



LPDF

LAND PROMOTERS & DEVELOPERS FEDERATION

Members Newsletter Q4 - October 2019



CHAIRMAN'S UPDATE

*LPDF puts spotlight
on solutions to
housing crisis*

Judging by the feedback we've had from many members, our inaugural annual conference was a great success and many of you found it a very worthwhile event.

It was hugely satisfying to see 115 of you enjoying the conference at 30 Euston Square in London and we were fortunate to be joined by some excellent speakers.

High calibre contributions came from Kevin Hollinrake MP, member of the Housing, Communities and Local Government Committee, David Smith, economics editor of The Sunday Times, Nick Oakley, chief executive of Homes England, Victoria Hills, chief executive of the RTPI, and Sasha White QC, of Landmark Chambers. Lucy Greenwood and Charlie Collins, both of Savills, offered fascinating insight into the state of UK housing, land supply and the planning system.

As I said in my speech, a generational injustice is manifesting itself as more and more young people's dreams of buying their own homes are

crushed by the dramatic rise in house prices due to the lack of supply of land caused by planning policy.

Let us be in no doubt that there is a crisis. The average house price has increased by 500% in 30 years, the price of that average home is now in excess of eight times average salaries effectively doubling over that period and is considerably more in certain areas.

The average age of first time buyers has increased from 27 years to close to 35 years and, as a consequence, generations, particularly in the South East of England, now feel they are excluded from owning their own home.

The crisis inhibits our economy, high housing costs restrict the ability of consumers to spend whilst a lack of supply inhibits labour market mobility. Conversely, increased new build activity has a significantly positive multiplier effect on the economy.

Yet just as important is the human and social cost. Research paper after research paper highlights the benefits to health and in particular mental health of good quality housing. It seems clear that resolving the crisis must be at the top of the political agenda of Government. Nationally there needs to be a cultural change as to how we view new housing and politicians at all levels of

government, central and local, need to prioritise the needs and views of those that don't have a home above those that do.

Unfortunately, the role land promoters play in the delivery of housing, infrastructure and entire new communities is often misunderstood. This, and the complicated and lengthy nature of the planning system, is commonly blamed for the supply of housing not meeting the demand for new homes.

Although only formed just over a year ago, we are becoming a powerful voice in the debate around the housing shortage and ways in which we can improve the supply of land for development.

We want to dispel some of the myths and misconceptions around the role of land promoters and developers by highlighting the expertise and track record of our members. We'll continue working with government, local authorities and communities to enhance the planning process, and help deliver the new homes and communities the UK needs.

I hope you enjoy the latest edition of our regular newsletter.

Paul Brocklehurst
Chairman of the LPDF





We would like to extend our thanks to those of you who took the time to complete our survey about your conference experience. Your comments are very much appreciated and will help us to improve the event in 2020. It's very pleasing to see that so many of you agree that our first conference was a great success.

One of the comments was that we should consider staging similar events in Birmingham and Manchester, and that's something we will explore further. One member said it was one of the best events they had attended, which is high praise indeed.

Our survey showed that over 92% of those that replied thought the overall experience was either excellent or very good. More than 81% said the venue and location was excellent or very good, and more than 88% agreed that the range of speakers was excellent or very good.

Future potential speakers were suggested, including Steve Quartermain and Esther McVey, and topics for discussion were suggested, too. These include bio-diversity/offset, the role of housebuilders and how it can be improved, and the Green Belt and housing supply. All excellent feedback and we'll take your suggestions on board.

Read all about it!

Here's some media coverage of our conference:

<https://www.mortgageintroducer.com/lpdf-conference-to-discuss-solutions-to-the-housing-crisis/#.XZ9EauRYZaQ>

www.news.residentialpeople.com/lpdf-generational-injustice-crushes-home-ownership-dreams-1945/



*Jonathan Stott,
managing director
of Gateley Hamer,
shares his thoughts
on the conference.*

Here are a few takeaways (in no particular order) from the excellent inaugural LPDF conference. Thanks and congratulations to Paul Brocklehurst and Katie Yates for arranging and delivering such an excellent event – top-notch presenters and a who's who of land promotion in the room.

