

# England planning news

OCTOBER 2017



© Dramstock / Alamy Stock Photo

## Headline news

### Party Conference round-up on planning

With the conference season now over - and both Houses returning on 9 October - it is easy to summarise how the planning focus of the three main parties continues to be on how they would go about providing more new homes, if remaining/ when in power.

Labour Leader Jeremy Corbyn set out what the Party would do, when it moves from being 'in the political mainstream' and 'on the threshold of power' to being elected. A Labour Government would use its proposed £250bn National Transformation Fund to coordinate and provide infrastructure and homes. The 'use it or lose it' principle would be introduced on undeveloped land held by developers. Alongside benefitting (and protecting the interests of) existing residents in estate regeneration projects, a review of social housing would be undertaken.

In response and for the Conservatives, Communities Secretary Sajid Javid and the Prime Minister could not have been clearer in accepting that the Party's 'failure on housing' was putting Jeremy Corbyn within reach of Downing Street. Theresa May added how the Government has listened and learned from the election result - recognising the need to do more on housing. Her key announcement was on how councils and

housing associations would be encouraged to bid for £2bn additional investment in affordable housing that would allow homes to be built for social rent where 'need is greatest'. She also intends to dedicate her premiership

to fixing the problem of people not getting onto the housing ladder, including 'reigniting' home ownership.

The tone of the Housing White Paper could also be detected in Mrs May's speech; she said how the Government would ensure that land is available for homes and in return, housebuilders must 'build the homes our country needs'.

The Communities Secretary spoke less of planning and home ownership, and more of measures that are to be brought forward for the private rented sector, mainly to protect tenants. He made only passing reference to progress that has been made on boosting housing supply (higher numbers of completions and residential planning permissions) and how the Government has been 'getting on with major reform' (via the Housing White Paper, the consultation on a local housing need standard methodology and the proposed Social Housing Green Paper). Lastly, Sir Vince Cable said that the Liberal Democrats would double the annual housing supply, councils would be allowed to build affordable homes, and new garden cities and villages would 'spring up' where housing demand exceeds supply.

## Law

### Secondary legislation

#### For a limited period only: light industrial to residential changes of use are permitted development

Between 1 October this year and 30 September 2020, planning permission may be granted via a new permitted development (PDR) to change the use of light industrial premises (Use Class B1(c)) to residential - ►►

## QUOTE OF THE MONTH



The legacy of Grenfell, the lessons that we learn, the changes that we make - none of that should be confined to fire safety. The legacy of Grenfell can and must be a whole new approach to the way this country thinks about social housing.

**Communities Secretary Sajid Javid, introducing a yet-to-be published new Green Paper on social housing.**

## THE LICHFIELDS PERSPECTIVE

Councils determining applications as to whether prior approval is required to change light industrial premises to new homes may often conclude that the industrial use of the building itself should be retained - and that any new homes will have an unacceptable adverse impact on the sustainability of industrial and warehousing left in the building, or in its vicinity.

**Jennie Baker, Associate Director**

LICHFIELDS

#### Disclaimer

This publication has been written in general terms and cannot be relied on to cover specific situations. We recommend that you obtain professional advice before acting or refraining from acting on any of the contents of this publication. Lichfields accepts no duty of care or liability for any loss occasioned to any person acting or refraining from acting as a result of any material in this publication. Lichfields is the trading name of Nathaniel Lichfield & Partners Limited, Registered in England, no.2778116. Registered office: 14 Regent's Wharf, All Saints Street, London N1 9RL © Nathaniel Lichfield & Partners Ltd 2017. All rights reserved.

## CONTACT US

**Margaret Baddeley**  
margaret.baddeley@lichfields.uk  
T: 020 7837 4477

**Jennie Baker**  
jennie.baker@lichfields.uk  
T: 020 7837 4477

**Giorgio Wetzl**  
giorgio.wetzl@lichfields.uk  
T: 020 7837 4477

a prior approval determination is still however required and the PDR is subject to a long list of limitations and a series of conditions that have to be met. Whilst the PDR is temporary, the planning permission would not be.

The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 making this temporary change came into force on 6 April last year, giving local planning authorities (LPAs) well over a year to make any Article 4 directions to prevent such changes of use being permitted development in their areas.

