



Levelling-up and Regeneration Bill: reforms to national planning policy

G15 Response



About the G15

The G15 is made up of London's largest housing associations. The G15's members provide more than 715,000 homes across the country, including around one in ten homes for Londoners. Delivering good quality safe homes for our residents is our number one priority. Every year our members invest almost £900m in improvement works and repairs to people's homes, ensuring people can live well. Together, we are the largest providers of new affordable homes in London and build around 15% of all affordable homes across England. It's what we were set up to do and what we're committed to achieving. We are independent, charitable organisations and all the money we make is reinvested in building more affordable homes and delivering services for our residents.

Find out more and see our latest updates on our website: www.g15.london

The G15 members are:

- A2Dominion
- Catalyst
- Clarion Housing Group
- The Guinness Partnership
- Hyde
- L&Q
- MTVH
- Network Homes
- Notting Hill Genesis
- One Housing
- Peabody
- Southern Housing

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Introduction

The Government has stated their intention to place greater importance on homes for social rent through changes to the National Planning Policy Framework (NPPF) to increase the availability of this tenure. Whilst this is welcome, the G15 is concerned that the wider measures proposed through the new Framework risk reducing rather than increasing the delivery of social and affordable housing.

The removal of housing targets and of the requirement for local authorities with an up-to-date local plan to demonstrate the availability of five-year land supply, will damage the delivery of new social and affordable homes if sites for new homes are not identified well in advance of development.

As the group of London's leading housing associations, we are acutely aware of the challenges we as a nation face in meeting the social and affordable housing needs across the UK.

We are determined to meet these head on. In 2021/22, despite challenges as a result of the COVID-19 pandemic and rising inflation, G15 members completed construction of 11,527 new homes and began development on a further 10,605 homes, of which 85% were affordable homes.

Many challenges lie ahead. In 2022, there were over 1.2m people on social housing waiting lists – a 5% increase since 2020. In the same year, the UK suffered a net loss of 14,100 social homes as more were sold or demolished than were built¹.

The Government must listen to the concerns of the G15 and the wider housing sector; ensuring that changes to the Framework take account of the need for long-term planning and security for the sector to deliver the social and affordable housing that we as a nation so desperately need.

¹ [14,000 social homes lost last year, as over a million households sit on waiting lists - Shelter England](#)



Comments on specific consultation questions

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

The G15 does not support this proposal.

The requirement for all local authorities, regardless of the status of their local plans, to demonstrate the availability of five-year land supply is a key aspect of long-term planning for the delivery of new affordable homes. Through this measure, home builders are able to identify sites well in advance of development giving greater confidence in our long-term planning.

Across the UK, we are continuing to see an acute shortage of affordable and social housing. In 2022, there were over 1.2m people on social housing waiting lists – a 5% increase since 2020. In the same year, the UK suffered a net loss of 14,100 social homes as more were sold or demolished than were built².

Without local authorities suitably identifying where new homes will be built, fewer units will be delivered and the shortage we are currently experiencing will become worse.

Housing numbers within the period of a local plan should always be seen as a minimum requirement. Not all allocated sites will be built out and windfall sites can become available for new development over the period of a plan.

If these requirements are to be removed, it is essential that the Government clarifies alternative means of maintaining adequate housing land supply to meet need, and to provide long-term confidence across the sector.

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)?

The G15 does not support this proposal.

The current buffers are an important means by which under-delivery can be compensated for. They are also crucial to the robustness of local plans and ensuring that development is able to withstand market changes.

We are calling on the Government to maintain the current buffer.

² [14,000 social homes lost last year, as over a million households sit on waiting lists - Shelter England](#)



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?

We believe that the current conditions surrounding Neighbourhood Plans are adequate. These should only be afforded additional protection where they allocate sites for development.

Where Neighbourhood Plans do not allocate sites for further development, it is our position that the presumption in favour of development should still prevail.

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?

We support this proposal and urge the Government to put the need for affordable housing at the centre of this. Meeting the UK's affordable housing needs will have significant economic and social benefits for our communities as a whole and should be at the heart of the planning system.

However, we are concerned that revisions to the Framework, set out in the opening paragraph, would appear to downgrade the importance of development by stating the aim is to supply "sufficient" housing rather than "significantly boost the supply of housing".

The G15 is also concerned that policy measures contained within the proposed new Framework, such as the removal of housing targets and the requirement of local authorities to demonstrate five-year housing land supply will lead to a reduction in the development of new homes and a worsening of the housing crisis.

