

# Rebuttal Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

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Coventry Stadium, Rugby Road, Brandon Rugby  
Borough

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Demolition of existing buildings and outline planning application (with matters of access, layout, scale, and appearance included) for residential development (Use Class C3) including means of access into the site from the Rugby Road, provision of open space and associated infrastructure and provision of sports pitch, erection of pavilion and formation of associated car park.

Coventry Stadium, Brandon, Rugby Borough

Brandon Estates Ltd

September 2023

PINS REF: APP/E3715/W/23/3322013

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# Introduction

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## Section 1

- 1.1 This short rebuttal evidence is primarily submitted in response to the evidence of the **Rule 6 Party Proof of Evidence of Mr David Carter**.
- 1.2 However, I also briefly comment below on the scarcity of the evidence presented by the Council in respect of affordable housing.
- 1.3 The specific concerns which necessitate this rebuttal evidence relate to the need to clarify the evidence provided in respect of **the future supply of Affordable housing delivery**.

### Scarcity of LPA evidence

- 1.4 I note within the Council Proof of Evidence of Mr Gary Stevens, there is very little commentary in respect of affordable housing.
- 1.5 Whilst Mr Stevens does highlight that there are 27 households on the waiting list for Brandon/Bretford (Paragraph 5.5, on page 10) and in my opinion this compares favourably with the proposed 25 affordable homes, it does need to be contrasted with the evidence contained within the Council's FoI response and my Proof of Evidence. My Figure 10.1 (on page 57) of my main Proof of Evidence identifies that there are 231 households who have expressed a local preference.
- 1.6 Furthermore, Paragraph 5.5 of Mr Stevens Proof of Evidence states "*The provision of 25 affordable homes is considered to have significant weight having regard to the evidence of housing need provided by the Council.*" However, I am at a total loss to fully understand the rationale for this level of weighting, as Mr Stevens does not provide any substantive facts or figures to establish his position. Of course, I note the weight given by Mr Carter is lower than that suggested by the LPA.
- 1.7 In due course, the appellants will be asking the Inspector to favour their evidence in respect of the depth and scope of the affordable housing evidence, the level of need and how the appeal proposals can assist in meeting that need, along with a higher level of weight be attached to the delivery of much needed affordable housing. The weight being **substantial weight**.

- 1.8 I do not comment on other matters contained within the Rule 6 Parties or the Council's Proofs of Evidence, but the lack of comment should not be construed as agreement.

# Rebuttal Evidence

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## Section 2

### Rule 6 Party Proof of Evidence of David Carter

- 2.1 I note that Mr Carter at paragraph 3.20 (on page 9) acknowledges the past shortfalls in affordable housing delivery, but Mr Carter considers that the future supply of affordable housing will improve: *"The acceleration of the housing requirement in the latter years of the plan means that the level of affordable housing across the plan period (2011-31) is likely to increase"*.
- 2.2 It is unclear within which period Mr Carter is specifically referring to. However, from my perspective any attempt to delay the delivery of much needed affordable housing now, to some unknown date later in the Plan period, is unacceptable. The households in need of affordable housing are real people in real need now (my emphasis).
- 2.3 To demonstrate the acute need for affordable housing now, I have further analysed on a site by site basis, the likely delivery of affordable housing contained within the Council's Housing Land Supply Position Statement ("HLSPS") (**CD 8.5**). This covers the period 1 April 2022 to 31 March 2027 and indicates that the Council has a forward supply of 3,586 dwellings over the next five years. (my emphasis).
- 2.4 This more detailed analysis, contained in **Appendix JSr1**, and expands upon the high level analysis I presented within Section 9 of my main proof of evidence. Within Section 9, I presented two potential scenario's for the delivery of affordable housing within the next 5 years.
- 2.5 The first being if we were generously to assume that all 3,586 dwellings included in the 5YHLS will come forward on sites eligible for affordable housing; and that all of these sites would provide the maximum Policy H2 compliant levels of affordable housing (i.e. 30%) as a proportion of overall housing completions, this is likely to deliver only 1,076 affordable dwellings over the period, equating to just 215 new affordable dwellings per annum.
- 2.6 The second approach was to assume that prevailing rates of affordable housing delivery will be achieved. As set out in Figure 4.1 of my Main proof of evidence, since the start of the Local Plan period in 2011/12, an average of 21% of all housing

completions have been affordable homes (not accounting for any Right to Buy deductions). Taking 21% of all 3,586 dwellings counted in the 5YHLS would deliver 753 affordable dwellings over the period, equating to just 150 affordable dwellings per annum.

