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PlaceShapers response to proposed reforms to the National Planning Policy Framework and other planning changes

Introduction

This response to the proposed reforms to the National Planning Policy Framework (NPPF) and other planning changes is on behalf of PlaceShapers, the national network of place-based housing organisations. The social housing sector is diverse. Providers differ based on their size, the profile of their homes, their geographical focus, social missions, and operating models.

PlaceShapers have around 100 members – ranging from small housing associations with less than 1,000 homes to large housing associations with over 30,000 homes. Our members operate locally and are not-for-profit businesses committed to improving places through long-term social, economic, and physical regeneration.

We welcome the opportunity to share our views on the proposed changes to the NPPF and how the planning system can support our members to deliver their ambition to build resilient, sustainable communities, including through the delivery of high-quality social housing, and places where people want to live.

Our response to the consultation has been informed by conversations with, and input from, our housing association members.

Summary

We share the government's ambition to build 1.5 million new homes over this Parliament and agree that planning reform, along with other policy interventions, will be critical if we are to reach this target.

Our members are committed to meeting the breadth of housing need in their communities and regenerating their existing homes, estates, and communities so they are places people want to live.

While they are ambitious, robust organisations, they face a range of specific challenges, including the need to invest in existing homes, that without additional support mean they will have to make difficult trade-offs. They are working hard to get to grips with these challenges, but many housing associations are having to revise their development ambitions, despite the escalating housing crisis.

The current model of social housing development is being pushed to its limits and we urge the government to look at all the levers it can use to support housing associations to keep building. This should include how social housing is funded through grant.

We strongly welcome the focus on social housing and Social Rent in the consultation on changes to the NPPF. We are pleased this government recognises the important role social housing can play in supporting the delivery of housing, alongside its critical role in ensuring housing needs across the country are met.



The reintroduction of strategic planning and the reversal of the 2023 changes to the NPPF will help with land supply and planning approvals. We would also welcome the government's focus on how approvals progress to delivery, for example how developers can be encouraged to enact approvals as swiftly as possible.

In addition to the proposals set out in the consultation, we think the NPPF could be further strengthened to ensure the clear intent for the planning system to play its part in increasing the supply of social housing and Social Rent is translated into practice.

Where appropriate, we have suggested where the proposals could be strengthened in our response to the consultation questions. However, there are a number of general suggestions we would like to make on areas not subject to consultation:

- Better equip planning authorities to defend their social housing policies by adding a new paragraph to section 3 - Plan-making, setting out the rationale and benefits of social housing and Social Rent, including meeting housing need, enhancing housing delivery through reduced market risk, improving developer cashflow and reducing susceptibility to market cycles.
- Better support planning authorities in development plan examinations and appeals by adding a new paragraph to section 5 - Delivering a sufficient supply of homes, setting out the rationale and benefits of greater social housing and Social Rent provision, including meeting housing need, enhancing housing delivery through reduced market risk, improving developer cashflow and reducing susceptibility to market cycles. We also think it would be helpful to emphasise the need to prioritise Social Rent in development plans and when assessing planning applications in recognition of the substantial need, previous under-provision, and benefits of this tenure.
- Provide clarity on the tenures required under Section 106 agreements and help prevent Social Rent being substituted for other tenures, by amending the definition of 'Affordable housing' in Annex 2 - Glossary, to restore the 2006 reference to 'specific eligible households' with separate definitions of Social Rent, Affordable Rent, London Affordable Rent and Affordable Private Rent.
- Ensure social housing tenures that meet identified housing need are prioritised by amending paragraph 60 to say: 'Including with an appropriate mix of housing types and tenures to meet the needs of the local community'.
- Help local plans to come forward so social housing policies can be implemented by adding: 'The ambition of plans should be regarded as deliverable and viable if the above steps have been implemented unless it can be demonstrated that this is not the case' to paragraph 16.
- Increase the provision of social housing through section 106 by removing paragraph 65, which restricts affordable housing contributions from developments providing ten or fewer homes and on reuse and redevelopment of vacant buildings.
- Ensure increases in profits translate into cross-subsidy for social housing by adding a new paragraph to section 5 - Delivering a sufficient supply of homes, requiring late-stage reviews for all schemes that do not meet the affordable housing policy requirements at application stage.

The other critical role that planning plays is to make sure the new homes we build are in the right places and lead to resilient, sustainable, connected communities.

We, and our members, believe in a place-based approach to housing and that those who share a long-term commitment to an area are best placed to decide how housing need should be met. However, we think it is government's role to set clear expectations about the collective and



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individual responsibility on different organisations to meet housing need, and they should retain the levers it needs to make this happen if these expectations are not met.