For more details and to help understand the potential implications of the new right, please see this Lichfields' blog and the up to date Use Classes Order guide that it refers to.

## Neighbourhood Planning Act 2017: compulsory purchase measures now in force

The Neighbourhood Planning Act 2017 (Commencement No. 2) Regulations 2017 were made on 21 September and came into force the next day.

The measures are intended to simplify and speed up the compulsory purchase process; the Regulations bring into force various provisions of the Neighbourhood Planning Act 2017 relating to compulsory purchase, including:

- amending the definition of 'acquiring authority' in s172 of the Housing and Planning Act 2016 ('right to enter and survey land in connection with proposal to acquire land etc.' – a new and simple surveying power), to clarify its meaning in this context. According to commentators, it can now apply to compulsory acquisition under the Planning Act 2008 i.e. for nationally significant infrastructure projects;

- setting out how compensation for land taken by compulsory purchase is assessed, in accordance with the no-scheme principle set out in the new s6A in the Act;

- bringing into force s33 which repeals Part 4 of the 1961 Act and related provisions so that a claimant is no longer entitled to claim additional compensation where, within 10 years of the completion of the compulsory purchase by the acquiring authority, a planning decision is

made granting permission for additional development on the land;

- bringing into force s34 (amending s15 of the Acquisition of Land Act 1981 by introducing a 6 week statutory time limit for issue of the confirmation notices, unless a longer period is agreed in writing between the acquiring and the confirming authorities);

- bringing into force s36 of the Act which amends the Greater London Authority (GLA) Act 1999 to allow the GLA, a Mayoral Development Corporation, or Transport for London to acquire land authorised by a compulsory purchase order on behalf of the other for a joint project;

- transitional provisions; and
- a transitory provision relating to taking temporary possession.

Government guidance on compulsory purchase and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion has also been updated.

## In the courts

### Court of Appeal judges repeat advice on respecting planning judgements made by decision takers

In *Mansell v Tonbridge And Malling Borough Council* heard in the Court of Appeal, Michael Mansell's appeal against the dismissal of his application for judicial review was dismissed. The Court of Appeal had to consider whether in the Planning Court, the LPA's grant of a planning permission for four homes on land neighbouring Mr Mansell's should have been quashed. This would have had to be on the basis that the Council had been misdirected in applying the National Planning Policy Framework's (NPPF) 'presumption in favour of sustainable development' (which could now be considered in light of *Barwood Strategic Land II LLP v East Staffordshire Borough Council* – it has superseded previous judgments), and/ or in considering the landowner's fallback position (this being the PDR in Schedule 2, Part 3, Class Q of the GPDO, for the change of use of an agricultural building to residential).

In agreeing with Lord Justice Lindblom that the application should be

dismissed, the Chancellor of the High Court added 'a few words from a more general perspective'. In doing so, he repeated various established principles that should be followed in future cases:

1. planning decisions should be made by members of a Planning Committee advised by planning officers and in making their decisions, they 'must exercise their own planning judgment and the courts must give them space to undertake that process';
2. Appeals 'should not be mounted on the basis of a legalistic analysis of the different formulations adopted in a planning officer's report'- an appeal will only succeed, 'if there is some distinct and material defect in the report';
3. Planning Committee reports 'are not, and should not be, written for lawyers, but for councillors who are well-versed in local affairs and local factors. Planning committees approach such reports utilising that local knowledge and much common-sense. They should be allowed to make their judgments freely and fairly without undue interference by courts or judges who have picked apart the planning officer's advice on which they relied'; and
4. As in *East Staffordshire*, planning decision-makers have to exercise planning judgment as much when the presumption in favour of sustainable development is applicable as they do when it is not (here, it was not). Decision-makers must 'use their judgment to decide where the planning balance lies based on material considerations'. In other words, 'it is not for the court to second guess that planning judgment once it is exercised', unless it is based (see above) on 'a distinct and material defect in the report'.

## Policy

### New policy and guidance

#### Environmental impact assessment screening checklist

On 8 September, an updated version of the Environmental Impact Assessment ►►

(EIA) Screening Matrix that implements the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was published by the Planning Inspectorate.

## Draft policy and guidance

### New planning approach to speed up delivering homes

On 14 September, Communities Secretary Sajid Javid announced a consultation on the details of a new methodology to calculate local housing need, which would (on current figures) lead to an overall housing target of 266,000 homes per year in England.

