appropriate strategy when applied to Brinklow. The plan does not demonstrate why approximately 325 dwellings should be directed to a constrained historic Green Belt village with weak infrastructure rather than to more sustainable or less constrained locations.

It fails **Policy CL3 (Water supply, quality and efficiency)** because new development is supposed to minimise the need for new infrastructure and be located where there is an adequate water supply and where water quality will not be harmed. The evidence from Brinklow is of existing drainage stress, foul sewer exceedance and combined sewer problems during storm events. The plan does not demonstrate that Brinklow can accommodate this level of growth without worsening those conditions.

It fails **Policy CL4 (Climate adaptation)** because development is required to be resilient to climate impacts and minimise vulnerability to flooding. A strategy that adds substantial housing to a settlement already experiencing local flooding and sewer surcharge, without clear and deliverable local mitigation, is not climate resilient.

It fails **Policy EN2 (Landscape protection)** because development must avoid significant adverse impacts on landscape character and on features contributing to the setting of a heritage asset or settlement. Brinklow's setting, approaches, open fields and historic relationship with surrounding countryside are materially harmed by the combined allocations.

It fails **Policy EN7 (Flood risk)** because development in areas at risk must be safe for its lifetime without increasing flood risk elsewhere and should, where possible, reduce flood risk overall. The plan does not show how this can be achieved in Brinklow given the existing evidence of flood events, drainage failure and foul overflow.

It fails **Policy EN8 (Environmental protection and amenity)** because development must not cause or be affected by unacceptable harm to human health and living conditions through water pollution and related environmental effects. Existing foul overflow and sewer surcharge evidence shows a material risk that further growth would worsen existing environmental harm.

It fails **Policy D4 (Historic environment)** because development affecting heritage assets and their settings must be supported by sufficient assessment and understanding of impact. The cumulative effect of Sites 315 and 337 on Brinklow Castle, the Conservation Area, listed buildings, ridge and furrow and historic approaches has not been shown to be acceptable.

It fails **Policy I1 (Transport)** because development must be located where car travel can be minimised, opportunities for walking, cycling and public transport maximised, safe access by all modes provided, and adverse impacts on highway safety fully mitigated. Brinklow fails those tests because school trips, healthcare trips and many daily needs are car-

dependent, while Barr Lane and Green Lane are constrained, unsafe and not realistically capable of proper footway mitigation.

It fails **Objective 5 of the plan – infrastructure-led growth** because the allocation proceeds ahead of demonstrated solutions for school access, healthcare access, GP capacity, drainage and sewerage.

It is also inconsistent with national policy, including the requirement for plans to be **justified, effective and consistent with national policy** under **NPPF paragraph 35**, with the requirement to promote sustainable patterns of development, and with national heritage policy requiring great weight to the conservation of designated heritage assets.

**For these reasons Site 315 is unsound and should be deleted.**

(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 315 from Policy S6, the development site allocations annex and the Policies Map.

This modification is necessary because Site 315 is not a justified or effective allocation. The evidence shows it has weak accessibility, no full village primary school, significant heritage sensitivity, ridge and furrow, landscape harm and unresolved flooding and drainage constraints. The plan does not demonstrate that development on this site can occur without unacceptable harm to Brinklow's historic environment, rural setting and infrastructure.

If the Inspector is not minded to recommend deletion, then at a minimum no development should be allocated on the heritage-sensitive parts of the site and the council should be required to undertake a full reassessment of:

- heritage impact;
- ridge and furrow loss;
- western approach and landscape harm;
- flood risk and foul sewer capacity;
- and active travel and infrastructure sustainability.

However, the preferred and sound modification is full deletion of Site 315

(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:

Participation is necessary because Site 315 raises significant site-specific issues that should be examined in public, in particular:

- its effect on Brinklow Castle, the Conservation Area, listed buildings and ridge and furrow;
- the adequacy of the heritage assessment;
- the landscape impact on the village's western and southern approaches;
- the site's weak sustainability credentials;
- and the unresolved flooding, drainage and infrastructure constraints.

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#### 1. Personal Details\*

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#### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mrs"/>	<input type="text"/>
First Name	<input type="text" value="Linda"/>	<input type="text"/>
Last Name	<input type="text" value="Johnson"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value=""/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text" value=""/>	<input type="text"/>
Line 2	<input type="text" value=""/>	<input type="text"/>
Line 3	<input type="text" value=""/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value=""/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text" value=""/>	<input type="text"/>

(where relevant)

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

Name or Organisation: Linda Johnson

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

Paragraph		Policy	S6 Residential allocations	Policies Map	Brinklow
Site ID	337 (WEST FARM AND HOME FARM, BRINKLOW)				

4. Do you consider the Local Plan:

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

This representation objects specifically to **Site 337 – West Farm and Home Farm, Brinklow**. The allocation is **not positively prepared, not justified, not effective and not consistent with national policy**. It should be deleted from Policy S6.

