

Housing White Paper

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1. The DCLG has just published its Housing White Paper (HWP) “*Fixing our broken housing market*”. The Government’s aim is to deliver between 225,000 and 275,000 homes annually and the White Paper foreshadows imminent consultation and eventual reform which is intended to stimulate housing delivery across the public and private sectors.
2. The Government mentions three specific challenges.
 - The fact that over 40% of local planning authorities (LPAs) do not have a plan that meets the projected growth in households in their area.
 - The slow pace of development.
 - The need to open up the housing market to smaller builders.
3. There are though a number of proposed changes which should be flagged up.
 - The assessment of an LPAs housing requirements is to be placed on a standard footing across England. The Government is to consult on options for introducing a standardised approach which will be fed into forthcoming revisions to the National Planning Policy Framework (NPPF). The Government is proposing that the agreed methodology would apply as a baseline for assessing five year housing land supply. The lack of a standard methodology for calculating an area’s objectively assessed need makes the process opaque for local people and may mean that the number of homes needed is not fully recognised. It has also led to lengthy debate during local plan examinations about the validity of the particular methodology used, causing unnecessary delay and public expense.
 - The Government will also be insisting that every area has an up-to-date Local Plan and will intervene where necessary to ensure that plans are put in place so that communities in the areas affected are not disadvantaged by unplanned growth. Future regulations will also require Local Plans and other Local Plan documents to be

reviewed at least once every five years. The Government says that an LPA will need to update their plan if their existing housing target can no longer be justified against their objectively assessed housing need unless they have agreed a departure from the standard methodology with the Planning Inspectorate. The Government also promises that revised national planning policy will not only “expect” LPAs to have policies which support development of windfall sites but also to indicate that “great weight” should be given to using small undeveloped sites within settlements for homes. However, the HWP nonetheless says that the Government will continue to protect valued areas of open space and the character of residential neighbourhoods, and to stop unwanted garden-grabbing.

- The Government is also proposing that LPAs should be able to increase fees by 20% from July 2017 provided they commit to invest the additional fee income in their planning departments. The Government is also considering a further 20% increase in the case of those LPAs that are delivering the homes their communities need.
- There is also to be a review of CIL. A Government-commissioned review published alongside the HWP recommends that CIL should be replaced with a “hybrid system” of low level tariff for all developments and s.106 for larger developments.
- The Government intends to accelerate build out rates (a) by reducing the default position of three years to two years (except where a shorter timescale could hinder the viability or deliverability of a scheme); (b) simplifying and speeding up the completion notice process whereby, if a development has stopped and there is no prospect of completion, the LPA can then withdraw planning permission for the remainder of the site; (c) in cases where development has stalled altogether on housing sites, by encouraging LPAs to resort to compulsory purchase to promote development; and (d) by allowing LPAs to take into account an applicant’s previous record of delivering similar housing schemes although this proposal will only be used in considering applications for large-scale sites where the applicant is a major developer.
- An LPA with a poor record of housing delivery will be penalised such that from November 2017, if delivery of housing falls below 85% of the housing requirement, LPAs would in addition have to plan for a 20% buffer on their five-year housing land supply (if they have not already done so).
- The Government is to consult on a new agricultural to residential permitted development right and is proposing to amend planning guidance regarding workshops, polytunnels and on-farm reservoirs to “better support” such development.
- Although the Government is not intending to bring forward a permitted development right to make it easier for developers to add upward extensions to buildings in London,

it is proposing to amend the NPPF to facilitate the delivery of more homes by “building up”.

- The Government is intending to make it easier for developers to offer affordable private rented homes by revising the NPPF so that private rentals will count as a form of affordable housing.
 - The Government is proposing changes to the NPPF to clarify which national policies provide a strong reason to restrict development in plan-making and decision-taking.
 - The Government will continue to maintain “existing strong protections for the Green Belt”.
 - The Government will “work harder” to make publicly-owned land available for building. It will also work with local authorities to help them bring forward their own sites.
 - The Government wants to assist public sector landlords, such as hospitals and schools, to deliver more homes for their employees. This might include infill development, building on top of buildings or making better use of their land (whilst protecting green spaces and playing fields).
 - The Government states that it will consult on improving greater transparency when it comes to access to Land Registry data in determining who owns, controls or is otherwise interested in a piece of land.
4. As was indicated in an editorial in the Sunday Times on 5 February 2017, there is a danger, as with the recent industrial strategy green paper, that the HWP will turn out to be something of a damp squib. Whilst everyone no doubt accepts that housing supply must be increased substantially the solution will always be something of a struggle for as long as local communities continue to regard greenfield and green belt land in their areas as sacrosanct.

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