

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

**Name of the Local Plan to which
this representation relates:** Rugby
Borough Local Plan 2025-2042

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

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	CL3	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

- 9.8 Policy CL3 is overly prescriptive and onerous. There is a requirement on utility providers to make provision for services, including water supply, with developers having a right to connect.
- 9.9 Section 37 of the Water Industry Act 1991 states it shall be the duty of every water undertaker to develop and maintain an efficient and economical system of water supply within its area and to ensure that all such arrangements have been made for providing supplies of water to premises in that area and for making such supplies available to persons who demand them.
- 9.10 S106 of the Water Industry Act allows the owner or occupier of any premises, or the owner of any private sewer which drains premises, to be entitled to have his drains or sewer communicate with the public sewer of any sewerage undertaker and thereby to discharge foul water and surface water from those premises or that private sewer.
- 9.11 The policy duplicates and extends the requirements of building regulations and threatens viability of projects which are under pressure from mandatory commitments like affordable housing, BNG and CiL. The Government does not expect standard above regs (2013 WMS) and if they are to be promoted in a Local Plan, they need to be fully justified. The plan does not do this, and these policies make the plan unsound.
- 9.12 The draft NPPF DM7 addresses the relationship with other regulatory regimes, confirming development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.
- 9.13 Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).
- 9.14 Whilst not yet national policy CL3 would not be consistent with this and therefore unsound.
- 9.15 Furthermore, the emerging National Development Management Policy, will mean local development management policies which are in any way inconsistent with the national decision-making policies in the Framework should be given very limited weight.

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

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

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

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

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

No, 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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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>

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

**Name of the Local Plan to which
this representation relates:** Rugby
Borough Local Plan 2025-2042

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

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	D1, D3 and D4	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

3.9 Policies D1, D3 and D4 –repeat National Policy and fail NPPF 16 if in not serving a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

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

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

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

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

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

No, 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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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

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

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

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

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

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

**Name of the Local Plan to which
this representation relates:** Rugby
Borough Local Plan 2025-2042

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

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	EN1(Cii)	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

3.0 Non-strategic policies

- 3.1 Draft Policy EN1 (Cii) Biodiversity and geodiversity protect is ambiguous. It states development likely to result in harm to, or the loss of a Local Wildlife Site, Local Nature Reserve or Local Geological Site will not be permitted unless it can be demonstrated that the development could not reasonably be located on an alternative site that would cause less harm.
- 3.2 NPPF paragraph 16 d states that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
- 3.3 The draft policy does not specify who the decision maker is and who and at what stage it needs to be demonstrated. The Policy is not clear and is ambiguous and so fails this policy requirement.

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

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

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

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

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

No, 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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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>

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

**Name of the Local Plan to which
this representation relates:** Rugby
Borough Local Plan 2025-2042

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" value="Mr"/>
First Name	<input type="text" value="James"/>	<input type="text" value="Tim"/>
Last Name	<input type="text" value="Chatterton"/>	<input type="text" value="Partridge"/>
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"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text"/>

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	EN5	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

- 3.4 Draft Policy EN 5 – doesn't accord with NPPF paragraph 193. When determining planning applications, local planning authorities should apply the principles that if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 3.5 The BNG mitigation hierarchy includes as a final step off-setting, the offsetting options are:
- On-site biodiversity unit creation
 - Off-site biodiversity units
 - Statutory biodiversity credits (as a last resort)
- 3.6 Credits can be purchased anywhere, and this is at the developer's discretion provided to NPPF 193 is passed. Policy EN5 does not follow national policy and is unsound.

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

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

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

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

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

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

No, 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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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

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

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

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

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

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

Name of the Local Plan to which this representation relates: Rugby Borough Local Plan 2025-2042

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

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	EN6	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

3.7 Policy EN6 is in respect of Canopy Cover and forms no part of government policy. As a further layer of environmental policy, it considerably effects scheme viability when taken with statutory BNG. As a blanket policy it has no regard for local circumstances and onerous when other environmental measures are in place.

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

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

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

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

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

No, 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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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>

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

**Name of the Local Plan to which
this representation relates:** Rugby
Borough Local Plan 2025-2042

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

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	H7	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

3.8 Policy H7, Housing standards, is not supported by the evidence base. In most part it is simply replication the current building standards which is unnecessary.

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

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

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

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

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

No, 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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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>

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:
2739/01

(For
official use
only)

**Name of the Local Plan to which
this representation relates:** Rugby
Borough Local Plan 2025-2042

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

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

Name or Organisation: Tor&co

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

Local Plan Paragraph		Local Plan Policy	S6	Policies Map	Residential Allocations
Site ID	315				

4. Do you consider the Local Plan:

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

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

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

1.0 Introduction

- 1.1 These representations have been prepared and submitted by tor&co on behalf of William Davis Homes (WDH). WDH, in agreement with all relevant landowners, is committed to bringing forward and delivering part of the proposed residential allocation reference Site ID 315 (land to the south of Rugby Road, Brinklow) under policy S6 as a single, well planned, comprehensive development.
- 1.2 The Preferred Options Plan identified this site for circa 340 dwellings including the easternmost field (previously Site 82). Representations submitted on the Preferred Options were in respect of the easternmost field and supported its allocation as part of Site ID 315.
- 1.3 The Submission Plan, within the 'development requirements' for Site ID 315, requires the avoidance of development, barring access, on the easternmost field to preserve ridge and furrow. Site access across the ridge and furrow is however proposed.
- 1.4 We have undertaken a review of the significance of ridge and furrow on Site 315 and in Brinklow generally.

1.5 These representations concentrate on the easternmost field of Site ID 315 as well as the whole site, housing policies generally and other relevant policies. The Publication Stage Representation Form is also submitted as part of these representations.

1.6 Our comments address:

- The heritage assessment
- Sustainability appraisal
- the Green Belt contribution study strategic assessment, study and exceptional circumstances topic paper
- Updated housing needs evidence for the borough
- The local plan viability study
- The education topic paper.

1.7 The government published a consultation National Planning Policy Framework (NPPF) in December 2025. The consultation draft affirms that 'the planning system should be genuinely plan-led. Preparing and maintaining up-to-date development plans should be seen as a priority for providing housing and other development in a sustainable manner. The plan-making policies in the Framework must be taken into account in preparing any part of the development plan.' NPPF emphasis the need for robust and resilient plans that genuinely meet needs (paragraph 15).

1.8 For the first time guidance confirms that, 'the purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest' (emphasis added).

2.0 About William Davis Homes

2.1 Based in Leicestershire and trading for over 90 years, WDH is one of the Midlands' leading independent house builders and is proud to have delivered award-winning sustainable communities across the region. WDH has a proven track record of housing delivery in Rugby Borough through both its Cawston Rise development and the delivery of homes forming part of the Houlton sustainable urban extension.

2.2 WDH prides itself on utilising locally sourced supply-chains and employs labour directly to ensure the delivery of homes of the highest quality. Best practice underpins the culture of the company, which is reflected in its five star status for 10 years running, as rated by the Homes Builders Federation's annual survey of homeowners.

3.0 / 4.0 Submission Allocation ID 315

4.1 tor&co prepared a Vision Document for part of the site in 2024 and forwarded a copy to the council. This document shows how up to 117 dwellings, public open space, landscape planting and ancillary infrastructure including surface water drainage attenuation could be delivered. The concept masterplan has had careful regard to landscape, heritage and ecological constraints and has further considered the opportunities to ensure that the site is well connected to the existing settlement. It also shows that the existing facilities, services and amenities in Brinklow are located within a short walking distance of the site and

would not require use of a private car. The bus stops located on Coventry Road west of the site provide public transport options to access Rugby and Coventry, the stage 2 site assessment notes this at 60m.

