

CLIENT BRIEFING NOTE

04 November 2021

Who is to blame for the lack of housing delivery?

The 'Tracking Progress' report was prepared by Lichfields in September 2021 and was commissioned by the Land Promoters and Developers Federation and the Home Builders Federation. This explores the relationship between the scale of planning permissions for new housing and the number of homes being built.

Overall, the report found that it is simply not the case that developers go through the complexities of securing planning permission, and then purposefully decide not to implement the consent. In reality, planning consents are often subject to complex site specific issues (such as securing statutory approvals, signing off details, resolving land ownership and legal hurdles). Only a small percentage of consents in the case studies had actually lapsed representing 3-5%. However, 10-15% required a fresh planning permission to address amendments to the scheme.

How can this be improved?

Despite these recent findings, the assumption that 'land banking' is the main reason behind delivery delays is still prevalent. In preparing their local plans, some Local Authorities are now attempting to address under delivery by seeking to advocate a 'use it or lose it policy'. This may include even greater restrictions on development phasing, as well as not approving an application unless sufficient evidence is provided that the site is deliverable, and an explicit start date is provided. Some consents may be limited to only one year, rather than the current three years. Compulsory purchase powers may also be used as a solution to stalled sites. The report itself recommends greater acceptance by Local Authorities of non-material amendments via the use of S.96a, reducing the need for a separate permission.

This approach is certainly supported, and in our opinion, continuing with clear and open discussions between Agents and Officers prior to decisions being issued can reduce and clarify conditions, which in turn avoids delays and speeds up delivery. Ensuring planning permissions are implemented and therefore new housing is delivered swiftly, is in everyone's interest and should always be at the forefront of the planning process. For further information on the document, visit the link below:

<https://lichfields.uk/content/insights/tracking-progress/>

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