



Proposed Submission Consultation
Development Strategy Team
Town Hall
Evreux Way
Rugby
CV21 2RR

Date: 12 March 2026

Our Ref: LL/M5-0405-18

By email only:
localplan@rugby.gov.uk

Dear Sir/Madam,

RE: RUGBY PROPOSED SUBMISSION (REGULATION 19) LOCAL PLAN 2025 - 2042 CONSULTATION

Tetlow King Planning represents the **West Midlands Housing Association Planning Consortium (WMHAPC)** which includes leading housing associations across the West Midlands. Our clients' principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the West Midlands region.

As significant developers and investors in local people, the WMHAPC is well placed to contribute to Local Plan objectives and act as long-term partners in the community. Our clients play an active role in affordable housing delivery in Rugby and so welcome this opportunity to contribute to the Local Plan review.

We welcome the opportunity to comment on the Draft Proposed Submission Local Plan Consultation (Regulation 19) and recognise it is an important step in the production of a new Local Plan. The current Local Plan 2011-2031 was adopted in June 2019 and is now more than five years old and out-of-date in the context of the National Planning Policy Framework (NPPF, 2024). It is encouraging that Rugby Borough Council is being proactive and preparing a new Local Plan to account for updates to national policy.

Draft Policy S2 Strategy for homes

The WMHAPC notes that the previous draft Plan proposed a requirement of 12,978 dwellings over the 21-year period between 2024 – 2045. Revised Draft Policy S2 now proposes 10,812 dwellings over a shortened, 17-year Plan period between 2025 – 2042 (equivalent to 636 dpa). This represents a total reduction of 2,166 dwellings and a loss of three years from the Plan period, reducing the annual housing requirement from 618 dpa in the previous draft Plan to now 636 dpa. While this minor reduction will not aid additional future affordable housing delivery in the authority area, the WMHAPC recognises and welcomes the Council's application of the standard method in calculating local housing need and accepts that the proposed 17-year plan period is consistent with the requirements of paragraph 22 of the NPPF (2024).

Paragraph 1.22 sets out that the identified land supply of 11,729 homes for the 2025 – 2042 period includes an 8.5% buffer above the minimum requirement. This is positive but is lower than the previous 9% buffer proposed at the Preferred Options stage. Increasing the buffer would provide greater flexibility within the Plan, strengthen resilience against delivery slippage, and assist the Council in consistently demonstrating a five-year housing land supply.

Draft Policy S6 Residential allocations

Following our Preferred Options representations, we note the Council's continued approach towards allocating housing in more rural areas that raises practical considerations for housing associations. Increased delivery in more remote locations can reduce nomination efficiency, creating management challenges and in some cases limited appetite for S106 units where access to infrastructure, services and public transport is restricted.

As previously highlighted, many residents of the housing associations are on low income and reliant on public transport. Proximity to employment, education, healthcare and day-to-day amenities is therefore fundamental to sustaining tenancies. For this reason, well connected urban and larger village locations remain the most effective and deliverable settings for affordable housing provision.

Whilst it is important to reiterate that the WMHAPC is not opposed to rural development, we support affordable housing in rural areas where it responds to evidenced local need and is sustainably located, including through rural exception sites and appropriate allocations within settlements that benefit from adequate infrastructure.

Our members have highlighted direct experience of difficulties in letting and managing homes in more isolated locations, with some S106 opportunities declined due to limited demand and connectivity constraints, particularly given the profile of households on the Council's housing register.

Rather than restricting rural allocations altogether, we encourage the Council to take a practical and flexible approach. This should involve working closely with housing associations to ensure that rural sites are well located, supported by adequate infrastructure, and capable of sustaining successful tenancies in the long term. Consideration of transport links, access to amenities and up-to-date evidence of local housing need should form part of both site allocation and development management decisions.

The WMHAPC therefore encourages continued collaboration between the Council and registered providers to ensure rural allocations are realistic, deliverable and capable of meeting identified housing needs effectively.

Draft Policy CL1 Net zero buildings

We fully support the objective of promoting sustainable development and improving the energy performance of new homes. However, we remain concerned that requiring all new dwellings over 100m² to achieve net zero carbon in operation could have implications for scheme viability and, in turn, the delivery of affordable housing in Rugby.