- Housebuilders continue to want ready-to-build sites and, despite the political and macro-economic challenges, housebuilders remain resilient and ready to meet the Government's targets
- General agreement that the current land tax system works. It's not perfect, but if Government seek to extract more it will result in a slow-down because sites will not come forward. Landowners only retain around 50% of increase in value after obtaining planning, after paying all taxes.
- General agreement that Local Planning Authorities should be penalised for not having up to date local plans (only 43% have them at present). For example, central Government could step in to direct the release of Green Belt. However, it was widely acknowledged that LPAs have been damaged by the budget reductions and consequent reduction in the number and (in many cases) quality of planning officers.
- Young people spend three times what their grandparents did on housing; the UK is fourth from bottom of the league of owner-occupation across Europe; new builds only account for 20% of the market, so new homes can only have a limited effect on market values; the average house price in London is 13.09 x average earnings.
- It is unlikely that extra supply alone would affect prices, especially if developers slow down delivery to counter it.
- The idea of using compulsory purchase powers to acquire land at less than market value is unworkable – as Kevin Hollinrake MP said: "We would spend decades in courts."
- Need a change of approach from Treasury on 'best value' to enable public sector land to be released more easily.
- Universal rejection of the suggestion from Onward that land acquisition makes up 70% of the cost of development.
- Almost half of outline consents are for sites over 1,000 homes. For full consents, around two thirds are for sites of up to 250 units.
- Average delivery rate of 145 units per year on sites of over 500 homes (although total scale of site doesn't seem to influence completion rate)
- 70% of Homes England's hires in the last six months are from the City and don't have a public sector background. HE is now the 11th biggest lender for housing in the UK.
- HE is going under period of profound change; will have grown from 500 staff to 1,400 by end of 2020, with a balance sheet that has grown by 100% over 18 months.
- General acceptance that large scale sites (i.e. garden towns etc) are necessary in order to meet housing targets, but HE indicated it sees compulsory purchase as a blunt tool, only to be used as a last resort.
- Sasha White QC summed up the feeling of the room in stating that planning has got far more complex over the past 30 years. In his view we should only need only two planning policy docs – one at central government level and one at local level, and not the plethora we have at present. The first thing we need to do is move towards a more simplified planning system.

(Many of the stats quoted are courtesy of Savills.)

www.gateleyplc.com/gateley-hamer

Gateley / HAMER



LEGAL UPDATES

Design - A Renewed Emphasis



Richard Kimblin QC and Peter Goatley,
No5 Chambers

We have had the party conference season. In the media, other events and issues have been ahead of homes and planning, but we have seen the emergence of new policy priorities.

The very longstanding and intractable debate about need, constraints and delivery has not moved any further forward, but design has achieved a new prominence.

The Secretary of State for Housing Communities and Local Government, Robert Jenrick MP, has been promoting the idea of national design standards for housing to overhaul 'outdated' design guides. He wishes to see a national standard for planning authorities to adhere to, but with local opt-outs for an authority to produce its own standard. In part, this is about creating a greener development with people at the heart of the process.

This is not a surprise. There is a Commission devoted to the topic: Building Better, Building Beautiful Commission. In its July report is captured its main driver in this way: *"Despite being immeasurably richer than our predecessors we build less beautifully than they at all the three scales of beauty that we have defined, at the level of settlement pattern, at the level of place making and at the level of building design."*

The report is well worth the time to read it. It is a very well informed and supported report, as is indicated by the 237 footnotes. The development industry provided some excellent evidence which underpins the report. Take these examples.

"One developer put the point starkly in his evidence to us:

'the quality, both architectural and build, of the houses that are being delivered in the United Kingdom by the volume house builders is, in 2019, as bad as it has been for many generations'.

No one we have spoken to seems to have really tried, let alone managed, to convince us that this is not correct. (§7.3, p30)"

"One planning director commented recently:

'If you talk to developers, there are places where they go and work, there are places where they don't go and work. It depends on a hassle factor. (§8, p36)'

There are, of course, only limited levers available to Government to actively set standards which yield high quality places with the best of design.

