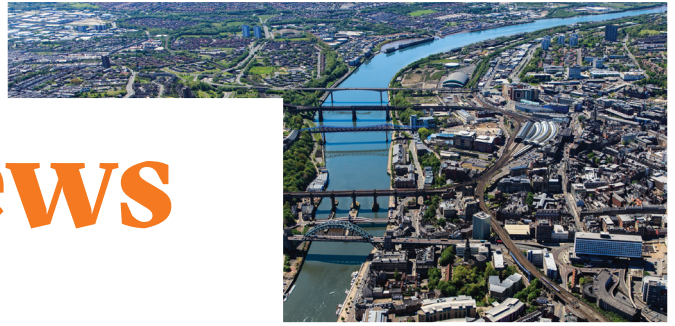


# England planning news

NOVEMBER 2017



## Headline news

### Prime Minister's discussion with stakeholders on how to increase housing supply

On 17 October, Prime Minister Theresa May met with a variety of stakeholders in the housebuilding industry, together with representatives of local government, to discuss 'achieving a step change in the delivery of new homes'.

Described afterwards by No.10 as 'a positive and collaborative meeting', the Prime Minister took the same approach as the *Housing White Paper* – one of explaining the Government's policy line and its range of actions intended to boost supply, and in return, the expectation of housebuilders playing their part and turning these proposals into reality.

Recent Government measures that were discussed included the additional funding for Help to Buy and the further £2 billion for affordable housing, both announced at the time of the Conservative Party Conference and reported in full in last month's *Lichfields' Planning News*.

## Law

### Draft legislation

#### 20% application fee rise and new fees for PDR prior approvals

After some delay and as referred to in the February 2017 *Housing White Paper*, draft amendment regulations providing for a 20% increase in planning application fees in England were laid before Parliament on 19 October.

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The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 will come into force once approved by resolution of both Houses of Parliament; the actual date will be 'on the 28th day after the day on which they are made'. The new rules are expected to be in force before the end of the year.

The amendment Regulations will introduce:

- a fee for applications for permission in principle (£402 for each 0.1 hectare of site area) – the necessary secondary legislation for being able to make such applications has not yet been laid/ made;
- Mayoral development corporations and urban development corporations being able to charge for giving pre-application advice;
- a planning application fee where there is an article 4 direction in force, withdrawing permitted development rights (PDRs) or where PDRs have been withdrawn by a planning permission condition; and
- a fee of £96 for prior approval processes for various PDRs that have been in force since April.

Paragraph 2.15 of the *Housing White Paper* outlined that this nationally set planning fee increase would be only for those local authorities that committed to investing the additional fee income in their planning departments. DCLG's Simon Gallagher wrote to council chief executives to this effect in February this year, requiring also 'that existing baseline and income assumptions' would 'not be adjusted down as a result during this Parliament'. According to a recently published *Government response* to a House of Commons DCLG Committee report (on the house building industry's capacity), 'all 366 local planning authorities (LPAs) have agreed to ring fence the additional income' (see page 11 of the *Response*). ■

## QUOTE OF THE MONTH



What I want to do is make sure that we're using everything that we have available to us to deal with this housing crisis. Where that means, for example, that we can sensibly borrow more to invest in the infrastructure that leads to more housing, take advantage of some of the record low interest rates that we have, I think we should be absolutely considering that.

Communities Secretary Sajid Javid, speaking on 22 October 2017

## THE LICHFIELDS PERSPECTIVE

Some may say better late than never, but it is right that the Prime Minister is finally taking up the mantle of leading on how Government is addressing the housing crisis. Importantly, she acknowledges that the solution is multifaceted, with no one stakeholder able to boost the supply of new homes significantly. It's also helpful that there is now an acceptance that borrowing will have to fund the infrastructure necessary to support the scale of housebuilding Government has committed to.

James Fennell, Chief Executive

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## Policy

### New policy and guidance

#### Advice on the adaptive reuse of traditional farm buildings

Historic England published an advice note on 20 October that is aimed at farm building owners, building professionals and local authority planning and conservation officers.

Advice Note 9 explains how 'significance' can be retained and enhanced in traditional farm buildings, through well-informed maintenance and sympathetic development and provided that repairs, design and implementation are carried out to a high standard.

#### DCLG guidance on using the brownfield land register template

New Government guidance was published on 10 October on how to use the brownfield land register template.

Local authorities are required to have their brownfield land registers in place by the end of the year; no clear indication has been published to date of progress in their preparation.

### Government policy

#### Ministers questioned on DCLG priorities

On 11 October, the House of Commons Communities and Local Government Committee took evidence from DCLG ministers on their departmental priorities.

