



NEWS

Housing planning news, March 2018

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Headline news

£866 million to help unlock up to 200,000 new homes through 133 Marginal Viability Fund projects

In a House of Commons written statement made on 1 February, Housing Secretary Sajid Javid announced that 133 council-led projects across England are being awarded funding from the £5bn Housing Infrastructure Fund, to 'support local work that will make housing developments viable and get much-needed homes built quicker'.

The written statement – which was also made in the House of Lords - explains:

'This investment will fund key local infrastructure projects including new roads, cycle paths, flood defences and land remediation work where it is needed for new housing to be built. Without this financial support, these projects would struggle to go ahead or take years for work to begin, delaying the homes these communities need.'

[Written Ministerial Statement, 'Housing Infrastructure Fund', 1 February 2018](#)

[MHCLG, £866 million investment to help unlock potential 200,000 new homes](#)

[MHCLG, More details on the Housing Infrastructure Fund, the list of successful Marginal Viability Fund projects](#) and [map showing indicative project locations](#)

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Quote of the month



In so far as we turn increasingly to the rest of the world – as we are – then we will be able to do our own thing [...] We can simplify planning, and speed up public procurement, and perhaps we would then be faster in building the homes young people need; and we might decide that it was indeed absolutely necessary for every environmental impact assessment to monitor two life cycles of the snail and build special swimming pools for newts – not all of which they use – but it would at least be our decision.

Foreign Secretary Boris Johnson's Brexit speech, 14 February 2018

Local authorities can now dispose of land with planning permissions granted to themselves

The Town and Country Planning General (Amendment) (England) Regulations 2018 came into force on 23 February 2018. They arise from the Housing White Paper consultation on a proposal (question 5) to allow all local

authorities to dispose of land with the benefit of planning permissions they have granted themselves. The February 2018 Government response to this element of the White Paper consultation explains the 'considerable support' for the proposal, given for the following reasons:

- 'it would give local authorities greater flexibility, allowing them to take a more proactive approach to land assembly and to bring forward public sector land for development more quickly and efficiently
- it would allow local authorities to benefit from the uplift in land values arising for the grant of planning permission
- there was no good reason for the current difference in powers and the proposal will bring consistency'

The Explanatory Note in the amendment Regulations provides more detail on their effect.

MHCLG, Local authority development – effect of planning permission, Government response to consultation

Town and Country Planning General (Amendment) (England) Regulations 2018

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PPG updates - local plans and more

Several paragraphs of the national Planning Practice Guidance have been revised and other new ones have been added.

The updates and new paragraphs primarily reflect changes to legislation and provide points of clarification regarding: permitted development; local and neighbourhood plan-making and modification procedures; CIL reliefs; and planning application fees. They also cover: short term lets outside London; pre-application advice services, fee structures and outputs; application fee categories; when planning permission is required for listed buildings; and enforcement (with reference to procedures and deliberate concealment).

There is also updated guidance on building works associated with change of use from agricultural to residential, and whether or not planning permission is required for certain farm works.

The new CIL guidance is for the most part about self-build and residential extension exemptions.

Local plans' guidance has been revised to reflect Regulation 22(2) of the Town and Country Planning (Local Planning) (England) Regulations 2012 being revoked by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 on 15 January 2018. The changes relate to local planning authorities no longer as a matter of law having to submit local plans and accompanying documents both electronically and in paper form but the guidance does acknowledge:

'On an individual basis it may be necessary for local planning authorities to provide the Planning Inspectorate or Inspector both electronic and paper copies of some key documents on request.'

National Planning Practice Guidance

National Planning Practice Guidance, Paragraph: 021 Reference ID: I2-021-20180201

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PM chairs inaugural meeting of Housing Implementation Taskforce

On 5 February, Prime Minister Theresa May chaired the inaugural meeting of the Housing Implementation Taskforce.