The law cannot help. The issue is not about protecting designated areas, sites or buildings. So, this is not the sort of issue which can be addressed by amendment to primary legislation or the making of regulations.

The policy is already there in Chapter 12 of the NPPF and is captured in the first line of §124: *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve."*

§127 requires that planning decisions ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. Many other chapters are relevant.

So, it is difficult to see what change in policy would raise the bar.

The answer is to produce a National Design Guide. It "...illustrates how well-designed places that are beautiful enduring and successful can be achieved in practice." It focuses on climate, character and community within which one finds 10 characteristics of well-designed places.

Each is described and cross-referenced to the other characteristics. There are good practice examples. It has very broad-brush cross-references to the NPPF. So, in respect of 'mixed and integrated uses', one is referred to no less than six different chapters of the Framework. However, the National Design Guide is not expressed to be a 'requirement', nor could it be. It is a guide.



At a fringe event at the Conservative Party Conference a panel addressed the question of how to build green, beautiful and high quality homes. One contribution was from Professor Robert Adam. He explained that the methods to address quality exist in, for example, design codes. More standards in the planning system is to move in the wrong direction because in the planning system *"so much gets in the way of this vision that so often you just want to give up; your clients want to throw in the towel; and lots of developers just give up before they start. It's all too difficult"*.

As we say above, the National Design Guide is not a standard nor is it a requirement. But it will, no doubt, bring about some change, not least in respect of objectives which are driven by 'net zero' objectives. In our view, the route to addressing the valid points being made are really twofold.

First, the way for the Secretary of State to set the scene and create a culture of quality is to concentrate on this issue in the decisions he makes. It would not take very many Secretary of State decisions, which are explicit in giving very considerable weight to design issues, for the message to transmit to all participants in the process.

Secondly, as Professor Adam observed, supply and quality go together because when the need is met, quality becomes a more important purchasing criterion.

www.no5.com

No5
BARRISTERS
CHAMBERS



FOCUS ON PLANNING



Planning conditions – a hard habit to break

*David Bainbridge,
Partner Bidwells,
MRTPI*

Discussions with Local Planning Authorities on planning conditions should be a joyful time as applicant and LPA head towards issue of planning permission.

But preparing to walk off into the sunset hand-in-hand with a planning permission can be fraught with difficulty.

Planning conditions and planning obligations, are areas which cut to the heart of considerations as to whether the planning permission is satisfactory for contract purposes and whether a planning permission is implementable.

Section 70 of The Town and Country Planning Act 1990 enables LPAs to 'grant planning permission, either unconditionally or subject to such conditions as they think fit'.

This power needs to be read alongside the Government's policy on planning conditions and relevant case law.

Policy in the form of the National Planning Policy Framework states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

There is flexibility which can assist to guide the delivery of sustainable development. But as the famous quote goes 'with great power comes great responsibility'.

Build-out rates, including the time taken to move from planning permission to delivery of homes, was the subject of a review by Sir Oliver Letwin MP, which LPDF and members participated in. Interestingly, planning conditions was hardly mentioned in the final report.

Esther McVey MP, Minister of State for Housing, has reaffirmed the aim to build 300,000 homes by the mid-2020s.

Time Limits

Time limits for submission of the detail of reserved matters and commencement of development are important for consideration of projected delivery, especially in the context of insufficient housing land supply in the location, but also where land is to be sold with the benefit of planning permission.

Whilst not specifically about submissions and commencement, the potential legal challenge

period following the issue of a planning permission must be seen through. There is case law on this and the time period is not an absolute drop-dead after expiry of six weeks. Anyone with sufficient interest in the matter to which the application relates may apply for permission to judicially review a decision. Thankfully such challenges are low in number and typically a LPA and Applicant will have some indication that it is coming, but not always!

Section 91 of the 1990 Act deals with time periods for planning permission. The default position is for commencement of development to take place not later than the expiry of three years from the date of the planning permission.

LPAs have discretion to vary the period of time, considering the provisions of the development plan and other material considerations. This is potentially far-reaching and can cover multi-phase sites and mixed-use development although rarely will it be agreeable under a housing land supply proposal. An important consideration for some sites is not just the flexibility for a longer period in which to commence development but also a longer period in which to submit applications for approval of reserved matters pursuant to the outline planning permission.

