

CD D8

Appendices to Affordable Housing Proof of Evidence of Mr James Stacey BA (Hons) DipTP MRTPI

Land south of Radwinter Road (East of Griffin Place),
Saffron Walden

Affordable Housing Proof of Evidence of Mr James Stacey BA (Hons) DipTP MRTPI

Outline application for the erection of up to 233 residential dwellings including affordable housing, with public open space, landscaping, sustainable drainage system (SuDS) and associated works, with vehicular access point from Radwinter Road. All matters reserved except for means of access.

Land south of Radwinter Road (East of Griffin Place), Saffron Walden

Rosconn Strategic Land and the Executors of Mr EC Baker and Mrs J Baker

August 2022

PINS REF: APP/C1570/W/22/3296426

LPA REF: UTT/21/2509/OP

OUR REF: M22/0113-01.RPT

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Appendix JS1

Freedom of Information Correspondence dated 27 July 2022



Jamie Roberts

From: Annie Gingell
Sent: 27 July 2022 16:44
To: Jamie Roberts
Subject: Fwd: Freedom of Information Request – Reference No: 22-378
Attachments: Freedom of Information Request – Reference No 22-378.docx

Annie Hamilton Gingell BSc (Hons) MSc MRTPI
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From: Lisa Higgon <lhiggon@uttlesford.gov.uk>
Sent: Wednesday, July 27, 2022 2:23:58 PM
To: Annie Gingell <Annie.Gingell@tetlow-king.co.uk>
Subject: Freedom of Information Request – Reference No: 22-378

Dear Annie,

Please find attached the response to your recent FOI request.

Kind regards
Lisa Higgon
Housing Officer

Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex CB11 4ER

Direct Dial: 01799 510433
Web: www.uttlesford.gov.uk

Subject: Freedom of Information Request – Reference No: 22-378

Thank you for your request for information, which has been considered and actioned under the Freedom of Information Act 2000. The information you requested is shown below with the responses in **bold**:

Can you please provide the following data in line with the provisions of the Freedom of Information Act?

Questions 1 to 9 of this request relate to data held by the Housing Department.
Questions 10 to 15 of this request relate to data held by the Planning Department.

Housing Register

NB – Q2-5 & Q7 do not include sheltered accommodation

1. The total number of households on the Council's Housing Register at 31 March 2022. **1268**
2. The average waiting times at 31 March 2022 for the following types of affordable property across the Authority:
 - a. 1-bed affordable dwelling; **9 months**
 - b. 2-bed affordable dwelling; **7 months**
 - c. 3-bed affordable dwelling; and **13 months**
 - d. A 4+ bed affordable dwelling. **12 months**
3. The average waiting times at 31 March 2021 for the following types of affordable property across the Authority:
 - a. 1-bed affordable dwelling; **7 months**
 - b. 2-bed affordable dwelling; **7 months**
 - c. 3-bed affordable dwelling; and **5.5 months**
 - d. A 4+ bed affordable dwelling. **10 months**
4. The total number of households on the Council's Housing Register at 31 March 2022 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2022)
Sewards End Parish	94
Saffron Walden Parish	461

5. The average number of bids per property over the 2021/22 monitoring period for the following types of affordable property in the locations listed below:

Type of affordable property	Average Bids Per Property (1 April 2021 to 31 March 2022)	
	Sewards End Parish	Saffron Walden Parish
1-bed affordable dwelling	None advertised	39

2-bed affordable dwelling		25
3-bed affordable dwelling		36
4+ bed affordable dwelling		None advertised

Social Housing Stock

6. The total number of social housing dwelling stock at 31 March 2022 in the following locations:

Location	Total Social Housing Stock (31 March 2022)
Sewards End Parish	2
Saffron Walden Parish	598

Social Housing Lettings

7. The number of social housing lettings in the period between 1 April 2020 and 31 March 2021; and between 1 April 2021 and 31 March 2022 in the following locations:

Location	Social Housing Lettings	
	1 April 2020 to 31 March 2021	1 April 2021 to 31 March 2022
Sewards End Parish	None	None
Saffron Walden Parish	60	36

Temporary Accommodation

8. The number of households on the Housing Register housed in temporary accommodation within and outside the Uttlesford District Council region on the following dates:

Households in Temporary Accommodation	31 March 21	31 March 22
Households Housed within Uttlesford District Council	17	28
Households Housed outside Uttlesford District Council	1	6
Total Households	18	34

Homelessness

9. The number of homelessness applications in the last 12 months (please specify 12 month period used) which the Council has assessed as having:
- a. a prevention duty; and **42**
 - b. a relief duty. **86**

Housing Completions

10. The number of NET housing completions in the Uttlesford District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22.

