



**PLACESHAPERS RESPONSE TO HOUSING WHITE PAPER:
FIXING OUR BROKEN HOUSING MARKET
APRIL 2017**

1. INTRODUCTION

- 1.1 PlaceShapers is a national network of community-based housing associations formed in 2008. Currently comprising 117 members of varying types and sizes, between us we own or manage nearly 850,000 homes, with at least 36,000 more in the pipeline. Details of our members and more about what we do can be found on our website: www.placeshapers.org
- 1.2 Supporting our members to build more homes of all tenures to help address the country's housing crisis is one of our key priorities. Indeed, we have recently commissioned research to evidence the extent to which we contribute to new homes supply and our capacity to do more. This work will be informed by debate on emerging themes at a member event to be held in mid-May with the final outcome published during the CIH Conference in June in the form of a report titled "We Build".
- 1.3 In this context the opportunity to respond to the Government's Housing White Paper is timely. Many of its themes are familiar and any changes that help reshape the approach to housebuilding in the long-term are welcome. This is particularly so where greater flexibility may result to ensure that new homes of the type and tenure needed can be provided according to local needs.
- 1.3 No doubt some of our members will respond individually to this consultation in the context of how the proposals would impact locally. This response is limited to general comments on the consultation questions of most interest or concern to us. In the absence of a response please assume we are generally supportive of the Government's position. Indeed, much of the White Paper's content is common sense to us and non-controversial although the extent to which the measures proposed, if implemented, will make a difference remains to be seen. However, together they represent a step in the right direction and a much needed recognition of the need for action.

2. RESPONSE TO CONSULTATION QUESTIONS

Chapter One: Planning for the right homes in the right places

Getting plans in place

Making sure every community has an up-to-date, sufficiently ambitious plan.

Making plans easier to produce.

Assessing housing requirements.

Digital planning: making plans and proposals more accessible.

Making land ownership and interests more transparent

In general we welcome the Government's recognition of the importance of local plans and the need for these to be strengthened and updated on a cyclical basis. Our only comment relates to the following question:

Question 3

Do you agree with the proposals to:

a) Amend national policy so that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people?

b) From early 2018, use a standardised approach to assessing housing requirements as the baseline for five-year housing supply calculations and monitoring housing delivery, in the absence of an up-to-date plan?

Both of these are good ideas and overdue. The requirement to meet needs of particular groups is necessary as housing needs vary hugely. Similarly, a standardised approach to assessing housing need will ensure greater consistency between local authorities whose approaches can currently vary meaning that those with similar needs will find themselves assessed differently across neighbouring boundaries. This said, it is not entirely clear what the proposed amendment will add to current provisions. Clause 159 of the NPPF already notes a range of groups whose need for all types of housing should be set out in Strategic Housing Market Assessments. If the intention is to require local authorities to develop clearer policies on how assessed needs will be met in their area, in collaboration with neighbouring authorities, then that that would be helpful.

Making enough land available in the right places
Presumption in favour of sustainable development
Bringing brownfield land back into use

Question 4

Do you agree with the proposals to amend the presumption in favour of sustainable development (see Box 2 on P.79) so that:

- a) Authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?**
- b) It makes clear that identified development needs should be accommodated unless there are strong reasons for not doing so set out in the NPPF?**
- c) The list of policies which the Government regards as providing reasons to restrict development is limited to those set out currently in footnote 9 of the National Planning Policy Framework (so these are no longer presented as examples), with the addition of Ancient Woodland and aged or veteran trees?**
- d) Its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?**

Yes - we agree strongly with this proposal. There should always be presumption in favour of sustainable development at a time when the nation's housing needs are being not being met. In this context, a clear strategy for land identification and land use is essential.

Improving LAs role in land assembly and disposal

Question 5

Do you agree that regulations should be amended so that all local planning authorities are able to dispose of land with the benefit of planning consent which they have granted to themselves?

Locally accountable local authorities are best placed to determine how land should be disposed of in the local interest. In this context this proposal is welcome as is the potential flexibility to dispose of land at less than market value if this facilitates higher levels of residential development at genuinely affordable costs.

Question 6

How could land pooling make a more effective contribution to assembling land, and what additional powers or capacity would allow local authorities to play a more active role in land assembly (such as where 'ransom strips' delay or prevent development)?

In the case of private landowners, local authorities' strategic enabling role could be strengthened by seeking to 'negotiate' land pooling for abandoned / under-utilised sites. Negotiation would fall short of CPO powers and respect the owner's fundamental rights to property. Greater land pooling of public space to facilitate site assembly would be welcome.

Regenerating housing estates

Question 7

Do you agree that national policy should be amended to encourage local planning authorities to consider the social and economic benefits of estate regeneration when preparing their plans and in decisions on applications, and use their planning powers to help deliver estate regeneration to a high standard?

Yes, most certainly. Community regeneration has not been given enough focus in the planning system and remains a key objective for many of our members.

