



MACKENZIE MILLER
HOMES

FAO Planning Policy
Rugby Borough Council
Town Hall
Evreux Way
Rugby
CV21 2RR

1st February 2024

By email to: localplan@rugby.gov.uk

Dear Sir/Madam,

RUGBY ISSUES AND OPTIONS CONSULTATION RESONSE - LAND SOUTH OF LILBOURNE ROAD, CLIFTON UPON DUNSMORE

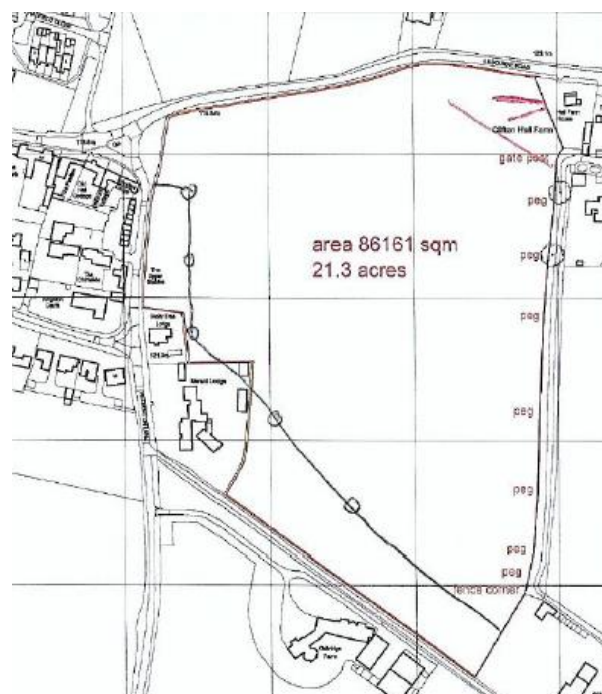
My name is [REDACTED], and I am a Land and Development Director at Mackenzie Miller Homes, a privately owned housebuilder founded in 2015 by Managing Director, [REDACTED]. We specialise in building homes that are sympathetic to their surroundings and ultimately build homes that we would be proud to live in. As a company, we maintain this approach in every aspect of our work.

We understand that the Rugby Borough Council ('the Council') is currently preparing a new local plan to replace the Rugby Borough Local Plan 2011-2031 (Adopted in June 2019). On 14th December 2022, the Council decided to undertake a full update of the Local Plan policies due to, *inter alia*, new evidence of future needs for homes.

The new Local Plan will outline the vision, objectives, planning policies, and site allocations that will guide development over at least 15 years. As part of this review, the Council is consulting on the Issues and Options Document (dated October 2023), Sustainability Appraisal ('SA') Scoping Report (dated October 2023) and has launched a 'Call for Sites' exercise from Monday 30th October to Friday 2nd February 2024.

This letter is made in respect of our land interest on land to the south of Lilbourne Road, Clifton upon Dunsmore ('the site'), as shown on the plan below. This letter should be read in conjunction with the accompanying 'Call for Sites' form. The site has the potential to provide a logical extension to the

settlement of Clifton upon Dunsmore and can offer sustainable development capable of addressing local housing needs.



This letters provides our views on the relevant questions raised by the Issues and Options Consultation Document (dated October 2023). For ease, the relevant headings and questions are shown in bold. It should be noted that only questions relevant to our land interest have been commented on.

Chapter 9 – Land for Housebuilding

Question 31: How many homes should we be planning for? (a) Minimum Local Housing Need; (b) The HEDNA 2022; or (c) Other (please specify)

In short, we support the housing need figure determined by the Coventry and Warwickshire Housing & Economic Development Needs Assessment ('the HEDNA 2022'), which was commissioned by six Coventry and Warwickshire local authorities (Coventry City Council, Rugby Borough Council, North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Stratford-on-Avon District Council, and Warwick District Council).

Paragraph 11 of the revised National Planning Policy Framework ('NPPF'), published in December 2023, requires Local Planning Authorities ('LPA's) to meet their objectively assessment need ('OAN') for housing unless other national priorities provide "a stronger reason for restricting the overall scale, type, or distribution of development in the plan area". The OAN for each LPA is set nationally through the standard method, which was introduced by Government in 2019.

