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FAO Development Strategy
Rugby Borough Council
Town Hall
Evreux Way
Rugby
CV21 2RR

31ST January 2024

By email to: localplan@rugby.gov.uk

Dear Sir/Madam

RUGBY BOROUGH LOCAL PLAN ISSUES AND OPTIONS CONSULTATION RESPONSE

1. Marrons is instructed on behalf of Rosconn Strategic Land to prepare representations to the Rugby Borough Local Plan Issues and Options Consultation. On behalf of our client, we offer the following comments, which we trust that the local planning authority (LPA) will find helpful.

Question 31: How many homes should we be planning for?

2. The Warwickshire Housing and Economic Development Needs Assessment (HEDNA) and Consultation Document contain two alternative calculations for housing need. The first is based on the Borough's Local Housing Need (LHN) figure calculated using the Standard Method, the basis of which is the 2014-based household projections. The second is the HEDNA's own method for calculated housing need which uses the most up-to-date information available to produce a projection for future population and household growth, with an affordability uplift applied as per the Standard Method. The HEDNA's approach is predicated on the assumption that the 2014-based projections over-estimate household growth in Coventry. For Rugby, the figures produced by the HEDNA are 506 dwellings per annum (dpa) as per the Standard Method and 735 dpa as per the HEDNA.
3. The Planning Practice Guidance (PPG) is clear that the LHN represents the minimum number of homes that should be planned for. It does not produce a housing requirement, which is a separate exercise. As such, whilst 506 dpa may be the starting point for the Borough's needs using the Standard Method, this should not be treated as analogous to the housing requirement. The HEDNA's alternative calculation of need may differ from the Standard Method in that it uses 2021 census data, but its calculation of housing needs is similarly one-dimensional in that it does not consider factors which may indicate a higher housing requirement than that reflected by its baseline demographic-based assessment

of need adjusted for affordability. These factors are (non-exhaustively) listed in the PPG and include growth strategies, strategic infrastructure improvements, unmet need from other local authority areas and situations where previous delivery, or assessments of need, are significantly greater than the outcome of the Standard Method. Uplifts should also be considered in relation to economic growth to ensure an integrated approach between homes and jobs and to facilitate the delivery of as many affordable homes as possible to meet need, as well as meeting needs for other specialist housing types and tenures. These factors are considered below.

Previous Trends of Delivery & Affordable Housing

4. In terms of past delivery trends for housing, it is noteworthy that the LPA's housing requirement in the adopted local plan (540 dpa) is higher than the Standard Method figure with the average delivery figure since 2011/2012 (the base year of the adopted local plan) higher still, sitting at approximately 673 dpa. This alone suggests that the LHN produced via the Standard Method is inappropriately low, although past delivery sits within the range of the HEDNA's alternative estimation of need using 2021 census data indicating the latter is likely to be closer to the overall housing requirement than the LHN produced using the Standard Method.
5. In relation affordable housing in particular, the HEDNA estimates an annual need for 495 affordable homes per annum in Rugby alone. This is a significant proportion of the overall housing need figure and significantly more than previous estimations of affordable housing need, such as in the Strategic Housing Market Assessment 2015 which estimated the need for 171 affordable homes per annum for Rugby. Having regard to monitoring data, since the base year of the adopted local plan, Rugby has seen an average annual delivery of circa 121 affordable homes per annum, considerably less than recent or current estimations of need. The Consultation Document appropriately recognises the Borough's considerable need for affordable housing and this should be factored into the formulation of the housing requirement where a suitable uplift is considered to facilitate the delivery of more affordable homes. The desirability and feasibility of uplifting the housing requirement to meet affordable housing needs in the Borough should be explored through the emerging local plan and its evidence base.