The Taskforce were reported as having discussed:

'... the steps Government has already taken, including further investment at the Budget, planning reform, releasing land faster, the Housing White Paper and building more affordable housing. They emphasised the key role of Homes England in driving forward change, and also focused on the supply of new housing, public sector land sales, land banking, house-building skills and building the infrastructure needed for new housing developments.'

Prime Minister's Office, No. 10 PM chairs inaugural meeting of the Housing Implementation Taskforce

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MPs debate housing, planning and the Green Belt

On 6 February, during a debate in the House of Commons on housing, planning and the Green Belt, Housing and Planning Minister Dominic Raab implied that the Government is to look at clarifying national planning policy on Green Belt and housing. He commented when concluding the debate:

'The determination to build ever more houses has led to some councils being persuaded that they need to build on the Green Belt in order to meet what is assumed to be their assessed housing need. That points to a confusion and contradiction in Green Belt policy. The Government's planning guidance states that the Green Belt should not be developed other than in 'exceptional circumstances', yet it fails to describe what constitutes 'exceptional circumstances'. The housing White Paper goes on to say:

'Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements.'

However, crucially for the point I am making, planning guidance also says:

'Unmet housing need...is unlikely to outweigh the harm to the Green Belt and other harm to constitute the 'very special circumstances' justifying inappropriate development on a site within the Green Belt.'

Planning guidance is going around in circles, because in effect it says that the green belt should not be built on unless nowhere else can be found to build the houses, but that unmet housing need is unlikely to outweigh harm to the Green Belt in importance.'

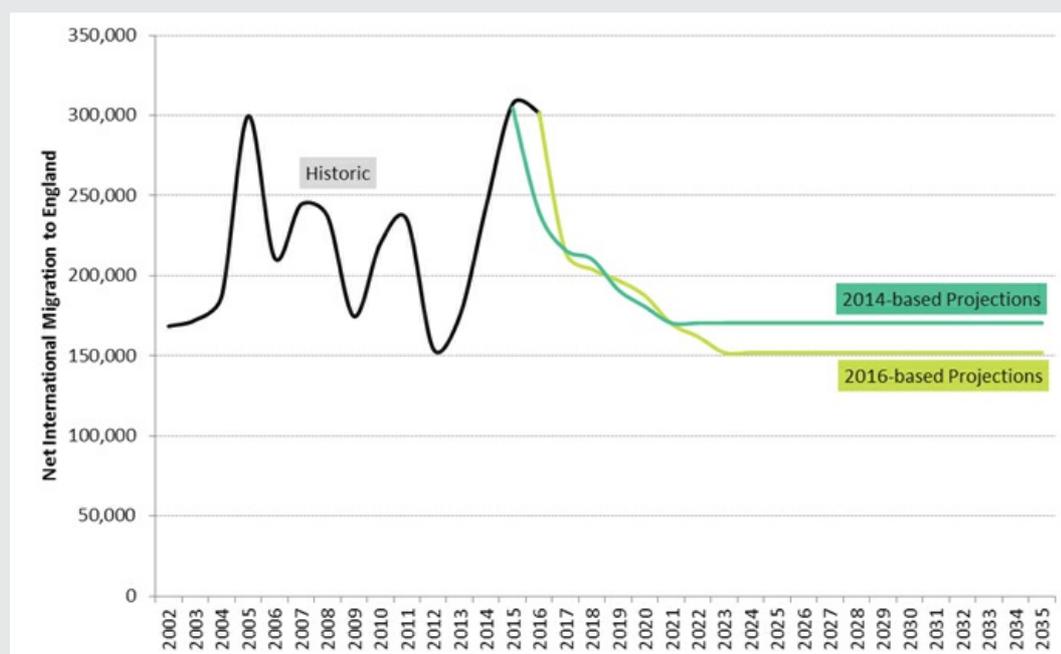
Also in concluding the debate, Minister for Housing Dominic Raab responded to various points about regional variations in demand and affordability made earlier by MPs. He stated:

