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# Issue 3A Hearing Statement

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Rugby Borough Local Plan Examination  
Stage 1 Hearings – Matter 3: Issue 3A  
Response on Behalf of Legal & General



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## 1. Introduction

### 1.1. Introduction

- 1.1.1 Savills has been instructed by Legal & General to submit a Hearing Statement in response to Matter 3 Issue 3A of the Rugby Borough Local Plan Examination, specifically in relation to questions 1a, c and d.

## 2. Matter 3 Issue 3A Questions

### 2.1. Question 1a

- 2.1.1. The settlement hierarchy approach set out in Policy GP2 is considered to be justified and consistent with national policy. However the wording used in Policy GP2 with respect to development at the Main Rural Settlements is not considered to be entirely consistent with the wording used with respect to development at Rugby Town.
- 2.1.2. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development<sup>1</sup>. Rugby Town is the primary settlement in the Borough, providing significant employment, retail, leisure, public transport and other services and facilities and thereby has a significant capacity for enabling the delivery of sustainable development to meet development needs for the next Plan period.
- 2.1.3. Nevertheless the NPPF does not restrict development, or the achievement of sustainable development, to the main urban areas. The NPPF<sup>2</sup> states that “*to promote a strong rural economy, local and neighbourhood plans should: Promote the retention and development of local services and community facilities in villages*”. The NPPF<sup>3</sup> also states that “*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a nearby village...*”.
- 2.1.4. The NPPF therefore highlights the role that development can play in maintaining the vitality and viability of rural areas. The rural areas of Rugby Borough make up the majority of the Borough and contain 34

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<sup>1</sup> Paragraph 14 – NPPF.

<sup>2</sup> Paragraph 28 – NPPF.

<sup>3</sup> Paragraph 55 – NPPF.

defined rural settlements. The appropriate disbursement of the future development needs across the settlements of the Borough is important for the promotion of sustainable development in the Borough.

2.1.5. The NPPF<sup>4</sup> requires local planning authorities (LPAs) to ensure that the Local Plan is based on adequate, up-to-date and relevant evidence. The choice of the second tier Main Rural Settlements has been evidenced by the Rural Sustainability Study<sup>5</sup>, which makes it clear which of the rural settlements have the greatest level of provision of / access to services, particularly essential services (village hall / community centre, village shop / convenience store, post office, doctor's surgery, pharmacy and primary school) and therefore represent the most sustainable locations for accommodating and allocating development in the rural area. Development in these locations will assist with supporting the sustainability and maintenance of the existing services and support the local community.

2.1.6. However it should be noted that Policy GP2 states that development at Rugby Town will be permitted within existing boundaries and as part of allocated Strategic Urban Extensions (SUEs), which is in recognition of the proposal to not include the SUEs within the defined Rugby Town settlement boundary, whilst also stating that development will only be permitted within the existing boundaries of the Main Rural Settlements. This is considered to be inconsistent because the emerging Local Plan currently proposes to not include the previously developed Wolvey Campus allocation DS3.14 within the Wolvey village settlement boundary. The current wording in Policy GP2 therefore does not acknowledge that all proposed Main Rural Settlement allocations are not proposed to be included within the settlement boundaries.

2.1.7. The NPPF recognises that applications for planning permission must be considered in accordance with the development plan unless material considerations indicate otherwise<sup>6</sup> and also permits limited infilling or the partial or complete redevelopment of previously developed sites<sup>7</sup>. In order for the requirements of the NPPF to be reflected throughout the Local Plan it is important for the policy provisions within the Local Plan to be consistent. The proposed minor modifications included within LP54A<sup>8</sup> do not resolve these concerns. The following changes to the wording of Policy GP2 are therefore proposed (emphasis added):

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<sup>4</sup> Paragraph 158 – NPPF.

<sup>5</sup> Rugby Borough Council Rural Sustainability Study (November 2015).

<sup>6</sup> Paragraph 11 – NPPF.

<sup>7</sup> Paragraph 89 – NPPF.

<sup>8</sup> Examination Document LP54A – Table of Suggested Changes (Updated 4 December 2017).

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*“Development will be permitted within the existing boundaries of all Main Rural Settlements and on allocated sites”.*

2.1.8. It is recognised that these comments will also need to be considered as part of the Stage 2 Examination discussion in relation to specific housing allocations.

