

1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable five-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?

No.

This provision speaks to a wavering in the commitment to boost the delivery of new housing that will be a recurring theme throughout this consultation response. Indeed, despite a stated commitment to delivering 300,000 homes a year “by the mid-2020s”, of all the new provisions being consulted upon only three, support for community-led housing groups; support for the supply of specialist older people’s housing; and encouragement for upward extensions by way of mansard roofs, could be said to be in any way supportive of new development. Every other provision will serve to make the delivery of 300,000 homes a year less likely, with consequential impacts on the provision of affordable housing and social and physical infrastructure.

As will be set out in in response to Question 7, research commissioned by the Home Builders Federation (HBF) and the Land Promoters & Developers Federation from Lichfields concludes that, if adopted as drafted, the next version of the National Planning Policy Framework (NPPF) will precipitate a significant reduction in housing supply that will exacerbate existing downward trends in planning permissions being granted (see Figure 1) and local plans being adopted (see Figure 2) against a backdrop of approximately 100,000 homes<sup>1</sup> already delayed by the failure of the relevant agencies to address delays caused by the nutrient neutrality imbroglio.

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<sup>1</sup><https://www.housingtoday.co.uk/news/nearly-100000-homes-now-held-up-by-nutrient-neutrality-rules-says-hbf/5117302.article>



The number of planning permissions so far in 2022 (Q1-Q3) is 10% lower than five years ago and the trend is downward.



Figure 1.

In specific regard to the 5YHLS question, in some respects this proposal should not necessarily be too significant a deviation from current arrangements in that the NPPF already requires planning policies to identify a supply of specific and deliverable sites for years one to five of a local plan period (and the deliverability test of soundness is not to change).

This proposal is though resisted on the basis that the extent to which this is not a significant deviation from current arrangements is predicated on some quite large assumptions.

Firstly, a local plan would have to be in place that meets a local planning authority’s (LPA) housing needs in full. Whilst the consultation material states that the “best way to secure more high-quality homes in the right places is through the adoption of local plans”, it also indicates that “local characteristics” will soon justify the use of an alternative method (that in the majority of cases will inevitably alight upon a lower figure). As well as planning for fewer homes, the hiatus in plan-making caused by the anticipation of and then this consultation itself<sup>2</sup>, combined with the proposed lengthy transition period, signals the death knell for any lingering hope of a commitment to having local plans in place by December 2023, which was the intention as recently as March 2022<sup>3</sup>.

<sup>2</sup><https://lichfields.uk/blog/2023/january/30/start-me-up-but-then-you-stopped-the-continuing-cost-of-local-plan-delays/>

<sup>3</sup><https://www.parliament.uk/business/news/2020/march/statement-on-planning-for-the-future/>



Secondly, the required supply of sites for years one to five of the plan period is not subject to the same scrutiny at a local plan examination (EiP) than is the case at a Section 78 appeal inquiry. If a LPA is to be allowed to rely on that supply for five years then scrutiny of it should provide for complete confidence in it at the point of adoption. It is to be noted in relation to the scrutiny currently being afforded that, according to Savills<sup>4</sup>, of the 95 LPAs that have adopted a local plan in the last five years and are not currently undertaking a review, over a third (36%) were unable to prove a five years land supply as of December 2022, and 23% are expected to fall short of their housing targets in the 2023 Housing Delivery Test (HDT). The suggested greater scrutiny at a EiP would be consistent with proposals to require applicants for planning permission to submit Development Statements on build out rates.

Thirdly, the proposal assumes that if a land supply cannot be demonstrated in, for example, year four of a plan period, that a replacement plan will soon be adopted in order to provide for one. Yet according to the 'Planning for the Future'<sup>5</sup> White Paper, the average time taken from plan publication to adoption rose from an average of 450 days in 2009 to 815 days in 2019. On this basis the assumption about replacement plans being adopted in short order might be politely described as optimistic.

This further assumes though, of course, that a LPA does commit to a review. Under current arrangements a LPA can review its own local plan without any external scrutiny and if it is concluded that the plan does not need updating then, were this proposal adopted as drafted, the 'protection' is signed off for another five years with even less scrutiny afforded to a land supply that would, by that point, be relying on sites assessed merely as 'developable' (years six to ten) when the local plan in question was examined. In the continued absence of any statutory requirement on LPAs to maintain an up-to-date local plan, if this proposal is followed through with it must be accompanied by a role for the Planning Inspectorate (PINS) in endorsing this otherwise unilateral review process.

It is noted that this proposal is intended to provide LPAs with a "strong incentive" to agree a local plan. This may be the case for non-Green Belt LPAs (though the evidence for this assertion would be interesting to see), but it is very unlikely to be case for the 180 Green Belt LPAs (which accounts for 58%<sup>6</sup> of the total) where the presumption in favour of sustainable development is very seldom applied to Green Belt sites regardless of how poor land supply is, how poor housing delivery is, or how out of date a local plan is. Again, without a statutory requirement for plan-making there is increasingly pressing need to provide actual incentives and reference to financial ones is made in response to Question 53.

The desire to 'switch off' the presumption in favour of sustainable development as frequently as possible (despite the contribution it has made towards land supply in the post-NPPF era when local plan coverage remains so steadfastly poor) is a common consultation theme. Discourse around the 5YHLS and HDT in relation to the presumption often treats them as a "technicality" or "loophole", but, as Paul Smith<sup>7</sup> has noted, both are integral to the performance monitoring that every local plan should be subject to and, despite claims to the contrary, LPAs are in control of this process.

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<sup>4</sup>[https://www.savills.co.uk/research\\_articles/229130/338073-0?t](https://www.savills.co.uk/research_articles/229130/338073-0?t)

<sup>5</sup><https://www.gov.uk/government/consultations/planning-for-the-future>

<sup>6</sup><https://www.gov.uk/government/statistics/local-authority-green-belt-statistics-for-england-2021-to-2022>

<sup>7</sup><https://writingthecity.co.uk/2023/02/20/is-it-a-technicality-is-it-a-loophole-no-its-five-year-land-supply/>



All of this being said, if this proposal is to be followed through with then a shorter period than five years should be considered, but only then on the basis that a local plan is allocating reserve sites and that meaningful 'Housing Delivery Action Plans' are sought between land supply falling and replacement plans being put in place.

2. Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

No.

This issue revisits similar themes in that, whilst the 5%, 10% and 20% buffer might not unreasonably be described as arbitrary, buffers are consistent with a genuine spirit of significantly boosting housing supply by adding flexibility and increasing the chances that targets can and will be met.

It is sometimes argued that LPAs are not responsible for delivery once a planning permission has been granted. Putting aside the delays that many HBF members face when addressing pre-commencement conditions and highways-related matters just to get on site, LPAs are very much responsible, as identified above, for ensuring a supply of specific sites for years one to five of the plan period. It is not enough to point merely to a stock of planning permissions as evidence of a positive attitude towards development. That stock of planning permissions needs to include sites capable of delivery in the short-term and development into the medium and long-term, and monitoring mechanisms will become even more important if local plans are to be afforded less scrutiny through the examination process (see Question 11).

Consider, by way of an example, the difference between a LPA with housing supply dominated by a large urban extension in the control of a single party, and a LPA with a supply consisting of multiple sites of multiple sizes in multiple locations. The latter, because of opportunities for multiple builders and multiple sales outlets, affords a much greater chance of early and consistent delivery. It is important to distinguish between LPAs taking approaches as different as these.

Further, the need for flexibility in supply comes from a general acceptance that not every home that gets planning permission will be built. Planning permissions can lapse for several perfectly legitimate reasons, which might include a new developer needing to re-plan an approved permission or pre-commencement conditions taking longer than anticipated to discharge (often linked to consents issued, and infrastructure provided by, third parties).

Lichfields<sup>8</sup> have identified a 30% to 40% gap between planning permissions granted for housing nationally and starts on site. It is suggested that 10% to 20% of permissions do not materialise into a start on site at all and that an estimated 15% to 20% of permissions are re-engineered with a permission re-sought.

The case for flexibility in supply and a focus on delivery remains strong, therefore, but there is also very much a strong case for 5YHLS requirements and the HDT to much more closely align, with a greater emphasis on the delivery trajectory over the entire plan period.

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<sup>8</sup> <https://lichfields.uk/media/2517/stock-and-flow-planning-permissions-and-housing-output.pdf>



3. Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?

It is worth prefacing observations on this question with this concluding paragraph in a report from Lichfields called 'Taking stock – the geography of housing need, permissions and completions'<sup>9</sup>.

*The question of how many permissions need to be granted to achieve 300,000 homes per year is difficult.*

*The issues with the data makes it hard to understand the relationship between permissions and completions, and the situation varies between regions. It also depends on the mix of permissions granted each year (in terms of site size) and on the overall size and mix of the stock of permissions that already exists. In some regions, including where housing completions exceed the assessment of need, one might draw the conclusion there are sufficient permissions; but in others there is a shortfall. We estimate that – based on some different assumptions - on a like-for-like comparison with the 1.3m total stock of live permissions currently in place (some of which are already built) we need a total stock of between 1.7m and 2.4m. At the mid point, this means that – ceteris paribus - around 520,000 permissions per year need to be granted in the short-to-medium term. If the aim is to achieve 300,000 net additions by 2025, permissions need to be in place by 2023. When compared with MHCLG's most recent recorded annual flow of permissions of 372,000 an increase of around 145,000 is needed in the next 2-3 years.*

In this context, and with 232,820 net additional dwellings added to housing stock last year, it does seem somewhat peculiar to be committing to 300,000 homes a year whilst suggesting that LPAs, rather than being lauded, can somehow be “penalised” for over-delivering early in a plan period and that ‘additional’ land subsequently coming forward for development without a local plan allocation is in some way harmful in and of itself (given that applications approved by way of the presumption will be, by definition, in sustainable locations).

That being said, there are perhaps two ‘oversupply’ positions that it would be helpful to disaggregate.

The first position is the 5YHLS calculation for development management purposes, which, by definition, can only be forward-looking. Past ‘over-supply’ is, therefore, not relevant in a static, point-in-time calculation and any ‘under-supply’ is factored in to Step 2 of the standard method calculation as part of the affordability ratio (assuming that a plan is over five years old) and the standard method is the basis of the 5YHLS calculation.