Unmet Need from Neighbouring Areas

6. A further factor that may exert upward pressure on the housing requirement is unmet need from other areas such as Coventry. Coventry City Council (CCC) is undertaking its own review of its adopted local plan, having recently completed an Issues and Options consultation. As part of that consultation, the CCC set out a preferred approach to its housing requirement, opting for the HEDNA trends-based figure without the Standard Method's urban uplift factored in resulting in an overall figure of 1,455 dpa which is lower than the HEDNA (1,964 dpa) and the Standard Method (3,188 dpa). The soundness of this approach as well as the amount of development that can be feasibly accommodated

within CCC's own administrative boundaries is a matter for Coventry's own plan-making process, and the apportionment of any unmet need a question for further Duty to Cooperate (DtC) discussions between CCC and the Warwickshire authorities. Suffice to say whilst the "exceptional circumstances" for departing from the Standard Method are grounded in the purported inaccuracy of the 2014-based household projections in relation to Coventry, this matter bears little relation to the Standard Method's urban uplift, and it seems unlikely that jettisoning this aspect of the Standard Method contrary to the approach of national policy and the HEDNA is justified. Whilst the National Planning Policy Framework (NPPF) states that the urban uplift should be accommodated within those cities and urban centres themselves, there are two exceptions to these where 1) there are voluntary cross boundary redistribution arrangements in place or 2) where it would conflict with the policies of the NPPF itself.

7. Given the approach of CCC to its housing requirement and the future uncertainties related to the scale of CCC's unmet need, it would assist in future-proofing Rugby's emerging local plan if it made provision for contingency in relation to potential unmet growth needs arising from Coventry. Such an approach would render it able to respond to changing circumstances and provide suitable flexibility. Without such a mechanism, the emerging local plan is unlikely to be positively prepared in relation to meeting potential unmet growth needs. The NPPF still requires (paragraph 11) that all plans meet the development needs of their area and 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, in line with paragraph 11.

Aligning Homes and Jobs

8. The HEDNA quantifies the amount of employment land required by each local planning authority within the Functional Economic Area (FEMA) and, in the case of strategic warehousing land, across Coventry and Warwickshire as a whole to both 2041 and to 2050.
9. Paragraph 11.7 of the HEDNA reports high net floorspace changes in Rugby and North Warwickshire in particular, driven by warehousing developments and high demand for this kind of floorspace. Paragraph 11.10 of the HEDNA indicates that completions data is likely to be the best representation of market needs for industrial and warehousing floorspace and that monitoring data by local planning authorities suggests "far higher" levels of commercial floorspace have been achieved and therefore may be required in the future. We are broadly supportive of using historic delivery as a minimum benchmark for future needs, but the final employment land requirement will need to be informed by a wide range of factors to support a competitive economy.

10. We note the content of the Sustainability Appraisal (SA) Scoping Report which has identified the regeneration local economy to provide a significant number of local jobs to help alleviate deprivation and social exclusion, and reduce out-commuting as a key sustainability issue for the emerging local plan to address. We agree wholeheartedly with this objective but it is unlikely that it will be achieved by planning for the minimum amount of economic development land set out within the HEDNA and that uplifts to that figure to take account of economic growth strategies and aspirations will be necessary to achieve the objectives of the emerging local plan.
11. In setting the employment land requirement, the LPA should also consider unmet needs arising from Coventry recognising that Coventry City Council's administrative boundaries are tightly drawn around the city's urban area. It is noteworthy that over the last plan period a shortfall of 241ha of employment land arose from Coventry and was redistributed elsewhere within the FEMA, with Rugby accommodating 98ha (or 40%) the overall shortfall. Given that Rugby is likely to be one of the FEMA authorities where demand for employment floorspace is the strongest and given the Borough's functional links with Coventry, it is only sensible that Rugby continues to play a significant role in meeting unmet needs from Coventry in respect of land for economic development as well as housing.
12. The housing requirement should respond to the employment land requirement to ensure an integrated approach between homes and jobs. It is clear from the HEDNA's evaluation of housing need that this has not been informed by the likely significant levels of economic growth associated with demand for industrial and logistics floorspace within the Borough, which 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 undertaking further assessment of housing and economic needs, we would suggest that the expected job creation associated with the delivery of land for economic development is taken into account in formulating the housing requirement.
13. As discussed above, we consider that the formulation of the housing requirement should be influenced by a number of critical factors which are absent from the Standard Method and from the HEDNA. As such, the figures produced by both assessments should be treated as a minimum starting point rather than as being analogous to the housing requirement and further assessment is required in formulating the housing requirement to ensure an adequate supply of affordable homes, to ensure an integrated approach between homes and jobs, and to make adequate contingency for unmet needs from Coventry in order to provide the emerging local plan with flexibility to respond to changing circumstances.
14. In respect of the overall level of housing provision this will be influenced by the chosen plan period. As with employment land needs, two housing needs scenarios are presented, one to 2041 and the other to 2050. Given the likelihood of the need for Green Belt release and the NPPF's advice that adjustments to Green Belt boundaries must be capable of

enduring in the long-term, we would suggest that a plan period to 2050 would be the most appropriate.