We particularly welcome the statement that decisions about what to build and where should reflect local views, and planning should be about how to deliver the housing an area needs - not whether to do so at all.

Planning for the homes we need

Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?

Yes, we support the proposal to reverse the changes made to paragraph 61. Removing references to the standard method of assessing housing need being an advisory starting point will help ensure that plans reflect genuine housing need and provide clarity and certainty to all involved.

Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

Yes, we support the proposal to remove the reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF. Again, we think this will help ensure that housing targets and associated plans reflect genuine housing need and provide clarity and certainty to all involved.

Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

We support the proposal to reverse the changes made on the urban uplift by deleting paragraph 62 in principle. However, in doing so it is important that both the Duty to Co-operate and mechanisms for cross-boundary co-operation are robust and achieve the objective of building the new homes required to meet housing need across the country.

As place-shaping organisations, our members are committed to working together, and with their local authority partners, to build the new homes communities need, regardless of any boundaries. We would welcome the opportunity to work with the government to look at how cross-boundary cooperation and strategic planning, and any associated short-term measures, could work most effectively in practice.

Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

Yes, we support the proposal to reverse the changes made on character and density and delete paragraph 130. There are already safeguards in planning policy that ensure new homes built should be well-planned and well-designed. It is not necessary to have a specific policy that unnecessarily restricts density and means we risk not maximising the use of land that could be used for social housing.

Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Yes, we support the proposal for design codes to focus on spatial visions in local plans. We think this approach has the potential to promote higher densities and maximise the use of land, helping to meet housing need, while ensuring new homes built remain well-planned and well-designed.

Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?

Yes, we support the proposal that the presumption in favour of sustainable development should be amended as proposed. We welcome the acknowledgement that we need to urgently address the chronic under-supply of land and the impact this has had on the housing crisis. We also agree that the wording in the presumption in favour of sustainable development helps safeguards against developers using this presumption to promote low quality, unsustainable development.

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

Yes, we support the proposal that all local authorities should be required to demonstrate five years of specific, deliverable sites. Having a reliable supply of land will be critical in ensuring we can increase the supply of housing, including social housing, and will give housing associations and other developers the confidence to plan accordingly.

Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

Yes, we support the proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF.

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations / Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?

Yes, we agree that local planning authorities should be required to add a buffer to their 5-year housing land supply calculations to safeguard against fluctuations meaning housing need cannot be met because there is insufficient land.

We think local planning authorities themselves, along with any available evidence on fluctuations in expected land coming forward, are best placed to comment on what is an appropriate buffer.

Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

Yes, we support the proposal to amend the NPPF to further support effective co-operation on cross boundary and strategic planning matters. We also welcome the intention that Spatial Development Strategies should be concluded and adopted across the country.



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We agree that housing need cannot be met without planning for growth on a larger than local scale. We would be keen to work with the government and offer the expertise and experience of our members in helping to develop ideas that will enable the universal coverage of strategic planning and bring forward Spatial Development Strategies, particularly outside of mayoral areas.

Some of our members work in combined authority areas, some straddle or sit between combined authority areas, and some work outside of combined authority areas. All our members have something to contribute to the government's ambitions on house building and increasing the supply of social housing.

It is important that the arrangements for developing Spatial Development Strategies recognise this complexity and the different contexts these plans will be developed in.

We would urge the government to develop their thinking on strategic planning and Spatial Development Strategies as part of a broader conversation about moving to a more place-based approach to housing.

A new standard method for assessing housing need

Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock? / Question 16: Do you agree that using the workplace-based median house price to median earnings ratio is appropriate? / Question 17: Do you agree that affordability is given an appropriate weighting? / Question 18: Do you consider the standard method should factor in evidence on rental affordability? / Question 19: Do you have any additional comments on the proposed method for assessing housing needs?

We support the principles for assessing housing need set out in the proposed changes to the NPPF.

We agree that the approach to assessing housing need should provide certainty and stability and should reflect the growth ambitions across the Midlands and North, while recognising the affordability pressures of some areas. We also agree that the approach should be driven by an objective assessment of need.

We think it is crucial any assessment of housing need, and subsequent plans for new homes, either directly supports or considers the need to build new homes as part of plans to regenerate existing homes and communities. In some areas, regeneration will be about improving or demolishing and rebuilding existing homes. In others there is a need to effectively replace existing social housing that is no longer fit for purpose by building new homes in different places, perhaps closer to economic opportunities, transport links, or other infrastructure.

We do not have a particular view on the proposed approach based on a baseline of housing stock and think those responsible for more directly identifying and / or addressing housing need and growth ambitions are best placed to comment.