- 4.2 The concept masterplan also shows how the site can be extended into land to the west allowing comprehensive development of Site ID 315.
- 4.3 Since the production of this concept masterplan, WDH's appointed consultant team has undertaken further detailed design work associated with the site's development including:
- a Rugby Road access design and pedestrian crossing plan
 - a Heath Lane access design and pedestrian crossing plan
 - a heritage technical note prepared by GHC Archaeology and Heritage Ltd (dated May 2025) which carefully considers the impact of residential development on heritage assets
 - an ecological constraints summary report which identifies what opportunities can be incorporated into the scheme design to mitigate and / or enhance ecology and biodiversity.
- 4.4 These documents have been submitted separately to Rugby Borough Council and are resubmitted here for completeness.
- 4.5 Following publication of the Submission Plan a focused heritage assessment of the significance of ridge and furrow has been undertaken.
- 4.6 WDH, in agreement with all relevant landowners, is committed to bringing forward and delivering the preferred option allocation reference Site ID 315 under policy S6 as a well-planned, comprehensive development. The Vision Document helps demonstrate how the allocation would contribute positively towards meeting local housing needs in Brinklow, including the provision of affordable homes.
- 4.7 Whilst WDH supports the proposed allocation of Site ID 315, WDH wishes to suggest a number of amendments to the 'development requirements' for the site as set out in the 'Annex: Development site allocations' in the local plan.
- 4.8 The first bullet point requires provision to be made for self-build and custom-build plots as part of the proposed development. However, it fails to specify how many plots need to be provided or that there is actually an evidenced demonstrable need for such plots in Brinklow. As the council's April 2025 self-build register shows only one request for a plot in Brinklow, there is no substantive evidence of a clear need for the site to make provision for self-build plots.
- 4.9 The third bullet requires vehicular access to be provided from [REDACTED], with a secondary access from Heath Lane. WDH considers that [REDACTED] (a cul-de-sac) does not provide a suitable (or indeed the optimum) location for a new access to serve the development of 340 dwellings or even 250 dwellings. WDH has undertaken detailed access design work which evidences that safe access / egress can be achieved directly from Rugby Road and Heath Lane as shown on the Rugby Road access design and pedestrian crossing plan and the Heath Lane access design and pedestrian crossing plan prepared by Roberts Highway Consultants and which have been submitted separately to the council and are again resubmitted here. The principal access should be taken from Rugby Road, with a secondary

access from Heath Lane as set out in the Submission Plan. The proposed Brays Close access effectively creates a double junction between the site and Rugby Road. This could lead to excessive queuing at peak periods and ped/vehicle clashes

4.10 The proposed access point from Rugby Road is located upon the existing vehicular access to the field. Roberts Highways Consultants have shown that this is the optimum location for the site access, with an accompanying requirement for the access into Brays Close to be closed and re-provided via the proposed allocation. As can be seen from the concept masterplan and the detailed access plan, the delivery of a new access into Brays Close is eminently achievable and would ensure that there are not two junctions on the same side of Rugby Road within proximity of each other. WDH considers that a proposed access from Rugby Road and the closure of the Brays Close access could also improve the setting of the conservation area opposite, consistent with the objectives of the NPPF.

4.11 Excluding the eastern part of the site, which can accommodate upto 117 dwellings, fails to follow the sequential approach to site selection. Where it is necessary to release Green Belt land for development, which is clearly the case in Rugby, plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations. The plan has allocated Green Belt land which is not grey belt while preventing development on this site. This is contrary to policy in NPPF and makes the plan unsound.

5.0 Heritage

5.1 In respect of the second bullet point in the 'Annex: Development site allocations', the significance of ridge and furrow has not previously been raised, and for good reason. In heritage terms, the Warwickshire Historic Environment Record (WHER), does not identify the ridge and furrow within the site as a non-designated asset or record any other assets within the site boundary.

5.2 The Interim SA Report previously noted Site ID 315 "as a larger site that is flat and largely free from constraints."

5.3 The Site Assessment Topic Paper (Rugby Borough Stage 2 Site Options Assessment December 2025) in part concluded,

"There are greater potential heritage sensitivities. The site contains no designated heritage assets but lies immediately south of Brinklow Conservation Area. The field features ridge and furrow earthworks, that are remnants of historic agricultural practices, and contributes to the setting of the conservation area, Brinklow Castle, and the nearby grouping of historic farmsteads and agricultural buildings.

The site provisionally lies in the Grey Belt.

There is scope to mitigate against archaeological heritage constraints by restricting development to the western field which borders Heath Lane. This also reduces impacts on the setting of the conservation area and Brinklow Castle. To achieve this, the capacity of the site would be reduced. Considering these measures, the site is a proposed allocation."

- 5.4 The previously submitted Heritage Technical Note (appended here) confirmed,
- "The ridge and furrow earthworks within the site are of low evidential value and whilst they provide some visual indication that this part of the parish was formerly under the open field system they do not provide any opportunity to inform a detailed understanding of the operation of that agricultural system. The remains are not a rarity in the locality (representing approximately 6% of the surviving ridge and furrow in the parish) and their loss would not appreciably diminish the understanding of medieval agricultural practices and is considered that the loss of the ridge and furrow could be adequately mitigated through a topographic survey undertaken prior to development."*
- 5.5 HE consultation response to the Reg 18 Plan noted that the eastern part of Site ID 315 contains well preserved ridge and furrow; part of the medieval open field system associated with Brinklow Castle and its medieval settlement. It contributes to the significance of both the Castle and the settlement (Brinklow Conservation Area) and we recommend that this should be preserved in any forthcoming scheme within the green space. We suggest that this should be added to 'Development requirements' of the site specific policy.
- 5.6 Our heritage assessment concludes that the promoted site contains well-preserved ridge and furrow earthworks which, however, are not identified as a non-designated heritage asset, which would be of local significance. The site is not within the immediate setting of Brinklow Castle, it is not visible from the Scheduled Monument, and it does not form part of the core character of the Brinklow Conservation Area. Stronger and more closely associated examples of ridge and furrow survive elsewhere around the village, particularly to the south of the castle, and these are formally recognised as non-designated heritage assets, unlike the ridge and furrow on this site.
- 5.7 In accordance with the NPPF (paragraph 216), harm to a non-designated heritage asset should be weighed against the public benefits of a proposal. Whilst the presence of ridge and furrow at the site will be a material consideration as part of both the plan making process and the determination of a planning application, it should not represent an overriding constraint to the site's development. Its significance is capable of being appropriately managed through proportionate archaeological investigation, selective retention and sensitive masterplanning.
- 5.8 The 'development requirements' require that access for Site ID 315 crosses the area of ridge and furrow. The proposed area for development on the west requires access through the easterly site.
- 5.9 There is therefore no heritage reason in principle why the easterly field should not be considered suitable for development within the emerging Rugby Local Plan or overriding reasons not to approve an application in the event that a planning application is submitted.
- 5.10 The Site Assessment Topic paper concedes the new proposed approach of leaving the eastern field within the site boundary undeveloped will arguably lead to a somewhat incongruous built form. The Topic Paper also acknowledges the presence of ridge and furrow across the wider area of Brinklow.

- 5.11 Annex A: Development site allocations setting out the development requirements include four sites which include, what appears from aerial imagery to be, areas of ridge and furrow. These are;
- Site ID: 59: Newton Manor Lane, Brownsover, site area: 17.03ha, allocation: circa 285 dwellings
 - Site ID: 39: Dyers Lane, Wolston, site area: 0.92ha, allocation: circa 15 dwellings
 - Site ID: 64: Coton Park east, Rugby, site area: 35.97ha allocation: circa 115,000m² of floorspace for employment use
 - Site ID: 95: Crouner Fields Farm and Home Farm, Hinckley Road, Ansty, site area: 112.18ha, allocation: circa 275,000m² of floorspace for employment use in use classes B2, B8, E(g)(ii) or E(g)(iii) and circa 18,000m² of use class E(g)(i) office space

5.12 No reference to the presence of ridge and furrow in these sites is made or identified on the accompanying plans. No requirements to is made in the development requirements to avoid the areas of ridge and furrow on these sites.

5.13 The SA Report refers to ridge and furrow in respect of only two sites, Site ID 59 and Site ID 315. In respect of Site ID 59 it is acknowledged there are some challenges, relating to topography, ridge and furrow / archaeology, power lines and access / connectivity to Rugby. Ridge and furrow affecting Site 59 is seen as a constraint. Newton Manor House is located adjacent to the south and is shown on historic mapping and also shown is "the site of St Thomas Cross" at the historic crossroads to the east of the site (information here), where there is currently an attractive historic public house (The St Thomas Cross). Finally, there is significant ridge and furrow across the eastern part of the site that, it is assumed, would deliver a secondary school (at least under Scenario 1).

5.14 There is little justification to restricting development of this sustainable site due to a non-designated heritage asset where there is significant public benefit from the development. Heritage benefits can include a better understanding of the significance of ridge and furrow through a topographic survey undertaken prior to development, information boards along the public footpath, the depositing of archaeological finds locally or local school education on the heritage significance.

5.15 Excluding the eastern part of the site, which can accommodate up to 117 dwellings,

6.0 Sustainability Appraisal

6.1 The Sustainability Appraisal Report December 2025 notes (paragraph 5.2.46) that final considerations in respect of housing are in respect of a number of important updates to the evidence base since the Draft Plan stage. These updates are:

- 6.2
- Schools capacity
 - Green Belt Assessment
 - Strategic Transport Assessment (STA)
 - Viability Assessment, and

- Landscape Sensitivity Assessment.

6.3 None of these updates address the need to prioritise preservation of non-designated heritage assets over Green Belt release.