Site 337 is especially sensitive because it lies within or immediately adjoining the **historic core of Brinklow**, directly affects the **Conservation Area**, and is closely related to **listed buildings** and the wider setting of **Brinklow Castle**. This is not a peripheral or visually contained site. It is part of the most historically sensitive part of the village and therefore demands a particularly cautious approach.

The parish evidence states that Site 337 lies within the Conservation Area, directly abuts listed residential properties and contributes to views to and from Brinklow Castle. In combination with Site 315, it would contribute to the cumulative urbanisation of the historic setting of Brinklow. That is a substantial concern in a village whose significance depends not just on

individual heritage assets but on their relationship with the surrounding landscape and medieval settlement form.

This means the statutory heritage duties are central. Under **sections 66(1) and 72(1)** of the Planning (Listed Buildings and Conservation Areas) Act 1990, considerable importance and weight must be given to preserving listed buildings, conservation areas and their settings. A site that directly adjoins listed buildings and lies in the historic core of a conservation area requires especially strong justification. The Local Plan does not demonstrate that this has been done at allocation stage.

The use of older persons' housing on Site 337 does not make the allocation sound. Although that may reduce child yield, it does not address the site's core problems:

- heritage sensitivity;
- poor healthcare access;
- lack of safe pedestrian routes;
- drainage and sewer capacity concerns;
- and cumulative impact on Brinklow's character.

In particular, older persons' housing increases the need for safe and convenient access to healthcare, pharmacy services and day-to-day facilities. Yet the parish evidence and GP evidence show that the main surgery is reached via a constrained single-track lane with no pavement and no realistic scope for improvement, while the surgery itself lacks physical capacity and parking. Older persons' housing in this location therefore does not solve the infrastructure problem; it intensifies the need for the very services that are already constrained.

The site is therefore not effective. The plan provides no credible evidence that the infrastructure required for this type of development in this location can be delivered. Nor does it show that the heritage impacts are acceptable or that they can be sufficiently mitigated without undermining the purpose of the allocation itself.

Site 337 is also not justified because less harmful and more proportionate alternatives have not been shown to have been fully and properly exhausted. The plan has not demonstrated why a site in such a sensitive historic position is necessary in order to deliver the housing strategy.

### **NPPF failings – Site 337**

Site 337 fails **NPPF paragraph 36** because it is not shown to be justified or effective as an allocation in such a sensitive historic location.

It fails **NPPF paragraphs 109, 110 and 115** because the sustainability case for older persons' housing here depends on safe and convenient access to healthcare and daily services, yet the principal route to the surgery is constrained and lacks proper pedestrian infrastructure, while the surgery itself cannot physically expand.

It fails **NPPF paragraph 203** because Brinklow's historic core, farmsteads, canal-related features and conservation area setting require a positive strategy for conservation, not an allocation that intensifies urbanisation in the most sensitive part of the village.

It fails **NPPF paragraph 212** because great weight should be given to conserving designated heritage assets and their settings. Site 337 lies within or immediately adjoining the Conservation Area, abuts listed buildings, and contributes to the cumulative effect on Brinklow Castle and the village's historic core.

### **Policy failures**

Site 337 fails **Policy S6 (Residential allocations)** because the allocation does not comply with the wider policies of the plan when tested against heritage, infrastructure and access constraints.

It fails **Policy D4 (Historic environment)** because it lies within or immediately adjoining the historic core of Brinklow, affects the Conservation Area, directly adjoins listed buildings, and contributes to the wider setting of Brinklow Castle. The plan does not demonstrate that this impact is acceptable at allocation stage.

It fails **Policy EN2 (Landscape protection)** insofar as the site forms part of the historic settlement setting and its development would diminish the character and distinctiveness of Brinklow's historic core and edge.

It fails **Policy I1 (Transport)** because the sustainability case for older persons' housing here depends on safe and convenient access to healthcare and daily services, yet the principal route to the surgery is via Barr Lane, a constrained single-track lane with no pavement and no realistic scope for a proper footway. That is not safe and convenient access for all users.

It fails **Policy EN8 (Environmental protection and amenity)** because increased occupation in a location already affected by constrained access, parking stress and drainage concerns risks worsening amenity and living conditions for both existing and future residents.

It also conflicts with the plan's infrastructure-led growth objective because the site is being advanced without demonstrated healthcare capacity, safe pedestrian access to the surgery, or evidence that older persons' housing in this location is genuinely sustainable.

It is therefore not justified, not effective and not consistent with national policy under **NPPF paragraph 35**.

**For these reasons Site 337 is unsound and should be deleted.**

(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.

This modification is necessary because Site 337 is not justified or effective. It is a highly sensitive historic core site, directly affecting the Conservation Area, listed buildings and the wider setting of Brinklow Castle, while also depending on inadequate and constrained healthcare and access arrangements.

If the Inspector is not minded to recommend deletion, then at a minimum the council should be required to:

- undertake a fuller heritage-led reassessment of the site;
- demonstrate how listed building setting and conservation area character would be preserved;
- demonstrate safe and realistic access to healthcare and daily facilities;
- and show why older persons' housing here is genuinely sustainable.

However, the preferred and sound modification is **full deletion** of Site 337.

(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)

