

Appeal by Richborough Estates Limited

Land East of Rugby Road, Clifton-upon-Dunsmore

Outline application for up to 160 dwellings (all matters reserved except for access)

Local Planning Authority Reference: R25/0565

Planning Inspectorate Reference: 6003106

PROOF OF EVIDENCE OF NEIL HOLLY MRTPI

ON HOUSING LAND SUPPLY

Development Strategy Manager, Rugby Borough Council

March 2026

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2. Background

- 2.1 My name is Neil Holly. I am Development Strategy Manager at Rugby Borough Council ('the Council'). I hold an undergraduate degree from the University of Warwick and MSc in Spatial Planning and Development from Cardiff University. I am a member of the Royal Town Planning Institute and a non-practising solicitor.
- 2.2 I have over 17 years' experience of working in town planning, first as a solicitor in private practice, then in planning consultancy and for the last approaching ten years in local government. For the past three years I have led the policy team at Rugby Borough Council.
- 2.3 The evidence that I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution and I can confirm that the opinions expressed are my true and professional opinions.

3. Introduction

- 3.1 This proof of evidence covers five year housing land supply. I have prepared a separate proof of evidence on the relevance of alternative sites.
- 3.2 This proof of evidence should be read in conjunction with the other proofs of evidence submitted on behalf of the Council.

4. Five year housing land supply

- 4.1 The recent decision in appeal reference APP/E3715/W/25/3373251 (LPA ref R24/0111) in respect of a proposal for 115 dwellings on land north of Rounds

Gardens, Rugby dated 13th March 2026 (Appendix **NH1**) finds that the LPA can demonstrate **3.4** years' land supply from a base date of 1 April 2025. That was a public inquiry method appeal with a five year housing land supply round table which took place on Wednesday 21 January 2026. The decision discusses the five year housing land supply position set out in the Council's published Housing Land Supply Position Statement 2025-2030 (Appendix **NH2**) and associated evidence (Appendix **NH3**). There have been no material changes to the five year housing land supply position since that appeal was determined. For these reasons, I do not provide evidence here on the sites considered in that decision. Instead, my evidence is limited to matters which go to the weight that should be given to the five year housing land supply shortfall.

4.2 In considering the weight to be given to the five year land supply shortfall, what Lindblom LJ said in Hallam Land Management v Secretary of State for Communities and Local Government [2018] EWCA (Civ) 1808 (Appendix **NH4**) at paragraph 51 applies:

“... the policies in paragraphs 14 and 49 of the NPPF [Note: equivalent provisions in the 2024 NPPF are paragraphs 11 and footnote 8] do not specify the weight to be given to the benefit, in a particular proposal, of reducing or overcoming a shortfall against the requirement for a five-year supply of housing land. This is a matter for the decision-maker's planning judgment, and the court will not interfere with that planning judgment except on public law grounds. But the weight given to the benefits of new housing development in an area where a shortfall in housing land supply has arisen is likely to depend on factors such as the broad magnitude

of the shortfall, how long it is likely to persist, what the local planning authority is doing to reduce it, and how much of it the development will meet.”

- 4.3 The weight to be given to the five year housing land supply shortfall will be addressed in the proof of evidence of Jonathan Weekes on planning balance. In this proof of evidence I provide evidence on how long the shortfall is likely to persist, what the local planning authority is doing to reduce it and how much of that shortfall the appeal development would meet.

How long the shortfall is likely to persist and what the local planning authority is doing to reduce it

- 4.4 As detailed in the position statement at Appendix NH2, the Council has a strong record of housing delivery, being in the top 10% of English local authorities for housing delivery in the last ten years and the top 5% over the last twenty years.
- 4.5 The Council’s 2019 Local Plan (**core document 5.25**) Policy DS1 set a 2011-2031 housing requirement of 12,400. As detailed in Appendix NH2, between 1 April 2011 and 31 March 2025 9,639 homes were completed in the borough, 1,218 more than the Local Plan requirement over this period.
- 4.6 In contrast to the current position, the Council’s 1 April 2024 Housing Land Supply Position Statement (**Appendix NH5**) showed 6.9 years’ housing land supply.
- 4.7 The 2019 Local Plan which was adopted in June 2019 and reached more than 5-years post adoption in June 2024. Therefore, Appendix NH2 was the first Housing Land Supply Position Statement in which the position is determined against local housing need calculated through the standard method rather than the adopted

local plan. Local housing need of 636 dwellings per annum is lower than the adopted Local Plan requirement of 663 dwellings per annum.

