



Department for Levelling Up,  
Housing & Communities

**Lee Rowley MP**

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Clive Betts MP  
Chair, Levelling Up, Housing and Communities  
Committee  
House of Commons  
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9 April 2024

Dear Clive,

Thank you for your letter of 25 March in relation to the Government's Long Term Plan for Housing, and the recent consultation on strengthening planning policy for brownfield development.

To make sure that we maximise the potential of brownfield sites, we consulted on a package of planning policy interventions to reinforce further our strong support for brownfield development and to enable better development on previously developed land where this would support the supply of new homes. These proposals have been informed by both the London Plan Review and responses received as part of previous consultations.

In particular, we consulted on proposed changes to national policy that would expect local planning authorities, when determining planning applications, to give significant weight to the benefits of delivering as many homes as possible, and to be flexible in applying policies or guidance on the internal layout of developments especially for proposals on brownfield land.

We also consulted on changes to the way the Housing Delivery Test operates in the 20 towns and cities subject to the cities and urban centres uplift in the standard method. This would introduce an additional presumption trigger where their Housing Delivery Test score falls below 95%. In these circumstances the presumption in favour of sustainable development would apply to applications on previously developed land. This would help bring forward much needed new homes in our largest cities.

We also sought views on whether any changes are required to the unit threshold at which a residential planning application is referable to the Mayor of London, which is currently set at 150 homes or more.

You asked for clarification on a number of issues related to the consultation:

**Has your Department conducted an impact assessment (or conducted any similar analysis) of your proposed 'brownfield presumption' policy? Will you publish this?**

The Government's proposed changes have been subject to a full public consultation that ran from 13 February to 26 March 2024. The consultation responses received are currently being considered. In making policy decisions, the Government will continue to consider effects of the changes, including equalities impacts, alongside the representations made on the potential effects of the proposals.

**Could you provide a complete list of local authorities to which the proposed brownfield presumption policy will apply? / How many of the local authorities to which the proposed brownfield presumption policy will apply are underperforming in terms of housing delivery?**

The consultation outlines our proposals to apply a brownfield presumption to the local authorities who are subject to the cities and urban centres uplift and score less than 95% according to the Housing Delivery Test. Paragraph 79 of the National Planning Policy Framework states that where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, policy consequences apply.

The Housing Delivery Test currently applies a sequential approach with authorities scoring below 95% having to produce an action plan, below 85% having to apply a buffer and below 75% being subject to the presumption.

The cities and urban centres uplift is explained in Planning Practice Guidance. In summary, the uplift is based on the 20 most populous cities and urban centres in England. If a local authority is based in one of the top 20 most populated cities or urban centres, and they contain the largest proportion of population in that city or urban centre, the uplift is applied to that local authority area. The cities and urban centres list is devised by ranking the Office for National Statistics list of Major Towns and Cities by population size. However, for London, the uplift is applied to all the local planning authorities in the Spatial Development Strategy area. This means that London Boroughs and Development Corporations in London are scored individually and subject to individual policy consequences. Annex 1 sets out those uplift local authorities alongside their Housing Delivery Test 2022 measurement.

The consultation proposes these changes take effect from the publication of the 2023 Housing Delivery Test results, which will be published in due course, and will identify the authorities to which the proposed brownfield presumption will apply.

**What evidence has your Department considered in identifying the local authorities to which the proposed brownfield presumption policy will apply?**

The Secretary of State commissioned a review of the London Plan, to identify changes to policy that could speed up the delivery of much needed homes in the capital. The review was led by Christopher Katkowski KC, with Cllr James Jamieson, Paul Monaghan and Dr Wei Yang. The singular recommendation from this review was a presumption in favour of brownfield development – specifically for authorities who have under delivered against their London Plan housing requirement, to ensure more homes are delivered where they are needed. The [London Plan Review](#) was published on the 13 February 2024.

The Government intends to act on the spirit of the recommendation made in the London Plan Review – but believes it is important to identify and tackle under delivery both in London, and also in our other major towns and cities, given the role they play in creating jobs and driving growth across the country, and our wider commitment to Levelling Up.