The proposed requirement goes beyond the standard to be introduced through the Government's Future Homes Standard (FHS) in 2025. The FHS is intended to achieve a 75% reduction in carbon emissions from new homes, with the remaining reductions expected to come through the continued decarbonisation of the national grid, effectively delivering an operational net zero outcome over time.

We continue to be concerned that introducing a local standard that materially exceeds national requirements risks creating a fragmented and inconsistent approach to compliance. Divergent local standards can generate uncertainty, increase costs, and lead to a postcode-based approach to net zero delivery, all of which may affect overall development viability and affordable housing provision.

We therefore urge the Council to carefully consider viability impacts and alignment with national policy to ensure climate ambitions are delivered in a way that does not inadvertently constrain housing supply, particularly affordable homes.

Draft Policy CL3 Water supply, quality and efficiency

Criterion C of the draft policy requires new dwellings to comply with water efficiency measures, ensuring estimated consumption does not exceed "*110 litres per person per day in line with regulation 36(2)(b) of the Building Regulations 2010 (as amended).*"

While we support the objective of improving water efficiency in new development and acknowledge that ensuring responsible water consumption is an important component of sustainable growth, we advise caution in directly replicating detailed technical standards within planning policy where these are already governed through the Building Regulations. Explicit reference to Regulation 36(2)(b) of the Building Regulations 2010 (as amended) may quickly become outdated as national legislation evolves.

As such, we recommend that the policy instead require compliance with the relevant and prevailing national water efficiency standards. This would preserve the policy's intent while avoiding unnecessary duplication, ensuring flexibility and future-proofing the Local Plan against legislative change.

Draft Policy EN5 Biodiversity and geodiversity protection

We note that the draft Policy EN5 Biodiversity net gain (BNG) requires a minimum of 10% BNG in line with the Environment Act 2021 and imposes cascade criteria (i-iv) with fallback options where on-site delivery is not feasible. The WMHAPC supports this approach as there are a number of constraints which could hinder a site's ability to deliver BNG on site for example land uptake for habitat protection and mitigation measures which could impact on developable land and therefore viability etc.

The WMHAPC welcomes the production of a BNG supplementary planning document and/or a further implementation note/guidance following the adoption of the Local Plan.

Draft Policy EN6 Canopy Cover

We recognise and support the Council's ambition to strengthen green infrastructure and increase canopy cover across the borough. We also welcome the explanatory text at paragraph 5.17, which acknowledges that there may be circumstances where achieving 20% canopy cover is not possible or desirable and that an alternative level may be negotiated.

Notwithstanding this clarification, the policy wording itself remains framed around a fixed 20% requirement, which may create uncertainty at application stage. A broad range of factors including higher-density development, brownfield constraints, existing ecological features, and the need to accommodate biodiversity net gain, drainage and other infrastructure can materially influence the developable area of a site.

For schemes delivering affordable housing, reductions in net developable land can have direct implications for viability and overall delivery. Ensuring that the flexibility referenced in the supporting text is clearly embedded within the policy wording would provide greater certainty that site-specific circumstances and cumulative policy burdens will be taken into account in a consistent and transparent manner.

We therefore suggest that the Council consider aligning the policy wording more closely with paragraph 5.17, making explicit within the criterion itself that canopy cover expectations will be applied proportionately, having regard to viability, site constraints and other planning requirements. This would support the Council's environmental objectives while maintaining a balanced approach to housing delivery, including affordable provision.

Draft Policy H1 Housing mix

Draft Policy H1 seeks to ensure that new residential development aligns with the housing mix identified in the Housing Needs Evidence (HNE) (2025) and other relevant local evidence.

We are pleased that the Council has updated the supporting text at paragraph 6.1 to clearly reference and reiterate the findings of the HNE 2025. This provides helpful clarity for decision-makers and applicants by signposting the most up-to-date evidence base underpinning the policy.

We also welcome the inclusion of a broader range of affordable housing tenures within the identified mix, including market housing, affordable home ownership, social rent and Affordable Rent. This reflects a more comprehensive alignment with the definition of affordable housing set out in Annex 2 of the NPPF (2024) and supports the delivery of a diverse and balanced housing offer. Various members of the WMHAPC are active in Rugby and can attest to the important role that Affordable Rent plays in

meeting local need. It provides a critical tenure for households who may not qualify for social rent but who remain unable to access suitable accommodation on the open market. Recognising this tenure within the policy framework will therefore assist in responding effectively to the borough's identified housing needs.