Paragraph 61 of the NPPF is clear that in order to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. There may be exceptional circumstances, including relating to the demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

The NPPF emphasises that the standard method (based on the 2014 based Office for National Statistics (‘ONS’) Sub National Population Projections) determines the minimum number of homes required in a LPA area. The standard method results in a housing need figure of 506 dwellings per annum (‘dpa’) for Rugby Borough Council. However, the revised standard method calculations based on the higher population growth recorded by the 2021 Census means housing need increases from 506dpa to 735dpa.

We welcome the higher housing need figure of 735dpa determined by the HEDNA 2022, which takes into account the 2021 Census population data and appears to be based on robust assumptions. This reveals that population growth in Rugby Borough exceeded the assumptions of the 2014 based population projections that underpin the calculation of the standard method. Additionally, the HEDNA 2022 represents the most recently published evidence to produce a projection for future population and household growth by Rugby Borough Council and those of the wider housing market area in relation to the need for housing and employment land. As a result, we are confident that the HEDNA 2022 provides a robust justification for increasing the NPPF’s standard method calculation of the minimum housing need for Rugby Borough.

Having said that, there are additional factors such as economic growth, affordable housing and unmet housing needs from neighbouring areas must also be considered in the assessment, as the NPPF and its supporting Planning Policy Guidance (‘PPG’) states.

In relation to economic growth, we are conscious that the HEDNA 2022 uses the Cambridge Economic March 2021 baseline economic growth forecast. While this is relatively recent, it should be noted that the forecast was prepared during the COVID-19 pandemic lockdown and the economic situation in England was very difficult to predict. Accordingly, the forecast should be reviewed and updated.

We note that the HEDNA’s evaluation of housing need has not been informed by the likely significant levels of economic growth associated with demand for industrial and logistics floorspace within Rugby

Borough. This is likely to be above the minimum levels calculated by the HEDNA when market demand, economic growth strategies, supply side flexibility and cross boundary needs are taken into account.

In setting the employment land requirement, the Council should also consider unmet need arising from Coventry, recognising that Coventry City Council's administrative boundaries are tightly drawn around the city's area. It should be noted that over the last plan period, a shortfall of 241ha of employment land arose from Coventry and was redistributed elsewhere within the Functional Economic Market Area ('FEMA'), with Rugby accommodating 98ha (or 40%) of the overall shortfall. Given that Rugby is likely to be one of the FEMA authorities where demand for employment floorspace is the strongest, and considering that the Borough's functional links with Coventry, it is sensible for the Council to continue playing a significant role in meeting unmet needs from Coventry, both in terms of employment development and housing.

The need for affordable housing is also a key issue in Rugby Borough and should be considered in the context of housing need. The PPG identifies an increase in total housing figure included in the plan may need to be considered where it could help deliver the required number of affordable homes. This must also be considered in the context of housing need for all tenures. The most recent assessment of affordable housing in Rugby Borough is set out in the HEDNA 2022, which determines a net affordable need of 495dpa. In this context, the HEDNA 2022 makes it clear that "overall, the analysis identifies a notable need for affordable housing, and it is clear that the provision of affordable housing is an important and pressing issue in the area. This is a significant proportion of the overall housing need figure, and significantly more than the previous estimations of affordable housing need such as in the Strategic Housing Market Assessment ('SHMA') 2015. Since the base year of the adopted Local Plan, the Council has seen an average annual delivery of approximately 121 affordable homes per year, which is considerably less than both the recent and current estimations of need. In this regard, the subsequent stages of the current local plan process should consider how to increase the housing requirement to accommodate more affordable housing, where possible.

Finally, the issue of unmet housing need from neighbouring areas is also a key matter for consideration and is an important factor that affects the assessment of housing need and should be considered. The PPG is clear that the assessment of need should consider unmet needs from neighbouring authorities. We note that the issue of unmet housing needs from outside Rugby Borough such as Coventry City isn't fully explored in the HEDNA 2022. Addressing unmet housing needs from Coventry City is an important factor in the assessment of housing need and should be undertaken.