- 2.7 I concluded that both of these figures would be insufficient against the need for 495 affordable dwellings per annum that is identified in the HEDNA 2022, applicable from 2022/23 onwards.
- 2.8 I further intimated that, *“the Council’s current future supply of identified affordable housing will not deliver sufficient affordable housing to meet annual needs. This makes it even more important that suitable sites, such as the appeal site, being granted planning permission now in order to boost the supply of affordable housing”*. (Paragraph 9.18 on page 56).

### **Detailed analysis**

- 2.9 For the purpose of this evidence, the calculations with regard to future affordable housing delivery have been calculated using the sites included in the supply above 11 dwellings as they are considered to qualify for affordable housing contributions.
- 2.10 Unfortunately, there is no publicly available information breaking down the split in completions between market and affordable. I have therefore based my future supply analysis assuming all of the affordable housing units are still to be built.
- 2.11 In reality, this will not be the case and therefore my analysis is based on a best-case scenario for the council’s anticipated delivery.
- 2.12 Of the 3,586 dwellings included in the Council’s latest 5YHLS, it is considered that 635 dwellings across 31 qualifying sites will come forwards on sites eligible for affordable housing, i.e. those above the 11 dwelling threshold.
- 2.13 Following a review of each of the applications on these 31 sites (**Appendix JSr1**), the Council have committed to deliver 635 gross affordable dwellings over the five-year period, equating to 125 gross affordable homes per annum.
- 2.14 The detailed analysis demonstrates that there is no step change in the delivery of affordable housing over the next 5 years compared to the previous 5-years.
- 2.15 Clearly the Council’s future supply figures derived from the analysis is lower than the high level analysis I presented in Section 9 i.e. 215 or 150 affordable homes per annum.

- 2.16 Based on this more detailed analysis the claim by Mr Carter is not accurate within the next 5 years.
- 2.17 Consequently, I have no confidence that the council can see a sufficient step change in the delivery of affordable housing to meet annual needs. This makes it even more important that suitable sites, such as the appeal site, being granted planning permission now in order to boost the supply of affordable housing.

### **Conclusions**

- 2.18 In light of the Council's poor record of affordable housing delivery, the volatility of future affordable housing delivery and the level of affordable housing needs identified there can be no doubt that the provision of 25 affordable dwellings on this site should be afforded **substantial weight** in the determination of this appeal.



# Appendices for Rebuttal Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

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## Appendices

Appendix JSr1	<a href="#">Affordable Housing – Housing Land Supply Spreadsheet</a>
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## Appendix JSr1

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### Affordable Housing – Housing Land Supply Spreadsheet