2000/01: 224
2001/02: 154
2002/03: 403
2003/04: 231
2004/05: 335
2005/06: 520
2006/07: 326
2007/08: 541
2008/09: 439
2009/10: 523
2010/11: 298
2011/12: 521
2012/13: 540
2013/14: 390
2014/15: 463
2015/16: 554
2016/17: 722
2017/18: 969
2018/19: 983
2019/20: 485
2020/21: 362
2021/22: Data currently being collated

Note: Totals exclude communal accommodation completions.

11. The number of NET affordable housing completions in the Uttlesford District Council region broken down on a per annum basis for the period between 2000/01 and 2021/22.

2000/01: 18
2001/02: 0
2002/03: 14
2003/04: 25
2004/05: 103
2005/06: 158
2006/07: 30
2007/08: 56
2008/09: 143
2009/10: 107
2010/11: 45
2011/12: 122
2012/13: 134
2013/14: 76
2014/15: 80
2015/16: 115
2016/17: 149

2017/18: 157
2018/19: 305
2019/20: 99
2020/21: 51
2021/22: Data currently being collated

Note: Totals exclude communal accommodation completions.

12. The number of NET housing completions in Swards End Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

2000/01: counted as part of Saffron Walden (47 total)
2001/02: counted as part of Saffron Walden (13 total)
2002/03: counted as part of Saffron Walden (91 total)
2003/04: counted as part of Saffron Walden (21 total)
2004/05: counted as part of Ashdon (0 total)
2005/06: counted as part of Ashdon (0 total)
2006/07: counted as part of Ashdon (19 total)
2007/08: counted as part of Ashdon (1 total)
2008/09: counted as part of Ashdon (-1 total)
2009/10: counted as part of Ashdon (6 total)
2010/11: counted as part of Ashdon (5 total)
2011/12: 1
2012/13: 0
2013/14: 0
2014/15: 1
2015/16: 4
2016/17: 8
2017/18: 3
2018/19: 5
2019/20: 1
2020/21: 2
2021/22: Data currently being collated

Note: Totals exclude communal accommodation completions.

13. The number of NET affordable housing completions in Swards End Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

2000/01: counted as part of Saffron Walden (12 total)
2001/02: counted as part of Saffron Walden (0 total)
2002/03: counted as part of Saffron Walden (11 total)
2003/04: counted as part of Saffron Walden (13 total)
2004/05: counted as part of Ashdon (0 total)
2005/06: counted as part of Ashdon (0 total)
2006/07: counted as part of Ashdon (19 total)
2007/08: counted as part of Ashdon (0 total)
2008/09: counted as part of Ashdon (0 total)
2009/10: counted as part of Ashdon (0 total)
2010/11: counted as part of Ashdon (0 total)
2011/12: 0
2012/13: 0
2013/14: 0

2014/15: 0
2015/16: 0
2016/17: 0
2017/18: 0
2018/19: 0
2019/20: 0
2020/21: 0
2021/22: Data currently being collated

Note: Totals exclude communal accommodation completions.

14. The number of NET housing completions in Saffron Walden Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

2000/01: 47 (including Swards End)
2001/02: 13 (including Swards End)
2002/03: 91 (including Swards End)
2003/04: 21 (including Swards End)
2004/05: 2
2005/06: 119
2006/07: 34
2007/08: 82
2008/09: 20
2009/10: 6
2010/11: 11
2011/12: 126
2012/13: 108
2013/14: 93
2014/15: 133
2015/16: 71
2016/17: 67
2017/18: 86
2018/19: 291
2019/20: 95
2020/21: 45
2021/22: Data currently being collated

Note: Totals exclude communal accommodation completions.

15. The number of NET affordable housing completions in Saffron Walden Parish broken down on a per annum basis for the period between 2000/01 and 2021/22.