The new suggested approach in 'Planning for the right homes in the right places' was first referred to earlier this year in the Housing White Paper, 'Fixing our broken housing market'. The aim is that it will help give a realistic picture of how many homes each local area needs now and in future years.

The consultation document also covers other Housing White Paper measures, including the latest on the expected 20% increase in planning fees (the necessary amendment regulations are to be brought forward 'at the earliest opportunity'). DCLG is also seeking views on the potential further 20% fee increase. The consultation mentions the fact that a draft revised National Planning Policy Framework (NPPF) will be published in 'early 2018', with the aim being to finalise it by the end of March, next year.

Lichfields has produced an 'Insight Focus' on the consultation; it provides a summary and commentary on the consultation document.

The consultation will close on 9 November 2017.

Referring to the new consultation in a Parliamentary written answer (given in advance and on 12 September), on when the written response to the Housing White Paper consultation will be published, Housing and Planning Minister Alok Sharma said:

'We are analysing responses to our consultation on the Housing White Paper and hope to publish our response shortly.

We will consult soon on a new standardised approach to assessing local housing need. We recognise

that this consultation will need to be read alongside our other White Paper proposals and do not expect to publish our response to the Housing White Paper consultation until the completion of this further consultation.'

### Streets for All: Historic England consultation

Historic England published 'Streets for All' on 28 September, for a consultation period closing on 9 November.

The draft practice guidance includes an overarching document, and others covering the key issues in all nine of England's regions, having been updated from 2004.

The draft overarching manual offers guidance on how to manage historic streets and public open places - the 'public realm' and has been designed for anyone involved in planning and implementing highways and other public realm works in sensitive historic locations. It sets out means to improve public spaces without harming their valued character, including specific recommendations for works to surfaces, street furniture, new equipment, traffic management infrastructure and environmental improvements. The national advice is supported by documents setting out key issues for the public realm identified in each of nine regions.

## Government policy

### Improving the design of housing and the Housing White Paper

New housing design was the subject of a Westminster Hall debate on 5 September.

Housing and Planning Minister Alok Sharma said the following, on the quality of design in new homes:

'Around the country, there have been some fantastic examples of good design in new house building and a number of colleagues have pointed to examples in their own constituencies. However, we can also all point to soulless developments that ultimately destroy the character of a local area. That is something we must change.

The Government have put in place a robust framework that promotes and

supports high-quality design. Both the NPPF and our planning guidance emphasise the importance of good design and provide advice on planning processes and tools, which local planning authorities can use to help achieve that aim. Over the months ahead, the Government will engage with the housing industry to showcase good practice and develop new policies that support that ambition, but we know we must do more.

The Housing White Paper contains proposals to improve the quality and character of new development. We want to strengthen the NPPF to introduce an expectation that local and neighbourhood plans in development plan documents should set out clear design expectations. That will provide greater certainty for applicants about what types of designs are acceptable in a local area.

We also want to use national planning policy to strengthen the importance of early, pre-application discussions, as a means to encourage more valued discussion of the design of new homes between communities, developers and local authorities. The Government also have a longer term ambition to support the development of digital platforms on design.

[...] I am having a set of discussions with developers; I also make the point to them about the need to improve quality and design.

[...] The Government will continue to work with industry, local communities, developers and all those with an interest in the quality of new homes to drive up standards and create the type of places that people want to live in. It is clear that Members and their constituents want that to happen, and I want that to happen too.'

On the subject of space standards, MP Tony Lloyd asked the Minister:

'May I press the Minister on this point? He said that the Government's intention is to review the national space standards. That is welcome, but the suspicion is that the review will reduce the standards rather than enforce them. Will part of the review be about making them obligatory across the length and breadth of the appropriate domain?'

In his reply, Alok Sharma was clear, stating how, '...we are not talking about a race to the bottom. We want new development to be well designed, but that does not mean that current space standards are sacrosanct'. ■

## New 'wide-ranging' Social Housing Green Paper

Speaking at the National Housing Federation (NHF) annual conference on 19 September, Communities Secretary Sajid Javid explained that the Government would be publishing a 'wide-ranging' Green Paper on social housing.