Pre-Commencement of Development

The NPPF is clear that conditions required to be discharged before development commences should be avoided, unless there is a clear justification.

The bar for LPAs imposing pre-commencement conditions is set high in the Planning Practice Guidance. The term 'clear justification' is likely to mean that the requirements of the condition (including the timing of compliance) are so fundamental to the development that it would otherwise be necessary to refuse planning permission.

There is inherent danger in an applicant pushing too hard in discussions with a recalcitrant LPA as their decision could fall the wrong side of the line but it is worth probing.

Probing should not be difficult for detailed planning permission because changes to the Act brought in under The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires LPAs to notify applicants of such conditions. However, this does not apply to outline planning permission although this nuance does not seem to be widely known about.

Non-Material and Minor Material

Planning permissions can be changed but where the changes, in the view of the decision-maker, are fundamental or substantial in nature, then a new planning application would be needed.

The procedure for changes, which are not fundamental or substantial, involves consideration as to whether the changes are non-material or minor material.

There is no statutory definition of 'non-material' for the purpose of section 96A of the Act. This is because it will be dependent on context and arguably on the approach of individual planning officers. Rarely, if ever, is guidance published on this. This leads to a position where an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application.

Planning permission cannot be granted under Section 73 of the Act for minor material amendments to extend the time limit within which a development must be started or an application for approval of reserved matters must be made. It is important for this scenario that a planning condition exists which lists approved documentation for any variation application and that the Section 91 provisions for time periods have already been discussed with the LPA.

Deemed Discharge

The ability for Applicants to seek a deemed discharge of a planning condition under The Town and Country Planning (Development Management Procedure) (England) Order 2015 is rarely used in our experience but should be taken into account when submitting details under planning conditions.

The exemptions for matters such as all EIA development, reserved matters, highways etc, significantly reduces the scope of this procedure almost to the extent that it has no teeth, especially where the notice served on a LPA can lead to a refusal of the details just to avoid crossing the Rubicon.

What Next?

Ministers have referred to plans to publish an 'Accelerated Planning Green Paper' in the autumn as part of the drive to realise 300,000 homes a year. With the number of new homes consented through the planning system reaching over 400,000 per year there could well be another look at delivery post planning permission and the role of planning conditions.

No doubt we all look forward to consultation on the green paper and reducing the time between receipt of planning permission and delivery of much-needed new homes.

www.bidwells.co.uk

MEMBERSHIP - *Voice grows stronger as more members join*

More and more companies are joining the LPDF, which gives us an even stronger voice in the housing debate. Those that have joined in recent weeks include:



Landmark Chambers, leading barristers' chambers specialising in planning and property, prides itself on its ability to offer a comprehensive and user-friendly service across all aspects of real estate law. Its barristers are often assisted by being able to draw upon cross-disciplinary expertise in other areas of law in which it specialises, especially planning law and public law. Barristers have appeared in many of the highest-value and most legally-challenging cases concerning developments. www.landmarkchambers.co.uk



Its comprehensive end-to-end service, covering everything from leases to litigation, is focused on devising inventive and cost-effective solutions to your operational or investment needs. Clients include companies and public bodies of all sizes, from landowners to developers, and property funds to corporate occupiers. What links them is the drive to be entrepreneurial and forward thinking. www.shma.co.uk



As a global top 15 law practice, Eversheds Sutherland provides legal advice and solutions to a global client base ranging from small and mid-sized businesses to the largest multinationals. Teams of lawyers around the world operate seamlessly to deliver the legal know-how and strategic alignment that clients need from their advisors to help further their business interests. www.eversheds-sutherland.com



From site acquisition and strategic planning to construction contracts and disputes and plot sales, it has the legal expertise and in-depth sector knowledge to provide a commercial, efficient service tailored to your needs. It acts for many household names, including some of the country's largest housebuilders, commercial developers and construction firms. www.howespercival.com