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

A number of studies have highlighted the potential negative impact of the proposed changes to the Framework. The Centre for Policy Studies has expressed concerns that downgrading the status of figures produced by the Housing Delivery Test will lead to a "period of chaos as existing local plans in progress are delayed are revised downwards"³. Evidence of this is already emerging as a number of local authorities have already paused work on their latest local plans.

³ Centre for Policy Studies: Giving Back Control: How to empower communities within the planning system, Nov 2022: <https://cps.org.uk/wp-content/uploads/2022/11/Giving-Back-Control--Final.pdf>



Lichfields has also expressed concerns, estimating a reduction in new housing supply of 25% - 35% if the current proposals are progressed⁴.

The G15 is committed to increasing the delivery of much needed new and affordable homes. We are concerned the proposed changes to the Framework will lead to fewer new homes being delivered.

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?

The G15 suggests that the revised Framework re-emphasises that selective development of the Green Belt should be permitted where alternative options have been exhausted. We do not believe that the Green Belt should be protected to the detriment of local housing need especially where a site has an insignificant impact on meeting Green Belt objectives. We therefore consider national policy should make clear that the contribution that sites do (or do not) make to Green Belt purposes (and MOL in London) does need to be reviewed as an integral part of making new Plans.

We are concerned that the provision to consider excessive density as an adverse impact could unnecessarily stifle development. Whilst new developments should be in line with existing architectural styles and achieve human scale and density, an increase in density is vital if we are to achieve the ambition of concentrating development on brownfield sites and urban centres. We are also concerned that this provision may be used to oppose any housing development deemed out of character with the locality.

The G15 does not believe that 'over-delivery' should be taken into account when assessing the ability of developers to meet housing need. Where local authorities have granted 'excess' permissions, the onus should be on building upon this rather than downscaling ambition for the following plan.

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?

⁴ <https://www.housingtoday.co.uk/news/abolition-of-housing-targets-could-see-delivery-drop-up-to-35/5119919.article>



We advise that this be based on the extent of housing need in the relevant local authorities. All reasonable options for meeting this should be considered before this decision is taken including brownfield maximisation, Green Belt boundaries and that existing densities are no longer adequate to meet housing need.

Local authorities should also evidence why the perceived negative impact of building at higher densities would outweigh the benefits of doing so.

In some areas, housing need is consistently unmet as local authorities can be averse to building at higher densities. Where this is the case, local authorities should consider whether existing densities are adequate to meet housing need and what would be an appropriate increase in density so further development is not hindered.

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

The G15 recognises the contribution of the urban uplift in terms of productivity, regeneration and sustainable transport habits. We support the urban uplift in all towns and urban areas.

16. Do you agree with the proposed 4-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?

The G15 does not support this proposal. We urge the Government to continue with the current five-year land supply requirements.

17. 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?

The G15 does not support this proposal.

The current permission under the Housing Delivery Test is an important measure of housing need within localities. We are concerned the proposed changes may lead to fewer new affordable homes being delivered.

We are not confident that the proposed changes will adequately measure the extent of local housing needs nor lead to a quicker build out.

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



Consequences should follow as normal from the 2022 test until any changes are implemented. With reference to Paragraph 77 of the new Framework, we also ask that the Government clarifies why the threshold has been set at 75% and not a higher percentage.

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?

The G15 supports this proposal. Any provisions under the new Framework aimed at tackling the shortage of social homes is welcome.

Analysis from the National Housing Federation (NHF) shows that 8.5m people in England have some form of unmet housing need with social renting the most appropriate tenure for almost half of these. This comes at the same time as analysis shows that 165,000 social homes have been lost over the last decade despite 1.2m people on social housing waiting lists according to Shelter. We propose the following steps to boost the provision of social and affordable housing and help to tackle these challenges:

- setting tenure-specific targets through the standard method
- stipulating that a set percentage of homes for social rent is delivered in major developments
- placing greater emphasis on local authorities to assess and cater for the size, type and tenure of housing required in their communities
- provide greater levels of social homes in lieu of First Homes or other tenures to support providers delivering 100% affordable schemes
- local authorities should allocate suitable sites for affordable housing through the disposal of surplus public sector land

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

We support this proposal. Through increasing options available to those in later life, many more older people will be helped to find suitable housing through downsizing whilst freeing up larger, existing properties for younger families.

The G15 is calling on the Government to work with local authorities and the housing sector to incentivise the development of older people's housing alongside changes to the Framework.

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)?



In London, the G15 has found that small sites are a vital component of development and must be retained. Small sites will account for 23% of development as part of the London Plan 10-year target, demonstrating the importance of these sites in delivering the homes the capital's communities need⁵.

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?

The new Framework could work to deliver the recommendation of the Lambeth Kerslake Review of a more unified approach to small sites involving partnership working between different local authorities and providers⁶.