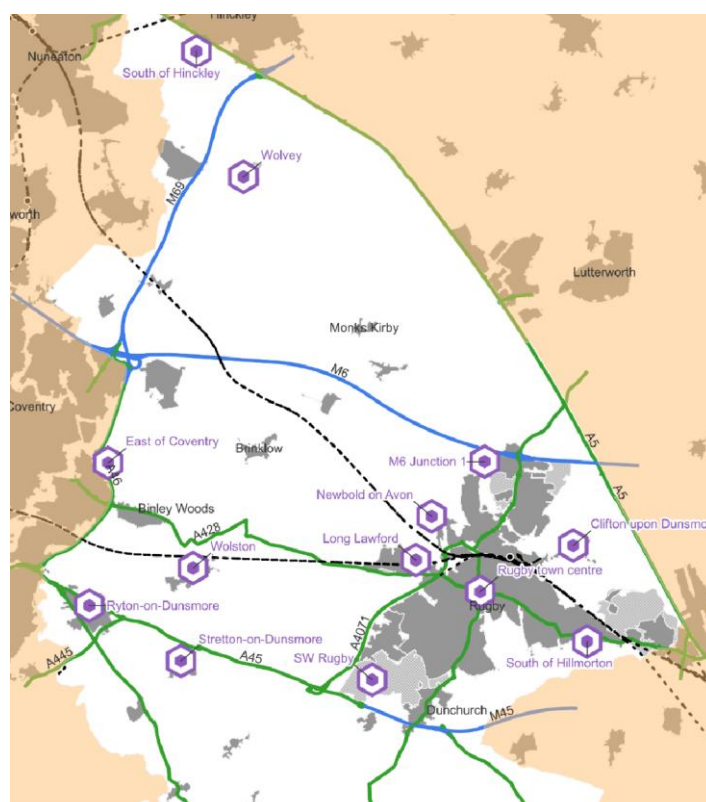
As the Council will no doubt be aware, the Rugby Local Plan (adopted in 2019) is clear in acknowledging that the Council has a role to play in meet unmet needs from Coventry City. The Inspector examining the now adopted Rugby Local Plan (2019) identified 12,400 additional homes, including 2,800 homes to contribute to Coventry's unmet needs. We understand that Coventry City may not be able to

accommodate all of its housing need, which we believe amounts to approximately 1,960dpa. As a result, it is imperative that the subsequent stages of the current local plan process provides robust evidence and makes a judgement on how much unmet need from Coventry City should be provided for in Rugby Borough via the duty to cooperate discussions between Coventry City Council and the Warwickshire authorities. Without such a mechanism, the emerging Local Plan is unlikely to be positively prepared in relation to meeting potential unmet growth needs. Paragraph 11 of the revised NPPF still requires that all plans meet the development needs of their area. Accordingly, if the scale of housing growth required within neighbouring urban centres, in this case Coventry, cannot be physically or feasibly be accommodated within the city itself, then there would be no other alternative but to explore alternative options outside the authority area if development needs are to be met.