15. We note from the consultation document that the calculations of housing need in the tables on page 51 incorporate a 10% supply buffer. Whilst such a buffer is not a substitute for formulating robust housing requirement, we are supportive of the principle of providing a level of supply-led contingency to provide sufficient flexibility. Depending on the chosen spatial strategy and the specific sites proposed for an allocation, it may be appropriate to adjust the supply buffer to address any uncertainties associated with delivery, for example, where a large number of strategic development areas are identified. Similarly, the local plan should bring forward a good mix of sites including small and medium sized sites which, as set out in the NPPF, can make an important contribution to meeting the housing requirement of the area, and are often built-out relatively quickly. Identifying a sufficient contingency of such sites, in order to ensure a balanced spatial strategy, is critical for the deliverability of the emerging local plan.

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

Exceptional Circumstances for Green Belt Release – Strategic

16. It is welcome that Stretton-on-Dunsmore is identified as a potential location for housing growth. This is a sustainable settlement with close functional links to Coventry and can play a part in delivering housing needs over the next plan period, just as it has in the current plan period.
17. As with the potential locations for strategic economic growth, those presented for strategic housing growth are mostly within Green Belt locations. At the strategic-level, it must be recognised that the most sustainable locations in Rugby are adjacent to Rugby itself and the Coventry urban fringe followed by the larger rural settlements, such as Stretton-on-Dunsmore. Many of these locations are constrained by the Green Belt, albeit Rugby is free of such a constraint on its southern and eastern periphery. It should be noted, however, that the non-Green Belt fringes of Rugby already play host to a substantial number of adopted allocations that will continue to deliver beyond the current plan period and so viable options adjacent to Rugby and outside of the Green Belt will be limited by the scale of commitment.
18. Based on the number of Green Belt broad locations identified, a comprehensive and up-to-date Green Belt study should be carried out in order to assess the performance of the Green Belt in these locations and across the Borough more generally in terms of its contribution to openness and to Green Belt purposes.

19. Without pre-judging the outcome of any future Green Belt study, we note the content of the Inspector's report into the soundness and legal compliance of the adopted Rugby Borough Local Plan in respect of potential strategic Green Belt release. Paragraph 72 of the Inspector's report found that the A46 on the east side of Coventry represented a strong, clearly defined boundary and that breaching this boundary would cause significant harm to the purposes of the Green Belt, most notably in relation to the need to safeguard the countryside from encroachment and to check unrestricted sprawl. That finding may restrict options for strategic growth on the edge of Coventry where they breach the A46 boundary and spatially, rural settlements near to Coventry such as Stretton-on-Dunsmore are well-placed to accommodate proportionate, strategic growth to accommodate the Borough's own housing needs and unmet needs from Coventry, close to where they arise.
20. To achieve sustainable and deliverable patterns of growth, it is unlikely to be viable to concentrate all development needs within the relatively small area of the Borough outside of the Green Belt. Paragraph 147 of the NPPF advises that when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Relatedly, Green Belt release should be prioritised around those settlements that are most sustainable and can readily accommodate growth. As set out above, however, Green Belt release options around Coventry may be limited by the clear and logical boundary presented by the A46. It is likely the broad location south of Hinckley will also have the same issues by virtue of breaching the A5 in addition to the likelihood of creating coalescence between two large towns, namely Hinckley and Nuneaton. Accordingly, the balance of the evidence available suggest at this stage that Green Belt release should be focused around Rugby itself and the larger rural settlements rather than the neighbouring conurbations of Hinckley and Coventry.
21. The strategic case for Green Belt release will also need to consider the scale of housing need required over the plan period. If the plan period is to be taken to 2050, the scale of that need is likely to be significant even based on the minimum figures outlined within the HEDNA, before taking account of addressing unmet needs; delivering sufficient affordable housing; aligning the approach between homes and jobs; and building in sufficient contingency. In order to deliver the likely scale of the housing requirement sustainably and to ensure sustainable patterns of growth that are supported by existing and planned services, facilities and infrastructure, it is important that a comprehensive Green Belt review is carried out to ensure that the Borough's most sustainable locations can play a role in supporting growth over the plan period.