The following extracts from the Secretary of State's (SoS) speech highlight the issues that the Green Paper is proposing to cover, beginning with the Grenfell Tower fire and then significantly broadening out the issues that are raised directly by that disaster:

'In one of the richest, most privileged corners of the UK – the world, even – would a fire like this have happened in a privately owned block of luxury flats?

If you believe that the answer is no, even if you think it was simply less likely, then it's clear that we need a fundamental rethink of social housing in this country.

[...] Over the past few weeks the Housing Minister, Alok Sharma, has been meeting with social housing tenants right across the country. And from those conversations it's already clear that they want us to look again at the quality and safety of what's on offer. To look again at the way tenants are listened to and their concerns acted on. To look again at the number of homes being built.

[...] And that's exactly what this government is going to do.

Today I can announce that we will be bringing forward a green paper on social housing in England.

A wide-ranging, top-to-bottom review of the issues facing the sector, the green paper will be the most substantial report of its kind for a generation. It will kick off a nationwide conversation on social housing.

[...] It will also look at wider issues of place, community, and the local economy [...] How do we maximise the benefits for social housing for the local, regional and national economy as part of our Industrial Strategy?

[...] And the results will help everyone involved in the whole world of social housing: local and central government, housing associations, TMOs, and of course the tenants themselves, to make this country's social housing provision something the whole nation can be proud of.

[...] So it's not something we're going to rush. Yes, I do want to see it published as soon as possible. But what matters most is getting it right.'

Also on 19 September, Communities Secretary Sajid Javid wrote to residents directly affected by the Grenfell Tower fire, with an update on the actions being taken by the Government in response; the letter refers to how Housing and Planning Minister Alok Sharma intends to 'spend time speaking with people living in social housing across the country', starting with Lancaster West estate residents.

## Housing and Planning Minister calls for housebuilders to 'step up' on quality

On 14 September, Housing and Planning Minister Alok Sharma spoke on 'fixing the broken housing market' at the RESI conference in Wales.

His speech covered issues raised by the Grenfell Tower fire in the first instance but quickly moved on to tackling wider concerns, and how the Government and the industry needs to build more homes, and faster. He added how 'we' need to:

'[...] improve the quality and design of those homes. We need to change the public mind set towards new development. We need to make sure individuals who need help to buy a home, get that help. And that housing, whether to buy or rent, is more affordable. We need to support small and medium sized builders to access the market. We need to support small and medium sized builders to access the market.

And, we need to encourage innovation and choice, and make sure that the skilled workforce that we need is in place to build homes at the rate that we want.

Above all, I believe that everyone should feel a sense of fairness about the housing market. Whether they are home buyers, or they are renting. And whether they are in the private or social sector.

To coin a phrase: we need a housing market which works for everyone.'

Going on to repeat many of the same points that he made in the Westminster Hall debate on 5 September (see above), the Minister concluded with the following remark:

'As the Housing and Planning Minister, let me give you a categorical reassurance that I will not rest until we have not only turned the White Paper into action.

But gone further. Improving fairness, safety, standards and redress for all home owners and tenants.

And of course building more high quality homes.'

## Government establishes new action group promoting public parks

Parks and Green Spaces Minister Marcus Jones on 19 September 2017 launched a new Parks Action Group, aimed at helping England's public parks and green spaces meet the needs of communities both now and in the future.

The new Action Group includes horticulture, leisure, heritage and tourism experts and will be bringing forward proposals to address some of the issues faced by public parks and other green spaces across England.

To support the Group's activities, the Government is providing £500,000 in funding.

## Combined authorities and their mayors: update

### Chancellor meets Metro Mayors and visits key infrastructure in the North

On 4 September, Philip Hammond convened the Government's first meeting with all three Metro Mayors (Manchester Mayor Andy Burnham; Steve Rotherham, Mayor of the Liverpool City Region; and Tees Valley Mayor Ben Houchen) from the North of England, to discuss boosting growth across the Northern Powerhouse regions.

Manchester Mayor Andy Burnham has more recently been reported as wanting to use the emerging Greater Manchester Spatial Framework to promote development opportunities in town centres, leading on from responses to the initial consultation. His focus is reportedly to be on those town centres with the greatest regeneration potential; an announcement is expected on advancing this proposal in the coming weeks. ■

## West Midlands authorities set to agree plan to accelerate growth

At the beginning of September (on the 8th), the Board of the West Midlands Combined Authority (WMCA), chaired by West Midlands mayor Andy Street, considered a land delivery action plan. A series of interventions was put forward in the Plan, to speed up the supply of land. If agreed, it would commit all of

the planning authorities in the area to a set of principles for joint action intended to hasten the delivery of housing and employment space.