A team of town planning consultants providing advice and guidance on a wide range of planning and development issues. They can advise on planning matters of all types and scales from leading and co-ordinating large and complex development proposals, to dealing with small scale and householder developments. www.marrons-planning.co.uk



International law firm Charles Russell Speechlys LLP. Headquartered in London, with offices in the south of England, it has a strong focus on real estate and acts for many institutional and private landowners, land promoters and developers. www.charlesrussellspeechlys.com



EDP provides clients with a completely integrated approach to the appreciation and resolution of environmental issues associated with development proposals from offices in South Wales, Shrewsbury and the Cotswolds. www.edp-uk.co.uk



BECG is the specialist communications consultancy for the built environment. From offices across the UK, it provides private and public sector clients with expert counsel and award-winning communications services. www.becg.com



Neame Sutton – Neame Sutton is an independent Chartered Town Planning practice with extensive experience in the promotion of residential and commercial development projects across the country. www.neamesutton.co.uk



Leading boutique planning law firm Town Legal LLP. Based in London, but working across the rest of England and Wales, it provides unparalleled planning law advice in relation to larger, complex planning law matters. www.townlegal.com



Pegasus Group - a leading national development consultancy specialising in planning, design, environment, economics and heritage, with more than 280 skilled staff operating from twelve offices. www.pegasusgroup.co.uk

Affiliate members are a valuable part of the LPDF and include solicitors, planning consultants, financial institutions and engineers.

By joining you will have access to key businesses and decision makers, along with the opportunity to be part of the wider land promotion network.

Interested in joining? Find out more: www.lpdf.co.uk/membership

LANDOWNER COLLABORATIONS

Why Tax Dictates Structure



*Nicola Curle, partner
in the commercial
property team at
Howes Percival LLP.*

Site assembly involving multiple landowners will inevitably add layers of complexity to the documentation needed to achieve planning and successful disposal, requiring alternative disposal structures, generally dictated by landowner tax advice.

The nature of the collaborative structure may impact on the required mechanism and commercial terms for the disposal so it is helpful for the parties involved (agents, promoters, developers alike) to have an understanding of the decision making process.

Landowners considering collaborative disposals must procure a tax analysis of the treatment of sale proceeds. The **key tax issue** arises from **how the land is sold** and **how the sale proceeds are divided**.

Disposals of whole pose less risk because each landowner receives the whole of the monies due to it at the date its land is sold. Also, where parties are each selling their own parcel for a fixed price and not sharing sale proceeds (**non-equalisation**) the tax liability is more straightforward. The adverse tax liability arises from tranche disposals where landowners are sharing sale proceeds (**equalisation**).

Here is an overview of the key considerations:

Disposal Strategy - Promoters and land agents will have a clear view whether the target site is capable of disposal as a whole or if it requires parcelling. This is arguably the most crucial question. If the whole of the relevant consortium land is sold together, the **'double**

tax risk' (outlined below) is avoided.

Tax - Different landowner entities will have a different tax status (ie individuals, trustees, charities, etc). For farming land, the impact on availability of **entrepreneurs' relief** will be key, as well as the risk of **trading status** if the land ceases to be agricultural. Charitable entities will need advice on **gift aid** in the context of sale proceeds.

The potentially onerous **'double tax'** liability scenario is created when parties sell in phases and receive a share of all proceeds. The owning party is taxed on the whole of the sale proceeds relating to the land, even though those monies are shared with another landowner. The non-owning party is taxed on the income it receives from proceeds, even though it has not sold its land.

Structure - Subject to the **'sale of whole'** or **'tranche disposal'** question, the tax advice is likely to suggest one of the following:

- **Contractual Collaboration Agreement** - suitable for straightforward sales of whole.
- **Land pooling trusts** - parties enter into a trust arrangement so that they own the whole of the land together on trust. HMRC guidance and case law (Jenkins v Brown) needs to be carefully considered to ensure legal and regulatory compliance in respect of trust powers and any potential SDLT exposure.
- **Cross Options** - Each Landowner grants the other Landowners an option to acquire a percentage of their land based on each landowner's share of consented land. Exercise price of option will be pre-planning value at the time option is granted. On disposal, part of the sale price is allocated to the option as well as the land interest.