2000/01: 12 (including Swards End)
2001/02: 0 (including Swards End)
2002/03: 11 (including Swards End)
2003/04: 13 (including Swards End)
2004/05: 0
2005/06: 43
2006/07: 0
2007/08: 14
2008/09: 0
2009/10: 0
2010/11: 0

2011/12: 63
2012/13: 31
2013/14: 27
2014/15: 26
2015/16: 0
2016/17: 0
2017/18: 21
2018/19: 84
2019/20: 42
2020/21: 15
2021/22: Data currently being collated

Note: Totals exclude communal accommodation completions.

Please do not hesitate to contact me if you have any further queries or concerns.

If you are dissatisfied with the response to your request, please let us know. If we are unable to resolve the matter quickly then you may wish to pursue this through the Councils complaints procedure and request an internal review be undertaken. Internal review requests should be submitted within 40 working days of the date of receipt of the response to your original letter and should be addressed to: foi@uttlesford.gov.uk.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 0303 123 1113 or 01625 545 700 Website: www.ico.org.uk.

Appendix JS2

Extracts from the Planning Practice Guidance



Extracts from Planning Practice Guidance

*as of 04/10/2019

Section	Paragraph	Commentary
Housing and Economic Needs Assessment	006 Reference ID: 2a-006-20190220	<p>This section sets out that assessments of housing need should include considerations of and be adjusted to address affordability.</p> <p>This paragraph sets out that <i>“an affordability adjustment is applied as household growth on its own is insufficient as an indicators or future housing need.”</i></p> <p>This is because:</p> <ul style="list-style-type: none"> • <i>“Household formation is constrained to the supply of available properties – new households cannot form if there is nowhere for them to live; and</i> • <i>people may want to live in an area in which they do not reside currently, for example to be near to work, but be unable to find appropriate accommodation that they can afford.”</i>
Housing and Economic Needs Assessment	018 Reference ID 2a-01820190220	Sets out that <i>“all households whose needs are not met by the market can be considered in affordable housing need. The definition of affordable housing is set out in Annex 2 of the National Planning Policy Framework”</i> .
Housing and Economic Needs Assessment	019 Reference ID 2a-01920190220	States that <i>“strategic policy making authorities will need to estimate the current number of households and projected number of households who lack their own housing or who cannot afford to meet their housing needs in the market. This should involve working with colleagues in their relevant authority (e.g. housing, health and social care departments).</i>
Housing and Economic Needs Assessment	020 Reference ID 2a-02020190220	<p>The paragraph sets out that in order to calculate gross need for affordable housing, <i>“strategic policy-making authorities can establish the unmet (gross) need for affordable housing by assessing past trends and current estimates of:</i></p> <ul style="list-style-type: none"> • <i>the number of homeless households;</i> • <i>the number of those in priority need who are currently housed in temporary accommodation;</i> • <i>the number of households in over-crowded housing;</i> • <i>the number of concealed households;</i> • <i>the number of existing affordable housing tenants in need (i.e. householders currently housed in unsuitable dwellings); and</i> • <i>the number of households from other tenures in need and those that cannot afford their own homes, either to rent, or to own, where that is their aspiration.”</i>
Housing and Economic Needs Assessment	024 Reference ID 2a-02420190220	The paragraph states that <i>“the total need for affordable housing will need to be converted into annual flows by calculating the total net need (subtract total available stock from total gross need)</i>

		<p><i>and converting total net need into an annual flow based on the plan period”.</i></p> <p>It also details that:</p> <p><i>“An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.”</i></p>
Housing Supply and Delivery	031 Reference ID: 68-031-20190722	<p>With regard to how past shortfalls in housing completions against planned requirements should be addressed, the paragraph states:</p> <p><i>“The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach)”</i></p>

Appendix JS3

House of Commons Debate, October 2013



Westminster Hall

Thursday 24 October 2013

[Mr DAI HAVARD *in the Chair*]

BACKBENCH BUSINESS

Planning and Housing Supply

Motion made, and Question proposed, That the sitting be now adjourned.—(John Penrose.)

1.30 pm

Mr Laurence Robertson (Tewkesbury) (Con): I thank the Backbench Business Committee for granting this debate, which has been supported by a large number of concerned Members. In particular, I thank my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and the hon. Member for St Albans (Mrs Main) for sponsoring it along with me. There is concern among hon. Members and local planning authorities about apparent confusion in the Government's planning policies. I requested this debate because I want to consider planning, the countryside and housing projections, as well as related issues, such as the Government's professed preference for localism, as these matters are all interconnected.

