



Bristol Neighbourhood Planning Network

12 April 2016

Update on Housing and Planning Bill

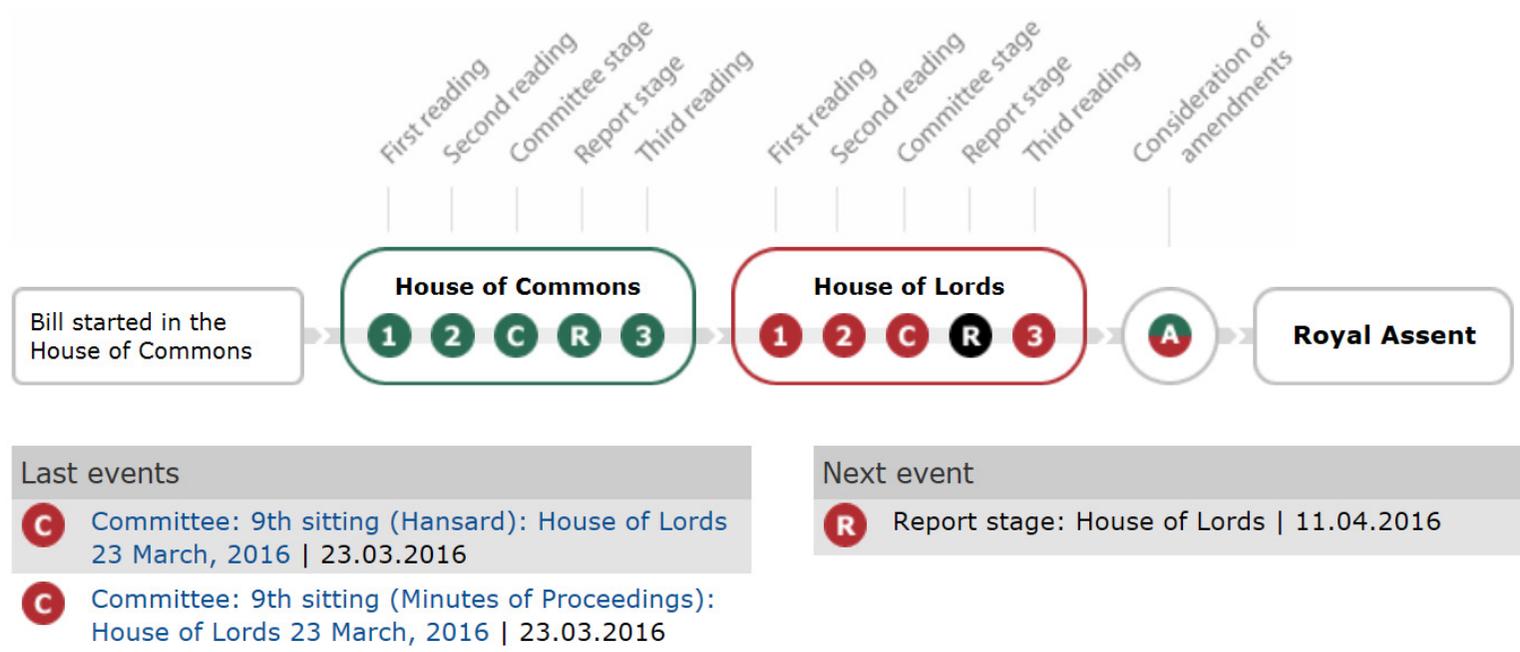
Current technical consultations





The Housing and Planning Bill

- Proposes significant reforms to the planning system.
- BCC have submitted evidence at the Bill Committee stages.
- Current consultations scope out future Regulations.





Permission in Principle

- New form of permission for housing - establishes the principle of development.
 - Land use, Location & Amount of development.
- Can be granted:
 - Automatically – allocated sites/brownfield register;
 - By a LPA on application – for minor housing development.
- Following the granting of a Permission in Principle a Technical details Consent application is required.





