

LICHFIELDS



Releasing the land we need

The challenge ahead for planning reform

Matthew Spry

12 May 2022

Agenda

- What is needed to drive the supply of land through planning?

The evidence on:

- Local Plans
- Balance of brownfield vs greenfield
- The flow of consents
- Government's reform proposals

Levelling-up and Regeneration Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Levelling Up, Housing & Communities, are published separately as Bill 6 —EN.

EUROPEAN CONVENTION ON HUMAN RIGHTS

Secretary Michael Gove has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the Levelling-up and Regeneration Bill are compatible with the Convention rights.

ENVIRONMENTAL STATEMENTS

Secretary Michael Gove has made the following statements under section 20(2)(a) and (3) of the Environment Act 2021.

In my view—

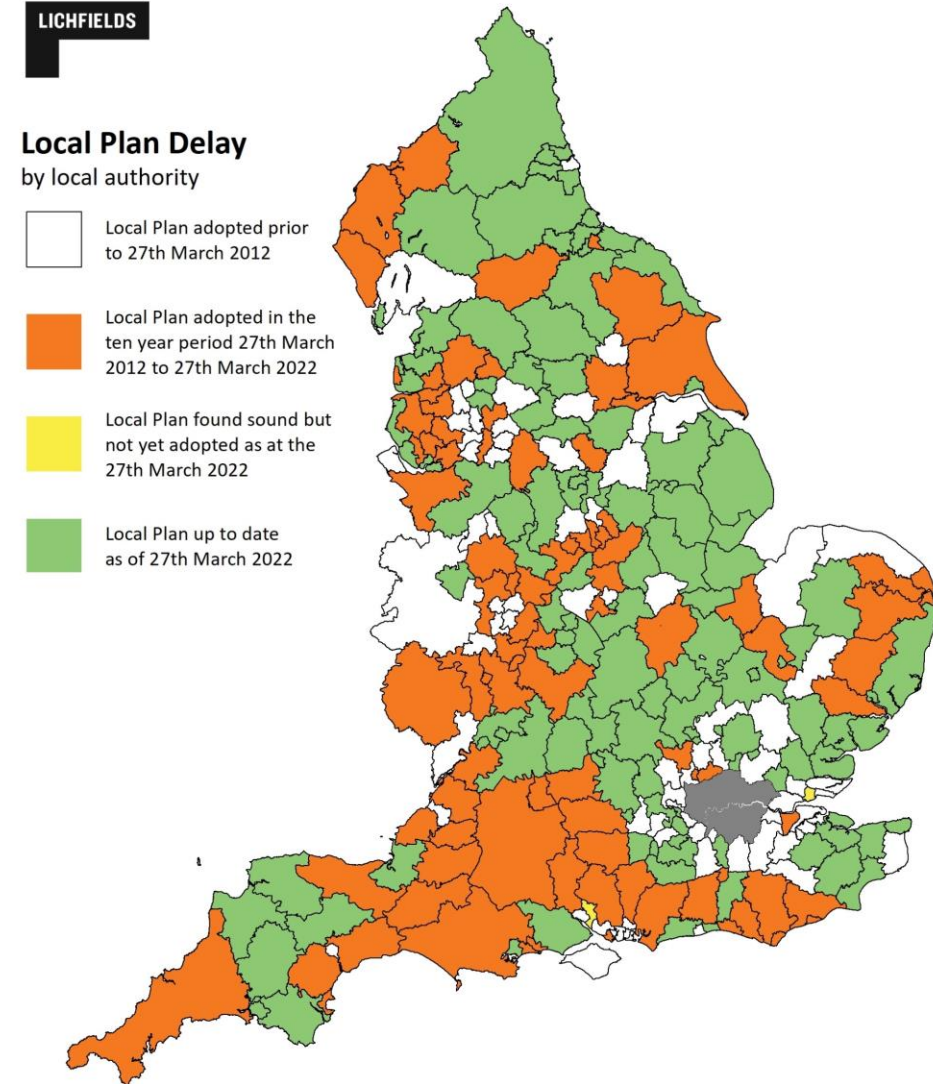
(a) the Levelling-up and Regeneration Bill contains provision which, if enacted, would be environmental law, and

(b) the Bill will not have the effect of reducing the level of environmental protection provided for by any existing environmental law.