Protecting the countryside was one of my main motivations for entering Parliament in the first place. As I represent the constituency of Tewkesbury, I am more sensitive than most to the need to avoid developing on or near flood risk areas. The terrible 2007 floods in Tewkesbury will never be forgotten by anyone who lived through them. I spend a lot of time trying to attract businesses, visitors and people in general to Tewkesbury, so I believe that a balance can be struck between allowing appropriate development and protecting our green belt, green fields and important open spaces, but I am not sure that we are striking that balance at the moment.

What do I mean by confusion in policy? The Government have said frequently, for example, that their policy is to preserve green-belt land, yet my local planning authorities—my constituency covers three—are telling me that the Government are pressuring them to provide for so many houses in their local plans or joint core strategies that it will inevitably compromise the green belt, green fields and flood risk areas.

In a ministerial statement dated 6 September 2012, the Government said:

"The green belt is an important protection against urban sprawl, providing a 'green lung' around towns and cities. The conlition agreement commits the Government to safeguarding green belt and other environmental designations".

That seems clear enough. However, the same statement goes on to say:

"As has always been the case, councils can review local designations to promote growth. We encourage councils to use the flexibilities set out in the national planning policy framework to tailor the extent of green belt land in their areas to reflect local circumstances."—[*Official Report*, 6 September 2012; Vol. 549, c. 33-34WS.]

That is less clear. Indeed, it is confusing, perhaps even contradictory.

On the face of it, reaffirming councils' right to re-designate the status of their land could be seen as promoting localism. However, the fact is that Government pressure to create high housing numbers is forcing such re-designations, which flies in the face of localism and contradicts the localism policy. The Government's policies on the green belt and the wider countryside are confusing and contradictory; clearing up that confusion is one of the purposes of this debate. The Government's insistence on high housing numbers is threatening the green belt, which leads me to question why the Government believe that we need so many houses in the first place. I wish to consider the question of housing projections.

I recognise and claim everyone's right to a decent place to live. My job immediately before I was elected to Parliament involved working with homeless women in London. My responsibility was to raise money to build a hostel and day centre for them, to enable them to take the first steps back to normality. I learned that in almost all cases, homelessness is caused not by a property shortage but by other factors such as finances, family breakdown, drug or alcohol abuse, unemployment, refugee status or other social factors. It is not that there are not enough houses.

The Government's own figures seem to confirm that there is no shortage of houses. In an answer to a recent parliamentary question that I tabled, the Government informed me that at the last count, there were 709,426 empty properties in England. Add to that the number of houses with planning permission that are not yet built and the figure for available properties in England comes close to 1 million.

Of course, there are in fact shortages of two kinds of housing: affordable homes, which are scarce in the village where I live, and privately rented properties, partly because it is hard and often undesirable to be a landlord. There are shortages in those two sectors for reasons other than a shortage of houses as such. For example, it is getting on for 2 o'clock, yet any one of us could go out into London or anywhere else and find houses to buy this afternoon. I question the Government's assertion that so many houses need to be built that local authorities must re-designate green-belt land in order to meet the Government's arbitrary and undefined housing targets.

Tewkesbury is an example of what I mean. There is no housing shortage in my area. In fact, there is planning permission for houses that have not yet been built, as well as empty properties. In the past 20 years, 7,536 houses have been completed in the borough of Tewkesbury, yet the Cambridge university econometric assessment, which is used by local councils and presumably approved of by the Government, suggests that 10,900 houses will be needed in the borough over the next 20 years—or, to be strictly accurate, over the next 18 years, as two years of the plan period have already passed. Why has Tewkesbury's housing need for the next 20 years been assessed as 45% higher than for the last 20 years? It needs explaining.

It gets worse. Tewkesbury borough is involved in drawing up a joint core strategy with Cheltenham and Gloucester. The JCS allocation for Tewkesbury borough for the next 20 years is not the 10,900 I refer to, high though that is, but 18,800, which is 150% higher than for the last 20 years. Why? Partly because it is deemed that Cheltenham and Gloucester cannot find land for

[Mr Laurence Robertson]

their housing growth needs, so the houses will be dumped in Tewkesbury borough, potentially causing housing stock in Tewkesbury to increase by 54% over the next 20 years and causing the councils to build on green-belt land and in other undesirable areas.