Exceptional Circumstances for Green Belt Release – Site/Settlement

22. As the LPA will be aware, the Main Rural Settlement (MRS) allocations including those at Stretton were deemed within the Planning Inspector's report into the adopted local plan as being close to the urban edge of Coventry and well connected to it by the strategic road network. Growth in these locations were considered to contribute to meeting housing needs in locations at a scale which would not give rise to unsustainable commuting. On

this basis, two sites are identified at the village and released from the Green Belt, namely Plott Lane and Land off Squires Road. Despite the local plan having been adopted in June 2019, over four years ago at the time of writing, these sites have yet to yield a single housing completion.

23. The larger of the two sites at Squires Road was consented in outline in April 2022 with the planning application having been originally validated in December 2018. It appears that no applications for Reserved Matters Approval have been submitted at the time of writing, nor applications to discharge pre-commencement conditions. The outline planning permission will expire in just over one year in April 2025. The reasons for the delay are unclear, but it would appear that the site's only point of access off Squires Road is ransomed by a third party and given the delays above, there is mounting evidence that this site is not deliverable and will not come forward for housing.
24. The other allocation at Plott Lane was refused planning permission in 2021 for the erection of 25 units (the balance of the allocation). The reasons for refusal raise the issue of impacts on a number of trees as well as upon ecology features (namely habitat for newts). The reasons for refusal strongly suggest that to the extent it is deliverable for housing at all, the site will accommodate substantially less than 25 units having regard to its constraints. Nonetheless, no revised planning application has been forthcoming and there is no indication as to when this is expected.
25. The Inspector's Report states that the development of 75 additional homes in Stretton would help to sustain the settlement's facilities and provide for local and affordable housing needs. Given the strategic location of the settlement itself in terms of accommodating unmet need from Coventry and its overall sustainable nature, the fact the settlements only two allocations have made little material progress in coming forward should be cause for significant concern, and the LPA should review the status of these allocations and make alternative allocations at the settlement to meet its housing needs.
26. Rosconn Strategic Land is promoting land West of Fosse Way for a residential allocation for up to 40 units and has submitted a Vision Document, indicative sketch plan and a call for sites form in support of these representations, which together demonstrate the suitability and deliverability of this site for development.
27. Key amongst the proposals, is a landscape-led approach that would see 2.3ha of the 3.5ha dedicated as publically-accessible green infrastructure and open space. Given this, the proposal unlike the present allocations will positively enhance the beneficial use of the Green Belt for that element of the site which does not host built-development and will provide opportunities for recreation, substantial landscape buffering and biodiversity net gain on-site.
28. The essential characteristics of the Green Belt have been considered in detail and the development would maintain an open green zone that separates the east and west of the

village. The development would not encroach further north than the adjacent development on Fosse Way and would provide opportunities for new planting to screen and filter views.

29. The site is in easy and accessible walking distance to surrounding amenities within the village and well-related to the strategic road network to the extent that traffic would not need to travel through the centre of the village to reach other destinations.
30. The site is in the control of Rosconn Strategic Land which has a demonstrable track record in delivering sites for residential development through the planning process and achieving high quality and deliverable planning permissions that are sold to residential developers and built out rapidly to meet housing needs. The ultimate owner of Rosconn Strategic Land is Bellway Homes who are the fourth largest housebuilder in the UK and have an excellent track record of delivery across the country.
31. There are no legal or other impediments delivery of the site which can be delivered with significant benefits accruing to both housing delivery in the area (for both market and affordable homes) and enhancing the beneficial use of the Green Belt namely for recreational purposes and for biodiversity.

Conclusion

32. We trust the LPA will find the above comments helpful in the preparing the emerging local plan.

Yours Sincerely

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Planning Director

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