Supporting small and medium sized sites, and thriving rural communities

Question 8

Do you agree with the proposals to amend the National Planning Policy Framework to:

- a) Highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?**
- b) Encourage local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the authority's housing needs?**

Yes, we absolutely do. Many of our members develop small sites and thus support small local communities. Anything that supports such work will be welcomed.

c) Give stronger support for 'rural exception' sites – to make clear that these should be considered positively where they can contribute to meeting identified local housing needs, even if this relies on an element of general market housing to ensure that homes are genuinely affordable for local people?

Yes again. Rural exception sites as a mechanism are crucial for sustaining rural communities under threat from city flight.

A new generation of new communities

Question 9

How could streamlined planning procedures support innovation and high-quality development in new garden towns and villages?

Community consultation should remain as the central pillar for village development. However, this can often lead to "NIMBYism" and must not be allowed to de-rail opportunities for housing development.

Green Belt land

Question 10

Do you agree with the proposals to amend the National Planning Policy Framework to make clear that:

- a) Authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements?**
- b) Where land is removed from the Green Belt, local policies should require compensatory improvements to the environmental quality or accessibility of remaining Green Belt land?**
- c) Appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt?**
- d) Development brought forward under a Neighbourhood Development Order should not be regarded as inappropriate in the Green Belt, provided it preserves openness and does not conflict with the purposes of the Green Belt?**

- e) Where a local or strategic plan has demonstrated the need for Green Belt boundaries to be amended, the detailed boundary may be determined through a neighbourhood plan (or plans) for the area in question?**
- f) When carrying out a Green Belt review, local planning authorities should look first at using any Green Belt land which has been previously developed and/or which surrounds transport hubs?**

This is one aspect of the White Paper that disappoints us as we had hoped that the Government would go further. Much of the so-called “Green Belt” is not countryside and we think is given too much credence in the context of a housing crisis that requires more radical action. Local Authorities should be required to undertake strategic reviews of their Green Belts and justify why they should be retained. More discretion should be given to LAs to build on Green Belt Land when needed. The proposals in the White Paper are a start but do not go far enough given that there is insufficient brownfield land available to support the house-building programme this country needs. Where land is removed from the Green Belt it is reasonable to require compensatory improvements to the environmental quality or accessibility of the remaining Green Belt where necessary. However, collecting higher contributions from development as a consequence of land being released from the Green Belt may prove a disincentive.

Question 12

Do you agree with the proposals to amend the National Planning Policy Framework to:

- a) Indicate that local planning authorities should provide neighbourhood-planning groups with a housing requirement figure, where this is sought?**
- b) Make clear that local and neighbourhood plans (at the most appropriate level) and more detailed development plan documents (such as action area plans) are expected to set out clear design expectations; and that visual tools such as design codes can help provide a clear basis for making decisions on development proposals?**
- c) Emphasise the importance of early pre-application discussions between applicants, authorities and the local community about design and the types of homes to be provided?**
- d) Makes clear that design should not be used as a valid reason to object to development where it accords with clear design expectations set out in statutory plans?**

e) Recognise the value of using a widely accepted design standard, such as Building for Life, in shaping and assessing basic design principles – and make clear that this should be reflected in plans and given weight in the planning process.

Yes - Anything that gives clarity and speeds up the planning process is welcome. We support the principle of community-led planning within the context of a required new homes figure provided by planning authorities. This will ensure that new developments cannot be dismissed out of hand and are then worked up in the context of what is needed locally.

Question 13

Do you agree with the proposals to amend national policy to make clear that plans and individual development proposals should:

a) Make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?

b) Address the particular scope for higher-density housing in urban locations that are well served by public transport, that provide opportunities to replace low-density uses in areas of high housing demand, or which offer scope to extend buildings upwards in urban areas?

c) Ensure that in doing so the density and form of development reflect the character, accessibility and infrastructure capacity of an area, and the nature of local housing needs?

d) Take a flexible approach in adopting and applying policy and guidance that could inhibit these objectives in particular circumstances, such as open space provision in areas with good access to facilities nearby?

Yes, building at higher density, in particular in inner cities where more use of air space is possible is an obvious response to the housing crisis. However, there are lessons to be learnt from previous mega-density social housing developments and all such schemes should incorporate mixed tenure housing and green / outdoor space. The provision of wider infrastructure / community facilities must also be a prerequisite for such developments.

Question 14

In what types of location would indicative minimum density standards be helpful, and what should those standards be?

Potentially around retail and commercial space and / or where the infrastructure would not support higher densities.

Question 15

What are your views on the potential for delivering additional homes through more intensive use of existing public sector sites, or in urban locations more generally, and how this can best be supported through planning (using tools such as policy, local development orders, and permitted development rights)?

Public sector sites are part of the solution to the housing crisis and all means by which they can be released for new homes would be welcome.

Chapter Two:

Building homes faster

Diversifying the market

Helping people now

Deterring unnecessary appeals

Question 18

What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on:

- a) How the fee could be designed in such a way that it did not discourage developers, particularly smaller and medium sized firms, from bringing forward legitimate appeals;**
- b) The level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful; and**
- c) Whether there could be lower fees for less complex cases.**

We support the proposed introduction of a fee for planning appeals as this may reduce unnecessary delays. A sliding scale with a maximum limit to reflect the size of a development would be fair with the fee refundable where appeals are successful.