'There is a broader point here about home building and the overriding need to carry local communities with us, whether rural, suburban or urban communities. That is why last week the Government announced the first wave of money being allocated from the homes infrastructure fund. Last week alone, we targeted £866 million of investment, or 133 local housing projects, from London to Manchester, Cornwall to County Durham, to unlock building capacity for up to 200,000 new homes. We recognise we need more homes, but we also know that communities worry about new developments [...]: what will it mean for congestion on the roads, and what will it mean for pressures on schools and local NHS services? There is certainly a link with pressures from immigration. Once we have left the EU, we will have greater scope and control over that to get the balance right.'

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Net internal migration in England and housing need: implications of current forecasts

Figure 1: Net internal migration to England



The most recent sub-national population projections and household projections available are based on 2014-based national population projections (NPPs) and not the 2016-based NPPs. 2016-based sub-national projections and household projections are only due in the summer this year.

The latest household projections (2014-based) project growth of around 210,000 households per annum over the next 25 years across England. Since the EU Referendum, there has been some debate over whether leaving the EU would lead to a reduction in housing need, primarily due to reduced levels of international migration. Lichfields has previously explored the possible impact of Brexit on housing need, by looking at the 2014-based household projections for England. We noted that they already took into account a significant drop in international migration (as shown in Figure 1), down from over 300,000 in 2015/16 to 170,000 by 2021. If net migration were to fall below this level (to ONS' lower estimate), DCLG estimated that it would only reduce projected household growth by 33,000 per year.

The most recent NPPs (2016-based) revise international migration projections downward slightly, to a long-term average of just over 150,000. However, it remains unlikely that migration will drop to the 'tens of thousands' previously envisaged by David Cameron – and it would clearly seem that Housing and Planning Minister Dominic Raab's comment on 'pressures from migration' are not currently well-founded.

[Lichfields' Planning Matters blog, 'The implications of Brexit on population projections and housing need'](#)

[Lichfields' flyer, 'The 2014-based Household Projections for England'](#)

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More draft NPPF revision details emerge

Small sites

It has been reported that MHCLG has confirmed that an autumn budget 2017 proposal, to require local authorities to ensure that 20% of their housing supply would be provided by small sites of under 0.5ha, will also be consulted on as part of the revision.

Upward extensions

On 5 February, Housing Secretary Sajid Javid made a House of Commons Written Ministerial Statement on 'upwards extensions: new homes', to the effect that ministers are to support upward extensions of existing houses or blocks of flats in cities nationally through changes to the NPPF, rather than new permitted development rights as previously consulted on for London. The Statement followed a MHCLG announcement the day before, that 'confirmed government backing to create a new generation of town houses in cities like London and Manchester to ease pressure on valuable open spaces and help growing families'.

In the House of Commons Statement, the Housing Secretary said:

'Planning policies and decisions should respond positively to suitable opportunities to use the airspace above existing residential and commercial premises for new homes. They should allow residential and commercial premises to extend upwards, where such extensions would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, are well-designed - including complying with any local design policies and standards - respect the privacy of neighbours and can maintain safe access and egress for occupiers.

The Government will be consulting on changes to the national planning policy framework, including changes to incorporate building up to ensure effective use of land for current and future homeowners. Appropriate guidance will be produced in due course.'

Written Ministerial Statement, 'Upwards extensions: new homes', 5 February 2018

MHCLG, Government ushers in a new generation of town houses

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The Lichfields perspective



While we wait for MHCLG's consultation on proposed revisions to the NPPF – currently expected to launch on 5 March – ministers and the Department have given various indications to the development sector of what the changes will include. As yet though, there are only very sketchy details of what the Government will be consulting on by way of CIL reform, and when. The uncertainty being created in the sector is palpable, especially when it is not known when and if the NPPF and CIL-related changes to national guidance in the PPG will be consulted on too, or simply published in the summer alongside the finalised Framework.

Margaret Baddeley, Planning Director

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