6.4 The process led by Rugby Borough Council officers to consider site options (SA paragraph 5.3) after the HELAA and Urban Capacity Study (UCS) is the 'Site Assessment'. This involved a series of workstreams including:

- Site visits – were completed by RBC officers for all sites
- Transport analysis – a range of quantitative and qualitative methods were employed, as discussed within the Site Assessment Topic Paper
- National Highways – were consulted on sites likely to impact on the Strategic Road Network. Further National Highways comments on individual sites were not sought subsequent to the Draft Plan stage except as part of the Strategic Transport Assessment (which is discussed above in Section 5.2)
- Water Resources – to gain an understanding of potential foul water drainage or surface water drainage limitations, consultation with the relevant water company, Severn Trent Water, was undertaken. Also, following the regulation 18 preferred options consultation a stage 2 Water Cycle Study was prepared
- Education – school place planning advice was sought from Warwickshire County Council, and some additional research to understand the capacities of local schools and by extension potential impacts from proposed development was also undertaken (as discussed above in Section 5.2)
- Landscape – detailed work has been undertaken as discussed in Section 5.2
- Ecology – a desktop screening process was undertaken to identify sensitive sites given SSSIs, Local Wildlife Sites and distinctive habitats. For these sites, a subsequent and more thorough assessment was then prepared. Assessments were updated following the Regulation 18 consultation where necessary
- Heritage assets assessment – a preliminary desk-based screening was undertaken by the RBC conservation officer to identify those sites which may contain a designated heritage asset, or where development may impact on the setting of a designated heritage asset. Subsequent site visits and assessment of sites with potential sensitivities were undertaken by consultants. This identified where there may be impacts and what appropriate mitigation measures could be required. Further updates to this were made following the Regulation 18 consultation
- Green Belt – this was a key input subsequent to the Draft Plan stage, as discussed above in Section 5.2. It allows for the identification of 'provisional' grey belt
- Identification of opportunities – this considers opportunities for other public benefits that the proposed type of development could deliver. This principally draws on information supplied by site promoters.

6.5 Again, none of these workstreams address the need to prioritise preservation of non-designated heritage assets over Green Belt release.

6.6 PPG 018 Reference ID: 11-018-20140306 states all reasonable alternatives need to be considered as the Plan progresses. It appears that the balance between the heritage impact on a non-designated asset and Green Belt, non grey belt Green Belt release, housing need, and affordable

housing provision has not been robustly and resiliently tested. The SA hasn't met the threshold for all reasonable alternatives need to be considered. Failing to allow the development of the eastern part of the site for residential development has not considered this reasonable alternative to Green belt sites. As such the plan is unsound.

7.0 Green Belt

- 7.1 The Proposed Submission Local Plan is the document which the Council intends to submit to the Secretary of State for Housing, Communities and Local Government for examination by the Planning Inspectorate. As such the Council must consider the plan to be sound.
- 7.2 For Site ID 315, including the eastern parcel, to be allocated and removed from the Green Belt, it has been considered to be in a sustainable location that has least impact on Green Belt considerations compared with sites not allocated, which are either in unsustainable locations and/or are judged to have too great an impact on the Green Belt, or other material considerations.
- 7.3 NPPF Paragraphs 145 - 148 set out policy for changing Green Belt boundaries stating that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.
- 7.4 The eastern parcel of Site ID 315 is proposed to be taken out of the Green Belt but will not contribute to meeting housing need. It can accommodate circa 100 dwellings as previously shown in our Vision Document.
- 7.5 All land surrounding the of Wolvey, Brinklow, Wolston and Stretton-on-Dunsmore is considered by the Council to be grey belt. Paragraph 148 of NPPF requires that where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations. There are three sites proposed to be taken out of the Green Belt in villages not considered to be grey belt to meet the Council's identified housing need these are:
- Site ID 253 Lawford Fields Farm, Long Lawford ,16.78ha 250 dwellings
 - Site ID 316 Land at Long Lawford, Long Lawford 19.77ha 400 dwellings
 - Site ID 54 Oakdale Nursery, Brandon 3.23ha 43 dwellings
- 7.6 The combined number of dwellings that would be allocated on land removed from the Green Belt would be 1,436. The total number of the non-grey belt homes (in the Green Belt) chosen in preference of extending Site ID 315 is 693 dwellings.

7.7 The eastern parcel of Site ID 315 can accommodate upto 117 dwellings as shown in the Vision Document. Land of an equivalent size has been prioritised over this site and removed from the Green Belt in deference to a non-designated heritage asset. This approach is not consistent with national policy of enabling the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant. (NPPF Paragraph 36d)

7.8 The Sustainability Appraisal states (paragraph 5.2.52):

"A second new evidence base consideration is Green Belt Assessment, with a two stage Green Belt Assessment (GBA) having recently been completed following the introduction of 'grey belt' as a new category of Green Belt in December 2024 and publication of GBA guidance in early 2025. The Stage 1 assessment identifies large swathes of the rural area as provisional grey belt, whilst land adjacent or in proximity to a 'large built up area' requires detailed consideration before identifying any provisional grey belt, which is the focus of Stage 2. Headline findings are:

- All land surrounding those villages distant from a large built-up area comprises grey belt, which includes Wolvey, Brinklow, Wolston and Stretton-on-Dunsmore."

7.9 The Topic Paper: Green Belt – Exceptional Circumstances December 2025 confirms (paragraph 2.110) the factors that support the exceptional circumstances case for the proposed housing allocations fall into two main categories. First, the sustainability and other benefits of the proposed Green Belt allocations. Second, the examination of all other reasonable options to Green Belt allocation and the reasons for rejecting them.

7.10 Failure to follow the sequential approach to site selection where it is necessary to release Green Belt land for development, where plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations makes the plan unsound.

7.11 Draft Policy S5 is concerned with countryside protection and that outside of the settlement boundaries new development will only be permitted where it is in accordance with a policy of this plan which supports development in such locations and that National Green Belt policy will be applied in areas of Green Belt.

7.12 Firstly, it is to be noted National Green Belt policy now includes polies for land considered to be grey belt. This then introduces a contradiction in the Plan. Green Belt policy generally permit development in the Green Belt, outside settlement boundaries as either named appropriate uses or development which demonstrate very special circumstances. In addition, National Green Belt policy supports development in areas defined as grey belt in the Green Belt, outside the settlement boundary.

7.13 Policy S5 needs take a more granular view on where development can occur in the countryside to be found sound.

8.0 Housing Need and Supply

8.1 The Sustainability Appraisal (paragraph 5.4.7) states all of the higher order settlements (Rugby plus the nine main rural settlements) are considered in

turn, before consideration is given to lower order settlements (rural villages) and then finally the possibility of a new settlement. The nine main rural settlements are:

- Binley Woods
- Brinklow
- Clifton upon Dunsmore
- Dunchurch
- Long Lawford
- Ryton on Dunsmore
- Stretton on Dunsmore
- Wolston and
- Wolvey.

8.2 The Submission Plan shifts focus to brownfield sites with an increase in 668 net additional dwellings on brownfield sites compared to the Reg18 Plan. With the figure applied almost exceeding the Urban Capacity Study findings that 20 sites are suitable, viable (or potentially/likely viable) and available for development, with a mid-point capacity of 684 homes. This is notable for two reasons:

1. the Viability Assessment suggests schemes that delivering flats (Town Centre allocations) are marginal in terms of viability.
2. principally, the plan is no longer resilient, as brownfield sites regularly do not come forward, deliverability is therefore a concern. This is a particular issue given the local housing need for Rugby Borough is 618 dwellings per annum.

8.3 Furthermore, in terms of affordable housing RBC have difficulties with supply. The affordable housing need is 202dpa (minimum) which is 3,434 over the plan period. The allocations in the Submission Plan can only deliver around 1,640 affordable homes (max):

- Houlton 10% affordable housing produces 300 dwellings
- SW Rugby 0% affordable housing produces 0 dwellings
- Eden 30% affordable housing produces 180 dwellings
- Others 826 30% affordable housing (assumed) produces 250 dwellings
- Allocations BF (up to) 20% affordable housing produces 134 dwellings
- Allocations GF 35% affordable housing (blended GF an GB release) produces 776 dwellings
- Windfall sites produce 0% affordable housing (as these are fewer than 5)

8.4 As such, there is an inherent need for more greenfield sites which can deliver higher, policy compliant, affordable housing levels. Given the urgent need sites promoted by a housebuilder will deliver homes quicker. Such a reliance of brownfield sites to meet overall housing need and in particular the need for affordable housing threatens the soundness of the plan.

8.5 PPG Paragraph: 024 Reference ID: 2a-024-20190220 states that the total affordable housing need can 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.