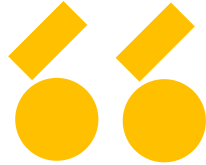
Current Local Plan system fails in more areas than it succeeds

- 76% of areas adopted a plan
- 70 did not prepare a plan
 - 74% are Green Belt areas
- Justy 42% are up to date
- 15 LAs targeted for intervention in 2017
 - Six still have no LP
- Up to 70,000 homes blocked in just eight stalled plans
 - 30,000 jobs



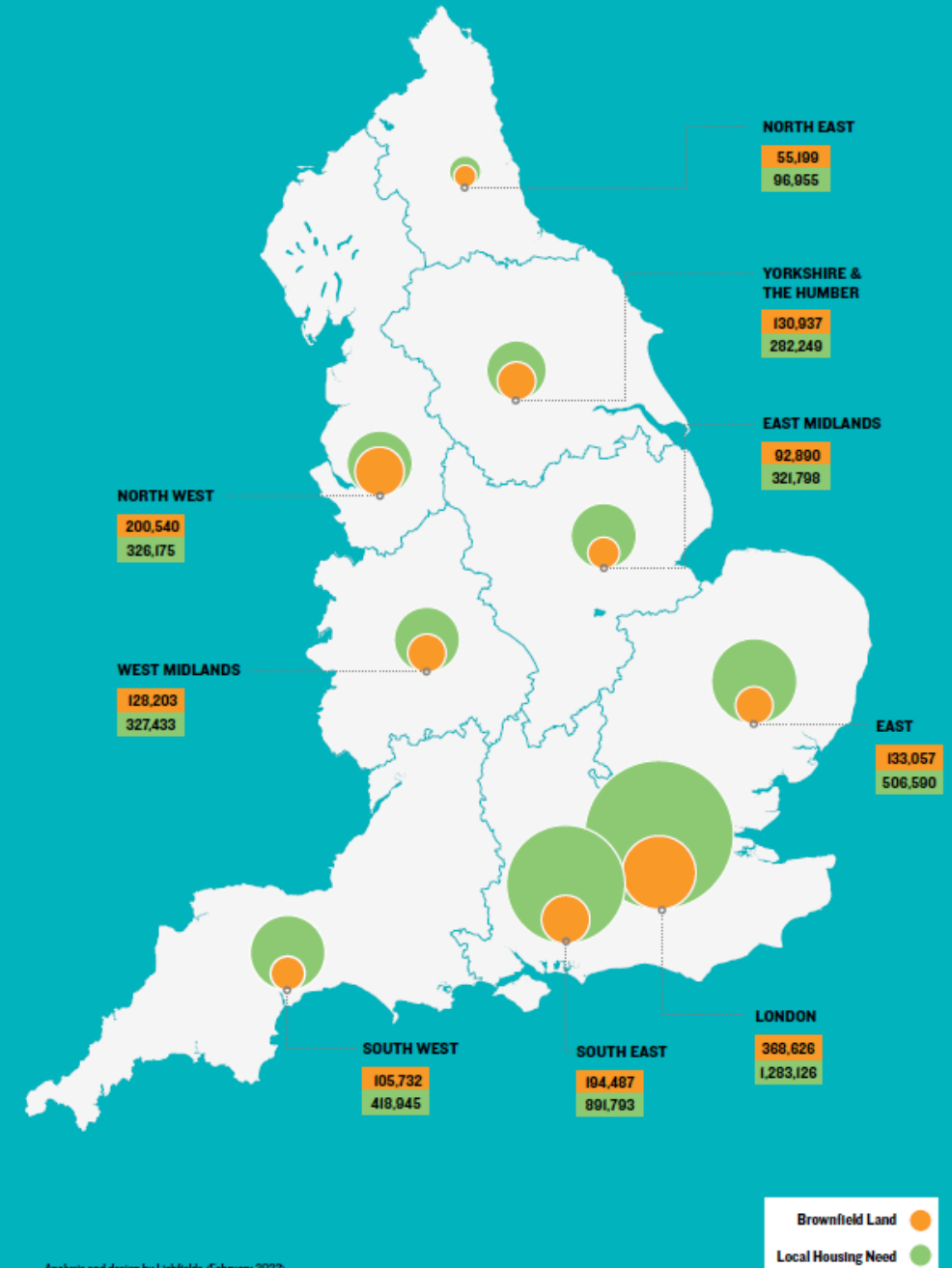


There's not enough brownfield land, in any region, to meet need



You can see how much room there is to build the homes that young families need in this country, not on green fields, not just jammed in the south-east, but beautiful homes on brownfield sites where homes make sense.