Draft Policy H2 Affordable Housing

In relation to Criterion A of Draft Policy H2, the WMHAPC notes that the policy maintains minimum affordable housing requirements of 20% in the Rugby urban area and 30% elsewhere in the Borough. While we support the Council's commitment to securing affordable housing, our members have raised practical concerns. In particular, they have at times been unable to nominate tenants for rented properties in areas with limited or poor public transport access, which can affect the sustainability of tenancies.

The WMHAPC welcomes the clear targets for affordable housing provision in Draft Policy H2. However, we note an inconsistency between Policies H1 and H2. Policy H1 recognises Affordable Rent alongside social rent and shared ownership, whereas Criterion B of H2 currently limits the tenure mix to 70% social rent and 30% shared ownership, with no reference to Affordable Rent.

Limiting the tenure mix in this way is overly narrow and does not reflect the full range of affordable housing products that can meet local need. In particular, other affordable home ownership options, such as Discounted Market Sale (DMS), should be explicitly considered. These products provide flexible pathways to homeownership for households who cannot access the open market and complement social and Affordable Rent in delivering a balanced housing offer.

Restricting Criterion B to only social rent and shared ownership could also reduce delivery flexibility for housing associations and developers, particularly where local demand or viability considerations favour alternative tenures.

The WMHAPC therefore recommend that Criterion B is revised to include Affordable Rent and a broader range of affordable home ownership products, including shared ownership and DMS, with proportions guided by local housing needs evidence and viability considerations. This approach would ensure a more balanced, deliverable, and sustainable response to the Borough's housing needs.

Draft Policy H4 Rural exception sites

The WMHAPC welcomes the Council's inclusion of a rural exception site policy and its acknowledgment in the ability of such sites to meet the housing needs of rural communities across the authority.

The WMHAPC agrees with the principle of securing affordable housing delivered on rural exception sites in perpetuity in line with Annex 2 of the NPPF (2024):

***"Rural exception sites:** Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding."*

The WMHAPC supports this policy approach, as it ensures that affordable housing can be delivered in rural areas that would otherwise not be considered suitable for residential development. This is a crucial mechanism for addressing the specific needs of rural communities, supporting local sustainability, and maintaining balanced rural settlements.

We also support the Council's approach at criterion A of permitting sites "*adjacent to the edge of an existing settlement, including the Green Belt*" however, in order to ensure that the policy is effective in helping to delivery affordable housing that meets local needs, we ask that the Council appropriately considers connectivity for prospective social rented residents when assessing the suitability of rural exception sites.

Draft Policy H7 Housing Standards

The WMHAPC supports the principle of ensuring new dwellings meet high quality standards in line with current Building Regulations. We recognise the growing need for accessible, adaptable, and appropriately sized homes. However, it is important to note that the application of these standards can have significant implications for the viability of development and the delivery of affordable housing in Rugby.

We note that criteria A of the draft policy requires that all new dwellings will meet the Nationally Described Space Standard (NDSS). There are concerns that the blanket application of the NDSS across all residential development, including affordable tenures, may undermine the viability of many development schemes. This may potentially result in fewer affordable homes being delivered as optional technical standards have implications for build costs and sales values, with implications in turn for development viability.

We highlight that the PPG¹ requires local authorities to justify the need for NDSS through considering:

- ***“need*** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
- ***viability*** – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.
- ***timing*** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.”

Without the appropriate evidence, a blanket application of NDSS might undermine the viability of development schemes and through viability testing of application proposals, could result in fewer affordable homes being delivered across Rugby.

It is also relevant that Homes England only requires affordable homes to meet 85% of the NDSS to receive funding. For affordable housing in particular, there may be instances where achieving NDSS is impractical and unnecessary, as it may result in for example, higher rental and heating costs. Homes delivered in the current market by housebuilders are often lower than the 85% requirement. As such, the WMHAPC recommends that other quality standards should be used to determine housing quality, unless the Council can properly evidence the need for NDSS.

On sites that deliver 100% affordable housing, NDSS presents issues in that it increases the risk of financial impairment. The WMHAPC members raise that if a property costs more than it is worth, which is often the case on design and build sites that are 100% affordable and in a low value area such as Telford and Wrekin, then it can cause a financial impairment, or in some cases, a loss. It is therefore imperative that schemes are able to continue to provide good quality housing but at 85% NDSS (which is the accepted position from Homes England) on sites that are delivering 100% affordable housing due to build costs. The below example has been provided by Aspire Housing Association in relation to a current scheme they have in Telford and Wrekin, which shows the financial implications of delivering 100% NDSS on 100% affordable housing schemes.