- 4.8 However, moving to the standard method requires past over-delivery to be disregarded. The Planning Practice Guidance paragraph 31 Reference ID: 68-031-20190722 requires that "...Where the standard method for assessing local housing need is used as the starting point in forming the planned requirement for housing, Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure.". Although this statement relates to past under-delivery, it would logically apply equally to past over-delivery. This means that the accumulated over-delivery since 2011 is required to be disregarded in calculating the housing requirement for the next five years. If the past over-delivery were instead applied to reduce the requirement for the next five years by 1,218 homes, then, based on the housing land supply of 2,270 identified in the Rounds Gardens appeal, the Council could demonstrate 5.4 years' supply.
- 4.9 This material shows that the current five year housing land supply shortfall has not persisted for a long period of time to date and comes after a period of strong housing delivery. The remainder of this section describes the actions the council is taking to close that shortfall. It outlines first actions being taken at South West Rugby and then actions being taken through the new local plan.

South West Rugby

4.9.1 Alongside the shift to the standard method, the second main reason for the housing supply shortfall is the delay in the South West Rugby urban extension of circa 4,000 homes coming forward in comparison to the trajectory included in Appendix 2 of the 2019 Local Plan.

4.9.2 The background to and current status of the South West Rugby urban extension was discussed in the north of Rounds Gardens appeal and is summarised in Appendix **NH3**.

4.10 The appellants will be well versed in the delivery challenges at South West Rugby as until 2025 Richborough promoted part of that site. Richborough promoted land at South West Rugby thought the 2019 local plan examination. First completions on the Richborough South West Rugby parcel, which in the adopted 2019 Local Plan trajectory was identified as part of phase 2 with completions in 2020/21, are now expected in 2029/30.

4.11 Richborough were also signatories to the statement of common ground on the South West Rugby allocation with Rugby Borough Council dated 22 January 2018 (Appendix **NH6**). That statement of common ground stated:

“At least 3,565 dwellings can be constructed and delivered across the site within the Plan period. This equates on average to 274 dwellings per year (from 2018-19 to 2030-31) which the parties consider is a robust and reasonable delivery from the site allocation as a whole.” And “That the proposed Housing Trajectory modification (LP54.115) provides a broad indication of how development could come forward. Relevant consortium members with proposed development

identified within Local Plan Phases 2 and 3 have already commenced preparation of planning applications. These are intended to be submitted in 2018 and could be determined in line with the adoption of the Local Plan.”.

4.12 Actions of the Council to address delivery challenges at South West Rugby have included:

4.12.1 Creating an experienced major projects team to deal specifically with planning applications at South West Rugby and Houlton.

4.12.2 Putting planning performance agreements in place on the applications to effectively project manage them (the Council now has planning applications on all residential parcels on the allocation).

4.12.3 Seeking advice from MHCLG ATLAS team (now part of Homes England) on the site.

4.12.4 Holding regular progress meetings with the consortium of developers.

4.12.5 Adopting the South West Rugby Masterplan SPD in 2020 which included as Appendix K a costed strategic infrastructure list. Then using that infrastructure list as the basis of a framework s106 agreement which apportions the infrastructure costs between the various landowners.

4.12.6 Updating the adopted Masterplan SPD In December 2024 to include updated strategic infrastructure costs to reflect significant cost inflation in the period since preparation of the 2019 Local Plan. To address the viability impacts of this, the updated SPD removed a number of infrastructure items that had been included in the 2020 version.

4.12.7 Adoption in July 2025 of The South West Rugby Design Code SPD. The design code seeks to further assist in addressing coordination problems on the site and expediting the determination of reserved matters by setting clear design expectations.

New local plan

4.13 Alongside the actions the Council is pursuing at South West Rugby, the Council is bringing forward a new local plan to close the five year housing land supply shortfall. The Regulation 19 consultation on the Proposed Submission Local Plan (**core document 5.25**) closed on 13 March 2026.

4.14 At its meeting on 27 January 2026 in approving the publication of the plan for Regulation 19 consultation Council also approved submission of the plan to the Secretary of State following conclusion of that consultation. It is anticipated that the plan will be submitted for examination before the close of the current inquiry which is ahead of the timeline in the adopted Local Development Scheme.

4.15 The new Local Plan will meet local housing need assessed under the standard method in full. The Memorandum of Understanding (appendix **NH7**) with Coventry and Warwickshire Housing Market Area (HMA) authorities demonstrates that there is no unmet housing need in the HMA.