Prime Minister, 5th October 2021

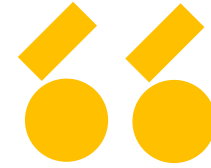




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The flow of consents: are developers holding back delivery of permissions?



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Over 1.1 million homes with planning permission waiting to be built - new LGA analysis

The LGA is calling for councils to be given powers in a Planning Bill in the Queen's Speech to incentivise developers to build housing more quickly.

Housing, planning and homelessness | 08 May 2021



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More news about Housing, planning and homelessness

[LGA statement on Queen's Speech: Renters Reform Bill/Social Housing Regulation Bill](#)
[Over 18,000 affordable houses lost in office-to-residential conversions](#)
[LGA responds to quarterly homelessness statistics](#)

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Councils should have powers to incentivise developers to build housing more quickly.

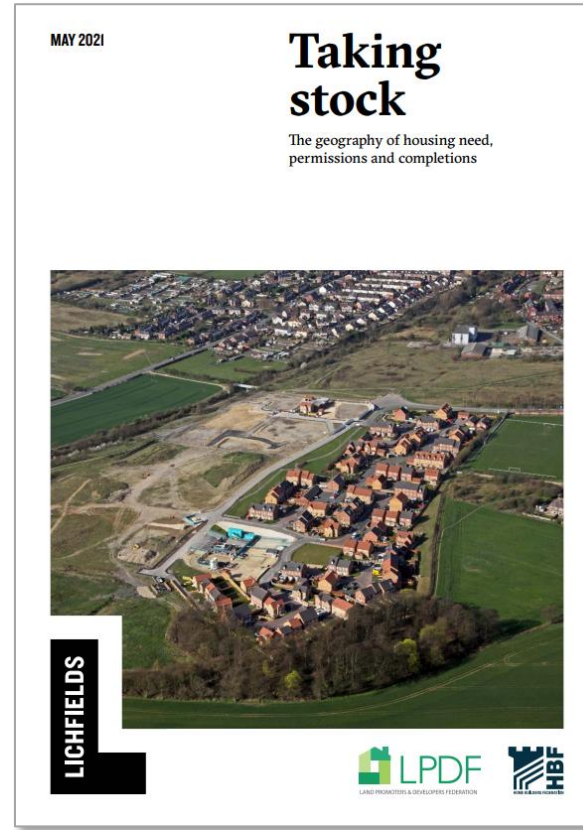
Latest figures show that 2.8m homes have been granted planning permission since 2010/11 but over the same period only 1.6m have been built.

Local Government Association

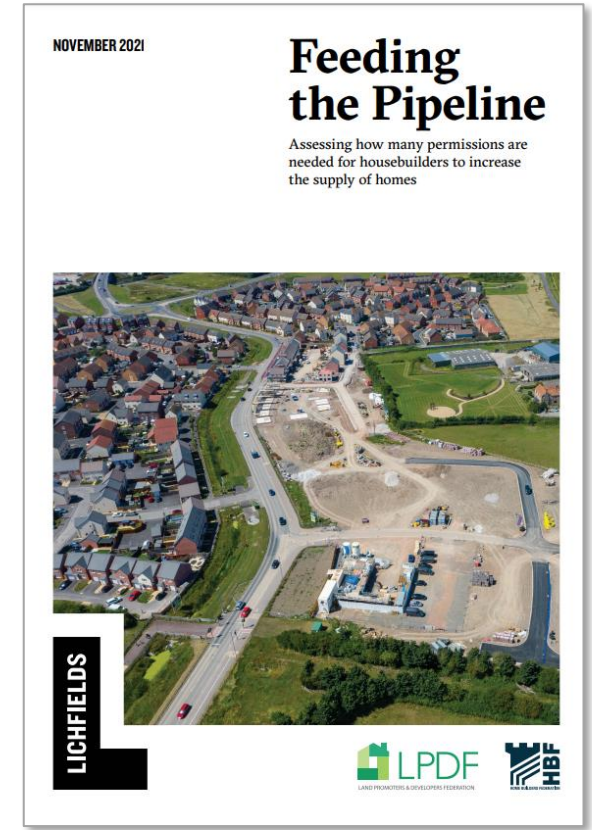
Debunking the 'land banking' myth



What happens to permissions that are granted?