The oral evidence report covers many topics, including: building regulations, the Grenfell Tower fire; the Social Housing Green Paper; and business rates retention.

Housing and Planning Minister Alok Sharma confirmed during the session that the intention is still that there will be a Government response to the CIL review at the time of the autumn budget.

#### Design and quality of new homes

A House of Commons' adjournment debate on house building on 16 October included a comment by Housing and Planning Minister Alok Sharma that 'just building more new homes is not good enough'.

He concluded the debate with the oft-repeated central Government message:

'[...] we need to improve the design quality of new build homes. The Government recognise that good design is an integral part of ensuring that we are building homes that people want to live in. We have put in place a robust framework that promotes and supports high-quality design. We want to create places, buildings and spaces that work well for everyone.'

#### Lords debates availability and affordability of housing

On 12 October, the House of Lords debated the impact of Government policies on the availability and affordability of housing.

The debate was proposed by Lord Smith of Leigh (Labour), chairman of the Greater Manchester Combined Authority.

In his concluding comments, Lord Young of Cookham spoke for the Government, stating:

'We want to see a new generation of council house building and housing association homes. The extra funding and rent certainty we have just announced will further support councils and housing associations in areas of acute affordability pressure, where working families are struggling with the costs of rent and some are at risk of homelessness. We will be looking to the sector to show that it can make the best possible use of its resources and make a substantial contribution to building the homes that all noble Lords want to see built.'

Lord Young also said that he would write subsequently to some of the Lords present; they had raised 'many very valid points'. He ended the debate with the following (also oft-repeated) statement:

'We have so much to do. Successive Governments have failed to provide the homes we need. Progress has been made,

but it is not enough. This Government are determined to work with every local authority, organisation and business with a role to play to ensure that we build more of the good-quality homes this country needs, and help more people to achieve their dream of home ownership and help more people into good-quality rented accommodation at a price they can afford. We are committed to deliver on our promise of 1 million homes by 2020 and a further half a million by 2022, and the action that I have set out in this debate shows how we propose to achieve it.'

## Other news

#### Communities Secretary declines to intervene prior to local plan adoption

In a letter dated 2 October, Communities Secretary Sajid Javid declined a backbench Tory MP's request to issue Maidstone Borough Council with a holding direction preventing adoption of its local plan.

In a separate statement issued the next day, the Council said that Javid had confirmed to them too that the local plan would not be issued with a holding direction.

It is of note that in his letter, the Communities Secretary tells the local MP:

'Wherever possible I want to allow local councils to take these important decisions without interference from central Government. Maidstone Borough Council have produced the plan and I believe it is important that they now take the final decision as to whether to adopt the plan or not. It is also right that the Planning Inspector should be responsible for the independent examination of local plans and for considering the representations made on these matters which were covered during the examination.'

I am determined to ensure we support local authorities in bringing forward plan-led development rather than allowing the speculative development which causes communities such concern.' ■

## **New Historic England listings: post-war schools**

According to Historic England, the best examples of post-war schools around the country have now been listed at Grade II by the Department for Digital, Culture, Media and Sport (DCMS) on their advice.

Twelve post-war schools have been added to Historic England's 50 previously listed schools built since 1945 that were granted Grade II status last year.

## **Devolution update**

### **Communities Secretary welcomes new homes as part of shared vision for Midlands Engine**

Communities Secretary Sajid Javid welcomed progress on 12 October on the delivery of 6,200 new homes on the old radio station site in Rugby.

The Minister was visiting the site, which is part of wider investment into the Midlands Engine – in total it is supporting the delivery of over 600,000 homes over the next 15 years in the region.

## **Government inquiries**

### **England's ageing population**

The House of Commons CLG Committee is currently undertaking an inquiry into housing for older people in England.

The first evidence session was held on 23 October, looking at issues including 'the housing options for older people, older people's housing preferences, and 'downsizing' or 'rightsizing' and the impact of this on the wider housing market'.

## **Government reports**

### **Capacity in the homebuilding industry: Government response to Select Committee report**

The House of Commons Communities and Local Government Committee conducted an inquiry into capacity in the homebuilding industry which concluded with the publication of a report in April this year.

The Government published its response to that Committee report on 11 October, relying heavily on the Housing White Paper and other well-publicised initiatives to accept/ comment on the Committee's recommendations.

## **House of Commons Library**

### **The retail industry: statistics and policy**

The House of Commons Library has published a briefing paper entitled, 'The retail industry: statistics and policy'. It considers key data on the retail sector in the UK. Government policy and pressures facing the industry are also discussed.

The 2011 Portas Review looking into the future of high streets is covered in considerable detail, with reference to the somewhat limited response of the Government to its recommendations that was issued a year later. ■