The action plan commits WMCA constituent and non-constituent members to 'meet the housing need in their area ... and through the duty to cooperate work across the West Midlands on a consensual basis'.

The outcome of the Board's consideration has not yet been reported.

## Neighbourhood planning update

### £22.8 million funding for neighbourhood planning

It was announced by DCLG on 20 September that 'communities across England' will benefit from £22.8 million to help develop neighbourhood plans, 'to give them a real say in the development of their area'.

The funding, which will amount to some £5.5 million per year until 2022, will provide communities with specialist support to help develop a neighbourhood plan.

DCLG refers to the Housing White Paper in the announcement, in the following terms and with reference to further neighbourhood plan-making legislative changes that are to be brought into force:

'The White Paper committed to continue to support neighbourhood planning groups so they can access essential support to allocate sites for housing and to plan for better designs in their area.

Following the Housing White Paper, a further raft of measures to improve neighbourhood planning will be implemented later this year, as the Neighbourhood Planning Act 2017 comes into effect. This includes new rules to speed up and strengthen the popular neighbourhood planning process by simplifying how plans can be revised as local circumstances change.'

## Other news

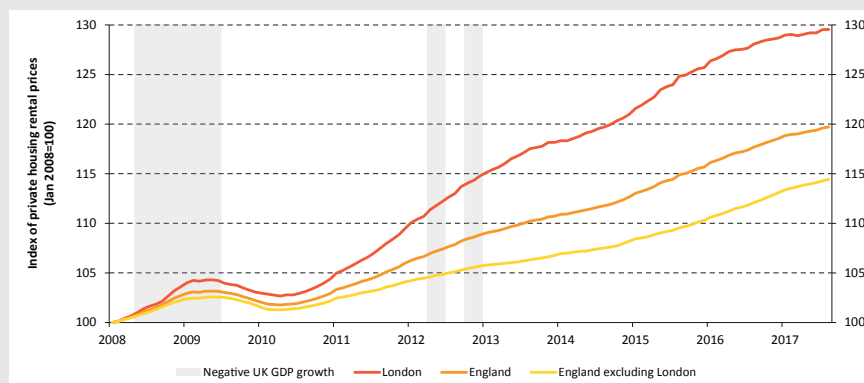
### Party conferences – the details

Here are the planning-related details from all three Party conferences, with 'the cast in order of appearance':

#### Liberal Democrats

On 19 September, Liberal Democrat Leader Vince Cable spoke (starting with the context of poverty, powerlessness and homelessness) at his Party's Bournemouth conference on the inequalities of the housing market. His solutions include: ►►

Figure 1 : Private housing rental prices : Private rents increased in the 12 months to August, 2017



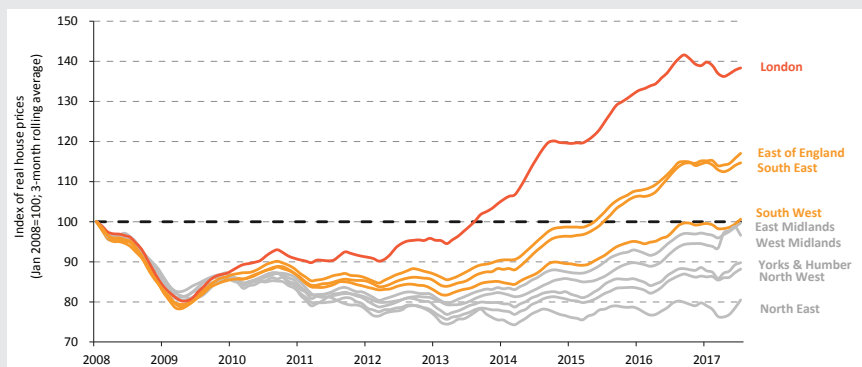
Source: ONS, Lichfields analysis

### Private rents increased in the 12 months to August, 2017.

Since January 2008: London = +29.6% England (excl. London) = +14.4% (see graph above).

