

Anca Seaton

From: Jamie Roberts [REDACTED]
Sent: 16 October 2023 18:37
To: Planning Policy
Cc: James Stacey
Subject: Nuneaton and Bedworth Borough Plan Review Publication Draft Plan 2021 to 2029: Comments on behalf of Rentplus UK Ltd
Attachments: 0715-356.M15 Nuneaton and Bedworth R19.pdf; 0715-356.M15 Nuneaton and Bedworth R19 Forms.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: WIP

Good evening,

Thank you for the opportunity to comment on the Nuneaton and Bedworth Borough Plan Review Publication Draft Plan 2021 to 2029. Please find attached representations on behalf of Rentplus UK Ltd and the duly completed forms. I would be grateful if you can confirm safe receipt of these representations.

With kind regards,

Jamie

Jamie Roberts MPlan MRTPI
Principal Planner
TETLOW KING PLANNING




Unit 2, Eclipse Office Park, High Street, Staple Hill, Bristol, BS16 5EL



W: tetlow-king.co.uk



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 <p>Nuneaton & Bedworth United to Achieve</p>	<p>Borough Plan Review Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

Borough Plan Review Publication Stage

Please return to Nuneaton and Bedworth Borough Council by 16th October 2023 via:

Email: planning.policy@nuneatonandbedworth.gov.uk

Post: Planning Policy, Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, NUNEATON, CV11 5AA

This form has two parts –

Part A – Personal details.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

	1. Personal details* * If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.	2. Agent's details (if applicable)
Title	-	Mr
First name	-	Jamie
Last name	-	Roberts
Job title (where relevant)	-	Principal Planner
Organisation (where relevant)	Rentplus UK Ltd	Tetlow King Planning
House no. and street	-	Unit 2, Eclipse Office Park, High Street
Town	-	Staple Hill, Bristol
Postcode	-	BS16 5EL
Telephone number	-	
Email address (where relevant)	-	

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	H2 (second paragraph)
Policies	
Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

The second paragraph of this policy sets out the approach to securing affordable home ownership, with the policy rightly acknowledging the expectation at paragraph 65 of the NPPF that 10% of the total number of dwellings on qualifying sites should be delivered for affordable home ownership.

However, the policy then goes on to state that after accounting for the contribution of First Homes (which would equate to 25% of the affordable element of any scheme, or 6.25% of the entire scheme assuming full policy compliance) the remainder of the affordable home ownership (or the 'top-up') should be delivered as Shared Ownership. Notwithstanding that Rentplus meets the NPPF definitions for 'affordable housing for rent' and 'other affordable routes to home ownership', the

full range of NPPF-compliant tenures may be inhibited. This element of the policy is therefore inconsistent with national policy.

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough 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 policy should be redrafted to not specify shared ownership; suggested text is set out below with amendments in **bold** type:

*National policy requires 10% of the total number of homes on a development site to be allocated for affordable home ownership (unless the proposal meets one of the exemption tests in the NPPF). **After accounting for any contribution from First Homes, the remainder of the 10% shall be delivered as other affordable routes to home ownership** or as specified in the Council's latest published Affordable Housing SPD.*

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the 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.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

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

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

The Local Plan raises matters of compliance with national affordable housing policy which would benefit from further discussion.

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.

9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	
Date:	16/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	H2 (fourth paragraph)
Policies	
Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

There appears to be an internal inconsistency in the drafting of the policy; the second paragraph discusses the achievement of the 10% affordable routes to home ownership, yet the fourth paragraph suggests that *“the remainder of the affordable housing requirement is to be delivered as social and affordable rent”*. It is unclear if this refers to the remainder from just the First Homes, or the entire First Homes + affordable home ownership ‘top up’ as paragraph 8.28 of the supporting text would indicate. This element of the policy is therefore ineffective.

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in

part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough 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 policy should be clarified; suggested text is set out below:

After accounting for the First Homes and affordable home ownership requirements set out above, the remainder of the affordable housing requirement is to be delivered as social or affordable rent. For schemes of 11 to 14 dwellings, one First Home and one social rent/affordable rent property is to be provided.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the 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.

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

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

The Local Plan raises matters of compliance with national affordable housing policy which would benefit from further discussion.

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.

9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	
Date:	16/10/2023

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Borough Plan does this representation relate?