The second position is the derivation of a local housing need figure of which the standard method forms the starting point. With plan periods often overlapping it can be the case that when projecting back to a start date a new standard method figure that may be lower than a previous target it could have been exceeded by recent output. It may legitimately be the case in that scenario and for the purposes of aligning data that any such ‘oversupply’ would be taken into consideration when calculating a new net requirement. It is though more often the case that a new standard method is higher than the previous target, or that recent delivery has been sluggish, and so that undersupply is factored into a new net requirement, either in the first five years or other the plan period.

In the first case, therefore, ‘oversupply’ is not a factor and in the second it could be, but is, by and large, dealt with when looking across an entire plan period in the round.

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<sup>9</sup> <https://lichfields.uk/content/insights/taking-stock-the-geography-of-housing-need-permissions-and-completions>



It is widely acknowledged that there is a housing crisis. Lichfields<sup>10</sup> has calculated that there is already a difference of 2.1m between homes needed and homes available, and, since 300,000 homes a year became a national target in 2018 a backlog of 200,000 homes has already been established. Even at current rates of housebuilding this backlog will have grown to 750,000 by 2030.

It should also be noted that according to Savills<sup>11</sup>, 116 LPAs (over a third) cannot demonstrate a 5YHLS, 53% of which are in the South East. Savills has further calculated that the difference between actual supply (315,018 homes) and what a 5YHLS would be (448,312 homes) is 133,294 homes, or 26,659 a year.

Again, with full local plan coverage a distant prospect and housing delivery needing boosting in the here and now, affording any credence at all to concepts of 'oversupply' speaks to a NPPF that is not serious about delivering 300,000 homes a year.

4. What should any planning guidance dealing with oversupply and undersupply say?

For the reasons set out above it is not considered that any intervention in this matter is either necessary or desirable.

5. Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

HBF welcomes the distinction between neighbourhood plans that contain policies and allocations to meet an identified housing requirement and those that do not. Whilst somewhat dated, but still pertinent, Turley found in 2014 that of 75 neighbourhood plans that had been published at that point over half (55%) sought primarily to resist new development, with that number increasing to 63% in rural areas<sup>12</sup>.

It does seem entirely right that communities planning positively for their future (and in alignment with a local plan) should be afforded the time for that vision to be realised. The counter argument, of course, is to question whether communities in sustainable locations should have any weight afforded to plans that have not made allocations in circumstances where the presumption might otherwise apply.

It does also seem entirely right, however, that if a neighbourhood plan is to be afforded the same status as a local plan for development management purposes then it should be scrutinised with similar rigour. The basic conditions that a neighbourhood plan must meet if it is to proceed to referendum are somewhat less onerous than the tests of soundness that apply to local plans, which, is a disparity that should be addressed if neighbourhood plans are to take on greater responsibility.

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<sup>10</sup><https://lichfields.uk/blog/2023/february/27/making-a-bad-situation-worse-how-a-fall-in-housing-supply-due-to-nppf-changes-will-cause-social-harm-and-undermine-levelling-up/>

<sup>11</sup>[https://www.savills.co.uk/research\\_articles/229130/338073-0](https://www.savills.co.uk/research_articles/229130/338073-0)

<sup>12</sup><https://www.buildingconstructiondesign.co.uk/news/neighbourhood-plans-to-protect-and-or-provide/>



There is also a need to consider the synchronicity between local plan and neighbourhood plan. The NPPF expects most strategic policy-making authorities to set housing requirement figures for designated neighbourhood areas as part of their strategic policies. Where this is not the case, PPG states that when an indicative housing requirement figure is requested by a neighbourhood planning body, the LPA can use the authority's local housing need as a starting point, taking into an existing or emerging spatial strategy alongside the characteristics of the neighbourhood plan area.

The proposals as drafted would reduce the extent to which local plans and neighbourhood plans are aligned on the basis that the forthcoming local plan hiatus will make it difficult to establish a housing requirement for a neighbourhood area where local plans are considerably out of date and because opportunities to bring forward sites in sustainable locations in areas that might not be planning as positively as should be the case will be reduced.

It may be prudent, therefore, not to amend paragraph 14 until the system for plan-making as imagined by the Levelling Up & Regeneration Bill (LURB) is in place or until further consideration is afforded to how local plans and neighbourhood plans can better operate in tandem.

6. Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

An unequivocal commitment to plan-making is welcome, but the introduction of the word 'sufficient' could be said to introduce unnecessary equivocation in so far as the provision of housing is concerned. Sufficient, with a positive interpretation could mean 'enough', but with a less positive interpretation could mean 'adequate'. Either interpretation is not quite the emphatic statement of intent that would support the stated Government intention as still expressed in paragraph 60 to significantly boost the supply of homes. Wording that better reflects the need for everybody in every organisation in every sector to go above and beyond would be more impactful.

The need for development that is sustainable could also be interpreted as a positive signal were it a precursor to the promotion of genuinely sustainable forms and patterns of development. Some further equivocation about density in the urban context and the resistance to Green Belt development, regardless of location and characteristics, suggests, however, that the promotion of such may not necessarily be fulsome.

As stated above, and as will be detailed in response to the next question, if adopted as drafted the next draft of the NPPF will precipitate a significant reduction in housing supply.

7. What are your views on the implications these changes may have on plan-making and housing supply?

2022 saw a significant slowdown in local plan-making. Indeed, Planning Magazine<sup>13</sup> reported in November that the number of local plans being published, submitted for examination and adopted would be the lowest in over a decade (see Figure 2).

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<sup>13</sup><https://www.planningresource.co.uk/article/1804175/local-plan-watch-local-plan-slowdown-set-reach-historic-low-2022>



Just 40% of LPAs have an up-to-date local plan. And things are getting worse, with the rate of plans submitted for examination and adopted now around half of the average in the years before the 2020 Planning White Paper.

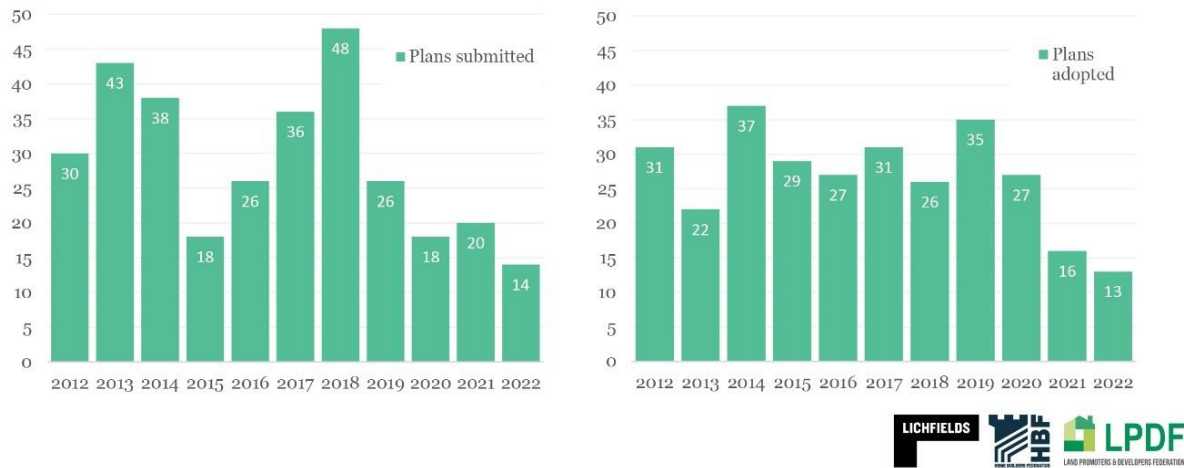


Figure 2.

According to Lichfields, the average number of local plans submitted to PINS each year since 2020 (17) is roughly half of what it was before the 2020 housing white paper (average of 33 from 2012-2019). For adopted plans, the position is similar; the average since 2020 is 18, whereas the average 2012-2019 is 30.

A key cause has been policy uncertainty. Lichfields reported in April 2022<sup>14</sup> on the 11 LPAs, the majority tackling (or about to tackle) difficult issues such as Green Belt, housing need, or other cross boundary issues, that were being delayed or withdrawn. Eight of these LPA were proposing allocations totalling approximately 70,000 homes.

Since then, a further 27 LPAs (at the time of writing) have announced a delay, 13 of which had draft plans proposing new allocations for approximately 74,700 homes.

That is approximately 140,700 homes for which planning applications might now have been submitted<sup>15</sup>.

HBF is extremely concerned that this crisis in local plan-making will be exacerbated by the current proposals and, when local plans do progress, they will be planning for less and will have a lower bar to get over in order to be found sound.

<sup>14</sup><https://lichfields.uk/blog/2022/april/26/counting-the-cost-of-delay-the-economic-impact-of-local-plan-delay-to-housing-delivery/>

<sup>15</sup><https://lichfields.uk/blog/2023/january/30/start-me-up-but-then-you-stopped-the-continuing-cost-of-local-plan-delays/>





At the heart of this consultation is the method for calculating local housing need figures<sup>16</sup> (the 'standard method'), the case for which remains as it was when was introduced in the 2017 'Fixing Our Broken Housing Market' White Paper<sup>17</sup>:

*"... at the moment, some local authorities can duck potentially difficult decisions, because they are free to come up with their own methodology for calculating 'objectively assessed need'. So, we are going to consult on a new standard methodology for calculating 'objectively assessed need', and encourage councils to plan on this basis."*

The current construction of the standard method is, however, manifestly not fit for purpose, based as it is on ever-more outdated household projection data that continues to 'bake-in' historic under-performance. If there was a genuine commitment to building 300,000 new homes a year the focus of this consultation would be focus on either making it so (not waiting until 2024) or reverting swiftly back to local objective assessments of need. Similarly, if there was a genuine commitment to plan-making this consultation would focus on the actual obstacles, which, in addition to housing need, are Green Belt and other cross boundary issues<sup>18</sup>.

The focus of this consultation is instead though on how LPAs can plan for less than whatever a target is, regardless of how that target is constructed.

The consultation states that the changes to planning for housing are intended to support plan-making and in doing so help deliver more homes, the rationale seemingly being any plan is better than no plan. The evidence for this assertion has not been presented, but an equally valid assertion is that plans that meet needs in full, with a strong presumption in favour of sustainable development in the meantime, will deliver more homes than plans that do not need needs, with a weak presumption and a continued decline in plan-making in the meantime.

The NPPF is an opportunity to assert a confident ambition for the planning system, for housing delivery and, by extension, the country. The tone and scope of the consultation manifestly does the opposite despite the need to boost housing supply being of critical importance to the future prosperity of the country.

