

**RUGBY LOCAL PLAN – REPRESENTATIONS  
(November 2016)**

<b>Part B – Please use a separate sheet for each representation</b>		
Name or Organisation : CPRE Warwickshire		
3. To which part of the Plan does this representation relate?		
Paragraph / Page Number	Policy Number <b>DS1(a)</b> <b>(Housing)</b>	Proposals Map Reference
4. Do you consider the Plan is :		
4.(1) Legally compliant*	Yes	No
4.(2) Sound*	Yes	<b>No</b>
* Refer to guidance notes for explanation. <i>If you have entered <b>No</b> to 4.(2), please continue to Q5. In all other circumstances, please go to Q6.</i>		

5. Do you consider the Plan is <b>unsound</b> because it is not:	
(1) Positively Prepared	*
(2) Justified	*
(3) Effective	*
(4) Consistent with national policy	*
6. Please give details of why you consider the Plan is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Plan, please also use this box to set out your comments.	

Housing Policy (DS1(a))

The housing requirement was assessed by the consultants G L Hearn in a Strategic Housing Market Assessment updated in September 2015. This study was neither independent nor objective and therefore does not comply with government guidance. It was commissioned and closely steered by local authorities with a vested interest in growth. Only organisations with a similar vested interest were consulted. We understand that the consultants themselves act for a number of housing developers in the Rugby area so they cannot be considered objective.

The study treated population and household projections as if they were forecasts, directly contrary to government policy. The study made no attempt to consider how government policy or economic circumstances may change in future. There appears to have been no subsequent consideration of the potential impact of the Brexit referendum result on the economy, migration, demand for housing etc.

The SHMA work assumes a ‘part return to trend’ on the crucial issue of headship rates, which have a major impact on the assessment of housing need. The previous trend of a substantial fall in average household size has been replaced by a levelling out in recent years. There is little indication yet of whether the previous trend will resume, and if so to what extent.

It explores a very wide range of economic and other scenarios and recognises that there is a high degree of uncertainty in the assessment of housing need. However the local authorities have ignored these uncertainties in opting for a single relatively high figure of housing need and then adding to it.

The GL Hearn work makes an over-simplistic link between jobs and people and its assumptions about commuting are inadequate. The relationship between affordable housing and overall housing need is never clearly established.

The Government has made it clear that councils can take account of constraints that indicate that development should be restricted: the outcome of an SHMA should not automatically be seen as a proxy for a final housing requirement in plans. Unmet needs from neighbouring authorities should be met only where it is reasonable to do so and consistent with achieving sustainable development. In this case, Coventry is relying on its neighbours to allocate both housing and employment land to meet its claimed needs, showing that it is clearly living beyond its means. This is not sustainable.

Rugby Borough Council and other Coventry and Warwickshire councils have ignored important elements of government policy. They have taken the SHMA figure of housing need at face value despite the major uncertainties involved in arriving at it. There is no evidence that they have taken into account environmental and policy constraints in deciding whether need should be met in full and how to distribute the total figure between local authorities. No information has been provided on why Coventry cannot provide for a higher proportion of its own housing need, or why Rugby should take 2,800 dwellings on Coventry’s behalf. The Housing Memorandum of Understanding, which was prepared behind closed doors without any consultation, is devoid of justification.

The Rugby Local Plan is therefore fundamentally unsound in its treatment of housing need. The figure of 12,400 dwellings said to be required by 2031 (policy DS1) is almost certainly exaggerated and has been arrived at without taking into account several key elements of government policy. In particular, the Council have not adequately considered whether it is reasonable and consistent with achieving sustainable development to take 2,800 of Coventry’s unmet housing need.

### The Implementation of the Housing Proposals

One of the key aspects of soundness is that the plan should be deliverable. CPRE’s view is that the deliverability of the plan’s housing provision has not been demonstrated.

According to the Council, 2,200 homes were built in the borough in the first five years of the plan period: 2011 to 2016 – an average of 440 per annum. This figure is 100 dwellings per annum below the target for the first six years in the housing trajectory. This leaves 10,200 homes to be built in the remaining fifteen years if the 12,400 target is to be met – an average of 680 per annum. That would require a 55% increase in house building rates at a time when

the industry faces major uncertainties – shortages of labour and skills, materials and finance and above all a lack of effective demand. Nor is the prospect of another economic downturn before 2031 taken into account. It is already clear that the housing trajectory is unachievable.

The Council makes strenuous efforts to demonstrate that a five year housing land supply can be met but its arguments seem to amount to little more than statistical trickery. There is no convincing evidence that a five year supply is likely to be achieved in practice. The problem is that the overall level of housing provision is far too high.

House prices are now out of reach of many who wish to buy. House builders will only build houses they think they can sell. Many planning permissions already granted for housing have not been taken up and the Council estimates that only 5,640 (60%) of the 9,350 homes for which planning permission had been granted in April this year will actually be built. This assumption is extremely pessimistic and gives very little confidence that the extremely demanding figure of 12,400 homes can be delivered, even taking into account the massive over-allocation of housing in the plan. Allowing this trend to continue would encourage developers to hoard land and cherry-pick sites for development, thus undermining the planning process.

As a high proportion of the plan's housing provision is made up of large developments on entirely new housing sites, it will depend very heavily on the provision of new infrastructure and services. CPRE's view is that the Infrastructure Delivery Plan is a very poor piece of work which gives little comfort that the housing proposals can be achieved in practice. On transport, for example, all we have are a number of uncosted road proposals and vague promises of further mitigation measures. There seems to be an assumption that developers will pay for all these but it has not been shown that this is financially feasible. Nor is there any evidence about the timing of the new roads in relation to the development. On education and health facilities, we are told how many new schools, GP surgeries etc might be needed, but the Council do not consider who will pay for these or whether it will be possible to staff them.