Additionally, the current Framework requires local authorities to deliver 10% of their housing requirements on small and medium size sites. This percentage could be increased to encourage the delivery of more small-scale sites combined with a mandatory requirement for local authorities to bring small sites forward.

The G15 is also calling for a mandatory requirement to be placed on Neighbourhood Planning Groups to allocate small and medium sized sites to help to deliver a variety of housing and support for local business.

Furthermore, the presumption in favour of development could be retained for small and medium size sites in urban areas with Section 106 contributions also reduced.

Planning applications for small sites suffer disproportionately long determination timescales, validation requirements and design scrutiny when compared to major applications. The viability of bringing small sites forwards is challenging, especially since they are mostly delivered by SME's.

The G15 run Build London Partnership developments are often delivered with significant levels of, if not wholly, affordable housing. Small sites make a valuable contribution to meeting affordable housing need however the challenges associated with obtaining planning permission can be very disincentivising for SME's.

⁵ [Event Takeaway - Housing on Small Sites.pdf \(urbandesignlondon.com\)](#)

⁶ Kerslake Review of Affordable Housing in Lambeth. Nov 2022: [Kerslake review of affordable housing in Lambeth](#)



The G15 support an amendment to the small sites policy to create a fast-track route for applications on small sites that meet or exceed affordable housing requirements. On such applications, the affordable housing provision should tilt the planning balance in favour of development provided there are no significant adverse impacts of granting permission.

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?

We support this proposal. The current definition of ‘affordable housing for rent’ already offers a precedent for non-RP landlords – homes included as part of Build to Rent schemes “need not be a registered provider”.

A similar provision could also be applied to community-led developers and almshouses.

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?

For this policy to be strengthened, clear definitions of “community-led”, “community groups” and “community-led developments” are required. The presumption in favour of development could then be retained for community-led projects regardless of five-year land supply position/number of permissions approved in the locality, etc. Setting a requirement for community groups to partner with providers from the outset will help ensure the delivery of affordable housing in a timely manner.

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

Whilst we support the principle behind this proposal, the G15 is calling on the Government to clearly define “past behaviour” with regards to what may affect the status of their applications.

The new Framework should also consider how the “deemed discharge” process can be strengthened in order to give providers greater certainty with regards to the timescale for issue decisions and when development can commence. Often, delays are as a result of third party issues and are outside the provider’s control.



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

This will depend on how “past behaviour” is defined under the new Framework.

32. Do you agree that the 3 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?

Proposal One: there should be some flexibility to account for exceptional circumstances outside of developers’ control. For instance, recent building delays caused by the pandemic or where local authorities have failed to determine discharge of conditions or planning obligations in good time. We are seeking clarity on the following:

- Will and under what circumstances will the data be collected on developers be made public?
- What data will be collected and how often?

Proposal Three: the new Framework should consider the needs to go into how to avoid penalising those developers bringing forward more complex sites where slow delivery rates may be unavoidable. It is important the emphasis on accelerating build out rates does not undermine the drive for a greater proportion of brownfield development. We are seeking clarity on the following:

- How is slow delivery rate measured and calculated (i.e. based on term of planning permission)?
- Will slow delivery rate take into account the difficulty of delivering on challenging sites (brownfield, contaminated, complex infrastructure etc)? Developers often run into problems on these sites
- What is meant by 'certain circumstances'? Will changing market conditions be taken into account or the need to make planning amendments?
- How will “slow delivery rate” be determined?

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?

The G15 support his proposal though we do emphasise the need to clarify that the primary means of assessing beauty and placemaking will be through the preparation of local design codes in line with the National Model Design Code.



However, expectations need to be clearly defined so developers can anticipate local authorities' design requirements. Design codes need input from developers and must not be used to hinder new developments.

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?

Beauty is a subjective concept. As stated in our previous answer, expectations need to be clearly defined so developers can anticipate local authorities' design requirements.

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

External materials are usually set out in detail in planning applications with supporting visualisations to communicate the design vision and aspiration of the development. External materials are already normally conditioned to ensure the built form meets the aspiration set out.

While there is no reason not to require a condition on external appearance, it may be more effective to ensure that the level of detail provided in the application is sufficient to give assurance of quality.

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?

Yes, we support this proposal.

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?

Clear guidance on acceptable nature interventions, including other interventions that are deemed have no or little value, should be provided. This will help to inform the early stages of design process.

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?

A carbon impact matrix is likely to be an appropriate way to cover all types of planning decision. The GLA has required whole life carbon (WLC) assessments for a number of years. The data they have collected on design-stage data on new buildings could be analysed and used to inform a new methodology for embodied or WLC targets.