As a direct result of the proposals being consulted upon it estimated by Lichfields that average housing delivery will fall by approximately 77,000 compared to most recent output. This is as a direct consequence of not needing to review Green Belt to meet housing needs (as stated, 108 LPAs are constrained by Green Belt), less scope to build at high densities, 'over-supply' being discounted, and weakened 5YHLS and HDT requirements. This is exacerbated by a weakened expectation for cross-boundary distribution of unmet need resulting from the arbitrary and in most cases unrealistic 'urban uplift'.

An analysis of the impact of these proposals is shown in Figure 3.

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<sup>16</sup> <https://questions-statements.parliament.uk/written-statements/detail/2022-12-06/hcws415>

<sup>17</sup> <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>

<sup>18</sup> <https://lichfields.uk/content/insights/planned-and-deliver>



Proposed NPPF policy changes on local plans and housing land will result in c.77k fewer new homes per year, half the Government's 300k ambition, and over a million fewer homes than the national target by 2030.

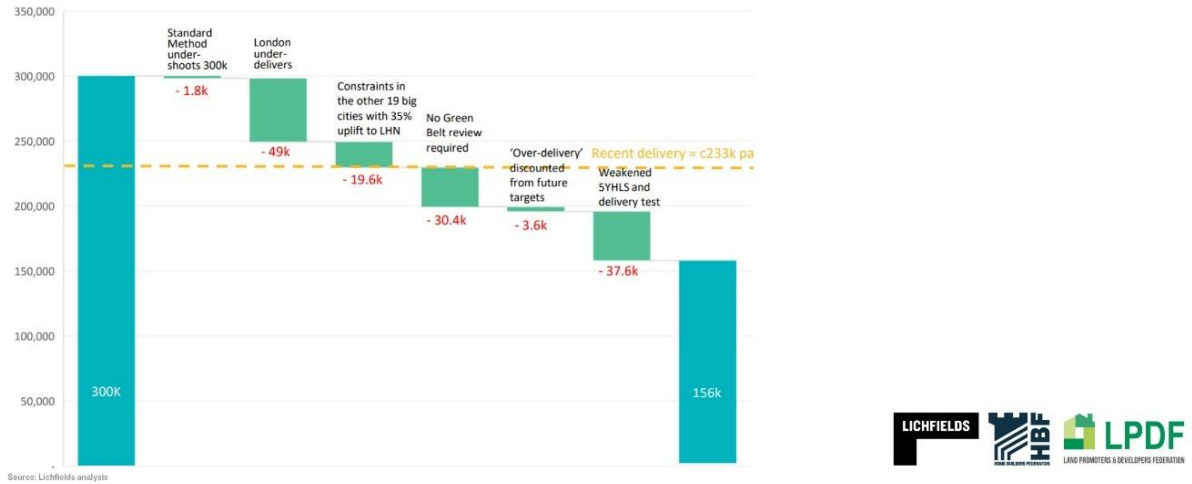


Figure 3.

Lichfields<sup>19</sup> estimate that housebuilding contributes £104bn to the economy each year, supporting 1.2m jobs and generating £3.1bn of tax income. Further, housebuilding generates £7bn through Section 106 Agreements and Community Infrastructure Levy payments to help fund infrastructure, social housing and other community benefits.

If the proposed changes to the NPPF are adopted as drafted and the number of new homes constructed each year is reduced to 156,000 the cost to the economy will be significant. Lichfields forecast that the proposed changes could cost £34bn of GVA and 386,000 jobs, with consequential reductions in tax revenue. This analysis does not take into account the impact of nutrient neutrality restrictions.

The social consequences of the proposals in the consultation are likely to be equally significant (Figure 4.).

<sup>19</sup><https://lichfields.uk/blog/2023/february/27/making-a-bad-situation-worse-the-impact-of-the-proposed-nppf-changes-on-housing-supply/>



Proposed policy changes will cut the rate of new housing, with c.77K fewer homes than recent years and half the Government's 300K per annum target. This will have big adverse consequences.



Figure 4.

Lichfields<sup>20</sup> analysis concludes that by 2030 the proposed changes would add £18,400 to the average house price compared to maintaining current levels of supply, which would add £8,700 to the typical deposit required by a first-time buyer.

It is further estimated that renters will face an additional £208 cost each year (in addition to increases of £1,900 a year already forecast under current trends, which means that wages will need to increase 25% just for people to buy a home at the historically unaffordable levels they are now.

As Lichfields also note, because England has amongst the lowest vacancy rates in the developed world, building fewer homes immediately acts to suppress household formation. It is estimated that as a direct result of the proposed changes 580,000 extra concealed households and sofa surfers will be unable to form a household by 2030, which is equivalent to the population of Liverpool.

The implications of these changes on plan-making and housing supply are, therefore, likely to be significant.

8. Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

No.

<sup>20</sup><https://lichfields.uk/blog/2023/february/27/making-a-bad-situation-worse-how-a-fall-in-housing-supply-due-to-nppf-changes-will-cause-social-harm-and-undermine-levelling-up/>



Planning Practice Guidance (PPG) already makes clear that the use of the standard method is not mandatory for strategic policy making purposes and that if it is felt that circumstances warrant an alternative approach authorities can expect this to be scrutinised more closely at examination.

The guidance also makes clear that there is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.

HBF contends that defining what those exceptional circumstances are might be difficult. Factors as localised as “islands with a high percentage of elderly residents” or “university towns with an above-average proportion of students”, which are the examples in the consultation material, as well the introduction of an ill-defined “character of the area” (see below), raise the very real possibility that utilising a method other than the standard one becomes the norm rather than the exception.

PPG states that the standard method identifies a minimum annual housing need figure and that it does not produce a housing requirement figure. Whilst it should be a starting point it is often considered by LPAs to be an end point. In the context of an ambition to build 300,000 homes a year across the country it really should be beholden on LPAs to plan for the standard method as an absolute minimum and to be demonstrating themselves the exceptional circumstances that prevent that from being the case.

The current construction of the standard method is, as stated, not fit for purpose (see Question 54), but if any discussion about how it can be reconfigured is to be left until 2024 then it should be made absolutely clear that it remains the starting point for planning for housing.

9. Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

No.

#### *Green Belt*

In relation to Green Belt, it is worth dwelling initially on the scale of the perceived problem relative to scale of the actual problem. The perceived problem is that the Green Belt is ‘under threat’, but according to DLUHC data<sup>21</sup> 12.6% of England is designated as Green Belt and the Green Belt was 1.5% larger as at March 2022 than it was a year earlier. The actual problem, as Lichfields reported in May 2022<sup>22</sup>, is that of the 70 LPAs that had not at that time adopted a new local plan in the past ten years, 74% contain Green Belt.

According to analysis by Lichfields, there is not enough brownfield land to meet housing need in any region of the country (see Figure 5).

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<sup>21</sup> <https://www.gov.uk/government/statistics/local-authority-green-belt-statistics-for-england-2021-to-2022>

<sup>22</sup> <https://lichfields.uk/blog/2022/may/4/ten-years-of-the-nppf-what-do-we-have-to-show-for-a-decade-of-plan-making/>



There is not enough brownfield land to meet housing need in any region, just 31% nationally. Beyond the South East, 57% of capacity is in the least viable locations and 48% of sites are earmarked for flats at higher densities, which are demanded by just 17% of households.

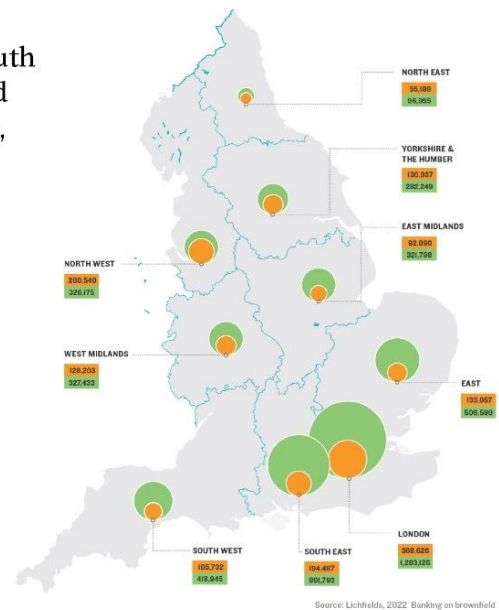


Figure 5.

Green Belt has always needed to be reviewed and there are many examples of successful places that have been created as a result of recent boundary reviews. Green Belt emphatically does need to be reviewed (at a strategic level) and this process needs to be made easier for LPAs and not more difficult. It would be of much greater benefit to the pursuit of full local plan coverage if the NPPF made it clear that, having examined fully all other reasonable options, meeting an identified housing need absolutely does provide the exceptional circumstances required to release Green Belt.

Further, the NPPF could be amended to make clear that land around public transport nodes could represent the most sustainable locations to do so to review Green Belt. According to Russell Curtis, building 1.26 million homes around England's rural stations would involve the loss of less than 1% of the current Green Belt<sup>23</sup>.

A further point in relation to Green Belt is how striking it would be that whilst not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing, exceptional circumstances to amend boundaries could exist to, for example, meet the need for employment land and, specifically, industrial and logistic space.

Across the South East alone, Savills<sup>24</sup> has estimated that future demand will be at least 24% higher than historic levels, equating to a minimum of 5,000,000ft<sup>2</sup> per annum if land is to be provided to match demand.

<sup>23</sup> <https://ruralstations.russellcurtis.co.uk/>

<sup>24</sup> <https://www.savills.co.uk/blog/article/336550/residential-property/planning-for-suppressed-demand-in-the-industrial-and-logistics-sector.aspx>



Nationally, Savills calculate that 52% of land within two miles of motorway junctions is classified as Green Belt, which seemingly makes Green Belt release for this purpose almost inevitable, especially if development is to be plan-led (noting that between 2019 and 2022 over 660 hectares of employment development has been allowed at appeal, with a significant proportion of this land being within the Green Belt).

There would seem to be something of an inconsistency in policy allowing for the need for one nationally-important land use to demonstrate exceptional circumstances, but not for another type of nationally-important land use.

Taken in the round, with a review of Green Belt boundaries no longer will required, and notwithstanding less scope to build at high densities and a weakened expectation for cross-boundary redistribution, this encouragement to LPAs to set lower housing requirements is estimated by Lichfields to result in a loss of 30,400 homes a year.

### *Character*

In relation to character, the consultation document raises some very interesting questions about the relationship between character and density when it comes to development within existing urban areas.

The first new reference to density is within Footnote 30, which states that "...brownfield and other under-utilised urban sites should be prioritised, and on these sites density should be optimised to promote the most efficient use of land...".