The Council's only response to the potential implementation problems is to over-provide housing on a vast scale. The table in paragraph 4.12 of the plan purports to provide 13,664 dwellings in the plan period – already more than 10% above the figure of 12,400. However the housing trajectory suggests provision of over 16,000 (nearly 30% above the housing target). Even this embodies a very pessimistic view of the number of dwellings that can be delivered on each of the main sites by 2031. On the Rugby Radio Site, only 2,490 of up to 6,200 dwellings are assumed to be built by 2031. On the major South West Rugby site, only 2,830 of up to 5,000 dwellings would be delivered by 2031. If full implementation of all sites was assumed, the provision figure would jump to almost 24,000, almost double the housing target. But as a matter of principle a local plan should not make provision for housing required beyond the plan period.

There is no evidence that the allowance of only 645 dwellings for windfalls is appropriate. Plan provision excludes sites of 0.2 hectares or below or able to accommodate fewer than 5 houses. Adding these to larger sites likely to come forward unexpectedly should give a much higher figure than a mere 43 dwellings per annum for the remainder of the plan period. It is surprising and disappointing that the Strategic Housing Land Availability Assessment has not addressed this issue.

CPRE's view is that the Council has taken a misguided approach to the present situation in which house building is lagging behind plan provision. Massively over-allocating housing land will not guarantee a pick-up in house building. It will merely create a planning free-for-all in which the Council effectively surrenders control over development to the house builders. An even lower percentage of planning permissions for housing may be implemented. Developers will be encouraged to hoard land that may never be built on.

A much more effective approach would be to concentrate on –

- Working with developers to secure implementation of a much higher proportion of existing planning permissions;
- Working to increase the level of house building on windfall sites;
- In terms of new provision, concentrating efforts on fewer sites and reducing the size of larger sites so that a higher proportion of each site could be developed within the plan period.

### Likely Effects of the Housing Proposals

CPRE believes that the plan's over-provision of housing will have a range of unintended consequences –

- Developers will choose to develop those sites from within the overall provision that yield the greatest potential profit. These will tend to be green field sites outside urban areas rather than brownfield sites within them. The momentum behind urban regeneration (both in Rugby and in Coventry) will be weakened still further and it will become more difficult to develop windfall sites. The plan should include an explicit 'brownfield first' policy.
- Vacancy rates, dereliction and decay of the existing stock will increase.
- Longer-distance commuting, particularly between Rugby and Coventry, will increase and there will be greater car dependency.
- A more dispersed pattern of development will lead to higher service and infrastructure costs and will divert resources away from existing urban areas.
- Areas of the West Midlands Green Belt will be lost.

### Green Belt Issues

Only a relatively small proportion of the plan's housing provision affects land in the Green Belt. The proportion would have been much higher if the Walsgrave Hill Farm proposal had been retained from the earlier draft, and we welcome its subsequent omission.

However CPRE objects in principle to the remaining housing proposals in the Green Belt (ie those on the edge of the Main Rural Settlements) because little attempt has been made to demonstrate that exceptional circumstances exist for their removal from Green Belt. It avoids extensions to villages outside the Green Belt while promoting extensions to those within it.

The Main Rural Settlements account for only about 4% of all housing provision in the plan and the omission of these proposals would not have a material effect on the total. Nor have the Council demonstrated an overriding need for additional development in specific villages, or the scale of the development required. The Council seem to have ignored the recommendations of the Joint Green Belt Study where it suits them to do so.

The Council also appear to have ignored or not given sufficient weight to three aspects of the Government's Green Belt policy –

- That the presumption in favour of sustainable development does not apply in the Green Belt;
- That exceptional circumstances are required to justify removing land from the Green Belt;
- That ‘the single issue of unmet demand is unlikely to outweigh harm to the green belt and other harm to constitute the very special circumstances justifying inappropriate development in the green belt’.

The local plan is therefore unsound in its treatment of Green Belt.

### Supporting Evidence

The report to CPRE Warwickshire by Urban & Regional Policy, ‘Critique of West Midlands Housing Needs Assessments’ (January 2016) is attached as supporting evidence to CPRE’s representations on Policy DS1.

7. Please set out what change(s) you consider necessary to make the Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the 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.

**The appropriate level of housing provision for Rugby is a matter of judgement rather than calculation. The plan should aim for a level of provision that is sustainable, achievable, consistent with Government policy and likely to meet effective demand as well as need. Provision between 8,000 and 9,000 dwellings is likely to strike the best balance between the various factors discussed above. Provision at this level could be achieved without any development in the Green Belt.**

**Policy DS1(a) should propose ‘Between 8,000 and 9,000 additional homes’ and not 12,400.**

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.*

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination? *Please note that if you do not participate at the oral examination your representations will be dealt with as written representations and will carry the same weight as those presented orally.*

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination **YES**

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**To advance the reasons for finding that the Policy is not sound and to respond to other representations including those by the planning authority.**

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

10. Do you wish to be notified of any of the following? (Please tick as appropriate)

The submission of the Local Plan for independent examination. /

The publication of the recommendations of the Inspector. /

The adoption of the Local Plan. /

Signature: Mark A Sullivan

Date: 11 November 2016