That raises the question of the duty to co-operate. Gloucestershire has six council areas, not just three, and the duty to co-operate goes beyond county boundaries. Why, then, will the houses that Cheltenham and Gloucester are deemed to need but cannot accommodate end up being built on green-belt land in Tewkesbury? That cannot be fair, and it demonstrates the paucity of the current planning guidance, which says that plans will be considered unsound if the councils concerned have not co-operated. However, it is the councils that are not involved in the plan, as well as those that are, that need to co-operate. How does that work?

I reiterate that if it were not for the Government's apparent pressure on local authorities to plan for a greater number of houses, the problem would not arise. Such a top-down approach is arbitrary and undefined. I say so because that is basically what the Government indicated to me in reply to a parliamentary question. In a written answer dated 9 July, the Minister told me:

"While there is no standard methodology, councils' assessments should be demonstrably objective."—[*Official Report*, 9 July 2013; Vol. 568, c. 191W]

What exactly does that mean? If there is no standard methodology for assessing future housing needs, how can Government assessments be right and the local authority's previous housing figures wrong? That is another question that I want answered today.

That brings us to the issue of localism. In my view, the Government were right to scrap the regional spatial strategies. It was surely wrong for unelected, anonymous people to determine how many houses an area should build and where they should build them. It was therefore with great anticipation that I and many others looked forward to the new housing and planning strategy—only, so far, to be disappointed.

Local plans have always had to be sound, and developers have always had the right to appeal against decisions against them locally; there has also always been a presumption in favour of sustainable development. However, we now seem to have gone beyond that, and to be setting the bar far too high for local planning authorities, and that causes them to contradict another area of Government policy, which is the need to protect the green belt.

As I have said, in my area, Tewkesbury borough will, if the JCS is adopted, have to increase its housing stock by about 54% over the next 20 years. That massive increase will mean that the council has to grant permission for developers to build thousands of houses on land that is currently designated green belt. Such sites have already been identified.

Sir Bob Russell (Colchester) (LD): I understand the point that the hon. Gentleman is making, but is it that Tewkesbury borough council is not engaging in a conversation with neighbouring authorities, or do those authorities want to foist some of their development on Tewkesbury, or on its borders?

Mr Robertson: The authorities are involved in the joint core strategy, which covers three councils, but there are six councils in the county, and others outside the county overlap with them, or are contiguous. Perhaps there has not been enough of an attempt to ensure that all councils join in, and there has been obstinacy on the part of some of those involved in the joint core strategy, but whatever the case, it is a really strange situation to have three councils getting together while others each have their own plans. The whole system is very confusing and difficult. As for Tewkesbury's allocation, even if we accept the Cambridge assessment of 10,900 homes, we will not have that figure; we propose to have 18,800, even though we built only 7,500 in the previous 20 years. The situation is very confused.

I have mentioned that there are proposals to build on designated green-belt sites. If they are built on, it will bring the coalescence of Cheltenham and Gloucester nearer, but it was precisely to avoid that that the land in question was designated green belt in the first place, in line with the policy stated in the written ministerial statement that I read out. Surely that is not what this Conservative-led Government intend to happen?

As I have mentioned the Conservative party, may I say in the privacy of this room that our policies on planning are losing us many votes in many areas? I am sure that the leaders of my party do not intend that to happen. In some ways, I feel that the Government believe that recovery and growth in the economy can be kick-started by encouraging more house building. Perhaps that is why the Government are requiring such high numbers, rather than following assessments based on experience and fact.

Mrs Anne Main (St Albans) (Con): I will be brief, because so many hon. Members want to speak. There are huge numbers of readily accessible plans in the system that no one is building for, so just granting more plans will not kick-start the economy; it will just provide more land-banking for developers.

Mr Robertson: I entirely agree. I do not believe that it is for the Government to engineer a recovery in such a way. Surely the market will determine in which areas there will or will not be growth, so why not leave local councils to determine how many houses they need over any given period and to make their plans accordingly? The Minister may reply that that is indeed happening, but it is not. The three council areas I cover have all told me that they have to make plans for a high number of houses, because the Government will reject plans as unsound if they do not plan for such large numbers. If that is wrong, I want the Minister to say so. I will then go back to those councils and tell them that their view is wrong. I do not, however, believe that that is the case.