Twitter

Figure 2 : Crossing the line



Source: ONS, Lichfields analysis

### Crossing the line

Real house prices are now above their pre-crash peak in London, the South East, the East and the South West of England (see graph below).

Twitter

- ending 'the stranglehold of oligarchs and speculators' – the imposition of 'fierce tax penalties on the acquisition of property for investment purposes, by overseas residents' and rural communities protected from 'the blight of absentee second home ownership';
- a 'doubling of annual housing supply to buy and rent';
- recapturing 'the pioneering spirit that in the mid-20th century brought about developments like Milton Keynes and the new towns' – a new generation of garden cities and garden villages that would 'spring up in places where demand presently outstrips supply';
- central Government being 'bold' and building 'more of the homes we need for the 21st century', with councils being allowed to borrow to build affordable council houses; and
- 'Government must take the lead...and get building. The housing crisis is at the heart of a growing and deeply corrosive inequality...between generations'.

None of the passed motions at the conference however related directly to planning or infrastructure.

### Labour

Corbyn's 27 September address stated the following planning and development-related intentions:

- A Labour government would 'take back our utilities into public ownership' (note that public ownership of utilities elsewhere in Europe is already on the increase);

Labour's £250bn National Transformation Fund (as referred to in this year's 'Funding Britain's Future' and the Labour Manifesto) would lead to 'building the homes people need and the new transport, energy and digital infrastructure our country needs';

'Sustainable growth and good jobs would reach all parts of the country' – regional development banks would be established, 'to invest in an industrial strategy for every region';

Action on climate change would be 'a powerful spur to investment in the green industries and jobs of the future' (providing that it is 'managed as part of a sustainable transition');

There would be investment in education and workforce skills, and in 'better infrastructure from energy to digital but we are going to ask big

business to pay a bit more tax';

On social housing, and because 'Grenfell is not just the result of bad political decisions... It stands for a failed and broken system which Labour must and will replace', a review of social housing policy is being launched (covering 'its building, planning, regulation and management'). A 'radical programme of action' will be put to next year's conference;

Rent controls would be introduced – it was not stated if they would be overall controls or just capping;

'Undeveloped land held by developers' would be taxed (the 'use it or lose it' principle), with the power to compulsorily purchase; and

There would be a 'simple principle' underlying estate regeneration schemes (instead of the term meaning 'forced gentrification and social cleansing, as private developers move in and tenants and leaseholders are moved out'). Regeneration under a Labour government would 'be for the benefit of the local people, not private developers, not property speculators'. Residents of an existing estate 'must get a home on the same site and the same terms as before' – a measure that would require gap funding in all probability for projects to remain viable. Councils would also have to win a ballot of existing tenants and leaseholders, before any redevelopment scheme could take place – an extension of voting when council housing is transferred to housing associations.

Comment: There are no clear indications of any fundamental planning policy or legislative changes that would come forward under a Labour Government, save for 'use it or lose it'. Corbyn highlights estate regeneration as one way of devolving accountability to local people, while at the same time making no reference to doing likewise for local authority housing and planning policies. This could be indirect evidence that he is a supporter of retaining neighbourhood planning, following the same strategy as the current Government in decentralising plan-making powers to the most local level.

### Conservatives

In his speech on the opening day of the Tory Party Conference (1 October), Communities Secretary Sajid Javid

confirmed the party line that the housing market is 'broken', saying that the Government has to accept the 'hard fact' that many people cannot afford to buy their own home, as they are 'priced out of the housing market'. According to Javid, this is the 'biggest barrier to social progress in our country today'. The focus of his speech was not however then on home ownership, despite the announcement ahead of the conference by Prime Minister Theresa May that there is to be a £10bn expansion of Help to Buy for a further 135,000 new buyers. Javid instead concentrated on proposed measures to improve the private rented sector, particularly from the tenant's standpoint.

He did speak of the planning system in passing, it having 'failed to plan for the number of homes we need'. He also rounded on 'those who will never accept development', saying that they have been given 'too much control'; he elaborated further, commenting that while some Tories see a huge housebuilding programme as the best way to win back support from younger voters who have turned to Labour, others (often in safer seats) 'remain keen to defend the Green Belt and listen to traditional Tory voters who say 'not in my back yard'.

Acknowledging that 'we still need to do much more' to boost the number of new homes, he insisted that the Government had been 'getting on with major reform'. He stressed how the Conservative Party had made progress on housebuilding and a record number of planning permissions being granted over the past year.