The second new reference in Paragraph 11 states that "strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole such adverse impacts may include situations where meeting need in full would mean building at densities significantly out of character with the existing area".

The potential dichotomy being introduced by these references is likely to be of most relevance to the twenty towns and cities subject to the 35% uplift, which, the consultation makes clear, is expected to be met "by the towns and cities concerned rather than being exported to surrounding areas".

With unencumbered, deliverable brownfield land in major town and cities at such a premium, those town and cities almost without exception need to look to locations in their lower density, predominantly two storey, suburban areas to get anywhere near meeting needs. The densification of suburbs though rubs up against a suburban character that might be championed locally whilst not being distinctive nationally.

This issue was brought to life by a recent appeal<sup>25</sup> during which Theresa Villiers, MP for Chipping Barnet, objected to a scheme on the basis that "...it will be discordant and completely out of place next to open space in a low-rise Victorian Edwardian suburb with distinctive character".

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<sup>25</sup><https://lichfields.uk/blog/2023/january/11/the-draft-nppf-density-and-the-implications-for-suburbia/>



An inspector dismissed the appeal, however (against the recommendation of officers and the Greater London Authority), on the basis that, and whilst noting the substantial benefits, “I cannot accept that this approach should mean a complete disregard for wider context, even where a site is relatively self-contained, and nor do I consider that only such things as conservation areas and historical assets should be considered to be ‘special’ or ‘valued’”.

The practical implications of maintaining the towns and cities uplift whilst at the same time avoiding “densities significantly out of character with the existing area” has been considered by Lichfields.

London, for example, consistently delivers far less than the 86,000 homes it needs despite every effort over twenty years to boost brownfield output and the NPPF proposals on character will threaten higher density developments. If London delivers at its average recent output over the last three years of 37,400 then 49,000 homes a year of the national ambition will be lost.

The 19 other towns and cities that are subject to the 35% uplift have limited land for development once existing sites are built out. With no need to review Green Belt and reduced scope to densify ‘out of character’, Lichfields calculate that the combined loss between reduced capacity and a weakened expectation for neighbouring LPAs to accommodate unmet need will reduce annual output by at least 19,600 homes a year.

#### *Over-delivery*

The HBF’s observations about ‘over-supply’ are dealt with in relation to Question 3.

10. Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

Seemingly the only possible way of making this case would be to have subjected the entirety of an urban area to a character appraisal so to identify those areas where densification may be appropriate and where it would not, and to have the outcome of that process tested through the local plan examination.

Whilst the LURB will require every LPA to produce a design code for its area, setting simple clear minimum standards on height, form and density, the scale of this endeavour relative to the skills and capacity available for LPAs to undertake such exercises internally, and the resources available to solicit such exercises externally, should not be under-estimated.

The following are the conclusions of the National Model Design Code Pilot Programme Phase 1<sup>26</sup> in relation to skills and resources:

- *Diverse multi-disciplinary knowledge and skills – led by urban design – were required to code.*
- *The art of writing codes was in striking the right balance between all the competing areas of expertise and the input and the interests they represent.*
- *Complex partnerships of local authority players often fed into the code production process, including, critically, from highways, planning policy and development management. This required director level overview, political support and dedicated project management (of the code production), including close supervision of consultant inputs.*

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<sup>26</sup><https://www.gov.uk/government/publications/national-model-design-code-pilot-programme-phase-1-lessons-learned>



- *Most local authorities without in-house urban design capacity were reliant on consultants to lead design coding. Skills were most often lacking in areas of urban design, graphic presentation and communication, and in the areas of viability and digital engagement.*
- *The time required to code depended on its scope and the size and complexity of the area being coded, but was predicted in the pilots to range from 60 to over 200 days of professional input.*
- *Codes were typically seen as part of a larger policy-making or project-shaping effort, drawing from previous work and feeding into future work. They were therefore not entirely an ‘additional’ cost, particularly when off-set by the predicted more streamlined and less confrontational development management process.*
- *Without dedicated funding, most authorities felt they would need to revert to relying on developers to commission and produce design codes for their sites, or would cut into funding set aside for local plan production. Under such circumstance, the pilots believed that codes would necessarily be produced more slowly and retrospectively.*

11. Do you agree with removing the explicit requirement for plans to be ‘justified’, on the basis of delivering a more proportionate approach to examination?

No.

The assertion behind this proposition is that the material required to support a local plan at examination is disproportionate and that this is as a result of the need for a plan to be ‘justified’. That need requires a local plan to be “an appropriate strategy, taking into account the reasonable alternatives and based upon proportionate evidence”.

It would be interesting to see the evidence that the ‘justified’ itself is adding to the burden upon LPAs because it might reasonably be contended that it is in situations where an LPA is pursuing a strategy that does not take into account reasonable alternatives that it finds itself having to provide ever more evidence for doing so.

On the one hand, it is stated that a purpose of the proposed changes is to provide more certainty that LPAs can propose a plan with a housing requirement that is below their local housing need figure, so long as proposals are evidenced.

On the other hand, it is also stated that the purpose of the proposed changes is to avoid LPAs having to produce very large amounts of evidence to show that the approach taken to meeting housing need is a reasonable one.

This dichotomy is puzzling enough and will not be wholly resolved by an invitation to Inspectors to ensure that housing targets are effective and deliverable instead of effective, deliverable and justified.

Ultimately this proposal is another measure that makes the delivery of 300,000 homes a year less likely.

Further, the removal of the ‘justified’ test of soundness from paragraph 35 would though apply to the plan as a whole rather than just the housing requirement. It would no longer need to be demonstrated, for example, that the spatial strategy was an appropriate strategy that takes into account reasonable alternatives and was based on proportionate evidence.

The need for a local plan to consider reasonable alternatives is a fundamental plank of plan-making and it cannot be assured that it addressed in relation to the remaining tests of soundness. Whilst alternative approaches can be considered by the environmental and sustainability assessments regimes, these may change over time.





Plan-making is a laborious process less because of the evidence required to show that the approach taken to meeting housing need is a reasonable one and more because of the greater than local obstacles that local plans have to address.

A drive for proportionality is a welcome one, but, without much stronger national policies, this should not be expense of the robustness of the overall plan and the rigour with which it is examined locally. A drive for a greater quantity of local plans should not be at the expense of the quality of local plans.

12. Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

Yes.

It is right that any changes to the tests of soundness should not apply to plans that are about to be submitted.

13. Do you agree that we should make a change to the Framework on the application of the urban uplift?

No.

Promoting opportunities to locate more homes in sustainable urban locations is entirely laudable, but in setting out an expectation that the arbitrary uplift be met by the towns and cities concerned rather than being managed across the geography of a housing market area caution should be applied in a number areas.

Firstly, and obviously, is density dichotomy that it is referred to in Question 9.

A second consideration is brownfield supply. According to Lichfields<sup>27</sup>, the maximum housing capacity of building out all sites on the brownfield registers amounts to 1,400,000 net dwellings. On the basis of an annual requirement of 300,000 homes this equate to just under a third (31%) of that figure over fifteen years (were it all to come forward for development). In reality, as Lichfields observe, not only will all sites not come forward in the quickest possible time, there are sites on brownfield registers that are not up to date or accurate in their estimated capacity, indeed analysis by CPRE found a lower capacity of 1.1m potential homes.

A third consideration is viability and pressures on urban land from other uses, such as the need to service homes given increasing consumer expectations for same-day or next-day delivery.

As stated, according to Lichfields, 57% of brownfield capacity outside of the South East is in the least viable locations and the residential land market is in many places facing build cost pressures and expectations of lower affordable housing values. Warehousing, in comparison, are easier, cheaper and more straightforward to develop.

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<sup>27</sup><https://lichfields.uk/content/insights/banking-on-brownfield>



As Savills<sup>28</sup> identified recently, as the market currently stands, sites with residential consent adjoining or already on industrial employment land may not come forward for new homes. Indeed Savills forecasted that 9% of the residential pipeline coming forward in London is comprised of the types of sites that would be highly attractive to industrial occupiers and, therefore, could be at risk of not coming forward. This is approximately 130,000 homes.

According to Lichfields, the 20 towns and cities that are subject to the urban uplift account for 40% of England's GVA, but since 2000 London has lost 24%, Greater Manchester 20%, and the West Midlands 19% of industrial floorspace to housing.

A fourth consideration is the delivery of affordable housing. According to Turley and Tetlow King research<sup>29</sup>, the 19 largest town and cities (excluding London) have delivered only 49,634 affordable homes over the last ten years (2011-21). This is less than 10% of all affordable homes delivered nationally despite these areas accommodating some 14% of the country's population and dwelling stock.

This gross figure actually misrepresents the actual number of additional affordable homes for households to occupy. When accounting for homes lost through Right to Buy over this same ten year period, the 19 towns and cities have only delivered approximately 1,200 net affordable homes a year.

Beyond the tenure of accommodation being provided is the type of accommodation being provided. As stated, according to Lichfields, 48% of sites on brownfield registers are identified for flats, which is likely to be inconsistent locally with the need for a family housing. Further, an artificial constraint on local land supply may tip the viability of poor-quality office and industrial accommodation towards housing created by way of permitted development (PD) rights, extensions which occurred in 2005, 2010, 2013 and 2015. A report commissioned by The Royal Institution of Chartered Surveyors<sup>30</sup> from the UCL Bartlett School of Planning examined five LPAs with high rates of permitted development (PD) schemes, looking at the effects of expanding the policy. Site visits to 568 buildings found an inconsistency in the quality of developments, with only 30% of units delivered through PD meeting national space standards, and a higher number of poor-quality housing than schemes approved by way of full planning permission.

Further, and to link the type of accommodation to buyer preferences, research for Barratt Developments in 2020<sup>31</sup> highlighted that there are 1m renters in the seven core city regions and that of renters nationally, 89% wish to own their own home. Only 17% of renters in the study area realistically expected to be able to buy their first home in the next ten years, but the lack of accessible supply makes this unlikely. The research found that just 22,300 family-sized homes have been built in the core city regions each year over the last decade.

