



PINS NOTE 01/2017

To: All Inspectors, All Examining Inspectors.

Relevancy: Planning casework, Local Plans (both England only)

Date of Issue: 13 February 2017

White Paper – Fixing our broken housing market

Action

1. On 7 February 2017, the Government published the Housing White Paper entitled "Fixing our broken housing market".
2. The proposals in the White Paper set out how the Government intends to boost housing supply and, over the long term, "create a more efficient housing market whose outcomes more closely match the needs and aspirations of all households and which supports wider economic prosperity."
3. In order to implement the vision set out in the White Paper, the Government is consulting on a range of specific planning proposals. An annex published with the White Paper provides further detail of the changes to planning policy and legislation needed to implement the proposals and sets out consultation questions where new proposals are being made. It also sets out proposals for some wider changes to national planning policy in relation to affordable housing. The consultation will run for 12 weeks and will close on **2 May 2017**.
4. Many of the changes proposed will involve amendments to the National Planning Policy Framework. **The Government intends to publish a revised Framework later this year**, which will consolidate the outcome from the previous and current consultations. It will also incorporate changes to reflect changes made to national policy through Written Ministerial Statements since March 2012.

Appeals Casework

5. Inspectors must consider each case on its merits, and judge whether, according to the matters at issue in the appeal, it would be appropriate or reasonable to offer parties an opportunity to

comment on White Paper proposals that do not yet form part of Government policy. Having conducted that exercise if an Inspector decides that an opportunity should be offered, s/he should ask the case officer to contact the relevant parties and set a period of not more than 10 working days to respond. Depending on the responses, it may then be necessary to consider whether any closed inquiry or hearing should be re-opened (though we expect this to be only rarely necessary). This advice necessarily embraces any casework which has yet to be issued.

6. Whilst it is a matter for the individual decision-maker, given that the majority of proposals contained within the White Paper are subject to further consultation (and it is thus not currently Government policy), the decision-maker will need to decide what weight, if any, to attach to these proposals and have clear reasons for doing so.
7. In the event that parties submit unsolicited (late) representations on the basis that the content of the White Paper has a bearing on their case, subject to being satisfied that the suggestion is reasonable, Inspectors are advised to accept them and to provide an opportunity for other parties to the appeal to comment.

Local Plan Examinations

8. The purpose of the examination is to test whether the plan has been prepared in accordance with the legal requirements and is sound. The criteria for soundness are set out in paragraph 182 NPPF. The White Paper is a consultation document on a number of proposed policy changes to NPPF as well as to the regulatory framework for plan making and the proposals do not yet form part of Government policy. In taking account of the White Paper, Inspectors should have regard to this overall context and adopt a proportionate approach that ensures that plans that are at examination stage are not unnecessarily delayed.
9. In light of this, it is for Inspectors to consider whether it would be appropriate to seek the LPA's view in the first instance on any implications of the White Paper for the draft plan. Inspectors should then consider whether it is necessary to take any steps to deal with these matters. It is likely, however, that the appropriate steps will be for the LPA to take in due course, since it will be incumbent on it to review its plans in the light of the Government's changes to NPPF, and any regulatory changes that come into effect.

Background

10. The White Paper seeks to address failings in housing delivery in Britain. The proposals contained within are described as radical and are designed to cover the whole house-building process, from finding sites to securing local support and permission to getting homes built quickly and sold or let on fair terms.

11.It identifies 3 main ways in which the problem can be addressed:

- Building homes in the right places
- Building homes faster
- Diversifying the housing market.

12.The White Paper is divided into 4 chapters:

1. Planning for the right homes in the right places
2. Building homes faster
3. Diversifying the market
4. Helping people now

13.Chapters 1 and 2 of the White Paper cover the range of specific planning proposals of most relevance to PINS Casework. Further details may be found at Annex A of this note.

Contacts for further information

14.Please contact XXXX if you have any general queries on this Note.

15.Please contact XXXX for advice on individual cases potentially affected. Non-salaried Inspectors should approach XXXX with any queries in the first instance, on which XXXX will liaise with XXXX.

Chapter 1: Planning for the right homes in the right places

This chapter sets out the Government's proposals to:

- make sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go;
- simplify plan-making and make it more transparent, so it's easier for communities to produce plans and easier for developers to follow them;
- ensure that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked;
- clarify what land is available for new housing, through greater transparency over who owns land and the options held on it;
- make more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing more small and medium sized sites, allowing rural communities to grow and making it easier to build new settlements;
- maintain existing strong protections for the Green Belt, and clarify that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements;
- give communities a stronger voice in the design of new housing to drive up the quality and character of new development, building on the success of neighbourhood planning; and
- make better use of land for housing by encouraging higher densities where appropriate, such as in urban locations where there is high housing demand; and by reviewing space standards.

Chapter 2: Building homes faster

This chapter sets out proposals to:

- Provide greater certainty for authorities that have planned for new homes and reduce the scope for local and neighbourhood plans to be undermined by changing the way that land supply for housing is assessed;
- Boost local authority capacity and capability to deliver homes, improving the speed and quality with which planning applications are handled, while deterring unnecessary appeals;
- Ensure infrastructure is provided in the right place at the right time by coordinating Government investment and through the targeting of the £2.3bn Housing Infrastructure Fund;
- Secure timely connections to utilities so that this does not hold up getting homes built;
- Support developers to build out more quickly by tackling unnecessary delays caused by planning conditions, facilitating the

strategic licensing of protected species and exploring a new approach to how developers contribute to infrastructure;

- Take steps to address skills shortages by growing the construction workforce;
- Hold developers to account for the delivery of new homes through better and more transparent data and sharper tools to drive up delivery; and
- Hold local authorities to account through a new housing delivery test.