85% NDSS

Open Market Value per unit average £210k.

Build Cost at 85% NDSS per unit plus acquisition and fees, less grant £196,503.

Headroom per unit of £13,497.

100% NDSS

Open Market Value per unit average £210k.

Build Cost at 100% NDSS per unit plus acquisition and fees, less grant £213,352.

Headroom per unit of £3,352.

¹ Paragraph: 020 Reference ID: 56-020-20150327

As demonstrated, NDSS can have substantial impacts on viability. If there is an increased risk of impairment, developers will be more unlikely to deliver new affordable housing.

Criterion B requires all new dwellings to meet M4(2) accessible and adaptable standards, and Criterion C requires 3.5% of dwellings in schemes of 10 or more to meet M4(3) wheelchair user standards. While we welcome the reduction of the M4(3) threshold from 10% to 3.5%, these requirements can present practical and viability challenges. Some sites, particularly those with challenging topography or limited space, cannot easily accommodate level access or lifts, and the cost of compliance can impact the delivery of affordable homes.

The WMHAPC therefore recommends that the Council allows discretion on a site-by-site basis for NDSS, M4(2), and M4(3) requirements, particularly for affordable housing or smaller sites. Requirements should be informed by local need evidence and viability considerations to ensure high-quality homes can be delivered without restricting overall housing supply or undermining the viability of schemes.

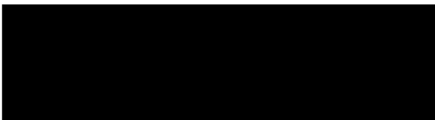
In short, the WMHAPC supports high-quality, accessible housing but urges the Council to adopt a flexible and evidence-based approach to space and accessibility standards to safeguard viability, encourage delivery, and ensure the continued provision of affordable homes across Rugby.

Further comments

It would be beneficial for the Local Plan to acknowledge the role of Housing Associations in providing affordable housing in Rugby and encourage developers to have early active engagement with Housing Associations in the preparation of planning proposals. Early engagement enables Housing Associations to have an active role in the planning and design of developments to ensure that the development addresses local housing needs and meets the management requirements of WMHAPC members.

The above comments are intended to be constructive, to ensure the policies are found sound at examination. We would like to be consulted on further stages of the above document and other publications by the Council, by email only to consultation@tetlow-king.co.uk; please ensure that the **West Midlands Housing Association Planning Consortium** is retained on the consultation database, with **Tetlow King Planning** listed as its agent.

Yours sincerely,



LISA LUONG BSc (Hons) MSc MRTPI
SENIOR PLANNER
For and On Behalf Of
TETLOW KING PLANNING



cc: Aspire Housing Group
Black Country Housing Group
Bromford Housing Group
Bromsgrove District Housing Trust
Citizen New Homes Ltd
Platform Housing Limited
Stonewater Ltd
Walsall Housing Group

Michelle Dickson (Communities and Projects Manager)
Craig Oakley (Research and Strategy Project Officer)

Representation Form for Local Plans



Local Plan Publication Stage Representation Form

Ref:

(For
official
use only)

**Name of the Local Plan to which
this representation relates:**

Rugby Borough Council Proposed
Submission Local Plan

Please return to Rugby Borough Council by 5:00pm Friday 13th March 2026
By email to: localplan@rugby.gov.uk with **Proposed Submission Consultation**
in the subject line, OR by post to: Development Strategy, Town Hall, Evreux
Way, Rugby, CV21 2RR.

This form has two parts –

Part A – Personal Details: need only be completed once.