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<sup>28</sup>[https://www.savills.co.uk/research\\_articles/229130/329635-0](https://www.savills.co.uk/research_articles/229130/329635-0)

<sup>29</sup><https://www.turley.co.uk/news/turley-collaborates-lpdf-shine-spotlight-affordable-housing-emergency>

<sup>30</sup><https://www.ucl.ac.uk/news/2018/may/office-residential-developments-providing-poor-quality-housing>

<sup>31</sup>[https://www.barrattdevelopments.co.uk/~/\\_media/Files/B/Barratt-Developments/documents/Publications/A%20Home%20of%20Ones%20Own\\_Barratt%20Developments\\_October%202020.pdf](https://www.barrattdevelopments.co.uk/~/_media/Files/B/Barratt-Developments/documents/Publications/A%20Home%20of%20Ones%20Own_Barratt%20Developments_October%202020.pdf)



A sixth consideration is the extent to which voluntary cross-boundary agreement will be achieved where a town or city cannot accommodate its uplift, which is set to become even harder with the replacement of the Duty to Cooperate (DtC) with a more nebulous 'policy alignment test' and the removal from the 'positively prepared' test of soundness of the need to address with other LPAs where unmet need can be accommodated.

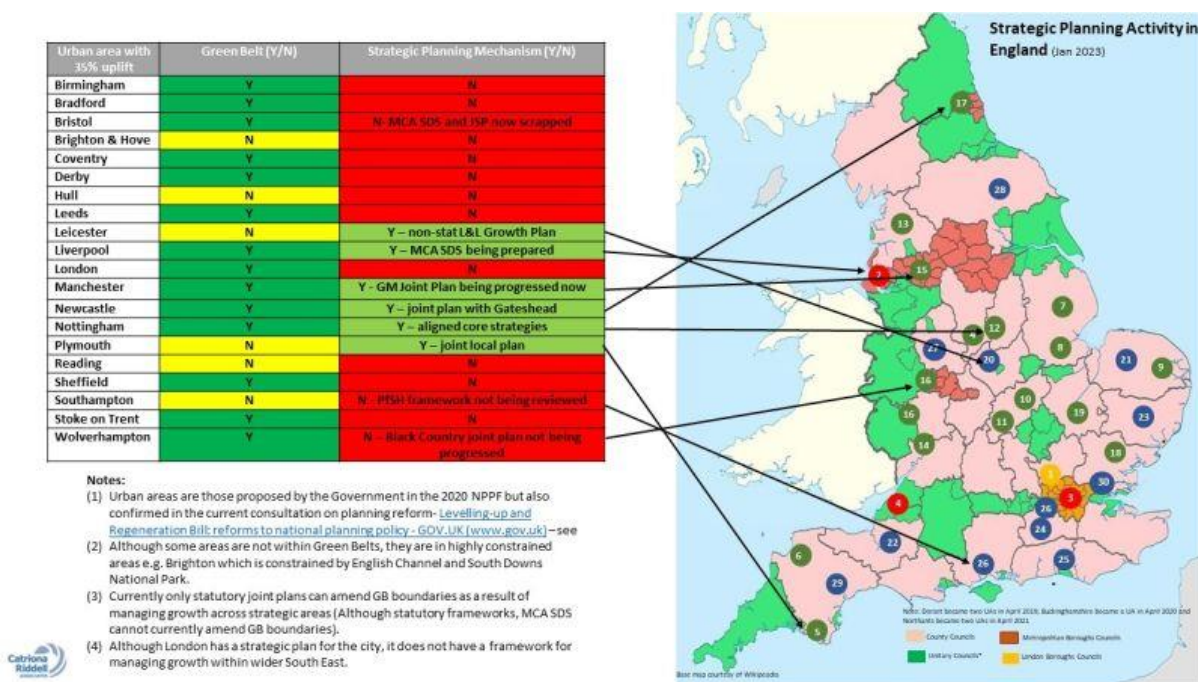


Figure 6.

Figure 6, from Catriona Riddell Associates, shows that of the twenty town and cities that are subject to the uplift only two, Leicester and Plymouth, are unencumbered by Green Belt and party to strategic planning mechanisms with neighbouring authorities.

At a meeting on 7 June 2022, Greater Nottinghamshire’s Joint Planning and Advisory Group<sup>32</sup> agreed the uplift is ‘arbitrary’ and ‘unevidenced’ and so, it was stated, did not qualify as an exceptional circumstance for any of Nottingham’s neighbours to release their own Green Belt to contribute towards it as part of the emerging Strategic Plan.

According to Turley<sup>33</sup>, approximately 93% of the urban uplift would go undelivered if all of the town and cities that are constrained by Green Belt effected cities and urban took the same approach as Greater Nottinghamshire.

<sup>32</sup><https://www.gnplan.org.uk/media/3374613/planning-for-housing-growth-in-greater-nottingham.pdf>

<sup>33</sup><https://www.turley.co.uk/comment/cities-and-urban-centres-uplift-over-it-starts>



An expectation that an uplift can and will be met, without an understanding of the individual town or city's ability (a or indeed desire) to accommodate it; without a need to amend Green Belt boundaries; and with no mechanisms for distributing unmet need across a wider housing market area, risks a significant step back from existing levels of delivery and a further step back from meeting a target of 300,000 homes a year.

14. What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

The re-orientation of housing policy, and Homes England efforts towards brownfield regeneration may help support the conditions where viable and developable land can come forward.

The scale of intervention required should not, however, be under-estimated. According to Lichfields<sup>34</sup>, 57% of brownfield capacity outside of the Greater South East is within the two least viable quintiles (20%) of LPA areas (compared with less than 3% of those in the Greater South East).

The scope for intervention required should, by the same token, be over-estimated. Homes England<sup>35</sup> directed supported the completion of 37,632 new homes in 2021/22, which is not an insignificant number in and of itself, but it would need to be significantly higher to support the deliver of homes that, as stated above, are likely to go unplanned for in the twenty largest towns and cities alone as a result of this consultation.

It is understood that Homes England's Strategic plan, expected in 2021, is still to be published.

As history shows, most recently the 'brownfield first ambitions' of PPG3 in 2000<sup>36</sup>, even if there is a re-orientation of housing policy and Homes England efforts towards brownfield regeneration, the development of greenfield land will still be needed in every region in order to meet current housing need.

15. How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

It is the case that few will mourn the loss of the DtC, but on the basis that it remains a part of the planning landscape and a key part of local plan examination process, for the time being at least, it should be made more effective during this period rather than weakened further.

When it is replaced, it must be with something that delivers good strategic planning outcomes. The case for replacing the DtC is largely because it's failure, only exposed late in the day at an examination, effectively sends a LPA back to square one. The consultation material does not address the proposed new alignment test other than that it will allow Inspectors to utilise 'Main Modifications to 'fix' strategic planning issues through the examination process.

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<sup>34</sup><https://lichfields.uk/content/insights/banking-on-brownfield>

<sup>35</sup><https://www.gov.uk/government/publications/homes-england-annual-report-and-financial-statements-2021-to-2022/homes-england-annual-report-2021-to-2022-performance-report-accessible-version>

<sup>36</sup><https://lichfields.uk/blog/2021/october/15/a-brownfield-based-planning-policy-the-lessons-of-ppg3/>



The very nature of strategic planning issues like housing numbers and Green Belt, however, means that they impact upon more than one LPA, but the examination process addresses only one local plan at a time. A further consequence is that the latest or final local plan within a housing market area is tasked with addressing deficiencies in earlier, neighbouring plans.

A solution to these issues would be to identify and test strategic planning issues at an earlier stage in the local plan process, which could form part of an alignment test or 'gateway check'. If needs cannot be met though there simply must be a mechanism for cooperating with neighbouring LPAs to accommodate them. The proposed changes to the 'positively prepared' soundness test fundamentally weaken, however, the ability of a constrained LPA to do so. Rather than weaken existing arrangements consideration must be given to putting the proposed spatial development strategies on a mandatory rather than a voluntary footing.

16. Do you agree with the proposed four-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?

No.

As stated above, analysis from Lichfields indicates that at least 38 LPAs have delayed or withdrawn local plans as a direct result of obfuscation over the future direction of planning reform. Given that the outcome of the proposed reforms is likely to be lower local housing requirements for the medium to long term it seems more important than ever that land supply is maintained during an extended plan-making hiatus, bolstered by a continued presumption in favour of sustainable development during the inevitable plan-making hiatus.

It is regretful that again the underlying sentiment behind this provision is to reduce rather than increase the supply of housing.

17. Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

Observations on transitional arrangements will be offered below.

18. Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

No.

As stated, a consistent theme that runs through the consultation is a desire to 'switch off' the presumption in favour of sustainable development as frequently as possible despite its significance in and success in contribution towards land supply in the post-NPPF era when local plan coverage has remained so steadfastly poor.

It would be pertinent to again highlight that, according to Lichfields, if the aim is to achieve 300,000 net additions annually by 2025 then 520,000 permissions need to be granted annually from 2023. HBF does not, therefore, support this proposal on the basis that it is unreasonable to stop perfectly suitable sites being developed to meet a need for new homes that exists right now when a local plan may still be several years away.



19. Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

No.

As discussed in Question 2, there are myriad legitimate reasons as to why not every home that gets planning permission will be built, some of which might relate to an applicant's circumstances, but none of which relate to an applicant's behaviour (or character).

Further, and as also discussed, there is a difference between a LPA that can point to consents for 1000 homes on two sites built out over ten years and a LPA that can point to consents for 1000 homes on ten sites built out over two years.

If there really is a desire to 'switch off' the presumption relating to the HDT then this test needs to look backwards at homes that have been completed and occupied. In referencing "sufficient permissions for enough deliverable homes to meet their own annual housing requirement" then this provision strays into the forward-looking 5YHLS requirement.

The key point is that if there really is a desire to 'switch off' the presumption in relation available consents that a more sophisticated analysis of its composition is required to ensure that it is deliverable in the short-term.

20. Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

The most significant delays encountered by HBF members can be post-consent when trying to discharge pre-commencement conditions and dealing with public highway-related matters by way of Section 38 and Section 278 Agreements. According to Lichfields<sup>37</sup>, for example, for a site accommodating between 500 and 999 homes it can take an average of 1.9 years between the grant of planning permission and work starting on site. For a consent to be truly considered as deliverable then these factors need to be taken into account.

21. What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

Given a general sense that the planning system is in a constant state of flux as much stability and consistency as it is possible to foster would be welcome. On this basis it is suggested that the 2022 results be published and acted upon as last year, with all changes taken in the round and introduced next year.

22. Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?

HBF members bid for land and make planning applications on the basis of the planning policies, national and local, prevalent at the time. Issues arise, more often not, when policies change between a price for land being agreed and a purchase being completed.