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Main Rural Settlements Allocations																
TKP 019	Wolvey Campus, Wolvey	Detailed R22/0113 - 90 Units	90	Onsite	18	20%	n/a	Y	0	0	40	40	10	90	18	<ul style="list-style-type: none"> <li>Officer report dated 26 August 2022</li> <li>S106 dated 05 January 2022</li> </ul>
TKP 020	Land at Coventry Road, Wolvey	Current detailed application R22/0670 - 11 units (previous outline permission (R19/0869) resolved to grant subject to S106 but withdrawn by agent)	11	Onsite	3	30%	n/a	Y	0	0	0	11	0	11	3	<ul style="list-style-type: none"> <li>Planning statement dated (05 July 2022)</li> </ul>
TKP 021	Land off Squires Road, Stretton on Dunmore	Outline- R17/1767- 55 Units	55	Onsite	17	30%	n/a	Y	0	0	0	40	15	55	17	<ul style="list-style-type: none"> <li>S106 dated 04 October 2022</li> </ul>
TKP 022	Plott Lane, Stretton Dunsmore	Revised application not yet received	0	n/a	0	0	n/a	N	0	0	0	0	0	0	0	Not Deliverable
TKP 023	Leamington Road, Ryton on Dunsmore	Application not yet received	0	n/a	0	0	n/a	N	0	0	0	0	0	0	0	Not Deliverable
TKP 024	Land at Sherwood Farm Binley Woods (Lion Court Homes)	Detailed - R18/2076 - 80 Units (R21/1020 S73 under	80	Onsite	24	30%	n/a	Y	0	40	40	0	0	80	24	<ul style="list-style-type: none"> <li>S106 dated 25 August 2021</li> <li>Design and Access Statement 13 June 2019</li> </ul>
TK 025	Linden Tree Bungalow, Walston	Application not yet received	0	n/a	0	0	n/a	N	0	0	0	0	0	0	0	Not Deliverable
TKP 026	Land North of Coventry Road, Long Lawford	Detailed- R17/1089- 149 Units	149	Onsite - Viability	23	15.40%	n/a	Y	0	29	40	40	40	149	23	<ul style="list-style-type: none"> <li>S106 dated 07 July 2021</li> <li>Officer report dated 10 December 2020</li> </ul>
Core Strategy Allocations																
Gateway Rugby SUE (R10/1272)																
TKP 027	Gateway Phase 3	Detailed - R19/0976- 148 Units	146	Onsite - Viability	8	5%	n/a	Y	30	40	40	36	0	146	7	<ul style="list-style-type: none"> <li>Officer report dated 07 August 2020</li> <li>S106 dated 15 May 2019</li> </ul>
TKP 028	Remainder of Gateway Allocation (including RS, R6, and R7)	Outline R10/1272 - (1300 Units Gateway allocation total), 544 dwellings remaining without detailed permission.	1,300	Onsite	520	40%	n/a	Y	0	0	0	19	55	74	30	<ul style="list-style-type: none"> <li>S106 dated 15 May 2019</li> </ul>
Rugby Radio Station SUE																
TKP 029	Key Phase One- Land at Wharf Farm (Bellway/David Wilson Homes)	Detailed R15/1702, R18/0544 and R20/0538 382 units	382	Onsite - Viability	39	10.26%	n/a	Y	40	40	40	40	32	192	20	<ul style="list-style-type: none"> <li>S106 deed of variation dated 28 May 2021 atatched to R15/1702</li> </ul>
TKP 030	Key Phase One- Parcel F (Davidsons additional)	Detailed - R20/0108- 27 Units	27	None	0	0%	n/a	Y	19	0	0	0	0	19	0	<ul style="list-style-type: none"> <li>S106 DoV no.1 Interim Affordable Housing Delivery Plan (no date)attached to R11/0699</li> </ul>
TKP 031	Key Phase One - Parcel D (Davidsons)	Detailed - R20/0525 - 42 Units	42	Onsite	14	33%	n/a	Y	40	2	0	0	0	42	14	<ul style="list-style-type: none"> <li>S106 Agreement for Obligation Approval Notice dated 05 October 2020 attached to R17/0022</li> </ul>