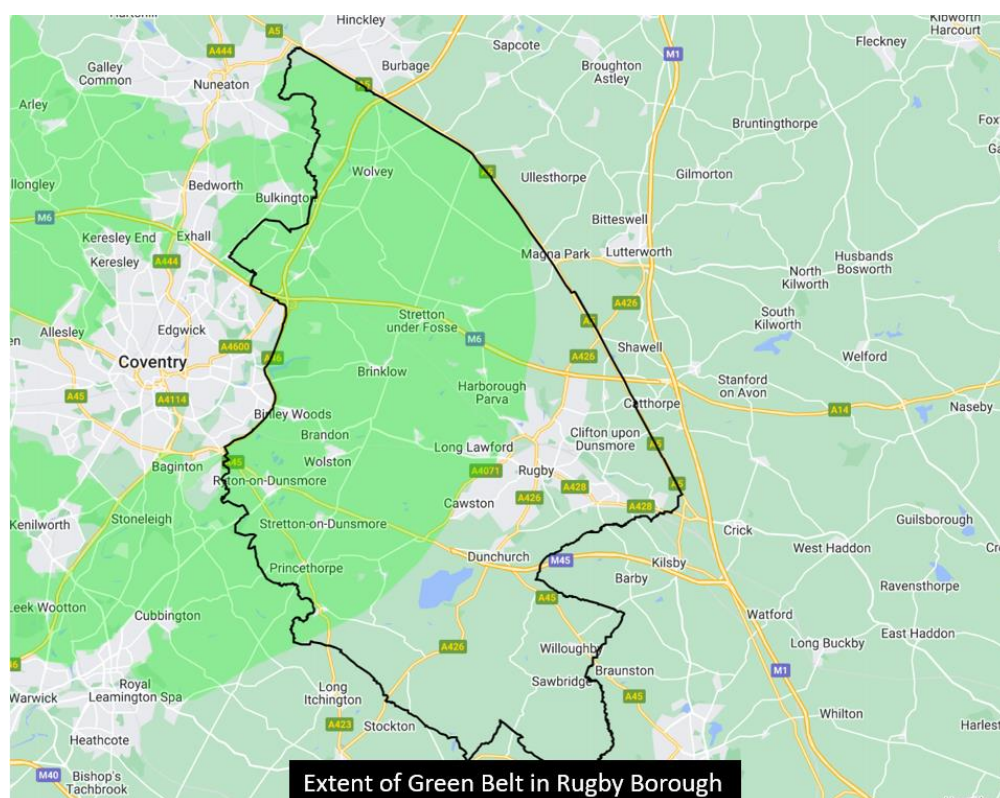
The Council should consider the above-mentioned factors as part of the subsequent stages of the current local plan review process and assessment of housing need.

Question 33: Please provide comments you have on the suitability of any broad locations listed above for new housing? Are there any locations that we missed?

In short, we consider non Green Belt locations such as Clifton upon Dunsmore, as shown on Council's map showing potential growth locations, are capable of accommodating appropriate growth to meeting the identified housing need within the area. The Council will no doubt be aware that at a strategic level, the most sustainable locations in Rugby are adjacent to Rugby itself and Coventry urban fringe, followed by the larger rural settlements, which are constrained by the Green Belt.



We are conscious that approximately 60% of Rugby Borough is contained within the Green Belt, although the Borough is free of such a constraint on its southern and eastern periphery, as shown on the plan below and identified by the Inspector who examined the now adopted Rugby Local Plan (2019). The revised NPPF at paragraph 145 confirms a much firmer position on the Green Belt than previous versions of the NPPF, now stating “once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated”. Notwithstanding this, the revised NPPF still allows LPA’s to choose to review and amend Green Belt boundaries where exception circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process”.



The NPPF makes it clear that LPA’s are not required to undertake a formal review of the Green Belt unless they are considering evidencing exceptional circumstances. The NPPF’s more robust approach to protecting the Green Belt is welcomed in respect of our site at Clifton upon Dunsmore, and we consider it would be sensible for the Council to undertake a sequential approach to selecting sites for allocation that are both sizeable and appropriate in appropriate locations. At this stage, we would advocate that it would be sensible to include the following four stage approach to selecting sites for allocation, before the Council considers undertaking a rigorous assessment of the Green Belt as part of the evidence base:

- Stage 1: Site with planning permission;

- Stage 2: Sites with resolution to grant planning permission subject to signing a Section 106 legal agreement;
- Stage 3: Brownfield sites assessed through the SHLAA or SHELAA as achievable or potentially achievable and consistent with the Council's strategic approach for sustainable growth; and
- Stage 4: Greenfield sites assessed through the SHLAA or SHELAA as achievable or potentially achievable and consistent with the Council's strategic approach for sustainable growth

Paragraph 146 of the NPPF makes it clear that before the Council concludes that exceptional circumstances exist to justify changes to the 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. This strategy should:

- a) Make as much use as possible of suitable brownfield sites and underutilised land;
- b) Optimise the density of development with minimum density standards in town and city centres and other locations well-served by public transport;
- c) Be informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground.