Paragraph	
Policy	H2 (evidence base including HEDNA 2022)
Policies	
Map	

4. Do you consider the Borough Plan is:

4.(1) Legally compliant?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

4.(2) Sound?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

4.(3) Complies with the Duty to Cooperate?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Please mark with an 'X' as appropriate.

5. Please give details of why you consider the Borough Plan is not legally compliant, is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Borough Plan, or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

The Nuneaton and Bedworth Housing and Economic Development Needs Assessment 2022 (the "Nuneaton and Bedworth HEDNA 2022") provides important evidence to support the production of the Local Plan. It will also be important to applicants in informing their affordable housing proposals, and to the Council in assessing such proposals. Especially since Draft Policy H2 indicates that *"The tenure split and affordable housing mix sought will be based upon evidence"*.

The Nuneaton and Bedworth HEDNA 2022 appears to correct a significant flaw in the preceding Coventry and Warwickshire HEDNA 2022, which sought to offset open market housing sold at or below the lower quartile price against the need for affordable home ownership. Such a notion is

misguided, not least because open market properties sold at lower quartile prices emphatically do not meet the NPPF definition of affordable housing.

As paragraph 7.61 at page 52 of the Nuneaton and Bedworth HEDNA 2022 explains, the approach of counting lower-quartile-priced properties would lead to a nominal surplus of affordable home ownership in the Borough. Such a finding would be perverse, as it would fail to account for those households unable to raise a deposit even at the lower quartile end of the market (exactly the problem which Rentplus seeks to address). Nor does it account for the fact that the open market offers no safeguards to ensure such homes are available to aspiring first time buyers. It also ignores the fact that lower quartile priced properties may be compromised in terms of their size, location, condition and quality (in stark contrast to a new Rentplus home, built to present-day energy efficiency standards in sustainable locations).

6. Please set out what modification(s) you consider necessary to make the Borough Plan legally compliant or sound, having regard to the matter you have identified in part 5 above, where this relates to soundness (Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination). You will need to say why this modification will make the Borough 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 concluding sentence of paragraph 7.61 suggests that it may be difficult to conclude if there is a need for affordable home ownership, and the second sentence of paragraph 7.62 suggests this need is 'less clear-cut'. In the unambiguous view of Rentplus, this need very clearly exists, and that the Rentplus model is an important way in which this need can be met. In this context, we recommend that the final sentences of paragraph 7.61 and 7.62 of the Nuneaton and Bedworth HEDNA 2022 are omitted.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the 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.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?


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

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

The evidence base raises complex questions in respect of the approach to calculating affordable housing need, that would benefit from further discussion.

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.

9.

Signature: (Please sign the box if you are filling in a paper copy. If you are filling in an electronic copy, the box can be left blank)	
Date:	16/10/2023



Planning Policy
Nuneaton and Bedworth Borough Council
Town Hall
Coton Road
NUNEATON CV11 5AA

Date: 16 October 2023

Our Ref: M15/0715-356

By email only: planning.policy@nuneatonandbedworth.gov.uk

To whom it may concern,

RE: NUNEATON & BEDWORTH BOROUGH PLAN REVIEW: REGULATION 19 CONSULTATION COMMENTS ON BEHALF OF RENTPLUS UK LTD

Thank you for the opportunity to comment on the Nuneaton and Bedworth Borough Plan Review Publication Draft Plan 2021 to 2029 (the "Local Plan"). We represent **Rentplus UK Ltd**, an innovative company providing **affordable rent to buy housing** for hard-working people aspiring to home ownership. Rentplus provides an accessible route to achieve their dream through the rent - save - own model. Households move in with no deposit, rent the property for a defined period at an affordable rent, and then receive a gifted 10% deposit upon purchase. In 2021, 100% of the homes destined to be sold at the first 5-year milestone were sold to Rentplus tenants who moved in with no deposit back in 2016. This important milestone has proven the Rentplus concept in the 'real world'.

Rentplus has engaged with the production of previous Local Plans in Nuneaton and Bedworth, including the (now adopted) iteration of the Local Plan back in 2017, and the Community Infrastructure Levy in 2015. Rentplus has also engaged with the Council outside of the plan-making process.