National planning policy sets out the importance of making effective and efficient use of land, and of using suitable brownfield land within our settlements for homes and other identified needs. Our largest towns and cities provide the best opportunities to locate homes in sustainable urban locations where development can help to reduce the need to travel, utilise existing infrastructure and allow people to live close to employment opportunities and important services. Development in our larger urban areas will also contribute to productivity, regeneration and levelling up, whilst making the most of brownfield land.

**Following representations from stakeholders across the sector, how will your Department ensure the expansion of permitted development rights does not impact housing quality?**

Permitted development rights (PDRs) make an important contribution to housing delivery by making better use of existing buildings and avoiding the need to develop on greenfield land. In the eight years to March 2023, PDRs have delivered just under 104,000 homes to rent or buy.

We listened to concerns that were raised about the quality of some homes delivered under PDRs, and have already introduced changes to ensure that all new homes delivered through PDRs meet the nationally described space standards and provide adequate natural light in habitable rooms. All new homes are also required to meet building regulations, including in relation to energy efficiency. More generally, the Government is of course taking a range of action to improve the quality of homes including in the social and private rented sectors.

In addition, through the Levelling Up and Regeneration Act 2023, we introduced a duty for all local councils to produce a design code at the spatial scale of their authority area. Our recent consultation on changes to PDRs sought views on the application of local design codes to certain PDRs to provide local communities with more confidence that development delivered under a PDR aligns with the design expectations of the local area. The consultation closed 25 September 2023 and further announcements will be made in due course.

**Approximately how many additional homes do you expect the proposed policies in the Long Term Plan for Housing to deliver?**

The Conservative Party Manifesto in 2019 committed to build at least a million homes in this Parliament, and an ambition to deliver 300,000 homes a year. This has not changed.

The Secretary of State's written ministerial statement published 6 December 2022 also confirmed that the standard method for assessing local housing need would be retained.

The National Planning Policy Framework continues to expect local authorities, through their plans, to make sufficient provision for housing, and to identify the sites to deliver much-needed homes to meet the needs of their communities.

**When do you expect to respond to the consultation on Strengthening planning policy for brownfield development? / When do you expect to publish a revised National Planning Policy Framework to implement the changes proposed in the consultation on Strengthening planning policy for brownfield development?**

The consultation ran from 13 February to 26 March 2024 and we received around 300 responses. We are now carefully analysing the responses to the consultation, and we will publish our response to the consultation, and any subsequent changes to the National Planning Policy Framework, in due course.

I hope that the Committee finds this information helpful.

Yours ever,



**LEE ROWLEY MP**

Minister of State for Housing, Planning and Building Safety

## Annex 1 – HDT 2022 measurement

The below table includes those organisations who fall under the scope of the proposed brownfield presumption policy alongside their 2022 Housing Delivery Test score. Any score below 95% means that organisation is currently subject to policy consequences, as outlined above.

<b>Local Authority</b>	<b>HDT 2022 score</b>
Birmingham	148%
Bradford	67%
Brighton and Hove	130%
Bristol	88%
Coventry	260%
Derby	131%
Kingston upon Hull	195%
Leeds	134%
Leicester	77%
Liverpool	180%
Manchester	191%
Newcastle upon Tyne	158%
Nottingham	164%
Plymouth	121%
Reading	122%
Sheffield	121%
Southampton	75%
Stoke-on-Trent	144%
Wolverhampton	142%
Barking and Dagenham	62%
Barnet	107%
Bexley	91%
Brent	144%
Bromley	52%
Camden	69%
City of London	330%
Croydon	140%
Ealing	86%
Enfield	73%
Greenwich	74%
Hackney	77%
Hammersmith & Fulham	149%
Haringey	99%
Harrow	128%
Havering	55%
Hillingdon	132%
Hounslow	141%
Islington	103%
Kensington and Chelsea	53%
Kingston Upon Thames	60%
Lambeth	98%
Lewisham	51%

Merton	91%*
Newham	84%
Redbridge	50%
Richmond Upon Thames	91%
Southwark	66%
Sutton	123%
Tower Hamlets	103%
Waltham Forest	103%
Wandsworth	103%
Westminster	99%
London Legacy Development Corporation	98%
Old Oak and Park Royal Development Corporation	63%

\*Merton's 2022 result has been corrected post-publication. Please see: [Housing Delivery Test 2022 measurement correction \(merton.gov.uk\)](#).