There is certainly a feeling that developers' ad hoc applications are granted too freely on appeal by the Secretary of State. I have examples of that in my area. Appeals have been granted that will allow the building of many houses at Bishop's Cleeve and Winchcombe, against the wishes of local people. On the face of it, those appeals were allowed because the council has been deemed to have an insufficient five-year land supply. What is that assessment based on? Is it based on the number of houses built in the past, on some arbitrary and undefined calculation, or on figures in the regional

spatial strategy? The strategy for the south-west was never signed off, and that whole policy has been scrapped in any case. Once again, this practice flies in the face of the localism concept that the Government are promoting.

Many hon. Members wish to speak, so I will summarise my main concerns. The Government's policy on the green belt is confused and contradictory, and we need clarification today. Exactly how do the Government assess how many houses will be needed in the future? Why are they following the predict-provide approach? Why are estimates for future housing need so high, and why are they so much higher than what was needed for the last 20 years? As a slight aside, much of the population growth in the past 20 years has been caused by immigration. Given that the Government are intent on reducing net immigration and claim to have done so already, how can housing need be predicted to increase? Why is the localism agenda being ignored? Why is pressure being put on local councils, causing them to build on green-belt land? All those questions are being asked in the council areas that I represent and, most importantly, by the constituents I represent, and they would all like answers.

Several hon. Members *rose*—

Mr Dai Havard (in the Chair): Order. I thank hon. Members who have indicated that they wish to speak. I have a long list of 15 Members. Given the time constraints, I appeal to you to plan on having seven minutes each. That will give everyone a fair chance to speak, and allow for a proper response from the Minister, as Members will want him to give a comprehensive reply.

1.48 pm

Valerie Vaz (Walsall South) (Lab): It is a pleasure to serve under your chairmanship, Mr Havard. I thank the hon. Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main), and the right hon. Member for Arundel and South Downs (Nick Herbert) for calling the debate, which is very timely.

I declare an interest as a member of the National Trust—I am concerned about its announcement that the National Trust will allow fracking on its land, but perhaps it will consult its members—and in my previous life, I used to litigate on behalf of the Government on planning matters.

I want to focus on three main areas that have affected my constituency of Walsall South, which is an area of mixed housing, with 11 farms—planning and the green belt, land banking and permitted development.

The green belt was first proposed by Ebenezer Howard in 1898, in his book "Garden Cities of Tomorrow". Hon. Members may not know that as well as writing that book, his day job was as a transcriber for *Hansard* in Parliament, so who knows what the transcribers get up to in their spare time? In 1935, the metropolitan green belt was proposed by the Greater London regional planning committee, under the leadership of Herbert Morrison, one of whose relatives is in the other place. In 1947, under the main Town and Country Planning Act, councils outside London became able to control the use of, and to develop, undeveloped land. In 1955, the green-belt policy was established, requiring local authorities to set out the green belt in their area.

Like the hon. Member for Tewkesbury, I still find that there is a misconception about the nature of the green belt, what planning in the green belt is and what "very special circumstances" means. We have a national planning policy framework in place. In old money, which is what I am used to, it was called planning policy guidance. There were lists of criteria of what could and could not be built on the green belt. Either way, whether we use the old money or the new framework, the green belt should be protected, and it is not.

In Walsall South, we fought against development on the site of the Three Crowns pub. Against the planning officer's advice, permission was granted for 14 flats with three detached houses on the green belt. The development was clearly out of character for the area. Since then, nothing has happened, except for the development of a car wash. No building work has taken place. The only sign of creativity is graffiti on the building. Land and building have lain empty and unused for three years.

As we are debating this matter today, a decision will be made about the disused site of the Three Crowns school. It is green-belt land that was given to the community, so it is council land. Permission will be given—or perhaps not—for eight detached houses. Such development is not required in the area. Not only was the consultation carried out in the summer holidays when people were away, but the plans go beyond the footprint of the building.

There is need for housing in Darlaston, in another part of the constituency, and there is permission for 224 houses to be built on a former factory site. Permission was granted in 2007 and still the site remains derelict, without the sound of people coming in and out of their houses. The owners are a subsidiary of the Royal Bank of Scotland. The residents in the area say that they want housing, a community space and a place for young people. The owners, however, want a retail development on a site that is near the largest retail parks in the region; that is land banking at its worst.