Ensuring infrastructure is provided in the right place at the right time

Digital infrastructure

Question 19

Do you agree with the proposal to amend national policy so that local planning authorities are expected to have planning policies setting out how high quality digital infrastructure will be delivered in their area, and accessible from a range of providers?

Yes, absolutely. The lack of digital infrastructure remains a key impediment to growth in rural communities.

Holding developers and local authorities to account

Greater transparency through the planning and build out phases

Question 21 (relates to Box 3 on page94)

Do you agree that:

- a) The planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?**
- b) That developers should be required to provide local authorities with basic information (in terms of actual and projected build out) on progress in delivering the permitted number of homes, after planning permission has been granted?**
- c) The basic information (above) should be published as part of Authority Monitoring Reports?**
- d) That large housebuilders should be required to provide aggregate information on build out rates?**

Yes. We welcome all measures to ensure a more robust system for measuring delivery against identified need and strategies to overcome persistent under-delivery, so long as local planning authorities are given adequate resources to undertake this task.

Sharpening local authority tools to speed up the building of homes

Question 22

Do you agree that the realistic prospect that housing will be built on a site should be taken into account in the determination of planning applications for housing on sites where there is evidence of non-implementation of earlier permissions for housing development?

Questions 23

We would welcome views on whether an applicant's track record of delivering previous, similar housing schemes should be taken into account by local authorities when determining planning applications for housing development.

Yes, if the measures outlined in question 21 above are taken forward it makes sense for a developer's prior record to be taken into account when new applications are being considered too. This should include the extent to which commitments to provide affordable homes have been honoured.

Question 24

If this proposal were taken forward, do you agree that the track record of an applicant should only be taken into account when considering proposals for large-scale sites, so as not to deter new entrants to the market?

New entrants to the market will have no prior record to be taken into account so should not be disadvantaged.

Question 25

What are your views on whether local authorities should be encouraged to shorten the timescales for developers to implement a permission for housing development from three years to two years, except where a shorter timescale could hinder the viability or deliverability of a scheme? We would particularly welcome views on what such a change would mean for SME developers.

We agree that shortening the implementation timescale for schemes that have been granted planning permission may help prevent land being held for purely speculative reasons but think an allowance would have to be made for delays that are outside of the applicant's control. Taking account of the applicant's track record of delivering similar housing schemes will be a better indication of their motivation to deliver.

Affordable Housing

Changing the definition of affordable housing:

Box 4: Proposed definition of affordable housing

Question 31

Do you agree with our proposals to:

a) Amend national policy to revise the definition of affordable housing as set out in Box 4?

We think that the proposed revised definitions risk making an already complex system more confusing and that the aim should be to streamline definitions and reduce the number of categories rather than increase them. The current complex situation has been driven by varying forms of subsidy and rent setting policies over the years rather than specific forms of housing need. Future rent policy, grant availability, private finance and land supply are the key drivers for new supply. Certainty around these going forward will deliver the housing association contribution to the supply of affordable housing, not tinkering with the definitions of the resulting product that generally will fall into two categories:

- Rented housing provided to those unable to meet their needs in the private sector, including the homeless. We welcome the Government's willingness to discuss future rent-setting policy and are already engaging in this process. A link to average earnings rather than market rents would be a more rational approach going forward coupled by ability to iron out inconsistencies and measures to ensure that housing benefit does not take further strain.
- Subsidised home ownership for qualifying groups, including shared ownership and "rent to buy"

In addition to the above, some housing associations will provide new homes for market rent or sale with the proceeds used to cross subsidise the delivery of more affordable homes.

b) Introduce an income cap for starter homes?

It is absolutely right that LAs be given discretion to determine how many Starter Homes should be provided in their area alongside other forms of more affordable housing. In doing so, this will ensure such homes do not replace much needed

rented housing. Similarly, income limits for starter homes would ensure consistency with other affordable home ownership products.

Increasing delivery of Affordable Home Ownership products

Question 32

Do you agree that:

- a) National planning policy should expect local planning authorities to seek a minimum of 10% of all homes on individual sites for affordable home ownership products?**
- b) That this policy should only apply to developments of over 10 units or 0.5ha?**

We do not agree that there should be any quotas for specific types of tenure provision prescribed nationally. The tenure of new homes provided should be flexible and based on local circumstances as agreed with local authorities.

Sustainable development and the environment (pages 102-104)

Sustainable development

Question 34

Do you agree with the proposals to amend national policy to make clear that the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18-219 of the National Planning Policy Framework, together constitute the Government's view of what sustainable development means for the planning system in England?

Further clarity is always helpful

Meeting the challenge of climate change

Question 35

Do you agree with the proposals to amend national policy to:

- a) Amend the list of climate change factors to be considered during plan making, to include reference to rising temperatures?**

b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?

Yes but there is a need also to incentivise innovation so that products become cheaper more quickly.

Noise and other impacts on new developments

Question 37

Do you agree with the proposal to amend national policy to emphasise that planning policies and decisions should take account of existing businesses when locating new development nearby and, where necessary, to mitigate the impact of noise and other potential nuisances arising from existing development?

Yes, providing they pass the reasonableness test.