Referring to the current consultation on the Housing White Paper's proposals for a new, standard local housing need methodology, he rather prematurely said:

'We have introduced a new measure of housing which will finally see us start planning for as many homes as we need in the places that really need them.'

Also likely to be a reference to the Housing White Paper – and the CIL review (which the Government is due to respond to in next month's Autumn Budget) – Javid has been reported as recognising a need to be 'smarter' about capturing the land value uplift arising from the grant of planning approval.

The proposed Green Paper on social housing was only touched on by the ►►

Communities Secretary, in terms of it being a 'complete rethink' following the Grenfell Tower fire.

Prime Minister Theresa May continued some but not all of these themes in her speech on the closing day of the conference (4 October); she took responsibility for the outcome of the last election and added how the Government has listened and learned from the election result – the Government needs to do more on housing.

Her key announcement, for additional investment in affordable housing (confirmed in her speech as an extra £2bn, making the Government's total affordable housing budget to nearly £9bn to 2021) was released to the press beforehand. On the day, she said that councils and housing associations would be encouraged to bid for this funding, to 'allow homes to be built for social rent well below market level'; Party members were saying that nationally, it could fund an additional 25,000 such homes over the next five years, as confirmed by DCLG on 4th October too.

The Prime Minister spoke in strong terms, of creating 'a new generation of council houses to help fix our broken housing market', allowing 'homes to be built for social rent, well below market level' where 'need is greatest'.

Also reflecting the tone (and not just the name) of the Housing White Paper, Mrs May effectively told housebuilders that the Government would ensure that land is available for homes, and in return they must 'do their duty to Britain' and 'build the homes our country needs'.

The Prime Minister said she would 'take personal charge' of 'getting Government back into the business of building houses'; she also intends to dedicate her premiership to fixing the problem of getting people onto the housing ladder, including making 'the British dream a reality by reigniting home ownership in Britain once again'.

### **£2.5 million additional funding for garden towns**

Communities Secretary Sajid Javid used the Conservative Party Conference to publicise a DCLG announcement on new funding for garden towns that was made on the same day (3 October).

The new funding is intended to help

speed up the progress of nine locally-led garden town developments through additional, dedicated resources and expertise. The nine developments are: Bicester; Didcot; Basingstoke; Otterpool Park (Kent); Aylesbury; Taunton; Harlow-Gilston; and North Northamptonshire and North Essex Garden Communities.

### **Lack of data on small and medium-sized house builders acknowledged in House of Lords**

A Lords' written question on 14 September asked for the Government's assessment of the impact of 'the removal of the requirement for developers to provide a certain proportion of affordable housing in developments of ten homes or fewer on the number of small and medium-sized enterprise builders over the last two years'. After some two weeks, Lord Bourne of Aberystwyth replied (rather surprisingly, given how such enterprises are being promoted in Government house building policy):

'Government does not have data on the number of small and medium-sized builders over the last two years, but the National House Building Council estimated that the number of homes registered by small builders fell from 44,000 in 2007 to 16,000 in 2016.

Our Housing White Paper published in February this year recognised that small sites create particular opportunities for smaller developers, as well as custom developers, and set out a number of proposals for national policy changes so that local planning authorities have policies that support the development of small sites.'

### **Spend, spend, spend: DCLG and social media advertising**

At the beginning of July and in the House of Commons, the Communities Secretary was asked how much DCLG had spent on advertising on social media in each month since January 2016.

No written answer was given until 21 September, when Local Government Marcus Jones replied with a schedule that shows social media advertising spending totaling more than £400,000 in less than 18 months.

### **Secretary of State to be questioned on DCLG priorities**

It was announced on 19 September that on 11 October, the Communities and Local Government Committee will take evidence from Sajid Javid MP on DCLG priorities.

The Committee will question the SoS and his Ministers (Alok Sharma MP, Marcus Jones MP and Jake Berry MP) on the Department's work since the election, as well as its policy priorities in the new Parliament, including how the Government intends to proceed.

### **House of Commons Communities and Local Government Committee membership agreed**

On 13 September, it was announced that the House of Commons Communities and Local Government Committee's membership for the 2017 Parliament had been agreed by the House, confirming Clive Betts as Chair of the Committee.