- 8.6 The 'likely delivery' from brownfield sites is historically low. A disproportionate reliance on brownfield sites should lead to an increase in the total housing figure within the plan to compensate to deliver the required number of affordable homes. This would mean that the plan was positively prepared to meet the area's objectively assessed needs
- 8.7 WDH strongly supports the settlement hierarchy outlined under draft Policy S1 and the proposed dispersed development strategy under policies S2 and S6. The settlement hierarchy is reliably underpinned by the up-to-date Rural Sustainability Study (December 2024) which forms part of the local plan evidence base.
- 8.8 The settlement of Brinklow is identified to be the fourth highest sustainable rural settlement in the study area (Table 1 Overall Sustainability Rankings) and has a range of essential and desirable facilities that will mutually support and be economically supported by new residential development including a post office, several public houses, a shop, recreation ground, allotments and children's nursery. Furthermore, the study acknowledges that Brinklow also has good public transport connections. If the study considered the ratio of services to homes within any given village, Brinklow would be the highest by some margin. It is therefore wholly appropriate that Brinklow is identified as a location for growth.
- 8.9 All suitable sites should therefore be effectively used in preference to less sustainable locations.
- 8.10 It is noted that whilst Brinklow is identified as the fourth highest sustainable rural location no new development has been directed to the settlement prior to the current draft plan. Other less sustainable settlements have had to compensate for this in the past.
- 8.11 Since the NPPF was first published in 2012, the government's objective has been to significantly boost the supply of homes. This is set out in paragraph 61 of the NPPF (2024) alongside requirements for planning authorities to provide a sufficient amount and variety of land, to meet the needs of groups with specific housing requirements and to provide an appropriate mix of housing. The consultation draft NPPF (December 2025) acknowledges the government is committed to tackling this country's housing crisis. Decades of failure to build enough homes has constrained growth, pushed ownership out of reach for too many, driven rents to unaffordable levels, and seen more and more people fall into temporary accommodation – including 170,000 children.
- 8.12 The government updated the standard housing method in December 2024 and this indicated that the local housing need for Rugby Borough is 618 dwellings per annum.
- 8.13 Carefully allocating sites in rural settlements enables them to grow sustainably in accordance with paragraph 83 of the NPPF which states that planning policies should identify opportunities for villages to grow and thrive. Indeed, policy HO6 of the proposed NPPF (December 2025) actively encourages local plans to allocate sites which will support and enhance the

vitality of rural communities and enable villages to grow and thrive, especially where this will support local services.

- 8.14 As of the end of May 2025, local housing need calculated in accordance with the standard method is 636 homes per year. Submission policy S2 plans for 10,812 homes between 2025 and 2042 (17-year plan period), equating to an annual average of 636 dwellings per annum (dpa). The overall level of housing is therefore aligned precisely with the standard method. Based on analysis of deliverable sites for the five-year period 1 April 2025 to 31 March 2030 the Council can identify a housing land supply of 4.16 years against the standard method requirement.
- 8.15 Allocations under Policy S6 aim to provide 2,886 dwellings within a total supply of 11,729 dwellings.
- 8.16 In respect of the plan period, the Inspector's report in respect of the Winchester Local Plan considered it pragmatic for an otherwise sound Plan, with the necessary MMs set out in this report, to proceed to adoption, despite its housing requirement period falling just short of the required 15 years post adoption.
- 8.17 At the Wiltshire Local Plan examination, the Inspectors' Stage 2 letter says that given the extent of work required in this letter, together with the remainder of the hearings programme and consultation process that would likely follow, we consider it unlikely that the Plan would be adopted until 2027. The Plan period may, therefore, need to be extended by at least a further four years to 2042 to ensure that the Plan is consistent with national policy and effective.
- 8.18 The Rugby Local Plan only covers the period 2025 and 2042 (17-year plan period), it is optimistically expected to be submitted in December 2026. A great many councils are seeking to meet this deadline to be considered under the legacy regulations and a delay is inevitable with examination and eventual adoption. If the plan is submitted in December 2026 and examination and adoption takes longer than 12 months the plan period would only be 15 years.
- 8.19 There is a danger therefore the new plan will not cover 15 years from adoption and as such would be unsound. Similarly, the plan will fail to identify sufficient land for housing to meet its needs 15 years from adoption which will make the plan unsound.

9.0 Viability

- 9.1 Brinklow Parish Council's view is that the 'deliverability' of the site has also been overstated as the need for extensive archaeological works, and new utilities infrastructure has not been accounted for (the site assessment states the site as having a 'high' constraint for foul water drainage, and new electrical infrastructure would also be needed).
- 9.2 The Stage 2 Site Assessment notes Site ID 283 (shopping centre) is unviable and undeliverable (200 units) - Site ID 315 can easily accommodate some of this and deliver 40% affordable housing alongside
- 9.3 As an experienced residential developer and housebuilder operating in the local area, WDH is fully aware of development costs associated with this

site, including Section 106 contributions, and is confident it can be delivered as set out in the Vision Document.

9.4 The Rugby Borough Council: Local Plan Viability Study December 2025 tests the ability of developments in Rugby Borough to accommodate emerging policies in the Rugby Regulation 19 Local Plan alongside prevailing rates of Community Infrastructure Levy ('CIL') in the Council's adopted Charging Schedule (subject to indexation) and alternative contributions towards community infrastructure through a range of Section 106 contributions.

9.5 The study takes account of the impact of the Council's planning requirements, in line with the requirements of the NPPF, the National Planning Practice Guidance ('PPG'), the RICS Guidance Note 'Assessing viability in Planning under the National Planning Policy Framework for England (2021)' and the Local Housing Delivery Group guidance 'Viability Testing Local Plans: Advice for planning practitioners'.

9.6 The study finds (paragraph 6.29) that given that most sites in the Borough are expected to come forward on greenfield land on the edge of settlements, the outputs indicate that most developments should be able to viably absorb the cumulative impact of the emerging Local Plan policies. In a small number of cases (when the lowest range of sales values is applied), the starting residual land values (i.e. factoring in the affordable housing requirement at 20% but not the other policies) are already below the benchmark land values. In these cases, the affordable housing requirement (either tenure mix or overall percentage) may need to be adjusted at the development management stage.

9.7 WDH take the view that the viability assessment does not thoroughly test the viability of schemes and build costs, including future homes standard, subject to the policy requirements.

10.0 Conclusion

10.1 As set out above there is little justification to restricting development of sustainable Site ID 315 due to a non-designated heritage asset where there is significant public benefit from the development. Those public benefits include;

- Provision of additional housing on a highly sustainable site (Brinklow is the Districts fourth most sustainable settlement),
- Protection of less sustainable non- grey belt sites in the Green Belt,
- affordable housing at policy compliant levels, given the reliance of the plan on brownfield sites where affordable housing is less viable, ensuring provision on greenfield sites is more significant.
- provision of public open space,
- improved site access to Rugby Road,
- provision of signage for heritage appreciation, and creation of sympathetic (not incongruous) built form.

10.2 Excluding the eastern part of the site, which can accommodate upto 117 dwellings fails to follow the sequential approach to site selection. Where it is necessary to release Green Belt land for development, which is clearly the case in Rugby, plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other

	Green Belt locations. The plan has allocated Green Belt land which is not grey belt while preventing development on this site which is grey belt. This is contrary to policy in NPPF and makes the plan unsound.
10.3	The plan has attached too much weight to the harm to a non-designated heritage asset balanced against the harm to removing non-grey belt sites from the Green Belt. The public benefits from the development of this site have not been properly considered which makes the plan unsound.
10.4	The 'likely delivery' from brownfield sites is historically low. A disproportionate reliance on brownfield sites should lead to an increase in the total housing figure within the plan to compensate to deliver the required number of affordable homes. This would mean that the plan was positively prepared to meet the area's objectively assessed needs.
10.5	There is a danger therefore the new plan will not cover 15 years from adoption and as such would be unsound. Similarly, the plan will fail to identify sufficient land for housing to meet its needs 15 years from adoption which will make the plan unsound.

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

1. Amend the development requirements for Site ID 315 to allow development of the eastern parcel, with proportionate archaeological recording of ridge and furrow.
(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:

Yes, we wish to participate in the examination hearings. This is necessary because our requested modifications relate directly to matters of soundness, including the treatment of Site ID 315, application of the Green Belt sequential approach, and policy justification. These issues require detailed explanation, clarification of evidence, and the ability to respond to the inspector's questions in person to assist their understanding and ensure a fair examination.

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.

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>

Rugby Borough Local Plan
Proposed Submission January 2026

Land South of Rugby Road, Brinklow
William Davis Homes

March 2026

tor
&CO

torandco.com

~~Tim~~

Issue / revision	1	[REDACTED]
Reference	[REDACTED]	
This document is issued for		
<input type="checkbox"/> Information	<input type="checkbox"/> Approval	Checked by [REDACTED] Signature Date
<input type="checkbox"/> Comment	<input checked="" type="checkbox"/> Submission	
Comments		Authorised by [REDACTED]
		Signature
		Date [REDACTED]
		Please return by N/A

© tor&co 2025. All rights reserved.