Brownfield, the grey belt and the Green Belt



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Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

Yes, we support the proposed change in paragraph 124c, as first steps towards brownfield passports.

Brownfield land is of utmost importance, particularly where regeneration of post-industrial towns is necessary. The government must provide clear support for existing housing markets and communities in those areas that may otherwise fall into or continue to decline.

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

Yes, we support the proposed change to paragraph 154g to better support the development of previously developed land in the Green Belt.

Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Overall, we support the proposed definition of grey belt land, but we think it would be helpful to include examples of land that would usually fall under this definition.

While there will always be cases where there is debate about whether land should be designated as grey belt, providing examples could reduce the number of these cases, speeding up the release of land where there is a shared understanding it meets the definition of grey belt, including with local communities.

Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution to Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance? / Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

We agree that guidance would be helpful in identifying land which makes a limited contribution to Green Belt purposes. However, we would urge the government to keep this under review as we see how this is working in practice and look at further interventions if necessary to help ensure land that may significantly support the delivery of social housing comes forward as quickly as possible.

We think it is right to avoid prescribing specific and quantifiable measures of terms such as 'substantial built development' in the first instance, but again would urge the government to keep this under review.

If possible, we think it would be helpful to provide some practical examples of land that could be released for development because it makes a limited contribution to Green Belt purposes.



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Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations? / Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

As acknowledged in the consultation, building on brownfield land, Green Belt land that has been previously developed or designated as grey belt, will not always lead to the right homes in the right places. The sites may be in areas that do not have the necessary infrastructure or do not feel connected to existing communities.

While we agree that the release of land should not undermine the function of the Green Belt across the area of the plan as a whole, prioritising sustainable development locations is important if we are to build new housing, including social housing, that leads to resilient, sustainable, connected communities with access to economic opportunities.

We think it is right local planning authorities are empowered to bring land forward they believe is in a sustainable development location, but we urge the government to keep this under review as we see how it is working in practice.

Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL? / Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

We support the release of Green Belt through plan and decision-making for traveller sites. While we do not have any specific views on how the assessment of need for traveller sites should be approached, this is a group that is often overlooked when planning for new homes and these communities struggle to find homes that suit their needs.

We have members who have real expertise in this area, for example Rooftop and Elim, and we know they would welcome the opportunity to share their expertise with the government to support this proposal further.

Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?

Overall, we support the proposed approach to the affordable housing tenure mix. We welcome the rules that stipulate affordable housing should be prioritised when releasing Green Belt land for housing.

While we agree that local authorities should be able to decide the mix of tenures within the 50% of affordable housing delivered on released Green Belt land, this should reflect a clear assessment of housing need.



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We therefore recommend that paragraph 155, part a, is revised to say: 'In the case of schemes involving the provision of housing, at least 50% affordable housing, with the levels of different tenures of affordable housing determined by local planning authorities, prioritising Social Rent.'

We think this wording will provide more clarity over how affordable housing for land released from the Green Belt should be determined at plan and application stage, and a stronger steer to prioritise Social Rent.

However, as we set in response to question 35, below, we are worried about introducing a viability assessment into the release of Green Belt land for housing. We think this will add a layer of complexity and uncertainty into the system that will put pressure on planning departments and potentially lead to speculation in the Green Belt land market.

[Question 35: Should the 50 per cent target apply to all Green Belt areas \(including previously developed land in the Green Belt\), or should the Government or local planning authorities be able to set lower targets in low land value areas?](#)

While agree that there may limited circumstance where a Green Belt site cannot support the delivery of 50% affordable housing, we are concerned about viability assessments being introduced that mean Green Belt land will not be used to its full potential.

Absolute certainty on affordable housing expectations on Green Belt land would ensure developers know where they are on viability, landowners know where they are on value, and local authorities and affordable providers know where they are on delivery. We urge the government to explore how to deliver 50% affordable housing on all Green Belt land released for housing, rather than accept a higher level of market housing that does not benefit communities in the long-term or help address the chronic under-supply of social housing.

If viability assessments remain an option for the release of Green Belt land, we recommend the government sets clear enforceable boundaries that determine how and when these assessments are appropriate.

For example, in proposed Annex 4 - Viability in relation to Green Belt release, we recommend removing: 'having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force' and replacing with: 'having regard to the size, type and tenure of housing needed for different groups in the community, as identified in the local housing need assessment'. This will help to prevent applications on Green Belt land which are not policy compliant from being approved because a local authority has not met the Five Year Land Supply or Housing Delivery Test thresholds and / or does not have an up-to-date plan.

[Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development? / Question 38: How and at what level should Government set benchmark land values?](#)



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Yes, we support the proposal for the government to set benchmark land values for Green Belt land, to inform local planning authority policy development, subject to our concerns about the use of viability assessments more generally.