TKP 032	Key Phase Two - Parcel E (Countryside Properties)	Detailed - R19/1284 * R21/0193 - 352 Units	352	Onsite	143	40%	N/A	Y	40	40	40	40	40	200	80	• Planning statement attached to R19/1284 dated 19 November 2019
TKP 033	Key Phase Three - Parcels A and B (Redrow)	Detailed - R18/1177, R19/1375, R20/0709, - 248 Units	248	None - Phasing	0	0%	n/a	Y	40	40	40	39	0	159	0	• Officer report attached to R18/1177 (no date)
TKP 034	Key Phase Three - Parcels C and F (William Davis)	Detailed - R20/0681 - 146 Units	146	None - Phasing	0	0%	n/a	Y	40	40	40	26	0	146	0	• Design compliance statement (no date)
TKP 035	Outside of Key Phase	Detailed - R20/0540 - 38 Units	38	None	0	0%	n/a	Y	10	0	0	0	0	10	0	• No mention of AH in application material
TKP 036	Remainder of Radio Station Allocation	Outline R11/0699 - (6,200 Units allocation total) 4114 remaining without detailed permission.	2,086	Onsite	36.1	10%	n/a	Y	0	63	65	80	153	361	36	• No RM reference numbers provided 10% assumed.
Current Permissions & Prior Approvals - 100 dwellings or more																
TKP 037	Cawston Extension, The Spinneys- Southern Part of Cawston Extension	Detailed R16/1780, R17/1895, R19/1387- 246 Units	246	Onsite	99	40%	n/a	y	11	0	0	0	0	11	0	• S106 attached to outline R11/0114 dated 04 September 2020
TKP 038	Former Cattle Market, Craven Road, Rugby	Detailed- R19/0804- 360 Units	360	None	0	0%	0	Y	118	117	0	0	0	235	0	• Planning statement dated 03 June 2019
TKP 039	Former Newton Vehicle Rentals Site, 117 Newbold Road	Detailed- R19/1496 - 122 Units. Previous Detailed- R17/2113 & R19/0902	122	None-viability	0	0%	n/a	Y	40	40	40	2	0	122	0	• Officer report dated 24 August 2020
Current Permissions & Prior Approvals- 50-99 dwellings																
TKP 040	Herbert Gray College	Detailed - R18/1811 (78 units C2)	78	None - C2	0	0%	n/a	Y	0	0	0	0	0	0	0	• Officer report dated 26 November 2021
Current Permissions & Prior Approvals- 10-49 dwellings																
TKP 041	Shaw School of Dancing, Jubilee Street. CV21 2JJ (Southern Site)	Detailed- R19/1397- 12 Units	12	None	0	0%	n/a	y	12	0	0	0	0	12	0	• No mention of AH in application material
TKP 042	Yum Yum World Ltd, 4 High Street, Rugby, CV21 3BG	Detailed- R17/0967- 21 Units	21	None - Viability	0	0%	n/a	Y	16	0	0	0	0	16	0	• Officer report (no date)
TKP 043	Webb Ellis Industrial Estate, Woodside Park, Rugby, CV21 2NP	Detailed- R19/1419- 12 Units	12	None	0	0%	n/a	Y	12	0	0	0	0	12	0	• Officer report dated 09 November 2020
TKP 044	Gemini, Southam Road, Toft. CV22 6NW	Detailed- R18/0833 - R19/1211 (20.04.21)- 10 Units	10	None - Below threshold	0	0%	n/a	Y	0	10	0	0	0	10	0	• Below threshold • No mention of AH in application
TKP 045	Land P19216, Brownsover Road, Brownsover	Detailed- R18/1247- 16 Unit	16	None	0	0%	n/a	Y	16	0	0	0	0	16	0	• Planning statement dated (no date)
TK 046	Land South East of Brownsover Lane, Brownsover Lane, Brownsover	Detailed - R14/1941, R22/0449- 14 Units	14	None - Below threshold	0	0%	n/a	Y	14	0	0	0	0	14	0	• Officer report (no date)
TKP 047	Development Land at Pailton Radio Station, Montilo Lane, Pailton, CV23 OHD	Detailed - R21/0937 - 10 Units	10	None - Prior approval	0	0%	n/a	Y	0	10	0	0	0	10	0	• Below threshold • No mention of AH in application
Current Permissions & Prior Approvals- 5-9 dwellings																
TKP 048	21 Mill Road, Rugby	Detailed- R17/1567- 9 Units	9	None - Below threshold	0	0%	n/a	Y	9	0	0	0	0	9	0	• Below threshold
TKP 049	76 Buchanan Road, Bilton	Detailed- R18/0830- 8 Units	8	None - Below threshold	0	0%	n/a	Y	5	0	0	0	0	5	0	• Below threshold

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dwellings																
TKP 074	Dipbar Fields, Dunchurch (Morris Homes)	Current Application- Detailed - R19/1047 for Outline- R13/0690- 86 Units	0	n/a	0	0	n/a	N	0	0	0	0	0	0	0	Not Deliverable
Submitted Applications for 10 - 49 dwellings																
Submitted Applications for 5-9 dwellings																
Windfalls									50	50	50	50	50	250		
TOTAL TRAJECTORY									821	827	660	663	615	3586	635	