The first section of these representations introduces the Rentplus model and sets out recent developments which underline the importance of the affordable rent to buy model. The second section provides our specific comments on the soundness of the Publication Draft of the Local Plan. This letter is accompanied by duly completed representation forms.

Introducing Rentplus

The Rentplus model of **affordable rent to buy** aims to help those hard-working families and households unable to access ownership either through shared ownership, First Homes or homes on the open market, to overcome the 'deposit barrier'. Raising a deposit for a mortgage can be the biggest barrier to homeownership, especially for those households who may be 'stuck' in the private rented sector paying full market rents. Even the Government schemes aimed at first time buyers, including First Homes, Shared ownership and (formerly) Help to Buy are not accessible to those without a significant deposit or those who need to improve their credit rating to support their mortgage application.

Rentplus homes are let to aspirant homeowners through a partner Registered Provider ('RP') for a defined period of five, ten, fifteen or twenty years. At the end of this, the tenant is offered first refusal on the home and **receives a 10% gifted deposit** from Rentplus at the point of purchase. Rentplus applicants are mainly drawn from the Council's housing register and the duration of their tenancy is informed by an affordability assessment. Tenants can build their own savings and credit history during the period of affordable rent, to supplement the gifted deposit. Rentplus homes are typically secured through Section 106 agreements and are delivered without grant funding (such as that from Homes England).

Rentplus is an innovative tenure type and its delivery is supported by national planning policy. In 2018 the National Planning Policy Framework (the "NPPF") was revised and now incorporates a wider definition of affordable housing across four different categories. Rent to buy housing is included within the definition of category d) 'Other affordable routes to home ownership'. However, the revised NPPF also expanded the scope of category a) 'Affordable housing for rent' to include any scheme which meets criteria where the rent is at least 20% below local market rents, where the landlord is a registered provider, and where any public subsidy is recycled for future provision. Rentplus meets each of these criteria and has received Counsel's opinion (attached) which confirms this approach.

In this context, the Rentplus model of **affordable rent to buy** is a 'hybrid' and falls within both categories of affordable housing, as either part of the 'affordable housing to rent' element, or as an 'affordable route to home ownership'. Around 60 councils are working with Rentplus and have accepted the model to deliver affordable rent to buy homes for local people.

The Rentplus model offers the opportunity for the Council and RPs to diversify the local housing offer without further recourse to public subsidy. The affordable rented period provides families and households with security of tenure, with certainty of management and maintenance by a local partner RP, and critically the opportunity to save towards purchase and improve their credit rating while doing so. As affordable rent to buy meets needs for affordable rent (the only difference being marked by the expectation by all parties of purchase), it comes with a significant benefit of freeing up existing affordable rented homes for others in priority need, as demonstrated by Rentplus schemes across England.

In diversifying the overall housing tenure mix, Rentplus supports the creation of sustainable, mixed and balanced communities. Rentplus tenants are on a clear path to homeownership, meaning they are more likely to remain in their property for the long-term and therefore better settle into their community. This helps to create a stronger sense of place in new developments in the long run.

Comments on the emerging Local Plan

Policy H2: Affordable Housing

The approach to affordable home ownership

The second paragraph of this policy sets out the approach to securing affordable home ownership, with the policy rightly acknowledging the expectation at paragraph 65 of the NPPF that 10% of the total number of dwellings on qualifying sites should be delivered for affordable home ownership.

However, the policy then goes on to state that after accounting for the contribution of First Homes (which would equate to 25% of the affordable element of any scheme, or 6.25% of the entire scheme assuming full policy compliance) the remainder of the affordable home ownership (or the 'top-up') should be delivered as Shared Ownership. Notwithstanding that Rentplus meets the NPPF definitions for 'affordable housing for rent' and 'other affordable routes to home ownership', the full range of NPPF-compliant tenures may be inhibited. This element of the policy is therefore inconsistent with national policy.

Proposed remedy: The policy should be redrafted to not specify shared ownership; suggested text is set out below with amendments in **bold** type:

*National policy requires 10% of the total number of homes on a development site to be allocated for affordable home ownership (unless the proposal meets one of the exemption tests in the NPPF). **After accounting for any contribution from First Homes, the remainder of the 10% shall be delivered as other affordable routes to home ownership** or as specified in the Council's latest published Affordable Housing SPD.*

Internal consistency

There appears to be an internal inconsistency in the drafting of the policy; the second paragraph discusses the achievement of the 10% affordable routes to home ownership, yet the fourth paragraph suggests that "*the remainder of the affordable housing requirement is to be delivered as social and affordable rent*". It is unclear if this refers to the remainder from just the First Homes, or the entire First

Homes + affordable home ownership 'top up' as paragraph 8.28 of the supporting text would indicate. This element of the policy is therefore ineffective.