No part of this document may be reproduced in any form or stored in a retrieval system without the prior written consent of the copyright holder.

All figures (unless otherwise stated) © tor&co 2025.

©Crown Copyright and database rights 2022 OS Licence no. AC0000849896

Contains OS data © Crown copyright and database right 2022. Licensed under the Open Government Licence v3.0.

Aerial imagery © Getmapping plc

Table of Contents

1.0	<i>Introduction</i>	4
2.0	<i>About William Davis Homes</i>	5
3.0	<i>Non-strategic policies</i>	6
4.0	<i>Submission Allocation ID 315</i>	7
5.0	<i>Heritage</i>	9
6.0	<i>Sustainability Appraisal</i>	12
7.0	<i>Green Belt</i>	14
8.0	<i>Housing Need and Supply</i>	16
9.0	<i>Viability</i>	19
10.0	<i>Conclusion</i>	21
	Appendix 1 Representation Form	22
	Appendix 2 Vision Document	22
	Appendix 3 Rugby Road Access Design and Pedestrian Crossing Plan prepared by Roberts Highway Consultants	22
	Appendix 4 Heath Lane Access Design and Pedestrian Crossing Plan prepared by Roberts Highway Consultants	23
	Appendix 5 Heritage Technical Note prepared by GHC Archaeology and Heritage Ltd (dated May 2025)	24
	Appendix 6 Ecological Constraints Summary Report prepared by Brindle & Green	25

1.0 Introduction

- 1.1 These representations have been prepared and submitted by tor&co on behalf of William Davis Homes (WDH). WDH, in agreement with all relevant landowners, is committed to bringing forward and delivering part of the proposed residential allocation reference Site ID 315 (land to the south of Rugby Road, Brinklow) under policy S6 as a single, well planned, comprehensive development.
- 1.2 The Preferred Options Plan identified this site for circa 340 dwellings including the easternmost field (previously Site 82). Representations submitted on the Preferred Options were in respect of the easternmost field and supported its allocation as part of Site ID 315.
- 1.3 The Submission Plan, within the 'development requirements' for Site ID 315, requires the avoidance of development, barring access, on the easternmost field to preserve ridge and furrow. Site access across the ridge and furrow is however proposed.
- 1.4 We have undertaken a review of the significance of ridge and furrow on Site 315 and in Brinklow generally.
- 1.5 These representations concentrate on the easternmost field of Site ID 315 as well as the whole site, housing policies generally and other relevant policies. The Publication Stage Representation Form is also submitted as part of these representations.
- 1.6 Our comments address:
- The heritage assessment
 - Sustainability appraisal
 - the Green Belt contribution study strategic assessment, study and exceptional circumstances topic paper
 - Updated housing needs evidence for the borough
 - The local plan viability study
 - The education topic paper.
- 1.7 The government published a consultation National Planning Policy Framework (NPPF) in December 2025. The consultation draft affirms that 'the planning system should be genuinely plan-led. Preparing and maintaining up-to-date development plans should be seen as a priority for providing housing and other development in a sustainable manner. The plan-making policies in the Framework must be taken into account in preparing any part of the development plan.' NPPF emphasis the need for robust and resilient plans that genuinely meet needs (paragraph 15).
- 1.8 For the first time guidance confirms that, 'the purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest' (emphasis added).

2.0 About William Davis Homes

- 2.1 Based in Leicestershire and trading for over 90 years, WDH is one of the Midlands' leading independent house builders and is proud to have delivered award-winning sustainable communities across the region. WDH has a proven track record of housing delivery in Rugby Borough through both its Cawston Rise development and the delivery of homes forming part of the Houlton sustainable urban extension.

- 2.2 WDH prides itself on utilising locally sourced supply-chains and employs labour directly to ensure the delivery of homes of the highest quality. Best practice underpins the culture of the company, which is reflected in its five star status for 10 years running, as rated by the Homes Builders Federation's annual survey of homeowners.

3.0 Non-strategic policies

- 3.1 Draft Policy EN1 (Cii) Biodiversity and geodiversity protect is ambiguous. It states development likely to result in harm to, or the loss of a Local Wildlife Site, Local Nature Reserve or Local Geological Site will not be permitted unless it can be demonstrated that the development could not reasonably be located on an alternative site that would cause less harm.
- 3.2 NPPF paragraph 16 d states that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
- 3.3 The draft policy does not specify who the decision maker is and who and at what stage it needs to be demonstrated. The Policy is not clear and is ambiguous and so fails this policy requirement.
- 3.4 Draft Policy EN 5 – doesn't accord with NPPF paragraph 193. When determining planning applications, local planning authorities should apply the principles that if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 3.5 The BNG mitigation hierarchy includes as a final step off-setting, the offsetting options are:
- On-site biodiversity unit creation
 - Off-site biodiversity units
 - Statutory biodiversity credits (as a last resort)
- 3.6 Credits can be purchased anywhere, and this is at the developer's discretion provided to NPPF 193 is passed. Policy EN5 does not follow national policy and is unsound.
- 3.7 Policy EN6 is in respect of Canopy Cover and forms no part of government policy. As a further layer of environmental policy, it considerably effects scheme viability when taken with statutory BNG. As a blanket policy it has no regard for local circumstances and onerous when other environmental measures are in place.
- 3.8 Policy H7, Housing standards, is not supported by the evidence base. In most part it is simply replication the current building standards which is unnecessary.
- 3.9 Policies D1, D3 and D4 –repeat National Policy and fail NPPF 16 f in not serving a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).
- 3.10 These policies are not positively prepared, not justified, will not be effective and are not consistent with national policy as such they are unsound.

4.0 Submission Allocation ID 315

- 4.1 tor&co prepared a Vision Document for part of the site in 2024 and forwarded a copy to the council. This document shows how up to 117 dwellings, public open space, landscape planting and ancillary infrastructure including surface water drainage attenuation could be delivered. The concept masterplan has had careful regard to landscape, heritage and ecological constraints and has further considered the opportunities to ensure that the site is well connected to the existing settlement. It also shows that the existing facilities, services and amenities in Brinklow are located within a short walking distance of the site and would not require use of a private car. The bus stops located on Coventry Road west of the site provide public transport options to access Rugby and Coventry, the stage 2 site assessment notes this at 60m.
- 4.2 The concept masterplan also shows how the site can be extended into land to the west allowing comprehensive development of Site ID 315.
- 4.3 Since the production of this concept masterplan, WDH's appointed consultant team has undertaken further detailed design work associated with the site's development including:
- a Rugby Road access design and pedestrian crossing plan
 - a Heath Lane access design and pedestrian crossing plan
 - a heritage technical note prepared by GHC Archaeology and Heritage Ltd (dated May 2025) which carefully considers the impact of residential development on heritage assets
 - an ecological constraints summary report which identifies what opportunities can be incorporated into the scheme design to mitigate and / or enhance ecology and biodiversity.
- 4.4 These documents have been submitted separately to Rugby Borough Council and are resubmitted here for completeness.
- 4.5 Following publication of the Submission Plan a focused heritage assessment of the significance of ridge and furrow has been undertaken.
- 4.6 WDH, in agreement with all relevant landowners, is committed to bringing forward and delivering the preferred option allocation reference Site ID 315 under policy S6 as a well-planned, comprehensive development. The Vision Document helps demonstrate how the allocation would contribute positively towards meeting local housing needs in Brinklow, including the provision of affordable homes.
- 4.7 Whilst WDH supports the proposed allocation of Site ID 315, WDH wishes to suggest a number of amendments to the 'development requirements' for the site as set out in the 'Annex: Development site allocations' in the local plan.
- 4.8 The first bullet point requires provision to be made for self-build and custom-build plots as part of the proposed development. However, it fails to specify how many plots need to be provided or that there is actually an evidenced demonstrable need for such plots in Brinklow. As the council's April 2025 self-build register shows only one request for a plot in Brinklow,

there is no substantive evidence of a clear need for the site to make provision for self-build plots.