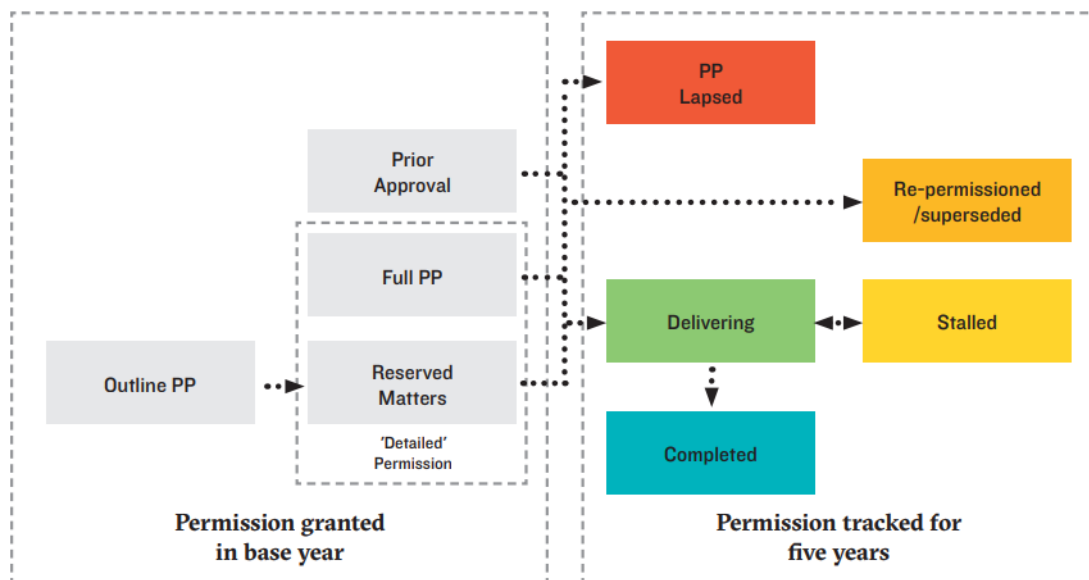


Do we have enough permissions for 300K homes a year?



How many consents are required for housebuilder pipelines?

Almost all consents get implemented



- 5 Case Studies:
 - Central Bedfordshire
 - Colchester
 - Stratford-on-Avon
 - Cheshire East
 - Wandsworth

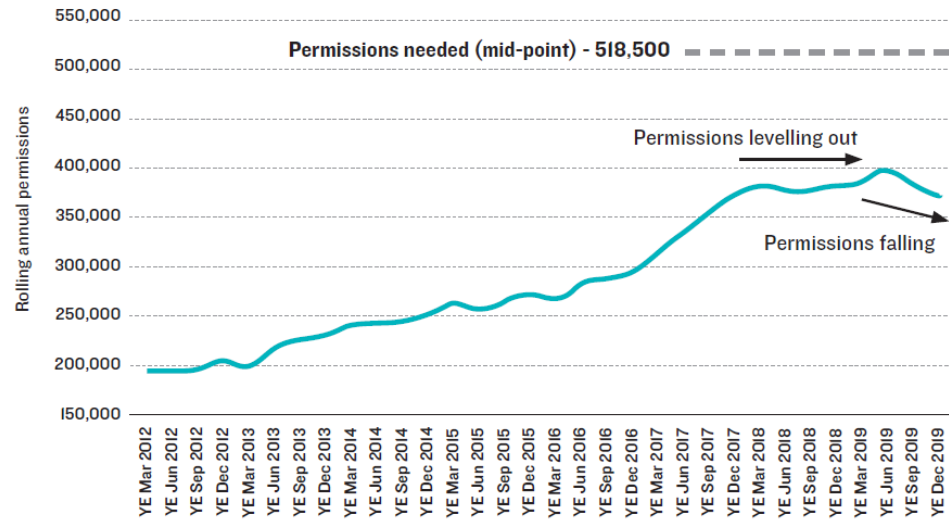
In a typical area, after five years:

- 3% to 5% will lapse or stall
- 10% to 15% will be superseded by a fresh permission
- 35% to 50% will have been delivered;
- 35% to 50% will remain extant but on sites delivering beyond five years