Embodied carbon and WLC standards and expertise in the UK construction industry lags 20 or 30 years behind that of operational carbon and energy efficiency. The Government should focus on creating a robust, transparent and fair methodology and incrementally increase the standards over time.

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

Setting any future requirements on overheating adaptation should focus on passive measures. Any requirements should not lead or allow people to install air-conditioning as an easy/default solution.

This could include setting maximum allowable energy for active cooling, maximum limits for solar gain, or minimum passive design measures that need to be met regardless of whether or not air-conditioning is provided.

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, planning policy currently limits application of key retrofit measures including external wall insulation (EWI), solar PV, Air Source Heat Pumps and window replacements. Giving greater weight to the importance of energy efficiency through building adaptation would greatly help housing association's mission to upgrade all homes to EPC Band C by 2030.

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

Though we support the concept of a more predictable planning system, the G15 shares the concerns expressed by the GLA that National Development Management



Policies (NDMP) as currently proposed being precedent over local plans where conflict arises⁷.

The Government must also clarify how the role of regional planning will be affected by these proposals and the role of NDMPs within the London Plan.

It's also important that local control isn't lost. Any loss of local control would be contrary to the broad aim of the current set of amendments.

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

To ensure local control is not lost in certain situations, we propose that NDMPs only apply within designated parts of the local area. For example, if national policies for town centre uses are introduced, it may be appropriate that they only apply where the local authority has a designated town centre boundary.

53. What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?

More work needs to be done to ensure the new Framework can deliver on its aims, particularly around delivering affordable homes.

We support the continuation of Section 106 and have significant concerns with regards to the proposed Infrastructure Levy. The G15 is extremely concerned that the proposed Infrastructure Levy will not raise the adequate resources required to meet the current affordable and social housing needs of the UK and lead to a reduction in the number of new homes delivered.

G15 members stand ready to support government in determining whether replacing the system is more desirable than improving it, and - if replacing it is pursued - to work with government in finding the best way.

It will be difficult to fix a single rate which will both deliver enough revenue and keep schemes viable. Many current use values - especially in the areas of highest demand like London - would be unable to change to housing if faced with a levy based on GDV.

There are fundamental problems with the occupation of the development being the point at which the levy is calculated. This will deliver less certainty for councils over

⁷ London Assembly, The Future of Planning in London. Jan 2023:
<https://www.london.gov.uk/sites/default/files/2023-01/Future%20of%20planning%20reforms.pdf>



what their take will be, which will in turn make it riskier to borrow from in order to fund infrastructure. It will also make on-site affordable homes completely absent from the new system, as by the time homes are occupied, they won't be able to be used to house households in need.

We would like a better alternative to the current system, which can cause huge delays, and can see affordable housing contributions argued down considerably over the development process. However, it is critical that any reform to Section 106, which is the more significant of the two current ways to capture land value, has the delivery of the affordable homes at its core.

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?

We agree that the Government could go further. Reducing certain Section 106 contributions and blanket relief from the Community Infrastructure Levy (CIL) on brownfield sites in certain locations could enhance development provided that measures are in place to account for any shortfall in funding for social and affordable housing. Any changes must also take account of the fact that there is not enough brownfield land to support development to meet housing need.

It is also unknown how much the proposed Infrastructure Levy will raise. Any reduction in Section 106 contributions will require an equivalent under the new Framework.

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?

Yes, it is important that all changes are in place in the shortest time possible to ensure stability and certainty. Further guidance for developers on this will be useful to inform our schemes at the early stages of design.

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.

Social and affordable housing providers provide homes for many vulnerable people in our society, with many also having protected characteristics.



There are many more vulnerable people currently unable to access social housing. Any changes to the planning system must take account of this fact and ensure that these changes do not have a detrimental impact on supply and therefore the needs of some of society's most vulnerable people.



Conclusion

As stated throughout our evidence, the G15 is extremely concerned that the proposed changes to the National Planning Policy Framework will have a detrimental impact on the delivery of new social and affordable housing.

The removal of the requirement for local authorities with an up-to-date local plan to demonstrate the availability of five-year land supply risks damaging confidence across the sector if sites for new homes are not identified well in advance of development.

This measure, coupled with the removal of housing targets from the wider legislation, will lead to a reduction in the number of new and affordable homes being built and exacerbate the UK's housing crisis.

It is vital that the Government listens to the concerns of the G15 and the wider housing sector; ensuring that changes to the Framework help to enable developers to continue to plan for the long-term and provides security for the sector to deliver the social and affordable housing our communities need.