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

We agree that land that transacts above the benchmark land value should not be subject to a viability assessment and / or negotiation on appropriate levels of affordable housing. Setting clear parameters along these lines will provide clarity and certainty for all involved and help avoid situations where protracted negotiations lead to delays and lower social housing contributions.

To help prevent applications on Green Belt land which are not policy compliant from being approved because a local authority has not met Five Year Land Supply or Housing Delivery Test thresholds and / or does not have an up-to-date plan, in proposed Annex 4 – Viability in relation to Green Belt release (point 2), we recommend removing: ‘subject to other material considerations.’

Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

No, we do not support the proposal that where development is policy compliant, additional contributions for affordable housing should not be sought. This proposal would effectively mean the 50% affordable housing contribution becomes a cap rather than a floor. There may be some circumstances where it appropriate to seek a higher contribution of affordable housing and this should remain an option rather than being closed down by the NPPF.

Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

Yes, if there are viability negotiations where affordable housing levels below 50% are agreed, we support the introduction of late-stage viability reviews to assess whether further contributions are required.

Delivering affordable, well-designed homes and places

Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Yes, we support the proposal to set clear expectations that planning authorities should consider the particular needs of those who require Social Rent. This is a welcome reinforcement that the social housing mix should reflect identified local needs.



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Social Rent is the most appropriate tenure for most people in housing need. In recent years there has been a lack of support for Social Rent and building new Social Rent homes has been challenging. This has exacerbated the housing crisis and meant many people are housed in inappropriate Affordable Rent or Private Rent homes, increasing the housing benefit bill and housing costs for people. It is critical that we get back to building Social Rent homes as the main affordable housing tenure.

However, the need for supported and specialist housing provision and delivery should be explicit and required as part of the housing need assessment process and strategic land supply. This is an ongoing omission from the process that impacts on some of the most vulnerable members of society.

Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Yes, we support the proposal to remove the requirement to deliver 10% of housing on major sites as affordable home ownership.

Question 49: Do you agree with removing the minimum 25% First Homes requirement?

Yes, we support the proposal to remove the minimum 25% First Homes requirement.

Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Yes, we support the introduction of a policy that will promote developments that have a mix of tenures and types, if this is coupled with the expectation that social housing, and in particular Social Rent, is given appropriate weight and consideration in plan-making and decision-making.

As place-shaping housing associations, our members are committed to building and maintaining resilient, sustainable communities. We would welcome the opportunity to work with the government to help develop expectations and policies around building and promoting mixed tenure developments.

However, as we've said above, the need for supported and specialist housing provision and delivery should be explicit and required as part of the housing need assessment process and strategic land supply.

Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

There are many successful, sustainable communities that are made up of mostly or wholly social housing. We would welcome the opportunity to showcase the work our members do to build and maintain these communities and demonstrate the positive impact they have on the communities that live there and more broadly.



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We appreciate the government is keen to promote high percentage social housing developments and acknowledges there are circumstances when they are appropriate and should be supported. However, the reality is building Social Rent remains challenging. A range of policy interventions, beyond planning reform, will be required to make it possible to significantly increase the supply of Social Rent homes.

Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

We welcome the government's intention to support majority social housing developments, while acknowledging the benefits of mixed tenure developments.

In practice, it is likely that any new large-scale developments that come forward will automatically include a mix of tenures and types of homes. Any smaller scale developments that are predominantly for social housing are likely to be part of a wider established community that include a range of other tenures.

In addition, Local Lettings Plans can help ensure that homes are let in a way that supports the development of mixed communities. Good design and good management can also help, as can a social housing landlord who acts as a place-shaper and community anchor, developing a sense of community and giving residents a stake in where they live.

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?
Yes, we support the proposed changes to paragraph 63 to include looked after children as a specific group where need should be assessed and reflected in planning policies.

Question 56: Do you agree with these changes (on community-led development)?
Yes, we support the proposed changes that are designed to strengthen support for community-led development, including removing the size limit for community-led exception sites.

Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?

We appreciate that the government recognises the importance of beauty in the built environment and difficulties in how the term 'beauty' is defined may lead to inconsistencies in decision-making.

However, we would urge the government to ensure the National Design Guide and National Model Design Codes are delivering homes to the standard and quality we expect and that lead to resilient, sustainable communities where people want to live.



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Delivering community needs

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

Yes, we support the proposed changes to paragraph 100 intended to give appropriate weight to the importance of new, expanded or upgraded public service infrastructure when considering proposals for development. This will be a critical part of creating resilient, sustainable communities where people want to live.

September 2024