Nowhere near enough permissions, especially in areas of greatest need

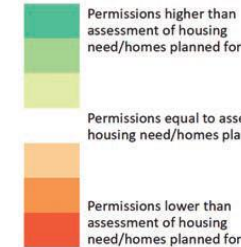
- Flow of permissions reducing
- 120K more permissions needed p.a
- Deficit greatest in areas of need

Figure 6: Increase needed in annual permissions to meet requirement by 2025

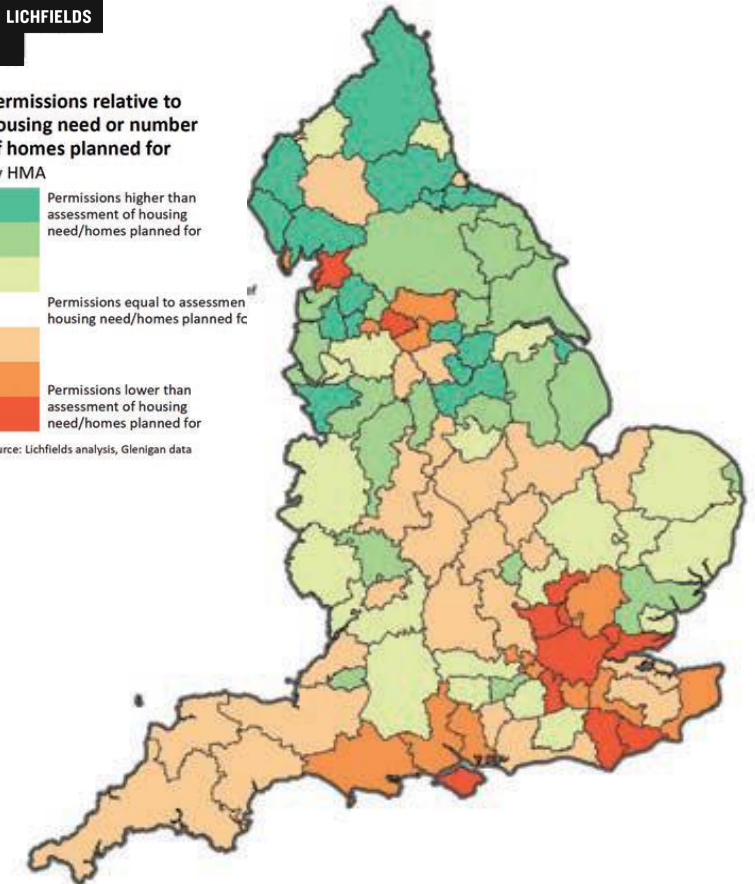


Source: Lichfields analysis of MHCLG

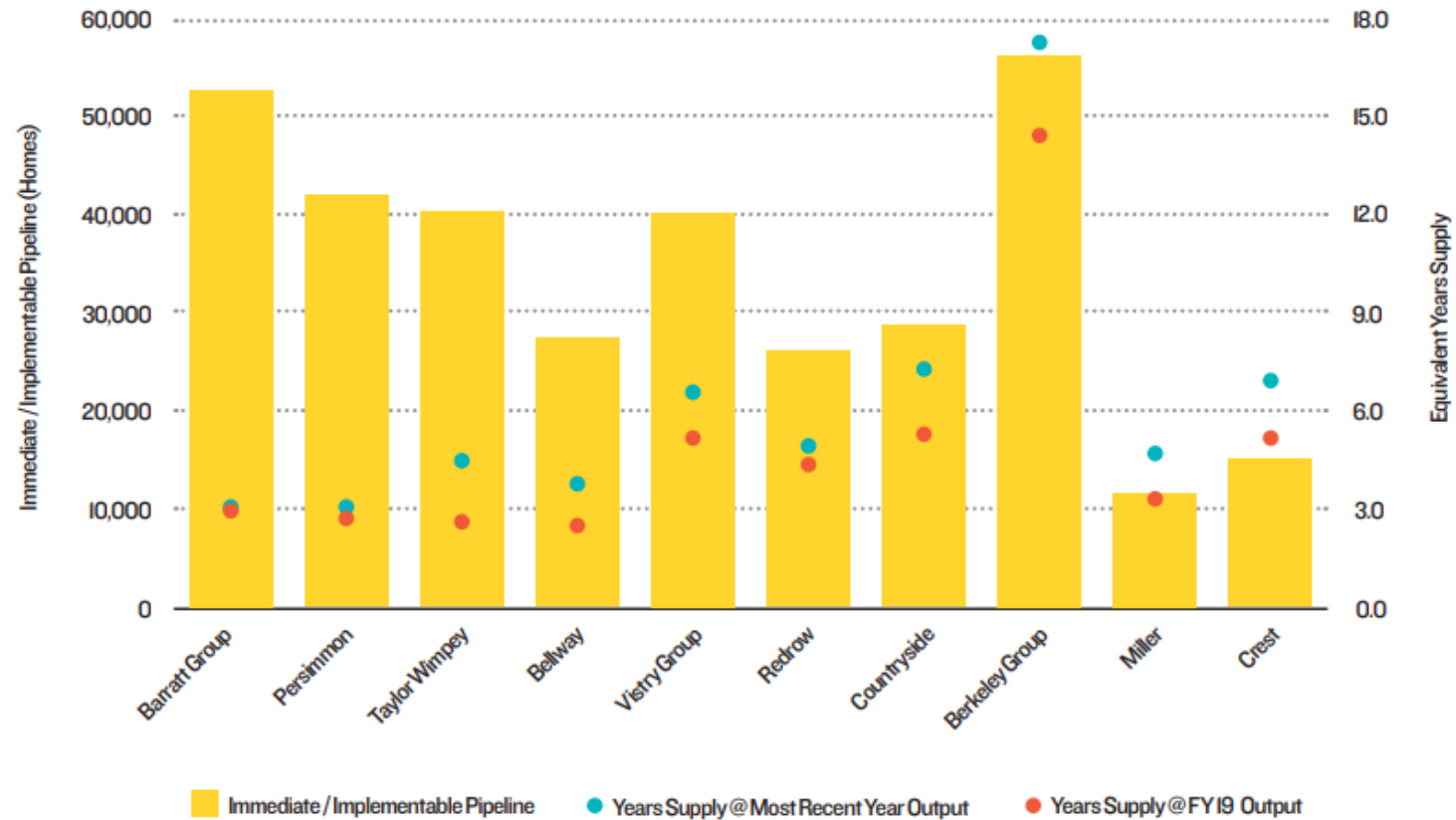
Permissions relative to housing need or number of homes planned for by HMA



Source: Lichfields analysis, Glenigan data



LPAs each need to grant an extra 4-5 mid-sized sites annually for housebuilders to deliver a 300K pa





Government's reform proposals

- Significant reform proposals
- Zoning gone, but key components of the 2020 White Paper remain intact
- Implementation will 'begin' in 2024
- Govt will consult on transition arrangements
- Bill (published) works in tandem with policy reform (awaited and to be consulted on)

ublications/levelling-up-and-regeneration-further-information/levelling-up-and-regeneration-further-information

GOV.UK Topics Government activity

Home > Business and industry > UK economy > UK economic growth > Levelling Up and Regeneration: further information

Department for Levelling Up, Housing & Communities

Policy paper
Levelling Up and Regeneration: further information
 Published 11 May 2022

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- Our programme for giving more power to local leaders
- Our programme for making better places
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- Creating beautiful places and improving environmental outcomes
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- Wider improvements to planning procedures
- Next steps