The Transport Committee's membership has also been agreed.

### **Local plan adoptions marginally reduce extent of Green Belt**

On 7 September, DCLG published Green Belt statistics for England for 2016/17.

According to this latest statistical release, eight LPA adopted local plans in the period amended their authority's Green Belt boundaries; this resulted in an overall 790 hectare reduction in the total area of the Green Belt in England – a reduction of less than 0.05% in the 12-month period.

The extent of designated Green Belt in England as at 31 March this year was estimated at 1,634,700 hectares - about 13% of the total land area.

### **Government reports**

#### **England's economy boosted by heritage**

A new report, 'Heritage and the Economy 2017', was published by Historic England on 21 September. It summarises findings from studies on heritage and economic ►►

activity and also introduces new research, in the Heritage Economic Impact Indicator Workbook 2017 (accompanied by a technical report that explains its rationale and approach).

The report itself highlights 'the vital contribution that heritage makes to England's economic prosperity' – not just in relation to tourism, but in regeneration projects, in 'giving places a competitive advantage' (e.g. via 'place branding') and by providing buildings for 'economic production and activity'.

According to the report:

'Historic buildings provide perfect premises for the growing creative industries.'

The historic built environment is also referred to as 'an important component of the property market in England', with such buildings often making 'the buildings themselves and the areas in which they are situated highly sought after' – the conclusion being that 'the historic environment is an important factor for property developers'.

## 'Short' guide to DCLG

On 2 October, the National Audit Office (NAO) published 'A Short Guide to the Department for Communities and Local Government', one of a suite covering each government department and 'a selection of cross-government issues'. The guides are intended to assist House of Commons select committees and members of Parliament.

Of particular interest in this particular Guide is the NAO's comment (page 14) on the 'key trend' of housebuilding:

'House-building fell to its lowest level following the 2008 recession, and is beginning to show signs of picking up. It is unclear whether this is a spike, or whether the upward trend will continue.'

The number of households (a group of people requiring a separate home) forming each year has risen at a faster rate than homes built. Since 2011, the cumulative gap between the number of households formed and the number of homes built has increased by 370,000.'

Also of interest is how the Guide makes no reference to the key Acts that the Department has promoted i.e. the Housing and Planning Act 2016, and the Neighbourhood Planning Act 2017.

The NAO also expresses as a key theme from its NAO reports during the last Parliament how DCLG makes 'poor use of evidence'.

## Identification of industrial clusters

The Department for Business, Energy and Industrial Strategy published research on 22 September that used 'an innovative big data approach' to identifying clusters of businesses in three sectors (chosen to represent an emerging industry, an established service sector and a manufacturing sector with the presence of a formal cluster organisation). The three sectors were:

- digital health;
- financial services; and
- the processing industry.

The data was gathered by 'web scraping' (a technique used to extract and locally save large amounts of data from websites).

Qualitative case studies based on interviews with key stakeholders then covered three clusters identified by the quantitative analysis:

1. North East of England Process Industry Cluster (NEPIC);
2. Financial services cluster in Leeds City Region; and
3. Digital health cluster in Birmingham.

The study found that the largest urban areas were important agglomeration areas for all three sectors; London, Birmingham and Manchester were consistently identified as the largest sectoral agglomerations, although smaller urban areas had 'a different importance' across sectors.

It is also of note that the study identified the possible influence of sector-specific factors for digital-health:

'Oxford and Cambridge emerge as the only geographical areas where their relative concentration is at least two times the national average. No similar locations were identified for the remaining two sectors.'

## Communities Secretary report on compliance with statutory timetables for planning decisions 2014 to 2017

On 18 September, DCLG published a report to Parliament on the Department's performance in complying with the timetables set for planning decisions between 1 April 2014 to 31 March in 2015, 2016 and 2017. In the last year, 92 decisions (on called-in planning applications and planning appeals recovered by the SoS for his own determination) were issued by the Communities Secretary. Of these, 91 were subject to statutory timetables: 46 (51%) were determined within target and 45 cases (49%) missed the statutory date. The 'missed' rate of 49% compares to 54% and 52% in the preceding years

The reasons given for missing the statutory date in the last year are as follows:

'Of the 45 cases which did not meet their target, 36 raised unusually complex issues which required careful consideration; and 9 were delayed due to workload pressures.' ■