



DAC BEACHCROFT

# HBF PLANNING CONFERENCE

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# OUR PERSPECTIVE ON HOUSING DELIVERY

DACB's national exposure to the issues affecting homebuilders.

We see the legal, procedural and commercial perspectives – promotion, immediate and strategic land control, acquisition/draw-down, planning and delivery.

Collaboration with the University of Reading is an opportunity to harness our clients' experiences to identify the most relevant impacts on housing delivery and report back to the industry.

Solutions need the problems to be understood.



# RE-FRAMING THE ISSUE OF HOUSING DELAY

## The Letwin Review 2018

“The Review should seek to explain the significant gap between housing completions and the amount of land allocated or permissioned in areas of high housing demand, and make recommendations for closing it.

The Review should identify the principal causes of the gap, and identify **practical steps that could increase the speed of build out.**”

But the Review only looks at ‘large sites’ (1,500+ homes).

There are many other ‘practical steps’ on the critical path to housing completions.



# SYSTEMIC REASONS FOR DELAY

The impact of procedural inefficiency is universal

The 2008 Killian Pretty Review - A Faster and More Responsive System

Issue - not every planning permission will be delivered

- Section 96A and Section 73 are powerful tools (even if still applied inconsistently)



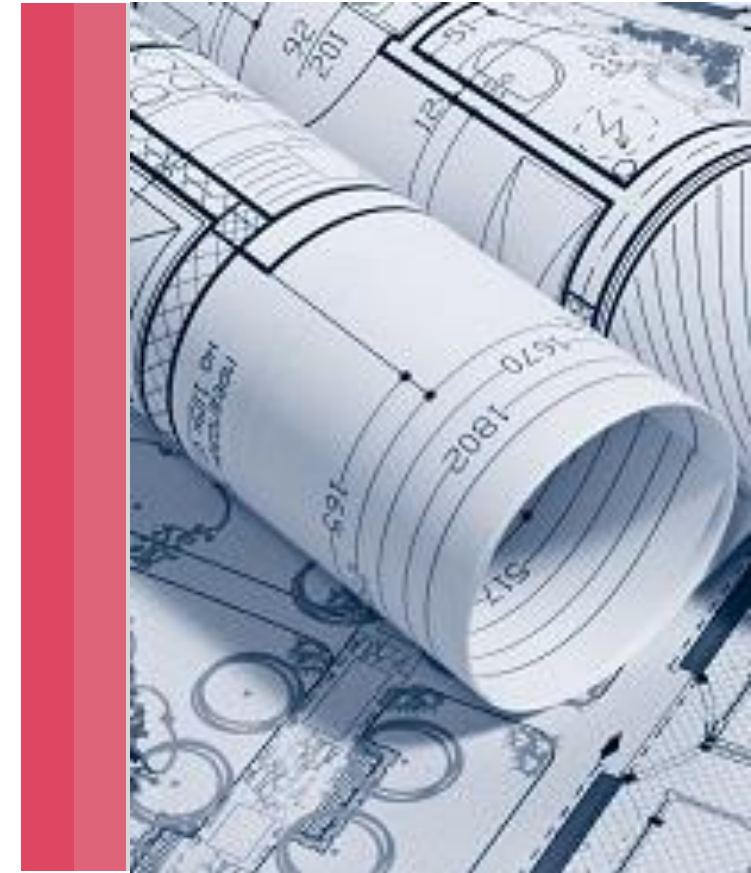
# EXAMPLE: THE VARIATION OF PLANNING OBLIGATIONS

The ever increasing scope and complexity of Section 106 agreements

Why change becomes necessary for delivery:

- Re-planning and programme
- Affordable Housing delivery
- Business models and commercial structures

Section 106A is simple but rigid and too slow to keep pace with homebuilders



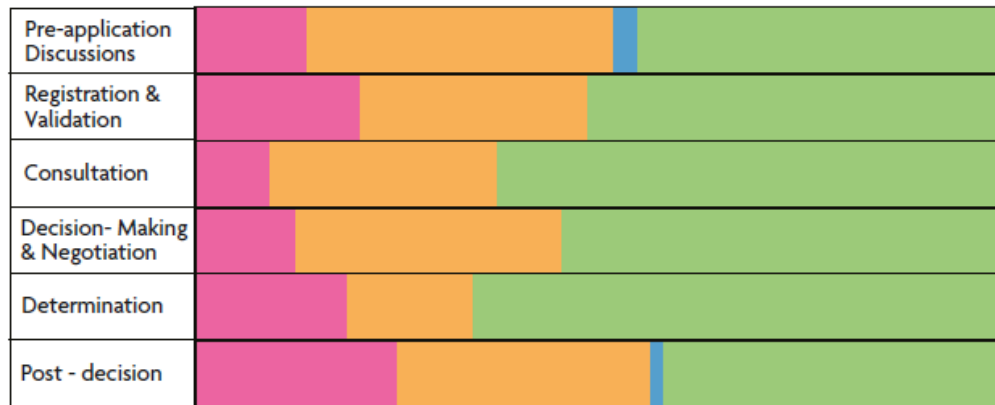
# PLANNING CONDITIONS

Remind ourselves that the Killian Pretty Review also identified the discharge of planning conditions as a '**particularly problematic**' stage in the process.

**The experience of 64 major sites demonstrated that relative to any other stage of the planning process the post-decision stage experienced the greatest proportion of problems:**

- 'substantial problems causing significant blockage or delay to an application, or exhibiting poor practice' (PINK)
- 'significant problems, delays or blockages' OR 'accumulation of several minor issues' (AMBER)

Figure 2: Summary of case study research<sup>5</sup>



The Killian Pretty Review  
Planning applications: A faster and more responsive system  
Final Report

# CONVERSATIONS WITH BUILDERS OVER PLANNING CONDITIONS

- On-line survey
- Limited number of respondents
- All senior managers with good knowledge of their firm's engagement with the English planning system
- Ranged from the largest to those producing less than 50 dwellings a year and covered all regions



# FINDINGS – NUMBER & IMPACT

- Many items in conditions should have already been agreed
- Most thought the number of conditions was growing
  - & often they were getting more difficult to meet
- Takes 6-18 months to discharge all of them for a site
  - though a fifth said less
- Most said that slow action on discharge by local authorities delayed housebuilding
- 4/5ths said conditions reduced their building rates below targets





# FINDINGS – POLICY

- Conditions varied notably between LAs solely for policy/political reasons
- Most generally supportive of government attempts to contain worst problems but sceptical of their impacts
  - viz.
    - Applicant's agreement to pre-commencement conditions in 2017 Neighbourhood Planning Act
    - Deemed discharged



# SHOULD CONDITIONS BE LIMITED OR ABOLISHED?

- Support for limits on number & greater consistency across LAs
- On abolition feelings were mixed
  - Way British planning happens
  - Worry that if LAs couldn't use conditions, they'd reject more applications outright



# FINAL THOUGHTS

- No easy answer
- Some of the issue down to inefficiencies & bad habits
- But much due to (often negative) attitudes to new building
- Classic problem of regulation
  - Tighten up somewhere, problems intensify elsewhere
    - 'Squeezing a balloon that never pops'
- Needs more investigation, monitoring & action from government
- But do we really need yet another 'kicked into the long grass' report?





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