- 4.9 The third bullet requires vehicular access to be provided from Brays Close, with a secondary access from Heath Lane. WDH considers that Brays Close (a cul-de-sac) does not provide a suitable (or indeed the optimum) location for a new access to serve the development of 340 dwellings or even 250 dwellings. WDH has undertaken detailed access design work which evidences that safe access / egress can be achieved directly from Rugby Road and Heath Lane as shown on the Rugby Road access design and pedestrian crossing plan and the Heath Lane access design and pedestrian crossing plan prepared by Roberts Highway Consultants and which have been submitted separately to the council and are again resubmitted here. The principal access should be taken from Rugby Road, with a secondary access from Heath Lane as set out in the Submission Plan. The proposed Brays Close access effectively creates a double junction between the site and Rugby Road. This could lead to excessive queuing at peak periods and ped/vehicle clashes
- 4.10 The proposed access point from Rugby Road is located upon the existing vehicular access to the field. Roberts Highways Consultants have shown that this is the optimum location for the site access, with an accompanying requirement for the access into Brays Close to be closed and re-provided via the proposed allocation. As can be seen from the concept masterplan and the detailed access plan, the delivery of a new access into Brays Close is eminently achievable and would ensure that there are not two junctions on the same side of Rugby Road within proximity of each other. WDH considers that a proposed access from Rugby Road and the closure of the Brays Close access could also improve the setting of the conservation area opposite, consistent with the objectives of the NPPF.
- 4.11 Excluding the eastern part of the site, which can accommodate upto 117 dwellings, fails to follow the sequential approach to site selection. Where it is necessary to release Green Belt land for development, which is clearly the case in Rugby, plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations. The plan has allocated Green Belt land which is not grey belt while preventing development on this site. This is contrary to policy in NPPF and makes the plan unsound.

5.0 Heritage

5.1 In respect of the second bullet point in the 'Annex: Development site allocations', the significance of ridge and furrow has not previously been raised, and for good reason. In heritage terms, the Warwickshire Historic Environment Record (WHER), does not identify the ridge and furrow within the site as a non-designated asset or record any other assets within the site boundary.

5.2 The Interim SA Report previously noted Site ID 315 "as a larger site that is flat and largely free from constraints."

5.3 The Site Assessment Topic Paper (Rugby Borough Stage 2 Site Options Assessment December 2025) in part concluded,

"There are greater potential heritage sensitivities. The site contains no designated heritage assets but lies immediately south of Brinklow Conservation Area. The field features ridge and furrow earthworks, that are remnants of historic agricultural practices, and contributes to the setting of the conservation area, Brinklow Castle, and the nearby grouping of historic farmsteads and agricultural buildings.

The site provisionally lies in the Grey Belt.

There is scope to mitigate against archaeological heritage constraints by restricting development to the western field which borders Heath Lane. This also reduces impacts on the setting of the conservation area and Brinklow Castle. To achieve this, the capacity of the site would be reduced. Considering these measures, the site is a proposed allocation."

5.4 The previously submitted Heritage Technical Note (appended here) confirmed,

"The ridge and furrow earthworks within the site are of low evidential value and whilst they provide some visual indication that this part of the parish was formerly under the open field system they do not provide any opportunity to inform a detailed understanding of the operation of that agricultural system. The remains are not a rarity in the locality (representing approximately 6% of the surviving ridge and furrow in the parish) and their loss would not appreciably diminish the understanding of medieval agricultural practices and it is considered that the loss of the ridge and furrow could be adequately mitigated through a topographic survey undertaken prior to development."

5.5 HE consultation response to the Reg 18 Plan noted that the eastern part of Site ID 315 contains well preserved ridge and furrow; part of the medieval open field system associated with Brinklow Castle and its medieval settlement. It contributes to the significance of both the Castle and the settlement (Brinklow Conservation Area) and we recommend that this should be preserved in any forthcoming scheme within the green space. We suggest that this should be added to 'Development requirements' of the site specific policy.

5.6 Our heritage assessment concludes that the promoted site contains well-preserved ridge and furrow earthworks which, however, are not identified

as a non-designated heritage asset, which would be of local significance. The site is not within the immediate setting of Brinklow Castle, it is not visible from the Scheduled Monument, and it does not form part of the core character of the Brinklow Conservation Area. Stronger and more closely associated examples of ridge and furrow survive elsewhere around the village, particularly to the south of the castle, and these are formally recognised as non-designated heritage assets, unlike the ridge and furrow on this site.

- 5.7 In accordance with the NPPF (paragraph 216), harm to a non-designated heritage asset should be weighed against the public benefits of a proposal. Whilst the presence of ridge and furrow at the site will be a material consideration as part of both the plan making process and the determination of a planning application, it should not represent an overriding constraint to the site's development. Its significance is capable of being appropriately managed through proportionate archaeological investigation, selective retention and sensitive masterplanning.
- 5.8 The 'development requirements' require that access for Site ID 315 crosses the area of ridge and furrow. The proposed area for development on the west requires access through the easterly site.
- 5.9 There is therefore no heritage reason in principle why the easterly field should not be considered suitable for development within the emerging Rugby Local Plan or overriding reasons not to approve an application in the event that a planning application is submitted.
- 5.10 The Site Assessment Topic paper concedes the new proposed approach of leaving the eastern field within the site boundary undeveloped will arguably lead to a somewhat incongruous built form. The Topic Paper also acknowledges the presence of ridge and furrow across the wider area of Brinklow.
- 5.11 Annex A: Development site allocations setting out the development requirements include four sites which include, what appears from aerial imagery to be, areas of ridge and furrow. These are;
- Site ID: 59: Newton Manor Lane, Brownsover, site area: 17.03ha, allocation: circa 285 dwellings
 - Site ID: 39: Dyers Lane, Wolston, site area: 0.92ha, allocation: circa 15 dwellings
 - Site ID: 64: Coton Park east, Rugby, site area: 35.97ha allocation: circa 115,000m² of floorspace for employment use
 - Site ID: 95: Crouner Fields Farm and Home Farm, Hinckley Road, Ansty, site area: 112.18ha, allocation: circa 275,000m² of floorspace for employment use in use classes B2, B8, E(g)(ii) or E(g)(iii) and circa 18,000m² of use class E(g)(i) office space
- 5.12 No reference to the presence of ridge and furrow in these sites is made or identified on the accompanying plans. No requirements to is made in the development requirements to avoid the areas of ridge and furrow on these sites.

- 5.13 The SA Report refers to ridge and furrow in respect of only two sites, Site ID 59 and Site ID 315. In respect of Site ID 59 it is acknowledged there are some challenges, relating to topography, ridge and furrow / archaeology, power lines and access / connectivity to Rugby. Ridge and furrow affecting Site 59 is seen as a constraint. Newton Manor House is located adjacent to the south and is shown on historic mapping and also shown is “the site of St Thomas Cross” at the historic crossroads to the east of the site (information here), where there is currently an attractive historic public house (The St Thomas Cross). Finally, there is significant ridge and furrow across the eastern part of the site that, it is assumed, would deliver a secondary school (at least under Scenario 1).
- 5.14 There is little justification to restricting development of this sustainable site due to a non-designated heritage asset where there is significant public benefit from the development. Heritage benefits can include a better understanding of the significance of ridge and furrow through a topographic survey undertaken prior to development, information boards along the public footpath, the depositing of archaeological finds locally or local school education on the heritage significance.
- 5.15 Excluding the eastern part of the site, which can accommodate upto 117 dwellings,

6.0 Sustainability Appraisal

- 6.1 The Sustainability Appraisal Report December 2025 notes (paragraph 5.2.46) that final considerations in respect of housing are in respect of a number of important updates to the evidence base since the Draft Plan stage. These updates are:
- 6.2
- Schools capacity
 - Green Belt Assessment
 - Strategic Transport Assessment (STA)
 - Viability Assessment, and
 - Landscape Sensitivity Assessment.
- 6.3 None of these updates address the need to prioritise preservation of non-designated heritage assets over Green Belt release.
- 6.4 The process led by Rugby Borough Council officers to consider site options (SA paragraph 5.3) after the HELAA and Urban Capacity Study (UCS) is the 'Site Assessment'. This involved a series of workstreams including:
- Site visits – were completed by RBC officers for all sites
 - Transport analysis – a range of quantitative and qualitative methods were employed, as discussed within the Site Assessment Topic Paper
 - National Highways – were consulted on sites likely to impact on the Strategic Road Network. Further National Highways comments on individual sites were not sought subsequent to the Draft Plan stage except as part of the Strategic Transport Assessment (which is discussed above in Section 5.2)
 - Water Resources – to gain an understanding of potential foul water drainage or surface water drainage limitations, consultation with the relevant water company, Severn Trent Water, was undertaken. Also, following the regulation 18 preferred options consultation a stage 2 Water Cycle Study was prepared
 - Education – school place planning advice was sought from Warwickshire County Council, and some additional research to understand the capacities of local schools and by extension potential impacts from proposed development was also undertaken (as discussed above in Section 5.2)
 - Landscape – detailed work has been undertaken as discussed in Section 5.2
 - Ecology – a desktop screening process was undertaken to identify sensitive sites given SSSIs, Local Wildlife Sites and distinctive habitats. For these sites, a subsequent and more thorough assessment was then prepared. Assessments were updated following the Regulation 18 consultation where necessary
 - Heritage assets assessment – a preliminary desk-based screening was undertaken by the RBC conservation officer to identify those sites which may contain a designated heritage asset, or where development may impact on the setting of a designated heritage asset. Subsequent site visits and assessment of sites with potential sensitivities were undertaken by consultants. This identified where there may be impacts and what appropriate mitigation measures could be required. Further updates to this were made following the Regulation 18 consultation

- Green Belt – this was a key input subsequent to the Draft Plan stage, as discussed above in Section 5.2. It allows for the identification of ‘provisional’ grey belt
- Identification of opportunities – this considers opportunities for other public benefits that the proposed type of development could deliver. This principally draws on information supplied by site promoters.