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<sup>37</sup><https://lichfields.uk/content/insights/start-to-finish>



If homes for social rent are to be prioritised over, for example, First Homes, which would appear a laudable endeavour, then the development industry will respond accordingly, but a clear direction of travel and clear transitional arrangements will ease that process.

It should be noted that, regardless of the affordable tenure to be prioritised, almost half of new affordable homes delivered in the last five years (as of May 2022<sup>38</sup>) have been funded through Section 106 Agreements, which means that the planning system plays a critical role in delivering these homes by supplying the viable land that allows them to be funded.

23. Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

HBF is entirely supportive of measures to increase the supply of specialist older people's housing and supports the view of the Retirement Housing Group (RHG) that the planning system can do more to reflect the aging population.

The number of people in the UK aged over 80 will go from 3.3m to 4.5m in the coming decade, which will continue to disproportionately increase pressure on health and social care services for as long as the supply of specialist housing for older people lags behind these demographic changes. In 2015 there were 139 properties per thousand people aged 75 or over, but in 2021 this number had fallen by over a fifth to just 110 properties per thousand people, a trend which looks set to continue.

RHG considers it vital that the planning system does more to encourage the provision of housing that is designed and maintained in a way that can enable people to stay in a home of their own where help and support services can be easily provided should it be needed.

A recent RHG report<sup>39</sup> proposes a series of changes to the planning system that would unlock the supply of this type of housing. HBF endorses the following key recommendations:

- LPAs should be required to include housing needs assessments for all forms of specialist housing for older people by type and tenure so that the sort of new housing being delivered serves the needs of that area.
- Local plans, in planning for needs in full, should seek to ensure that a minimum of 10% of all new housing is specialist housing for older people unless the LPA can demonstrate why this is not appropriate for their area; and
- The Government needs to address the extent to which the financial viability of housing for older people cannot be achieved because of additional financial obligations such as Community Infrastructure Levy, affordable housing and S106 Agreement commitments.

It should be an ambition of the planning system to bring significantly more development land to the market so developers of all type and tenures can operate in a less competitive environment.

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<sup>38</sup><https://www.turley.co.uk/news/turley-collaborates-lpdf-shine-spotlight-affordable-housing-emergency>

<sup>39</sup><https://retirementhousinggroup.com/how-better-use-of-the-planning-system-can-increase-provision-of-specialist-housing-for-older-people/>



24. Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

Paragraph 69 of the NPPF does indeed state that LPAs should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare, but, by and large, this is accommodated in the windfall component of future supply and not on sites specifically allocated for residential development. The windfall component is usually predicated on historic rates of windfall development projected forward with reference to sites in SHLAAs that have been assessed as potentially developable. Such an assessment in a SHLAA is not a firm enough basis for a SME builder to invest in bring a site forward.

25. How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

Paragraph 69 could indeed be strengthened to set out an expectation that LPAs be able demonstrate where specifically and explicitly the land is that will accommodate at least 10% of their housing requirement. These sites, no larger than one hectare, should be identified in such a way as to effectively establish the principle of development is established in the same way as any other local plan allocations.

Further, the fee arrangements for Permissions in Principle by way of brownfield registers should be reviewed so as not to act as a disincentive, as is the case presently, to LPAs working towards conferring such designations.

Access to land is regularly cited by SME builders as the most significant operational constraint and so it follows that these relatively modest change would make the most significant impact to boosting small site supply and increasing the health of the SME and sector.

It is important to note, however, that the term 'SME' covers a wide range of enterprises with a wide range of land requirements. As Savills<sup>40</sup> noted in April 2022, the most significant shortages of land in the market at that time were those with the capacity for 50 to 150 homes, which are most keenly sought by medium-sized, regional operators, but for which competition can come from larger, national operators were there is a paucity of larger sites in a local market.

Again, it should be an ambition of the planning system to bring significantly more development land to the market so developers of all type and tenures can operate in a less competitive environment.

26. Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

HBF offers no comment.

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<sup>40</sup>[https://www.savills.co.uk/research\\_articles/229130/327072-0](https://www.savills.co.uk/research_articles/229130/327072-0)





27. Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

HBF does not have a firm view on this subject, but would highlight that an exception site is one that would not otherwise come forward for any other purpose. For example, an affordable exception site in rural village is not one that would otherwise be considered appropriate for an open market scheme. Exception sites are more difficult in urban settings because the only sites that would not otherwise be considered appropriate for development could be urban greenspaces that might already be performing a valuable function.

28. Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

Developing the point above, if community groups are to be supported then either financial support is offered for them to keep in the open market land mind (but no additionality in terms of overall output would accrue), or such groups could be offered public sector at a discounted rate (but the public purse would not be securing best value), or, developing further the points in Questions 23 and 25, more land is simply made available (by way of specific designations or not) to simply to de-risk the planning process for all concerned.

Again, it should be an ambition of the planning system to bring significantly more development land to the market so developers of all type and tenures can operate in a less competitive environment.

29. Is there anything else national planning policy could do to support community-led developments?

HBF offers no further comment.

30. Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?

No.

As is stated, it is a long-standing principle that planning decisions should be based on the planning merits of the proposed development and it is considered that the scale of this perceived problem, evidence for which it would be interesting to see, in no way justifies any deviation from this principle.

The vast majority of provisions within this consultation are laden with an anti-development sentiment, but this provision betrays an antipathy towards developers that is extremely concerning. The planning system has become more antagonistic of late and it is beholden upon its custodians to bring parties together and not to use unjustified, unsubstantiated, divisive rhetoric that will only serve to foster further rancour.

At a practical level, this provision is open to abuse and exploitation, followed by unnecessary and unwarranted litigation when it is inevitably deployed for spurious reasons.

At a professional level, the mere countenance of such a provision is a slight at RTPI members who subscribe to a professional code of conduct that requires, amongst other underlying principles, honesty and integrity.

At a corporate level, the mere countenance of such a provision is a slight at organisations, large and small, that are committed to building great homes and thriving communities and take great care to fulfil their social and environmental responsibilities.

31. Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?

Further to the above, it is not considered that the scale of this perceived problem justifies a policy response.



32. Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?

As has been concluded many times, most recently by Oliver Letwin<sup>41</sup>, there is no evidence of “landbanking” in the housing market, which is the accusation implicit in any suggestion of deliberately slow build-out rates. In addition to Letwin, the issue was also considered by Barker<sup>42</sup> (2004), Calcutt<sup>43</sup> (2007) and Lyons<sup>44</sup> (2014). Nick Boles<sup>45</sup> found no evidence to support the assertion in 2013 and neither did the Office for Fair Trading<sup>46</sup> in 2008. As to what the Competition & Markets Authority concludes when next the issue is investigated can only be speculated upon, but it is likely that the high barriers to entry presented by an overly complex and unpredictable planning system will feature quite prominently.

This is the final paragraph of Lichfields<sup>47</sup> report on the build-out of housing planning permissions in five LPA areas.

*Finally, none of our analysis suggests (at least outside of London) any systemic failure in converting planning permissions to development by the industry; the planning and development process is complicated and with risk, the mismatch between planning permissions granted and housing output on a yearly basis is readily explained by the simple matter of the time it takes to progress development through the regulatory stages, the risks associated with small site delivery (and by smaller builders), the overall phasing of build-out on larger sites, and the role of the planning system (via new planning permissions) in facilitating changes to planned development schemes to reflect practical requirements.*

As stated, the most significant delays encountered by HBF members can be post-consent when trying to discharge a multitude of pre-commencement conditions; dealing with public highway-related matters by way of Section 38 and Section 278 Agreements; and grappling with delays caused by utility providers<sup>48</sup>.

Further delays can be experienced when seeking to amend planning permissions.

A recent Supreme Court ruling, Hillside Parks Ltd v Snowdonia National Park Authority [2022], issued in November last year, has, for example, raised concerns about how to amend large, multi-phase developments.

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<sup>41</sup><https://www.gov.uk/government/publications/independent-review-of-build-out-final-report>

<sup>42</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228605/0118404857.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228605/0118404857.pdf)

<sup>43</sup><https://www.hbf.co.uk/policy/other-policies-new/calcutt-review-of-housebuilding-delivery/>

<sup>44</sup>[https://www.policyforum.labour.org.uk/uploads/editor/files/The\\_Lyons\\_Housing\\_Review\\_2.pdf](https://www.policyforum.labour.org.uk/uploads/editor/files/The_Lyons_Housing_Review_2.pdf)

<sup>45</sup>[https://publications.parliament.uk/pa/cm201314/cmhansrd/cm131107/text/131107w0004.htm#131107w0004.htm\\_spnew0](https://publications.parliament.uk/pa/cm201314/cmhansrd/cm131107/text/131107w0004.htm#131107w0004.htm_spnew0)

<sup>46</sup><https://www.hbf.co.uk/policy/other-policies-new/oft-market-study-housebuilding-industry/>

<sup>47</sup><https://lichfields.uk/content/insights/tracking-progress/>

<sup>48</sup><https://thedeveloper.live/opinion/energy-shortage-how-data-centres-are-blocking-housebuilding>



The Judgement essentially restricts the long-established use of ‘drop-in’ planning permissions unless the differences are “minor or non-material or save where it could somehow be shown that the area of the drop-in was in some way severable from the balance of the development authorised by the original permission”<sup>49</sup>.

Such applications are often used to amend developments that are delivered over several years or when the original applicant breaks up the scheme to sell in smaller phases.

If the changes are not categorised as minor or non-material then a consent could need to be varied by submitting a new application for the whole scheme (not just the part that would be changed), but this would very well require a considerably higher application fee and a new environmental impact assessment.

There is an opportunity through the LURB to establish a statutory framework for the implementation and variation of multiple planning permissions.

In specific to the measures being consulted upon, SME builders especially will be wary of any measures that add further undue bureaucratic burdens to the development management process, but by the same token will take any opportunity to highlight that building and selling homes as fast as possible is their primary motivation.

As stated in relation to Question 1, the use of Development Statements could be consistent with the greater scrutiny of land supply that would need to form part of future local plan examinations, but they would need to recognise the delays encountered between securing consent and getting onsite that are referred to above. Very often these can relate to non-planning matters over which third party consultees have control or, in relation to planning matters, are hamstrung by LPAs not having a full complement of officers to provide assistance.

In relation to increasing the diversity of housing tenures, the best way of doing so would be to increase the amount of land available on the market at one time and to reverse the trend towards more planning applications on a smaller number of sites.

