

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*

**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="Mr."/>	<input type="text"/>
First Name	<input type="text" value="James"/>	<input type="text"/>
Last Name	<input type="text" value="Whiteford"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text" value="██████████"/>	<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" value="██████████"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text" value="██████████████████"/>	<input type="text"/>

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?

Local Plan Paragraph	5.1	Local Plan Policy	EN 1 B	Policies Map	BRINKLOW
Site ID	315				

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.

The houses to be built on this site constitute a 55% increase in Brinklow housing stock. This will increase proportionately, the foul and surface water load on Brinklow STW. The works discharges via a CSO into Smite Brook. The brook, as its name implies, is a small stream, which at certain times of the year does not have a large flow rate in order to dilute the discharge from the CSO, particularly during summer storms and the resulting overflow. Historically, Brinklow has discharged untreated matter into Smite Brook. This is relevant in that closely downstream Smite Brook is the main feeder stream for Top Pool at Coombe Abbey Estate and from there discharges into the Fishing Pool which is a component part of Coombe Pools SSSI. The outlet for these Pools is in the South West corner where it runs into the River Sowe which has, in recent assessments by the Water Framework Directive, been classed as Poor in specific elements like macrophytes, phytobenthos and phosphates, reflecting issues such as wastewater discharges and urban runoff.

In seeking to increase the Brinklow Housing Stock Rugby Borough Council will fail to discharge its Duty under Section 28G of The Wildlife and Countryside Act 1981, which requires them to "take reasonable steps...to further the conservation and enhancement" of the SSSI. By allocating housing that increases pollution into Smite Brook, they are potentially facilitating damage, not enhancement. This is surprising from another perspective in that Rugby Borough Council are key stakeholders mentioned in Coombe Abbey Park Management Plan where they have a vested interest in successful Estate management. Rugby Borough Council are also the statutory local planning authority and are therefore a statutory consultee on development affecting the Estate. There would appear to be a conflict of interest.

Severn Trent may have plans to improve Brinklow STW with Rotating Compactors and Phosphorous stripping, however what they don't have to hand quite so readily is a means of increasing the flow rate and volume of Smite Brook. Relying on electrical machinery is not a safe means of treating foul water that will be discharged, ultimately, to an SSSI and Smite Brook will never have enough volume to take the large percentage increases in housing stock proposed by Rugby Borough Council, without the potential of harm to Coombe Pools SSSI.

The Water Cycle Study of 2017, didn't include Coombe Pools SSSI because of Severn Trent's green rating which gave Brinklow STW a headroom in order to increase Brinklow's housing stock. However The Environment Agency's Water Cycle Study guidance (2021, updated) is clear: WCS must assess environmental capacity(water quality constraints on receiving waters) and identify "environmental receptors" like protected sites.

The National Planning Policy Framework, December 2024, Paragraph 193:

When determining planning applications, local planning authorities should apply the following principles:

A) If significant harm to biodiversity resulting from a development cannot be avoided (through location on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

b) development on land within or outside a Site of Special Scientific Interest and which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest.

(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 would require a new Water Cycle Study taking into account the Flow Rate and Volume of Smite Brook over each month and then taking a critical view of the Downstream sites of Coombe Pools SSSI and its outflow into a struggling River Sowe. Smite Brook starts outside the village of Willey; it runs through agricultural land with its run off and also takes Monks Kirby CSO before it reaches Brinklow and therefore is already environmentally compromised before accepting Brinklow's STW's outfall.

Combined Sewage Outlets are a historical legacy of smaller villages, and as housing increases will only become a larger burden to overcome. Large holding tanks could hold back the need for discharging untreated overflows, however the SSSI would be compromised in certain weather events.

Smite Brook is the obvious limiting factor.

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

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

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

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

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

YES

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

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

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

I would want to emphasise the points that seem to have been omitted in the Water Cycle Study that would preclude Brinklow from being a village suitable for an expansion of such size whilst the Combined Sewage Outfall into Smite Brook, could have such a negative impact on Coombe Pool SSSI, downstream and for which Smite Brook is the main feeder.

***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 is difficult to avoid when searching, however my documentation has been confirmed by sites with the domain gov.uk : wildlife and countryside Act
Environment Agency
Coventry gov.uk
NPPF**

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>