www.howespercival.com



MARKETING

As our online presence continues to grow we are always looking for members' stories to share. These could be details of new sites acquired, planning application submissions /grants and housebuilder partnerships. Please submit news updates to paul@montereypr.com

Feel free to engage with our social media channels and share our content:

LPDF LinkedIn:

Land Promoters And Developers Federation

Twitter Account:

@TheLPDF

#lpdf #landpromotion #housingcrisis #planning #socialhousing #newhomes



DATES FOR YOUR DIARY:

House of Lords Parliamentary Reception

Tuesday 26th November from 7.00pm

Hosted in partnership with Planning Futures; a think tank dedicated to developing new ideas for planning in the UK. www.planningfutures.org

Christmas Networking Drinks Event

Get into the festive spirit with your LPDF friends and colleagues on Tuesday, December 3rd, from 5pm to 7.30pm at The Alchemist's private room The Lab, The Grand, Colmore Row, Birmingham, B3 2DE. It's just a short walk from New Street and Snow Hill stations if you plan to travel by train.





LOBBYING AND POLITICAL UPDATE

Brexit casts shadow over conference season

Katharine Marriott,
Cratus Executive Director - Strategic

The start of October saw the end of the travelling show that is Conference season. The Liberal Democrats were particularly upbeat and positive in their mood, markedly more so than at any point in the last three years, with a bustling feel to the Conference.

However, the difficulties they will eventually have to face in reconciling the voting records of some of the new intake of MPs and traditional Liberal Democrat policy positions was starting to become clear.

The Members' rally was the pinnacle of the current Lib Dem #fightback momentum, a full house with rousing speeches from new leader Jo Swinson, former leader Tim Farron, the candidate for Sheffield Hallam Laura Gordon, and MEP leader Catherine Bearder (with her 15 fellow MEPs).

One of the biggest policy motions that got carried was the one where the Lib Dems will revoke Article 50 without a people's vote. By no means all agree with this approach and many don't share Swinson's optimism in terms of the predicted vote share in the next General Election - but people do like their leader being ambitious.

She is happily pitching herself as the next PM and rejects any propping up of either Labour or Tories - understandable if you remember what happened the last time. However, this does not extend to the local level where there are lots of deals being done. In terms of housing policy there was nothing revelatory - all Lib Dems want the same thing: affordable and sustainable housing for local people on brownfield sites. Many are also interested in building their own housing and on their own land.

There were fewer delegates at both the Labour and Conservative conferences than there have been in previous years, a consequence of the strain both have been under when it comes to their internal relationships. However, while the Conservatives might have had fewer delegates overall it felt as if there was a more sizeable crowd of younger delegates than there have been in previous years.

On housing, the Labour Party Conference passed motions on ending Right to Buy, abolishing shorthold tenancies and linking private sector rents to local incomes. The Shadow Chancellor also set out how they would cap rents and build a million new 'genuinely affordable' homes.

Signs that covered the Conservative Party Conference left no-one in any doubt that Brexit is the overriding concern and that the party is very clearly positioning itself for the General Election

needed to break the Parliamentary stalemate.

On housing, the Secretary of State, Robert Jenrick, announced the Government will be expanding their work on shared ownership to housing associations with tenants to be given the right to this with regard to new properties. People will also be given the right to extend their homes upwards by two storeys without planning permission (likely to cause difficulties for many councillors across the country), from 2025 no new home will be built without low carbon heating and a national design guide will be produced with councils and communities then encouraged to develop their own in line with the national standard - it's difficult to see how this will fit with the expansion of permitted development rights.

In the coming weeks we will be meeting with Lord Shipley and Charlotte Pickles, the new director of the think tank Reform, and further meetings are in the process of being facilitated.

www.cratus.co.uk

Cratus
Our world is local

Working with the LPDF to help shape national and local policy on issues affecting land promoters and the wider sector.



TECHNICAL AND POLICY UPDATE

Future uncertain amid political turmoil



John Acres,
Policy Director, LPDF

*Please feel free to
contact me directly at
johna@lpdf.co.uk*

We live in uncertain times whereby the planning and political climate has never been more fragile.