It is instructive, by way of one final point in relation to build-out rates, to reflect on Robert Jenrick’s reflections at the HBF’s policy conference in 2021<sup>50</sup>. Mr Jenrick confirmed that the government intends to bring in measures designed to force housebuilders to build out sites more quickly, despite admitting that there was no evidence of “land-banking”. The former housing secretary said he was planning to act because there remained a “public perception” of landbanking, despite two government-commissioned investigations having found no evidence of it happening.

33. Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

No.

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<sup>49</sup><https://wslaw.co.uk/blog/hillside-parks-limited-v-snowdonia-national-park-authority-2022-and-the-effect-of-overlapping-planning-permissions/>

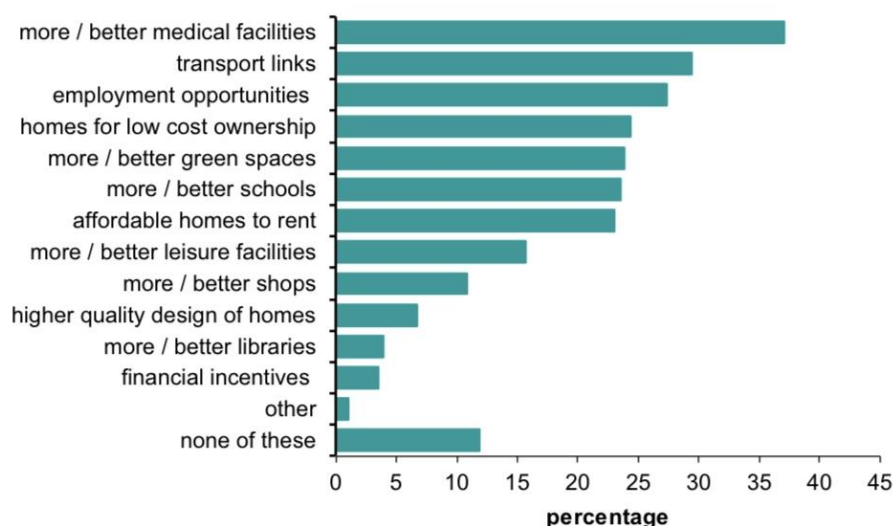
<sup>50</sup><https://www.housingtoday.co.uk/news/government-will-act-on-build-out-rates-jenrick-confirms/5112044.article>



HBF is entirely supportive of a greater emphasis on place-making and good design through the planning process. The HBF is not supportive of a greater emphasis on beauty on the basis that distracts from the momentum being established behind the design agenda, which was fostered by the last NPPF and given expression by the National Model Design Code (NMDC). This is raising the baseline of expectations; LPAs are producing design codes; and planning decisions are taking design into account to a greater degree<sup>51</sup>.

It is suggested in the consultation material that better design supports housing supply because communities are more welcoming of new development that is beautiful. The evidence for this assertion would be interesting to see because typically it is more prosaic matters like medical facilities, transport links and employment opportunities that most cited as increasing support for new homes (see Figure 7).

**Figure 1.4: Possible advantages which might increase support for more homes being built in the local area, 2018**



**Base: respondents who reported they would 'oppose strongly', 'oppose' or 'neither support nor oppose' more homes being built in the local area**

**Notes:**

- 1) respondents could choose up to three responses
- 2) underlying data are presented in Annex Table 1.9

**Source: British Social Attitudes Survey 2018**

Figure 7.

A counterpoint would be that a greater emphasis on beauty would further undermine housing supply by affording opponents of new development with a new entirely subjective bar to be raised ever higher in the hope that applicants will never be able to surmount it.

<sup>51</sup><https://www.housingtoday.co.uk/news/councils-more-able-to-refuse-schemes-on-design-grounds-under-new-nppf/5117245.article>



Ultimately the ten characteristics of well-designed places that is included in the NMDC are well-defined and measurable. If the beauty agenda is to be indulged further then something akin to the NMDC must be produced to set out what it is a process for delivering it. Time, energy and resource might be better spent, however, in continuing to raise the baselines of place-making and design.

34. Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?

No.

Please see above.

35. Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

No.

In seeking to address a need for 'visual clarity' by way of conditions and direct reference to the enforcement process, the consultation might be said to be addressing a system of malaise within the planning system rather than a cause.

The design codes and parameter plans that are typically attached to outline consents already provide a sufficient platform for 'visual clarity' and when making full applications and reserved matters submissions HBF members want and need to confirm design requirements as early in the process as possible. It is suggested that the most effective way ensuring design quality would be to have a skilled officer resource available to work in collaboration with applicants all the way from constructive and substantive pre-application discussions, through the application process and beyond to post-consent issues like the discharge of pre-commencement conditions.

This does not, however, happen as a matter of course and indeed such exception is very much the exception rather than the norm. Were such a level of collaboration to become to happen as a matter of course it would be exponentially more impactful than extra wording in the NPPF about the use of conditions.

36. Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?

HBF offers no comment.

37. How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?

HBF is entirely supportive of the Local Nature Recovery Strategies and sees great merit in coordinating opportunities around off-site biodiversity net gain, public access to nature, nutrient mitigation and carbon sequestration at a greater than local tier of governance.

What homeowners choose to do within the confines of their property is largely outside of a developer's control, but HBF is not aware of any of it's members that offering to instate artificial grass in the garden of a new home as a design or sales feature.



38. Do you agree that this is the right approach making sure that the food production value of high value farmland is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?

No.

The consultation document states that the government's food strategy sets out an aim to broadly maintain domestic production at current levels to build the UK's resilience to future crisis and shocks.

It is instructive to note, therefore, that according to DEFRA<sup>52</sup>, the utilised agricultural area in England has remained stable around 9 million hectares since 2001.

It should also be noted that the House of Lords Land Use Committee recently published a report called 'Making the most out of England's Land'<sup>53</sup> that highlighted the need to balance food production, nature and biodiversity restoration, carbon sequestration, housing, infrastructure, and access and wellbeing.

The report notes that the Government is maintaining its commitment to publish a land use framework in 2023, but expresses disappointed at the Government's suggestion that the framework will focus on matters solely within the remit of DEFRA. It is recommended that the Government review its approach to developing the framework to ensure that it fully addresses wider aspects of land use and that its remit crosses departments as required, avoiding "the siloed approaches that have blighted land use policy in the past".

The report also notes that and any such framework should be cognisant of housing and development needs in particular areas, as well as associated supporting infrastructure, and that it would afford an opportunity to establish a clearer pattern of appropriate use in areas, for example, adjacent to existing settlements that have the potential for beneficial alternative use.

Given the long-term stability of land available for agriculture, and pending the publication of a land use framework, the HBF contends that best and most versatile land is already afforded sufficient protection and that paying greater attention to higher quality agricultural land would give succour, for example, to anybody objecting to a planning application on land that has already had the principle of development established by way of an allocation in a local plan.

39. What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

The use of a carbon impact assessment is a relatively new concept in planning and development. Consideration could be given to a value based on a location, available transport links and connection to strategic low carbon network in comparison to other perhaps more remote or rural locations where the carbon footprint may be considered higher. Such considerations would need to be balanced, however, against the need for housing in an area that would score lower against such metrics.

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<sup>52</sup><https://www.gov.uk/government/statistics/agricultural-land-use-in-england/agricultural-land-use-in-england-at-1-june-2022#:~:text=The%20total%20utilised%20agricultural%20area,of%20the%20total%20England%20area>

<sup>53</sup><https://committees.parliament.uk/committee/583/land-use-in-england-committee/news/175072/england-needs-a-land-use-framework-says-lords-committee/>



HBF is aware that the Embodied and Whole Life Carbon Work Group<sup>54</sup> at the Future Homes Hub is developing an industry-led proposal for reducing embodied and whole-life carbon in new homes and recommend that the Group is included in the fuller review of the NPPF as committed to in the Net Zero Strategy<sup>55</sup>.

40. Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?

The HBF is supportive of policy that removes current uncertainty about the extent to which nature-based solutions can provide multiple benefits (so-called 'stacking'), which, it is considered, would be entirely consistent with support for Local Nature and Landscape Recovery schemes.

It is contended that landowners will have a greater incentive to supply land to support nature-based projects if the price that they are paid for it reflects the value of all the additional environmental services that it is able to provide (e.g. biodiversity net gain, carbon sequestration, amenity and recreational value and reducing flood risk) rather than simply, as is often the case presently, nutrient mitigation alone. With higher incentives, the supply of nutrient mitigation will increase, thereby facilitating competition and in turn lowering costs.

It would also be more efficient in terms of land use if a nature-based project can contribute to a wider number of environmental services, which is an important consideration in catchments where the supply of land for both new development and mitigation is limited (e.g., the Camel Estuary).

If stacking is supported, the developer would pay for the nutrient mitigation and the landowner would be able to sell other services to willing buyers, e.g., Wildlife Trusts (biodiversity) and insurance companies (flood risk).

It is evident that in the absence of policy certainty in this area that some landowners are waiting for clarity and thereby reducing the potential supply of land for nutrient mitigation, subsequently delaying the approval of development for longer.

To counter this, it is suggested that the Government could pilot well-designed and regulated market mechanisms that would:

- Establish and / or test registries to track market participants, projects, and environmental credits to help provide transparency and market assurance; and
- Clarify that proposals to improve the environment through Local Nature and Landscape Recovery schemes can also be a means of providing nutrient mitigation and open to appropriate developer contributions.

41. Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

HBF offers no comment.

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<sup>54</sup><https://www.futurehomes.org.uk/embodied-and-whole-life-carbon>

<sup>55</sup><https://www.gov.uk/government/publications/net-zero-strategy>



42. Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

HBF offers no comment.

43. Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?

HBF offers no comment.

44. Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

Yes.

The HBF is entirely supportive of the proposed inclusion of paragraph 161 to give weight to proposals that allow the adaptation of existing buildings to improve their performance efficiency.

45. Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

No.

The transitional arrangements set out in the consultation have been considered by DAC Planning<sup>56</sup> by way of a number of scenarios depending on the age of the current local plan and progress towards a new one. It was concluded that there is a lack of short-term incentives for the adoption of local plans currently in early stages of production when compared to advanced plans, and that both meeting the new deadline for adoption of June 2025 and not meeting the new deadline present risks to LPAs in early stages of plan-making. It was also concluded that there is a lack clarity around the “up-to-date” period of five years and the commencement of preparation for new-style plans, as Figure 8 illustrates.