Permission in Principle – further detail

- *Permission in Principle*: ‘In principle matters’ to include:
 - Location – Red edge plan;
 - Uses – *Housing led* but can contain retail, community and commercial uses;
 - Amount – Min & Max level of residential (no. or dph). Amount of non-residential need not be specified.
- *Technical Details Consent*: to deal with all other matters:
 - Design statement – information on design, layout, access & architectural detail;
 - Impact statement – further assessments (e.g. flood risk) and mitigation (e.g. remediation schemes).
- No requirement to consult on Technical Details Consent apps.
- Determination periods:
 - Permission in Principle: (minor) 5 weeks;
 - Technical Details Consent: (minor) 5 weeks, (major) 10 weeks.



Brownfield Register

- Requirement for LPAs to compile registers of brownfield land suitable for housing.
- Regulations to set out criteria that land must meet for entry in the register.
- The register to be kept in 2 parts:
 - Part 1: brownfield land suitable for housing which meets the prescribed criteria;
 - Part 2: land listed in part 1 that the council considers suitable for 'Permission in Principle'.

What is Brownfield land?

- Land which is or was occupied by a permanent structure including the curtilage.
- Excludes private residential gardens, parks, recreation grounds and allotments.



Brownfield Register – Further detail

- Entry criteria to include:
 - Available
Suitable location;
Sites can be developed now - realistic prospect of delivery in 5yrs;
Sites can be developed later - between 6 and 10 years;
Viable.
 - Capable of supporting 5 or more dwellings or more than 0.25ha
 - Capable of development
Suitable for residential use;
Free from constraints that cannot be mitigated.
- Information about sites on registers should be made available.
- Consultation required on sites being considered for PiP.
- Government wishes to ensure that 90% of suitable brownfield sites have planning permission by 2020. Measures taken if not.



BCC Response

Permission in Principle/Brownfield Register

- LPA's and communities should be given discretion on whether to grant PiP to allocated sites and sites identified in Brownfield registers. Process should be locally driven and plan-led.
- Concern that the Government are not proposing a statutory requirement to consult on a TDC application.
- Costs incurred with granting automatic PiP should be recouped.
- Information requirements for Technical Details Consent applications should be determined by the LPA.
- Determination periods for TDC applications should be longer.



BCC Response

Permission in Principle/Brownfield Register

- Support the principle of a Brownfield Register including process for identifying sites. BCC is taking part in a WoE pilot study.
- Consultation on sites within Brownfield Registers being considered for PiP should be statutory.
- Concerns over 90% requirement if this overrides local decision making.



Competition – Pilot study

- Applicants to be given the choice of making an application to:
 - The LPA, or
 - An ‘approved provider’ (private company or other LPA).
- The decision on the application would remain with the home authority.
- ‘Approved providers’ would:
 - undertake all the tasks a LPA would ordinarily undertake.
 - Not be able to process applications in which they and the member(s) of staff dealing with the application have an interest.
 - Need to demonstrate that they have the professional skills and capabilities to process planning application.
- LPAs and ‘approved providers’ could either set their own fees, or, the Govt. to restrict fee setting to within a range.



Competition – BCC response

- Acknowledges the Govt's wish to test competition in the processing of planning applications.
- A full competition scenario should be tested i.e. LPAs and 'approved providers' competing for all types of planning application.
- Local community engagement should remain unaltered where an applicant chooses an 'approved provider'.
- Selection of 'approved providers' should be rigorous – must have the necessary expertise to manage a planning application.



Starter Homes

- What is a Starter Home?
 - A new dwelling;
 - Only available to a first-time buyer (under 40);
 - Sold at a discount of at least 20% of the market value;
 - To be no more than £250k (outside Greater London);
 - Subject to restrictions on sale or letting.
- Duty to promote the supply of Starter Homes.
- Statutory requirement for residential developments to provide a certain number of Starter Homes.



Starter Homes – Further detail

- Proposed requirement for 20% Starter Homes on all developments of 10 units and above or 0.5 Ha and above.
- Requirement would be subject to viability.
- Tapered restriction on resale at market value up to 8 years from purchase.
- Potential exemptions for supported housing, estate regeneration, Affordable Housing led schemes and custom-build developments.
- Eligibility criteria relaxed for military service families.
- *Starter Homes defined as Affordable Housing.*



Starter Homes – BCC Response

- Starter Homes may not address Affordable Housing need in the City.
- Provision of other forms of Affordable Housing may be restricted.
- LAs should be free to set policies that meet Affordable Housing need in their area.
- Starter Homes discount should be retained for a minimum of 30 years.