### **2.2. Question 1b**

2.2.1. No comment.

### **2.3. Question 1c**

2.3.1. The broad location and spatial distribution of proposed site allocations between different settlements and parts of the Borough to meet the Borough’s development needs, as presented in Policies DS3 and DS4, is considered to be consistent with the Policy GP2 settlement hierarchy insofar as the most sustainable settlement in the Borough, Rugby Town, receives the greatest apportionment of development and Main Rural Settlements receive a proportion of the development provision. This reflects the contribution that development at Main Rural Settlements bring to achieving a balanced approach to sustainable development across the Borough, as highlighted in the response to question 1a. Development is therefore being focussed at the most sustainable settlements in the Borough.

2.3.2. The allocation of smaller sites at the Main Rural Settlements will also enable housing delivery to be brought forward during the first 5 years of the Plan period (post adoption) which would correspond with the expected initial period of delay in bringing forward development on the large strategic sites.

2.3.3. It is considered that the broad quantum of development apportioned to Wolvey in Policy DS3 can be supported by the existing key services and facilities available in the village, but will also provide additional people, investment and increased spending power to support the ongoing vitality and viability of these services and facilities and the rural community as a whole. LP01<sup>9</sup> also highlights that infrastructure and services will be available to support additional development at Wolvey. This is consistent with the approach to encouraging sustainable development in rural areas set out in the NPPF<sup>10</sup>. Additional housing development at Wolvey will also assist with meeting the housing needs of the rural population in this area.

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<sup>9</sup> Examination Document LP01 – Publication Local Plan Appendix 3 – Infrastructure Delivery Plan.

<sup>10</sup> Paragraph 55 – NPPF.

2.3.4. Representations have been submitted previously to demonstrate that the Wolvey Campus site (DS3.14), which is a previously developed site within the Green Belt, is suitable for residential development based on a range of considerations, including:

- Impact on best and most versatile agricultural land;
- The accepted principle for redeveloping previously developed land in the Green Belt<sup>11</sup>;
- The fact that the site is not recognised as a Strategically Significant Employment Site in LP12<sup>12</sup> and is not a location where the LPA is seeking to direct employment land;
- The site will become vacant and available for redevelopment to residential use within the first 5 years of the Plan period (post adoption);
- Market evidence demonstrating that there will be little demand for employment sites of this type in this location;
- The site is already served by all existing main utilities, has an existing vehicular access and as highlighted in LP50<sup>13</sup> is accessible to all village services in Wolvey;
- The development would provide some betterment to the existing highway network compared with the existing use<sup>14</sup>;
- Is not subject to, or considered to significantly impact on, existing environmental designations; and
- Is shown to be only of a medium landscape sensitivity with urbanising influences in LP35<sup>15</sup>, performs only a lower functioning element of Green Belt, which does not contribute to the fundamental purpose of Green Belt and is visually well contained through robust defensible boundaries.

2.3.5. The Wolvey Campus site is capable of accommodating the proposed allocation capacity of up to 85 dwellings, thereby justifying the proposed inclusion of this site to support the broad location and spatial distribution of development to Wolvey in Policy DS3. Nevertheless, as demonstrated in the Preferred Options representations, it is considered that it is neither necessary nor justified to limit the capacity of the site to 85 dwellings and it is contended that the capacity can be increased to 90 dwellings. It is however

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<sup>11</sup> Paragraph 89 – NPPF.

<sup>12</sup> Examination Document LP12 – GL Hearn Rugby Borough Council Employment Land Study. Final Report (May 2015).

<sup>13</sup> Examination Document LP50 – Wolvey Site Allocations Development Pack – Site S16/039.

<sup>14</sup> Examination Document LP50 – Wolvey Site Allocations Development Pack – Site S16/039.

<sup>15</sup> Examination Document LP35 – Warwickshire County Council Landscape Sensitivity Study (August 2016) – pages 229 – 231.

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recognised that these comments will also need to be considered as part of the Stage 2 Examination discussion in relation to specific housing allocations.

### **2.4. Question 1d**

2.4.1. As set out in the responses to questions 1a and 1c the proposed strategy for focusing the majority of development to Rugby Town, whilst also allocating development at the Main Rural Settlements, is considered to be a robust and justified strategy for apportioning development to sustainable settlement locations across the Borough. With specific reference to the proposed development strategy for Wolvey, it is considered that the proposed approach to location and distribution of development is justified on the strength of the site-specific considerations relating to the Wolvey Campus site and supported by evidence, as identified in the response to question 1c, and by the broad conclusions of the Sustainability Appraisal (see also the response to Matter 1 Issue 1B).

### **2.5. Questions 1e to 1k**

2.5.1. No comment.