Proposed remedy: the policy should be clarified; suggested text is set out below:

After accounting for the First Homes and affordable home ownership requirements set out above, the remainder of the affordable housing requirement is to be delivered as social or affordable rent. For schemes of 11 to 14 dwellings, one First Home and one social rent/affordable rent property is to be provided.

Flexibility within the policy

The fifth paragraph of the policy confirms that tenure split will ultimately be agreed on a site-by-site basis by the Housing Team; we welcome the flexibility that this provides as it will enable the Local Plan to respond to specific circumstances and opportunities, and enable innovative tenures to come forward.

Evidence Base: Nuneaton and Bedworth Housing and Economic Development Needs Assessment 2022

The Nuneaton and Bedworth Housing and Economic Development Needs Assessment 2022 (the "Nuneaton and Bedworth HEDNA 2022") provides important evidence to support the production of the Local Plan. It will also be important to applicants in informing their affordable housing proposals, and to the Council in assessing such proposals. Especially since Draft Policy H2 indicates that "*The tenure split and affordable housing mix sought will be based upon evidence*".

The Nuneaton and Bedworth HEDNA 2022 appears to correct a significant flaw in the preceding Coventry and Warwickshire HEDNA 2022, which sought to offset open market housing sold at or below the lower quartile price against the need for affordable home ownership. Such a notion is misguided, not least because open market properties sold at lower quartile prices emphatically do not meet the NPPF definition of affordable housing.

As paragraph 7.61 at page 52 of the Nuneaton and Bedworth HEDNA 2022 explains, the approach of counting lower-quartile-priced properties would lead to a nominal surplus of affordable home ownership in the Borough. Such a finding would be perverse, as it would fail to account for those households unable to raise a deposit even at the lower quartile end of the market (exactly the problem which Rentplus seeks to address). Nor does it account for the fact that the open market offers no safeguards to ensure such homes are available to aspiring first time buyers. It also ignores the fact that lower quartile priced properties may be compromised in terms of their size, location, condition and quality (in stark contrast to a new Rentplus home, built to present-day energy efficiency standards in sustainable locations).

The concluding sentence of paragraph 7.61 suggests that it may be difficult to conclude if there is a need for affordable home ownership, and the second sentence of paragraph 7.62 suggests this need is 'less clear-cut'. In the unambiguous view of Rentplus, this need very clearly exists, and that the Rentplus model is an important way in which this need can be met. In this context, we recommend that the final sentences of paragraph 7.61 and 7.62 of the Nuneaton and Bedworth HEDNA 2022 are omitted.

Summary and conclusions

Rentplus can assist in meeting local need, allocating all of its residents through the Housing Allocation Scheme; by enabling real savings to be built while renting at an affordable rent the Council can help meet the needs of low- and middle-income households, providing greater choice and flexibility in the planning system.

The emerging Local Plan and its evidence base recognise the importance of delivering affordable home ownership in Nuneaton and Bedworth. For soundness, we recommend amendment to Policy H2 to secure the delivery of affordable home ownership and to meet the expectations of national policy in this regard; and to ensure the policy can be effectively implemented. We also recommend that specific aspects of the Nuneaton and Bedworth HEDNA 2022 are revised to make it clear and unambiguous

that there is a need for affordable home ownership products in the Borough, consistent with the approach taken in the NPPF.

We trust the above comments are of assistance to the Council. Should the Council wish to discuss how the Rentplus model of affordable rent to buy can best meet local needs in Nuneaton and Bedworth, please get in touch. We would like to be notified of further developments as the Local Plan progresses towards Examination; please notify **Tetlow King Planning** as agents of Rentplus by email only to

[REDACTED]

Yours faithfully

[REDACTED]

JAMIE ROBERTS MPlan MRTPI
PRINCIPAL PLANNER
For and On Behalf Of
TETLOW KING PLANNING

[REDACTED]

Email address