On the one hand, housing output remains remarkably positive, with the latest MHCLG figures for the year up to June 2019 (published on 3rd October), showing a continued growth in completions (up to 175,000 new build completions and 222,000 net additions), with the latest quarter rising 11% on a year earlier.

But on the other hand, the most recent Glenigan data on permissions for new housing shows a slight downturn on the previous year's peak of 380,000, with 361,000 homes being granted consent in the year up to 2019 (Q1).

More important, against a background where house prices especially in London and the South-east continue to dip, the rise in anticipated households (according to the most recent projections) has fallen and, certainly in terms of net inward migration remains difficult to predict, it has become a difficult time to chart the future.

However, one policy seems remarkably solid. The current Government, thankfully, continues to commit stoically to its ambition for a growth of 300,000 extra homes in England per year – a target which remains as one might say, 'aspirational'.

Both Robert Jenrick (Secretary of State for Communities) and Esther McVey (Housing & Planning Minister) have repeated this message at, or prior to, the Conservative Party Conference and therefore we must assume that it remains a firm commitment, whatever the outcome in the polls in the forthcoming General Election.

This is good news but, frustratingly, the Government appears less committed to creating the right conditions for the industry to deliver on its target. It was a point well made by Paul Brocklehurst in his introductory speech to the inaugural LPDF Annual Conference in London on 10th September 2019; ***'Why, if the Government is committed to delivering 300,000 new homes per year, do the annual figures in the MHCLG Housing Growth Distribution Formula only equate to 250,000+ new homes and the level of increases for local authorities are capped?'***

Above all, how can the sharply increased housing requirements in London and the south-east, under the Government's standard formula, (which reflect the more acute problems of affordability), be accommodated without relaxing some of the tight capacity or policy constraints, such as green belt?

Whereas, on the other hand, how can the reduced housing numbers in so many provincial authorities in the Midlands and north, (under the Government's formula) be justified, despite there being a potentially strong appetite and willingness for growth and a proven market demand.

Surely some changes need to be made, either to amend the formula or roll back the constraints? If we are to cater for our housing needs, towns and cities have to grow – either upwards, outwards or elsewhere (in planned growth areas within market reach) if the 300,000 dwelling target is to be hit.

Furthermore, against a background of political spin about higher spending and more building, there must be more commitment to creating the right conditions for building.

Esther McVey delivered a speech to the 'Resi' Conference in South Wales in September declaring that **greenfield** land (not green belt) should be considered as a last resort and that not a blade of grass should be sacrificed until all brownfield sites have been explored. This turned out to be not so much a change of policy, but a slip of the tongue (according to a MCHLG spokesman). But was it a Minister seeking to 'test the water' or

capture a headline? After all, there are few votes in new development.

More worryingly, South Oxfordshire DC's cabinet took the decision on 3rd October to withdraw its Local Plan review due to a perceived over-provision of homes against the Government's Standard formula (and in response to their own climate change emergency) and withdraw from the Statements of Common Ground with their neighbours, despite a commitment to deliver a higher number through the Government's Oxfordshire Growth Deal.

This now looks like being ratified by full council on 10th October – surely a step backwards for housing delivery and for co-operative joint working.

Finally, despite the much publicised reform of the planning system (something which could turn out to be a mixed blessing) the Government introduced a change in permitted development rights to allow two additional storeys on top of existing dwellings without permission – subject to terms and conditions.

Not a measure which will add extra housing on any scale, but a policy which will be guaranteed to set neighbours at loggerheads with each other, generate a host of problems and potentially undermine design quality – despite the simultaneous publication of a new National Design Guide which came out in the same breath!

With such an uncertain future, this may not be the best time to make wholesale changes. By this time next month, we may (or may not) have left the European Union, we may be in the throes of a General Election and we may have a completely new Ministerial team – with a range of new policies.

Maybe the Government's promised Green Paper on 'Speeding up the planning system' will offer a lifeline whereby the Land Promoters and Developers – as well as the rest of the building industry – can offer some helpful ideas on how we can indeed work towards the 300,000 dwellings per year this country so badly needs – or maybe it will disappear into the ether.