6.5 Again, none of these workstreams address the need to prioritise preservation of non-designated heritage assets over Green Belt release.

6.6 PPG 018 Reference ID: 11-018-20140306 states all reasonable alternatives need to be considered as the Plan progresses. It appears that the balance between the heritage impact on a non-designated asset and Green Belt, non grey belt Green Belt release, housing need, and affordable housing provision has not been robustly and resiliently tested. The SA hasn't met the threshold for all reasonable alternatives need to be considered. Failing to allow the development of the eastern part of the site for residential development has not considered this reasonable alternative to Green belt sites. As such the plan is unsound.

7.0 Green Belt

- 7.1 The Proposed Submission Local Plan is the document which the Council intends to submit to the Secretary of State for Housing, Communities and Local Government for examination by the Planning Inspectorate. As such the Council must consider the plan to be sound.
- 7.2 For Site ID 315, including the eastern parcel, to be allocated and removed from the Green Belt, it has been considered to be in a sustainable location that has least impact on Green Belt considerations compared with sites not allocated, which are either in unsustainable locations and/or are judged to have too great an impact on the Green Belt, or other material considerations.
- 7.3 NPPF Paragraphs 145 - 148 set out policy for changing Green Belt boundaries stating that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.
- 7.4 The eastern parcel of Site ID 315 is proposed to be taken out of the Green Belt but will not contribute to meeting housing need. It can accommodate circa 100 dwellings as previously shown in our Vision Document.
- 7.5 All land surrounding the of Wolvey, Brinklow, Wolston and Stretton-on-Dunsmore is considered by the Council to be grey belt. Paragraph 148 of NPPF requires that where it is necessary to release Green Belt land for development, plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations. There are three sites proposed to be taken out of the Green Belt in villages not considered to be grey belt to meet the Council's identified housing need these are:
- Site ID 253 Lawford Fields Farm, Long Lawford ,16.78ha 250 dwellings
 - Site ID 316 Land at Long Lawford, Long Lawford 19.77ha 400 dwellings
 - Site ID 54 Oakdale Nursery, Brandon 3.23ha 43 dwellings
- 7.6 The combined number of dwellings that would be allocated on land removed from the Green Belt would be 1,436. The total number of the non-grey belt homes (in the Green Belt) chosen in preference of extending Site ID 315 is 693 dwellings.
- 7.7 The eastern parcel of Site ID 315 can accommodate upto 117 dwellings as shown in the Vision Document. Land of an equivalent size has been prioritised over this site and removed from the Green Belt in deference to a non-designated heritage asset. This approach is not consistent with

national policy of enabling the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant. (NPPF Paragraph 36d)

7.8 The Sustainability Appraisal states (paragraph 5.2.52):

“A second new evidence base consideration is Green Belt Assessment, with a two stage Green Belt Assessment (GBA) having recently been completed following the introduction of ‘grey belt’ as a new category of Green Belt in December 2024 and publication of GBA guidance in early 2025. The Stage 1 assessment identifies large swathes of the rural area as provisional grey belt, whilst land adjacent or in proximity to a ‘large built up area’ requires detailed consideration before identifying any provisional grey belt, which is the focus of Stage 2. Headline findings are:

- All land surrounding those villages distant from a large built-up area comprises grey belt, which includes Wolvey, Brinklow, Wolston and Stretton-on-Dunsmore.”

7.9 The Topic Paper: Green Belt – Exceptional Circumstances December 2025 confirms (paragraph 2.110) the factors that support the exceptional circumstances case for the proposed housing allocations fall into two main categories. First, the sustainability and other benefits of the proposed Green Belt allocations. Second, the examination of all other reasonable options to Green Belt allocation and the reasons for rejecting them.

7.10 Failure to follow the sequential approach to site selection where it is necessary to release Green Belt land for development, where plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations makes the plan unsound.

7.11 Draft Policy S5 is concerned with countryside protection and that outside of the settlement boundaries new development will only be permitted where it is in accordance with a policy of this plan which supports development in such locations and that National Green Belt policy will be applied in areas of Green Belt.

7.12 Firstly, it is to be noted National Green Belt policy now includes polies for land considered to be grey belt. This then introduces a contradiction in the Plan. Green Belt policy generally permit development in the Green Belt, outside settlement boundaries as either named appropriate uses or development which demonstrate very special circumstances. In addition, National Green Belt policy supports development in areas defined as grey belt in the Green Belt, outside the settlement boundary.

7.13 Policy S5 needs take a more granular view on where development can occur in the countryside to be found sound.

8.0 Housing Need and Supply

8.1 The Sustainability Appraisal (paragraph 5.4.7) states all of the higher order settlements (Rugby plus the nine main rural settlements) are considered in turn, before consideration is given to lower order settlements (rural villages) and then finally the possibility of a new settlement. The nine main rural settlements are:

- Binley Woods
- Brinklow
- Clifton upon Dunsmore
- Dunchurch
- Long Lawford
- Ryton on Dunsmore
- Stretton on Dunsmore
- Wolston and
- Wolvey.

8.2 The Submission Plan shifts focus to brownfield sites with an increase in 668 net additional dwellings on brownfield sites compared to the Reg18 Plan. With the figure applied almost exceeding the Urban Capacity Study findings that 20 sites are suitable, viable (or potentially/likely viable) and available for development, with a mid-point capacity of 684 homes. This is notable for two reasons:

1. the Viability Assessment suggests schemes that delivering flats (Town Centre allocations) are marginal in terms of viability.
2. principally, the plan is no longer resilient, as brownfield sites regularly do not come forward, deliverability is therefore a concern. This is a particular issue given the local housing need for Rugby Borough is 618 dwellings per annum.

8.3 Furthermore, in terms of affordable housing RBC have difficulties with supply. The affordable housing need is 202dpa (minimum) which is 3,434 over the plan period. The allocations in the Submission Plan can only deliver around 1,640 affordable homes (max):

- Houlton 10% affordable housing produces 300 dwellings
- SW Rugby 0% affordable housing produces 0 dwellings
- Eden 30% affordable housing produces 180 dwellings
- Others 826 30% affordable housing (assumed) produces 250 dwellings
- Allocations BF (up to) 20% affordable housing produces 134 dwellings
- Allocations GF 35% affordable housing (blended GF an GB release) produces 776 dwellings
- Windfall sites produce 0% affordable housing (as these are fewer than 5)

8.4 As such, there is an inherent need for more greenfield sites which can deliver higher, policy compliant, affordable housing levels. Given the urgent need sites promoted by a housebuilder will deliver homes quicker. Such a

reliance of brownfield sites to meet overall housing need and in particular the need for affordable housing threatens the soundness of the plan.

- 8.5 PPG Paragraph: 024 Reference ID: 2a-024-20190220 states that the total affordable housing need can 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.
- 8.6 The 'likely delivery' from brownfield sites is historically low. A disproportionate reliance on brownfield sites should lead to an increase in the total housing figure within the plan to compensate to deliver the required number of affordable homes. This would mean that the plan was positively prepared to meet the area's objectively assessed needs
- 8.7 WDH strongly supports the settlement hierarchy outlined under draft Policy S1 and the proposed dispersed development strategy under policies S2 and S6. The settlement hierarchy is reliably underpinned by the up-to-date Rural Sustainability Study (December 2024) which forms part of the local plan evidence base.
- 8.8 The settlement of Brinklow is identified to be the fourth highest sustainable rural settlement in the study area (Table 1 Overall Sustainability Rankings) and has a range of essential and desirable facilities that will mutually support and be economically supported by new residential development including a post office, several public houses, a shop, recreation ground, allotments and children's nursery. Furthermore, the study acknowledges that Brinklow also has good public transport connections. If the study considered the ratio of services to homes within any given village, Brinklow would be the highest by some margin. It is therefore wholly appropriate that Brinklow is identified as a location for growth.
- 8.9 All suitable sites should therefore be effectively used in preference to less sustainable locations.
- 8.10 It is noted that whilst Brinklow is identified as the fourth highest sustainable rural location no new development has been directed to the settlement prior to the current draft plan. Other less sustainable settlements have had to compensate for this in the past.
- 8.11 Since the NPPF was first published in 2012, the government's objective has been to significantly boost the supply of homes. This is set out in paragraph 61 of the NPPF (2024) alongside requirements for planning authorities to provide a sufficient amount and variety of land, to meet the needs of groups with specific housing requirements and to provide an appropriate mix of housing. The consultation draft NPPF (December 2025) acknowledges the government is committed to tackling this country's housing crisis. Decades of failure to build enough homes has constrained growth, pushed ownership out of reach for too many, driven rents to unaffordable levels, and seen more and more people fall into temporary accommodation – including 170,000 children.