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<sup>56</sup><https://dacplanning.com/home/f/nppf-prospectus-transitional-arrangements-implications>





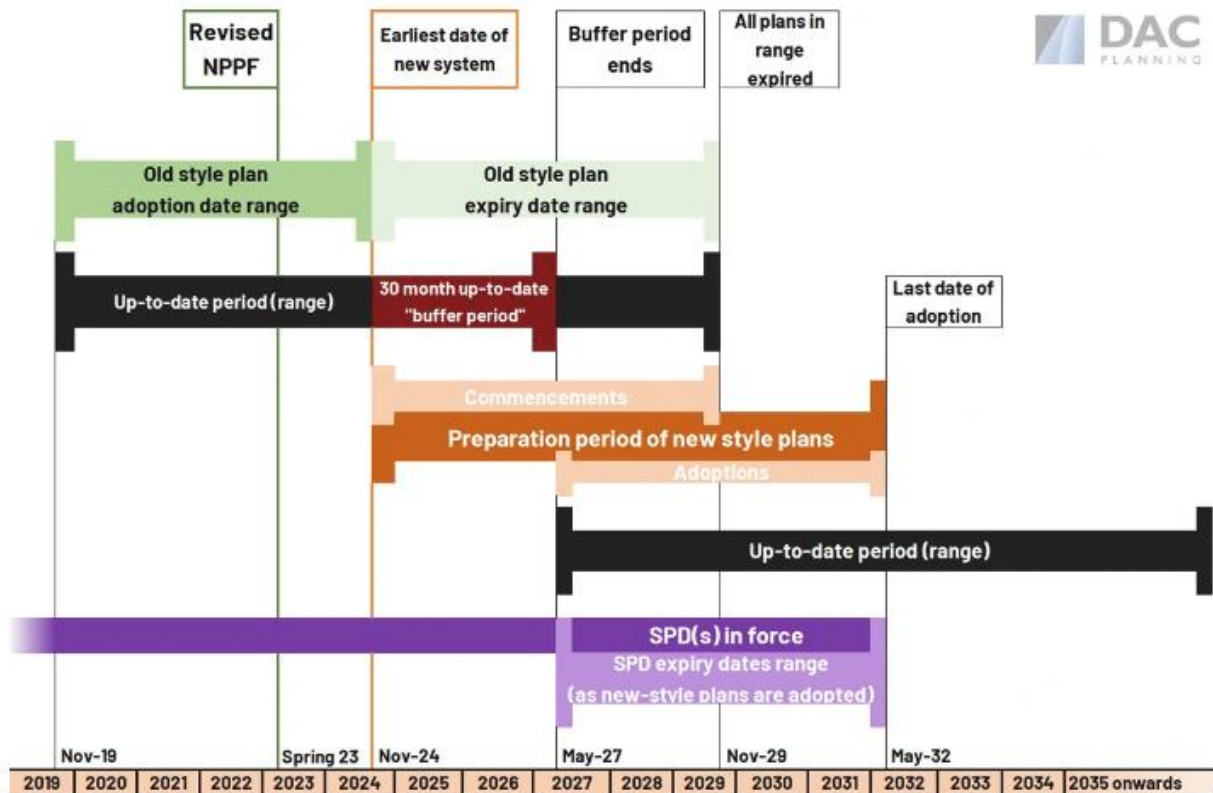


Figure 1: Range of dates of commencements of preparation and adoptions of new-style plans for LPAs with plan adopted within five years of the new system

Figure 8.

Affording plan makers until 30 June 2025, which is over two years away, to submit plans seems wholly contrary with the stated intention to ensure that plans can progress in the short term and that land continues to come forward for development.

With the prospect of revisions to standard method in 2024, and with the DtC ‘obstacle’ still to overcome, as stated, there would appear to be both incentives to delay and distinctives to progress. Such a transition would remove any possibility of government intervention in plan-making (such that there has been since, 2018<sup>57</sup>) and appears to be far too generous towards recalcitrant LPAs with a clear track record of under-performance.

With the standard method retained, it still the case that exceptional circumstances are required to deviate from it, and the DtC still in place, and if it is genuinely believed that LPAs with an up-to-date local plan in place will be in the best possible position to adapt to the reforms provided for in the LURB, the system should be kept moving in the short term.

<sup>57</sup><https://www.gov.uk/government/publications/local-plan-intervention-letters-to-councils>



46. Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

In light of the above there should be a clear expectation that LPAs that have reached Regulation 18 stage should submit a local plan for examination by the end of 2023 and that authorities with a local plan that it is more than five years should submit one for examination by the end of 2024.

There is absolutely no need for a LPA to be allowed to demonstrate a lower land supply requirements whilst deliberating how to proceed with a local plan.

47. Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?

HBF offers no comment other than, as stated previously, the need for neighbourhood plans and local plans to align as closely as possible.

48. Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?

HBF offers no comment.

49. Do you agree with the suggested scope and principles for guiding National Development Management Policies?

Yes.

HBF is entirely supportive of the suggested scope and principles for guiding National Development Management Policies (NDMP).

The case for NDMP is a compelling one and they could have a transformative effective on both planning application timescales and a transition towards a 30-month local plan process as set out in the LURB.

50. What other principles, if any, do you believe should inform the scope of National Development Management Policies?

Some disquiet has been expressed about the fact that any potential conflict between NDMP and local policies would be resolved in favour of the former, but this seems entirely right in the sense that if LPAs were able to justify going beyond the scope of a NDMP then the result would be the patchwork quilt of local policies that makes the case for NDMP in principle. It is suggested that NDMP, subject to appropriate consultation on implementation, should set a sufficiently ambitious bar than LPAs can make the case to stay below, in exceptional circumstances, but cannot go above.

SME builders in particular would benefit from consistency when moving between local areas as the need to understand and manage different local standards increases the costs and delays.

51. Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Policies already contained with the NPPF would be a logical and reasonable starting point and may contribute towards swifter, slimmer local plans by removing the need for generic policies, but the real value of NDMP will be to quickly go beyond 'selective' new additions and to put on a clear and consistent national basis matters of national concern that need to harmonise with, for example, building control standards that are similarly dealt with by way of national standards.



Other areas that should be considered for inclusion include the provision of EV Charging points and the delivery of BNG.

52. Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

One of the most significant issues affecting HBF members at present is LPAs pursuing policies (mostly by way of SPDs) on climate change mitigation and adaption that put much more ambitious timetables in place for, for example, 100% net zero operational carbon reductions than are anticipated by building regulations.

HBF members are entirely supportive of the net zero agenda and would greatly benefit from a fixed transition period that will enable materials manufacturers and installers to invest in order to service demand. The electric car market<sup>58</sup>, for example, coalesced around and then crystallised a clear 2030 deadline. Landowners and developers need to similarly adjust and plan accordingly. NDMP are an opportunity to put planning for these issues on a much more considered and coherent footing.

53. What, if any, planning policies do you think could be included in a new framework to help achieve the twelve levelling up missions in the Levelling Up White Paper?

The Local Plan Expert Group (LPEG)<sup>59</sup> reported in 2016 that a lack of local political will was the principal obstacle to plan-making:

- *“The biggest delays always result from political members not wanting to take any decisions, particularly prior to elections”.*
- *“The desire to produce a local plan is driven by the desire to limit development”.*
- *“The failure to produce a plan has everything to do with local politics”.*

LPEG’s recommendations on time local plan production focussed on procedural measures rather than financial incentives, but did recommend a review of this area.

One incentive that LPEG recommendation was that LPAs bidding to government or through LEPs for infrastructure-related funding should expect to receive less priority if they do not have in place an up-to-date local plan that identifies the need for that infrastructure.

LPEG similarly recommended that precise conditions be attached to any successful devolution bids requiring a commitment to positively plan to meet objectively assessed housing needs with a commensurate commitment to joint planning across the bid area.

It is striking that the Devolution Framework included within Levelling Up White Paper<sup>60</sup> makes no reference to housing and planning and so it suggested that the single most impactful intervention in this area would be to adopt the LPEG recommendations when considering future infrastructure and devolution-related bids.

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<sup>58</sup><https://www.gov.uk/government/news/government-takes-historic-step-towards-net-zero-with-end-of-sale-of-new-petrol-and-diesel-cars-by-2030>

<sup>59</sup><https://www.gov.uk/government/publications/local-plans-expert-group-report-to-the-secretary-of-state>

<sup>60</sup><https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>



54. How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

As first stated in Question 7, the current construction of the standard method is not fit for purpose, based as it still is 2014-based household projections and, in order to achieve a national requirement close to the target for 300,000 new homes a year, the arbitrary cities uplift that is considered above.

The reason for the continued use of 2014-based household projections is because to use the 2018 version would result in a national target of 158,286 homes and, notwithstanding the provisions of this consultation, reduce national housing delivery to its lowest rate since the depths of the recession that followed the 2008 financial crisis.

The reduction between the two is because of the cyclical nature of such trend-based projections, which 'bake in' historical under-delivery and project forward the consequences forward.

The case for a national standard method remains strong, but the current approach could be improved, and help to drive economic growth and productivity in very part of the country, by adopting existing housing stock as a reliable starting point. An agreed minimum annual stock growth rate would set a floor or baseline for every LPA to work from whilst retaining a tangible relationship to the size of a community.

A minimum growth rate of 1.2%, for example, would collectively amount to a national floor of 298,000 homes per annum, which would be more evenly distributed around the country.

55. Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

As stated, the re-orientation of housing policy, and Homes England efforts, towards brownfield regeneration may help support the conditions where more viable and developable land can come forward.

There needs to be a wariness however about a fixation on housing numbers becoming a zero-sum gain where flats in the private rented sector are built at the expense of homes that meet the ownership aspirations of many younger families.

'Gentle densification' is a much more complex proposition, the success of which as a concept seemingly hangs on LPAs preparing design codes across urban areas to identify opportunities for such and securing a consensus amongst homeowners in the suburban context to make their properties available for redevelopment en masse, whilst all the while being conscious of not undermining the character of an area to a significant degree.

56. Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?

The HBF is aware of the very good work that, for example, Make Space for Girls<sup>61</sup> are doing in this area and is entirely supportive of increasing gender mainstreaming through planning policy and guidance.

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<sup>61</sup><https://makespaceforgirls.co.uk/>



57. Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

The HBF offers no comment.

58. We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

The public sector equality duty is a duty on public authorities to consider or think about how policies or decisions affect people who are protected under the Equality Act.

Characteristics that are protected by Equality Act include age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation.

As illustrated in response to Question 7, given that the cumulative impact of the proposals included within the consultation will result in a significant reduction in housebuilding, further exacerbating disparities relating to inter-generational fairness, it does seem legitimate to question whether the interests of young people are being disproportionately affected.