4.16 Under Policy S2 of the Proposed Submission Local Plan, the allocations at South West Rugby and Houlton (also discussed in Appendix NH3) will provide 60% of the housing needed in the period to 2042. This is augmented by other commitments (comprising carried forward allocations and existing permissions) and small site windfalls totalling 2,278. The plan also makes specific allocations for a further

2,886 homes. Policy S6 of the Proposed Submission Local Plan makes 35 new site allocations. All new allocations are of sites for fewer than 500 homes in capacity and 27 of them are for sites for fewer than 100 homes. This is a deliberate strategy of allocating sites without complex infrastructure requirements that can be delivered in the short to medium term to augment the large SUEs of South West Rugby and Houlton and enable the Council to regain and maintain a five year housing land supply. The new allocations include three new sites in Clifton upon Dunsmore, as discussed in my proof of evidence on Alternative Sites.

When is the five year housing land supply likely to close

- 4.17 Among the supporting documents for the Proposed Submission Local Plan is a whole plan trajectory (**Appendix NH8**) which shows that the council would regain a five year housing land supply on adoption of the plan in spring 2027.
- 4.18 This trajectory will need to be updated when new monitoring information is collected in April 2026 and to reflect the Land north of Rounds Gardens appeal. Nonetheless, with further progress on determining applications for residential and infrastructure on South West Rugby, the Council's view is that it is realistic for the five year housing land supply shortfall to be closed on plan adoption in 2027.
- 4.19 The Council has adopted several strategies in order to boost housing supply and delivery and ensure that a five year land supply is regained swiftly. These strategies include reducing the 3-year time limit on outline approvals for reserved matters submissions to 18 months on all major housing permissions granted at present. This will include new local plan sites, such as the proposed allocation for 43

homes at the former Oakfield Nursery, Brandon which was approved subject to s106 on 11 February 2026. The Council is also actively engaging with developers and landowners of suitable sites to engage in planning application discussions in advance of the emerging local plan. For example housebuilder Clarion/Latimer intends to submit a planning application on the proposed allocation site for 285 homes at Newton Manor Lane, Rugby in May 2026 following recent completion of pre-application advice.

How much of the shortfall would the appeal site meet

4.20 The final point I address in this section is the contribution that the appeal site could make to closing the five year housing land supply shortfall. As the application is in outline, the appeal site would be a category b) site under the NPPF definition of “deliverable”, namely a site that should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

4.21 In relation to delivery within the five year period, it is relevant to note that Richborough is a land promoter not a developer. Inspector Jones in the Rounds Gardens appeal commented on the Cawston Farm 1 outline application for 275 dwellings at South West Rugby “Even if permission is granted, I understand there is no named developer, and the Council were unable to provide any compelling detail as to the soft market testing currently being undertaken at the site.”.

4.22 If permission were to be granted in summer 2026, the site would need to be marketed and sold to a housebuilder, reserved matters would then need to be

prepared, submitted and determined and then there would need to be a period for discharge of conditions and mobilisation before completions could occur. I would estimate first completions would occur in summer 2029 (i.e. Q2 of the 2029-30 monitoring year). A site of this size is likely to have a single sales outlet and so in line with the approach taken in the five year housing land supply statement we would expect 40 completions per year. Therefore, I would estimate the trajectory to be as follows:

2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33
Planning application	Grant of permission, marketing and sale of site to housebuilder	Marketing and sale (cont.) Submission and approval of reserved matters	Mobilisation and discharge of conditions	30 units	40 units	40 units	40 units

4.23 The above trajectory is more ambitious than would be suggested for sites of this size in the *Start to Finish* research published by consultancy Lichfields based on analysis of 297 sites in England (appendix **NH9**). This is the most comprehensive empirical research available on average delivery times. The use of this national data is preferable to historic data for Rugby Borough because the very small sample size in the borough means that local averages would lack validity.

4.24 Lichfields’ data (as shown in their Figure 3.2) would suggest 5 years from the grant of outline consent until first dwelling completions on a site of this size, meaning

the site would not contribute to closing the five year housing land supply shortfall at all.

4.25 However, I consider that the use of a condition requiring submission of reserved matters within 18 months could assist in achieving faster delivery than is shown in the Lichfields report. Accordingly, I consider that the site could deliver 30 units within the 1 April 2025-31 March 2030 period in respect of which a five year housing land supply shortfall has currently been identified. It could deliver a further 40 units in the following year 2030-2031.