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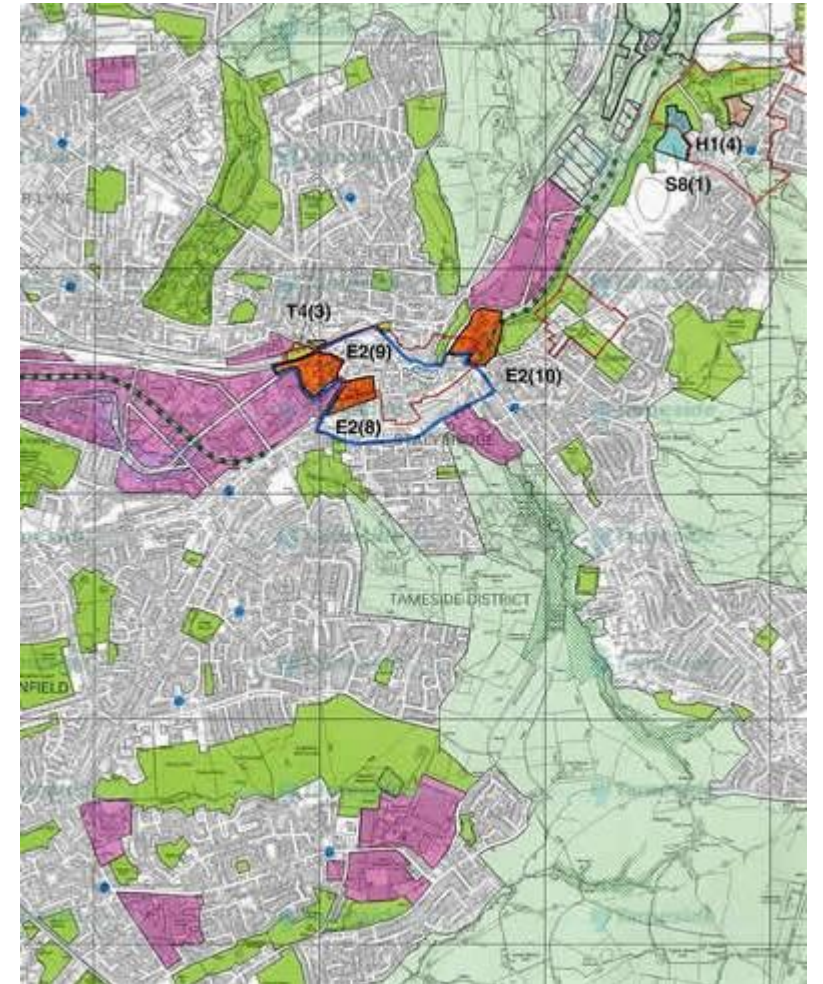
Introduction

This paper summarises the steps we are taking, through the Levelling Up and Regeneration Bill and other legislation and policy, to devolve power and give local leaders and communities the tools they need to make better places. This is a key component of our wider programme to level up the country, as set out in the [Levelling Up White Paper](#) published in February this year. The White Paper unveiled an ambitious programme to reduce inequality and close the gap – in productivity, health, incomes, and opportunity – between much of the south east and the rest of the country. It set out 4 broad objectives for achieving this:

- boost productivity, pay, jobs and living standards by growing the private sector, especially in those places where they are lagging
- spread opportunities and improve public services, especially in those places where they are weakest
- restore a sense of community, local pride and belonging, especially in those places where they have been lost
- empower local leaders and communities, especially in those places lacking local

The future of Local Plans

- Streamlined local plans and plan-making process
- Stronger plan-led presumption and no 5YHLS requirement where plan is up-to-date
- Abolished Duty to Cooperate
- Scope for more joint spatial development strategies
- Intervention regime via Local Plan Commissioner

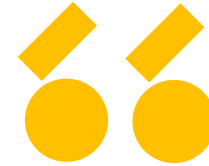


Local Plans: first thoughts and questions

1. Does Bill help or accentuate current hiatus in planning system?
2. Will strategic plans be up to the task of dealing with unmet housing need?
3. Will there be sufficient incentive for Green Belt and constrained areas to prepare a local plan?
4. Will local plans ensure allocated sites are viable with new Levy?
5. Will the time lag between plan failure and speculative land release drive planning performance?
6. Will a SoS ever be motivated to truly intervene in plans?
7. Will a revised Standard Method place homes in areas where they can be delivered?

Addressing ‘perceptions of land banking’

- Takes forward 2017 White Paper
- Transparency of ownership/control
- Compulsory commencement notices before start on site:
 - To include expected build rates
- Easier use of completion notices
 - Deadline for build out if site won't be completed in 'reasonable period'
 - Can be appealed to SofS



the Bill will introduce new commencement notices which will be required when a scheme with planning permission starts on site, addressing perceptions of 'land banking' and slow build out by larger developers. It will also give more control to authorities to issue completion notices

Levelling Up and Regeneration: further information (Policy Paper)

What happens before 2024?



Bill goes through Parliament

Further work on regulations, policy and guidance

Engage on transition



Consultations:

Infrastructure Levy and CPO

Environmental Outcomes Reports



Consultation:

Vision for new NPPF including on planning for housing



Consultation:

National Development Management Policies

Revised NPPF

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