As can be seen, the NPPF's robust approach to protecting the Green Belt should be viewed within the context of its approach to focusing growth on larger non Green Belt urban areas and locations such as Clifton upon Dunsmore. We suggest that the Council should demonstrate how the above-mentioned three options have been suitably addressed as part of the subsequent stages of the current local plan preparation process. Additionally, it would be sensible for the Council to undertake an up-to-date cost-benefit analysis of exceptional circumstances to determine whether it needs to review the Green Belt or not.

We note that the Issues and Options Consultation Document (dated October 2023) does not include a proposed settlement hierarchy to set out how the Council will seek to deliver the emerging local plans vision by guiding the distribution of development. The Council is at the very early stages of preparing a new local plan and is consulting on a Sustainable Appraisal ('SA') Scoping Report. We advocate that the emerging settlement is supported by a SA and a settlement study, which should detail that a range of options to meet housing needs have been considered, with pros and cons of each option. The SA should also set out reasons why options are discounted. The settlement study should include a methodology that includes an assessment of services and facilities available within the settlement and also consider accessibility to services and facilities elsewhere by public transport.

While we understand it may be unviable to concentrate all development needs within the relatively small area of the Borough outside the Green Belt (particularly given our comments in respect of the housing

needs above), we would respectfully suggest emerging policies direct the largest scale of growth towards Rugby (tier 1 in the settlement hierarchy) and Main Rural Settlements (tier 2 in the settlement hierarchy), with an emphasis on concentrating growth in non Green Belt locations (such as Clifton upon Dunsmore) in the first instance.

With this in mind, our site at Clifton upon Dunsmore stands out for housing growth for the following reasons:

- Clifton upon Dunsmore is situated on the north-eastern outskirts of Rugby, approximately only two miles from Rugby Town Centre;
- Unlike 60% of Rugby Borough, Clifton upon Dunsmore is not contained within the Green Belt;
- Clifton upon Dunsmore is currently classified as a 'Main Rural Settlement' (a tier 2 settlement) within the adopted Rugby Local Plan (2019) and is well served in terms of services and facilities;
- The site lies in a sustainable location within easy reach of existing facilities and services. These facilities include a Parish Church, public house, village shops, and a primary school. Shopping and recreational facilities can be found in Rugby, approximately 2.5 miles away.
- The site is within easy reach of the strategic road network via the M1, M6, M69, M40, as well as the A4 and A14.
- The site is capable of providing a number of homes and types of development for the village. We note that the SA recognises that a mix of homes is needed and we welcome this approach.
- The site is situated within Flood Zone 1. In other words, this is land that has a low probability of flood according to the Environment Agency Flood Risk Map for Planning.
- The site is greenfield. As such, contamination from previous uses is not expected to be a significant issue.
- We can confirm that the site is not subject to any viability or deliverability issues that would prevent it from coming forward for development to meet housing needs.
- The Council will no doubt be aware of paragraph 70 of the NPPF, which recognises that small to medium sites can make an important contribution to meeting the housing requirement and are often built out relatively quickly. We believe this site can positively contribute towards the five

year housing land supply. We therefore respectfully request that the site is identified as a housing allocation in the emerging plan.

Chapter 7 – Climate Change

Question 25: We are considering requiring all new residential development to be net zero. Do you agree?

In short, we do not agree. There may be instances where this could have an impact on the financial viability and therefore deliverability of development proposals in the Borough. Accordingly, the emerging policies should specify the minimum building regulation with an emphasis on exceeding this minimum where viability allows it. We are conscious that there is no Government policy regarding making all houses net zero. Accordingly, any requirement in this regard would be unsound for want of compliance with national policy. This position has been confirmed by the Inspector's interim findings on the 'Salt Cross Garden Village AAP' in West Oxfordshire.

We hope the Council finds our comments in response to the Issues and Options consultation useful.

We look forward to participating in the subsequent stages of the current local plan process.

Yours sincerely




Land and Development Director
Direct Line: 
Email: 