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 (if applicable) but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

2. Agent's Details (if applicable)

Telephone Number

E-mail Address

(where relevant)

Part B – Please use a separate sheet for each policy or site you wish to comment on

Name or Organisation:

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

Paragraph

Policy

- Policy S6: Residential allocations
- Policy CL1: Net zero buildings
- Policy CL3: Water supply, quality and efficiency
- Policy EN5: Biodiversity and geodiversity
- Policy EN6: Canopy cover
- Policy H1: Housing mix
- Policy H2: Affordable Housing
- Policy H4: Rural exception sites
- Policy H7: Housing Standards

Policies Map

Site ID

4. Do you consider the Local Plan:

(1) is Legally compliant

Yes

No

(2) is Sound

Yes

No

(3) complies with the Duty to co-operate

Yes

No

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Draft Policy S2 Strategy for homes

The WMHAPC notes that the previous draft Plan proposed a requirement of 12,978 dwellings over the 21-year period between 2024 – 2045.. Revised Draft Policy S2 now proposes 10,812 dwellings over a shortened, 17-year Plan period between 2025 – 2042 (equivalent to 636 dpa). This represents a total reduction of 2,166 dwellings and a loss of three years from the Plan period, reducing the annual housing requirement from 618 dpa in the previous draft Plan to now 636 dpa. While this minor reduction will not aid additional future affordable housing delivery in the authority area, the WMHAPC recognises and welcomes the Council’s application of the standard method in calculating local housing need and accepts that the proposed 17-year plan period is consistent with the requirements of paragraph 22 of the NPPF (2024).

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As previously highlighted, many residents of the housing associations are on low income and reliant on public transport. Proximity to employment, education, healthcare and day-to-day amenities is therefore fundamental to sustaining tenancies. For this reason, well connected urban and larger village locations remain the most effective and deliverable settings for affordable housing provision.

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As such, we recommend that the policy instead require compliance with the relevant and prevailing national water efficiency standards. This would preserve the policy's intent while avoiding unnecessary duplication, ensuring flexibility and future-proofing the Local Plan against legislative change.

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We note that the draft Policy EN5 Biodiversity net gain (BNG) requires a minimum of 10% BNG in line with the Environment Act 2021 and imposes cascade criteria (i-iv) with fallback options where on-site delivery is not feasible. The WMHAPC supports this approach as there are a number of constraints which could hinder a site's ability to deliver BNG on site for example land uptake for habitat protection and mitigation measures which could impact on developable land and therefore viability etc.

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The WMHAPC welcomes the clear targets for affordable housing provision in Draft Policy H2. However, we note an inconsistency between Policies H1 and H2. Policy H1 recognises Affordable Rent alongside social rent and shared ownership, whereas Criterion B of H2 currently limits the tenure mix to 70% social rent and 30% shared ownership, with no reference to Affordable Rent.

Limiting the tenure mix in this way is overly narrow and does not reflect the full range of affordable housing products that can meet local need. In particular, other affordable home ownership options, such as Discounted Market Sale (DMS), should be explicitly considered. These products provide flexible pathways to homeownership for households who cannot access the open market and complement social and Affordable Rent in delivering a balanced housing offer.

Restricting Criterion B to only social rent and shared ownership could also reduce delivery flexibility for housing associations and developers, particularly where local demand or viability considerations favour alternative tenures.

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We highlight that the PPG¹ requires local authorities to justify the need for NDSS through considering:

- **"need** – *evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
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Build Cost at 85% NDSS per unit plus acquisition and fees, less grant
£196,503.

Headroom per unit of £13,497.

100% NDSS

Open Market Value per unit average £210k.

Build Cost at 100% NDSS per unit plus acquisition and fees, less grant
£213,352.

Headroom per unit of £3,352.

As demonstrated, NDSS can have substantial impacts on viability. If there is an increased risk of impairment, developers will be more unlikely to deliver new affordable housing.

Criterion B requires all new dwellings to meet M4(2) accessible and adaptable standards, and Criterion C requires 3.5% of dwellings in schemes of 10 or more to meet M4(3) wheelchair user standards. While we welcome the reduction of the M4(3) threshold from 10% to 3.5%, these requirements can present practical and viability challenges. Some sites, particularly those with challenging topography or limited space, cannot easily accommodate level access or lifts, and the cost of compliance can impact the delivery of affordable homes.

The WMHAPC therefore recommends that the Council allows discretion on a site-by-site basis for NDSS, M4(2), and M4(3) requirements, particularly for affordable housing or smaller sites. Requirements should be informed by local need evidence and viability considerations to ensure high-quality homes can be delivered without restricting overall housing supply or undermining the viability of schemes.

In short, the WMHAPC supports high-quality, accessible housing but urges the Council to adopt a flexible and evidence-based approach to space and accessibility standards to safeguard viability, encourage delivery, and ensure the continued provision of affordable homes across Rugby.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local 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.

Please refer to our response at question 5.