- 8.12 The government updated the standard housing method in December 2024 and this indicated that the local housing need for Rugby Borough is 618 dwellings per annum.
- 8.13 Carefully allocating sites in rural settlements enables them to grow sustainably in accordance with paragraph 83 of the NPPF which states that planning policies should identify opportunities for villages to grow and thrive. Indeed, policy HO6 of the proposed NPPF (December 2025) actively encourages local plans to allocate sites which will support and enhance the vitality of rural communities and enable villages to grow and thrive, especially where this will support local services.
- 8.14 As of the end of May 2025, local housing need calculated in accordance with the standard method is 636 homes per year. Submission policy S2 plans for 10,812 homes between 2025 and 2042 (17-year plan period), equating to an annual average of 636 dwellings per annum (dpa). The overall level of housing is therefore aligned precisely with the standard method. Based on analysis of deliverable sites for the five-year period 1 April 2025 to 31 March 2030 the Council can identify a housing land supply of 4.16 years against the standard method requirement.
- 8.15 Allocations under Policy S6 aim to provide 2,886 dwellings within a total supply of 11,729 dwellings.
- 8.16 In respect of the plan period, the Inspector's report in respect of the Winchester Local Plan considered it pragmatic for an otherwise sound Plan, with the necessary MMs set out in this report, to proceed to adoption, despite its housing requirement period falling just short of the required 15 years post adoption.
- 8.17 At the Wiltshire Local Plan examination, the Inspectors' Stage 2 letter says that given the extent of work required in this letter, together with the remainder of the hearings programme and consultation process that would likely follow, we consider it unlikely that the Plan would be adopted until 2027. The Plan period may, therefore, need to be extended by at least a further four years to 2042 to ensure that the Plan is consistent with national policy and effective.
- 8.18 The Rugby Local Plan only covers the period 2025 and 2042 (17-year plan period), it is optimistically expected to be submitted in December 2026. A great many councils are seeking to meet this deadline to be considered under the legacy regulations and a delay is inevitable with examination and eventual adoption. If the plan is submitted in December 2026 and examination and adoption takes longer than 12 months the plan period would only be 15 years.
- 8.19 There is a danger therefore the new plan will not cover 15 years from adoption and as such would be unsound. Similarly, the plan will fail to identify sufficient land for housing to meet its needs 15 years from adoption which will make the plan unsound.

9.0 Viability

- 9.1 Brinklow Parish Council's view is that the 'deliverability' of the site has also been overstated as the need for extensive archaeological works, and new utilities infrastructure has not been accounted for (the site assessment states the site as having a 'high' constraint for foul water drainage, and new electrical infrastructure would also be needed).
- 9.2 The Stage 2 Site Assessment notes Site ID 283 (shopping centre) is unviable and undeliverable (200 units) - Site ID 315 can easily accommodate some of this and deliver 40% affordable housing alongside
- 9.3 As an experienced residential developer and housebuilder operating in the local area, WDH is fully aware of development costs associated with this site, including Section 106 contributions, and is confident it can be delivered as set out in the Vision Document.
- 9.4 The Rugby Borough Council: Local Plan Viability Study December 2025 tests the ability of developments in Rugby Borough to accommodate emerging policies in the Rugby Regulation 19 Local Plan alongside prevailing rates of Community Infrastructure Levy ('CIL') in the Council's adopted Charging Schedule (subject to indexation) and alternative contributions towards community infrastructure through a range of Section 106 contributions.
- 9.5 The study takes account of the impact of the Council's planning requirements, in line with the requirements of the NPPF, the National Planning Practice Guidance ('PPG'), the RICS Guidance Note 'Assessing viability in Planning under the National Planning Policy Framework for England (2021)' and the Local Housing Delivery Group guidance 'Viability Testing Local Plans: Advice for planning practitioners'.
- 9.6 The study finds (paragraph 6.29) that given that most sites in the Borough are expected to come forward on greenfield land on the edge of settlements, the outputs indicate that most developments should be able to viably absorb the cumulative impact of the emerging Local Plan policies. In a small number of cases (when the lowest range of sales values is applied), the starting residual land values (i.e. factoring in the affordable housing requirement at 20% but not the other policies) are already below the benchmark land values. In these cases, the affordable housing requirement (either tenure mix or overall percentage) may need to be adjusted at the development management stage.
- 9.7 WDH take the view that the viability assessment does not thoroughly test the viability of schemes and build costs, including future homes standard, subject to the policy requirements.

- 9.8 Policy CL3 is overly prescriptive and onerous. There is a requirement on utility providers to make provision for services, including water supply, with developers having a right to connect.
- 9.9 Section 37 of the Water Industry Act 1991 states it shall be the duty of every water undertaker to develop and maintain an efficient and economical system of water supply within its area and to ensure that all such arrangements have been made for providing supplies of water to premises in that area and for making such supplies available to persons who demand them.
- 9.10 S106 of the Water Industry Act allows the owner or occupier of any premises, or the owner of any private sewer which drains premises, to be entitled to have his drains or sewer communicate with the public sewer of any sewerage undertaker and thereby to discharge foul water and surface water from those premises or that private sewer.
- 9.11 The policy duplicates and extends the requirements of building regulations and threatens viability of projects which are under pressure from mandatory commitments like affordable housing, BNG and CiL. The Government does not expect standard above regs (2013 WMS) and if they are to be promoted in a Local Plan, they need to be fully justified. The plan does not do this, and these policies make the plan unsound.
- 9.12 The draft NPPF DM7 addresses the relationship with other regulatory regimes, confirming development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.
- 9.13 Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).
- 9.14 Whilst not yet national policy CL3 would not be consistent with this and therefore unsound.
- 9.15 Furthermore, the emerging National Development Management Policy, will mean local development management policies which are in any way inconsistent with the national decision-making policies in the Framework should be given very limited weight.

10.0 Conclusion

10.1 As set out above there is little justification to restricting development of sustainable Site ID 315 due to a non-designated heritage asset where there is significant public benefit from the development. Those public benefits include;

- Provision of additional housing on a highly sustainable site (Brinklow is the Districts fourth most sustainable settlement),
- Protection of less sustainable non- grey belt sites in the Green Belt,
- affordable housing at policy compliant levels, given the reliance of the plan on brownfield sites where affordable housing is less viable, ensuring provision on greenfield sites is more significant.
- provision of public open space,
- improved site access to Rugby Road,
- provision of signage for heritage appreciation, and creation of sympathetic (not incongruous) built form.

10.2 Excluding the eastern part of the site, which can accommodate upto 117 dwellings fails to follow the sequential approach to site selection. Where it is necessary to release Green Belt land for development, which is clearly the case in Rugby, plans should give priority to previously developed land, then consider grey belt, which is not previously developed, and then other Green Belt locations. The plan has allocated Green Belt land which is not grey belt while preventing development on this site which is grey belt. This is contrary to policy in NPPF and makes the plan unsound.

10.3 The plan has attached too much weight to the harm to a non-designated heritage asset balanced against the harm to removing non-grey belt sites from the Green Belt. The public benefits from the development of this site have not been properly considered which makes the plan unsound.

10.4 The 'likely delivery' from brownfield sites is historically low. A disproportionate reliance on brownfield sites should lead to an increase in the total housing figure within the plan to compensate to deliver the required number of affordable homes. This would mean that the plan was positively prepared to meet the area's objectively assessed needs.

10.5 There is a danger therefore the new plan will not cover 15 years from adoption and as such would be unsound. Similarly, the plan will fail to identify sufficient land for housing to meet its needs 15 years from adoption which will make the plan unsound.

Appendix 1 Representation Form

Appendix 2 Vision Document

**Appendix 3 Rugby Road Access Design and Pedestrian Crossing Plan
prepared by Roberts Highway Consultants**

**Appendix 4 Heath Lane Access Design and Pedestrian Crossing Plan
prepared by Roberts Highway Consultants**

Appendix 5 Heritage Technical Note prepared by GHC Archaeology and Heritage Ltd (dated May 2025)

**Appendix 6 Ecological Constraints Summary Report prepared by
Brindle & Green**

London
Birmingham
Bournemouth
Bristol



All rights reserved.

No part of this document may be reproduced
in any form or stored in a retrieval system
without the prior written consent of the
copyright holder

©tor&co 2025

