

## Spring forward or fall back: How will the government's planning announcements affect you?

**14 March 2019**

What's happened? The Chancellor gave his Spring Statement yesterday, which included a number of key planning announcements: more money and government reviews into infrastructure; new permitted development rights; and a new planning green paper to name a few. James Brokenshire, Secretary of State for Housing, Communities and Local Government, also published a Ministerial Written Statement which set out the proposals in more detail.

### **Spring Forward?**

- **PD rights** - The Government is pushing forwards with some of the permitted development rights that it proposed in the recent consultation. Building upwards to create new homes has been given the go ahead, but will not come in until the Autumn. The proposed flexibility to allow some of the high street uses such as retail and takeaways to change to office; and allowing hot food to change to residential use have also been accepted. So too has the extension of the temporary change of use from 2 years to 3 years, which it is hoped will encourage more community uses on the high street. Some of these new rights are due to take effect in a few weeks' time.
- **Planning Green paper** - An Accelerated Planning Green Paper will be published later in the year. This is due to set out how the planning system can be improved so that planning decisions can be made more quickly. It will draw on the recommendations from the recent Rosewell Review into planning appeals. The Government will also consider reforms to the compulsory purchase regime again.
- **Planning for Future High Streets** - A consultation on how the planning system can be used to support the high street will also be published this year. This is expected to look at the use of Compulsory Purchase Orders, Local Development Orders, "*and other innovative planning measures*". It'll be interesting to see what is proposed.
- **Future of Mobility: Urban Strategy** - The Chancellor reiterated the Government's commitment to electric vehicles, announcing that details on how the UK will respond to the significant changes in transport technology, will be published this year. This will cover electric vehicles, self-driving vehicles and advances in data and internet connectivity.

## Fall Back?

- **Response to the Letwin Review** - Some may be surprised to learn that the Government decided not to progress the legislative changes which Sir Oliver Letwin made in his build out review. He had recommended new planning rules to ensure greater diversification in housebuilding. Instead, James Brokenshire suggested that the existing regime already covers this, but said he will produce new planning guidance and keep it under review. It's good news for housebuilders!
- **Land value capture** - The message on land value capture was also clear. Consistent with earlier comments on this, the Government is committed to using the existing section 106 and CIL regime to make the developer contributions system "*more transparent, efficient and accountable*". MHCLG is still looking at this and considering further reform.
- **Conversion of buildings to residential use** – The right to allow commercial buildings to be demolished and replaced with new homes has not been taken forward yet and is still under review. The proposed extension of the right to change from storage to residential use has also been dropped and will expire on 10 June 2019.

## What does this mean for you?

This year's Spring Statement is generally good news for the development industry: no new land capture requirements; no new planning rules on diversification (yet); and instead, fresh efforts to improve the planning application and appeal process. This will surely be welcomed. Some may be disappointed that not all of the permitted development rights proposed have been taken forward, but these are not off the table yet and with the promise of new innovative ideas to deliver quicker planning decisions, that should be enough to put a spring in your step, for now at least!

## Contacts



**Kathryn  
Hampton**

Senior

Knowledge  
Lawyer

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