My third area of contention is permitted development and its extension. We have the extraordinary situation in my constituency where a phone mast has been placed in a high street. The council rightly refused permission, but because it sent the rejection by second class post, the company was deemed not to have been given reliable and verifiable notice of the refusal. There was notice: Vodafone were informed of the result by phone and the refusal was on the council website. Residents will have to put up with this phone mast, as there has been no compromise from Vodafone. Indeed, Vodafone is planning to extend the height of the mast. There were many sites for the mast—I have been in discussions with Vodafone—but the company insists that it wants to keep it on the high street. It is an eyesore, and because of a simple mistake, my constituents are affected. Furthermore, with the new permitted development rights these phone masts can be extended up to 20 metres and widened by up to a third. The Phesay phone mast is on a pavement on the high street. Once again, other interests carry more weight than those of the people who have to live with the consequences of such decisions.

In conclusion, with cuts to local authority budgets, those with the skills to make coherent planning decisions are in short supply. Such people should be valued, as should the views of residents, with a tribunal attaching the appropriate weight to the views that are based on

[Valerie Vaz]

planning grounds, and not just on commercial interests. In that way, we will maintain the spirit of Octavia Hill and Beatrix Potter and balance the need for housing with a protection of the countryside preserved for future generations.

Mr Dai Havard (in the Chair): I thank you for your time consideration. I now call the co-sponsor of the debate, Mrs Anne Main.

1.54 pm

Mrs Anne Main (St Albans) (Con): St Albans is ringed by green-belt land and green fields. We have good schools, very low unemployment, good links to London and a beautiful historic city. We are an aspirational living destination as well as an area in which people have firm roots. Once they are there, they do not usually wish to move; they want to bring up their families there, and their families want to stay.

It is no wonder that developers have us in their sights. We are in the proximity of London and house prices are high. I hope that local need and modest growth are not being confused with the ramped-up desire to market our area, as I regularly see local developments being actively marketed in London in terms of relocating for quality of life. For local councils, therefore, the "predict and provide" is hard, as we are trying to satisfy the appetite of developers. We want to ensure that we support the local economy, businesses and the need for the sort of development that our area can handle. I want to focus on the economic balance of an area.

Locally, it is hard to find a significant number of large brownfield sites, so any development tends to be a sensitive issue. We must make hard choices and my authority is up for that. We are actively undertaking a green-belt review, but we wish to have minimal impact on our green belt and coalescence. The need for local decision making in the planning system will be a strong theme in the debate, and Members from different areas will have their own issues and views in that regard. I trust local elected representatives to act like grown-ups, to listen to residents, to recognise the need to build and develop, and to plan and provide for their local area. No one wants a no-build or silo mentality, and in St Albans we are certainly not averse to having cross-border authority co-operation.

I welcomed the fact that in June my right hon. Friend the Minister urged local councils to encourage co-operation. I urge him now to listen to neighbouring authorities, which are being frustrated by the current developer-led system. They may wish for something in their area, but it will not happen because something is being imposed in a neighbouring area.

A case in my area proves that point. Hertfordshire is furiously resisting a rail freight interchange on 300 acres of green belt, slap bang in the middle of villages, accessed off village roads and with no direct motorway access. It is at a commuter pinch point on the line—commuters are very important to the economy of St Albans, and we do not have blue collar workers—and all in all, the villagers are up in arms about the interchange, which certainly was not included in the local emerging development plan. We believe that it is the wrong site in

the wrong area and that it will have an injurious effect on our part of the countryside. Even the inspector in his first and second reports rejected the site, observing that

"there is not a large, available work force local to the Radlett site...The net result would inevitably be mass in-commuting, mostly by car, all of which is directly contrary to the Government's policy. The irony of this is almost painful. The Government promotes SRFIs in order to advance the cause of sustainability—"

and the developer is promoting the proposed site—

"in a wholly unsustainable location."

If we are to take seriously the protection of the green belt, surely we should be looking at relinquishing parts of it only when we absolutely have to and we should relinquish only those bits that would be least injurious to us. The inspector also said that there is no dispute that we enjoy very low levels of unemployment

"and several of those who spoke at the inquiry advised me that employers in the area were already experiencing difficulties in recruiting workers."

He said that there would be no reason for that to change should we have this large commercial development on our green belt.

Members might be amazed to hear that only 15 miles north in a neighbouring authority—I know that we are supposed to co-operate with our neighbours—on exactly the same train line, well away from residential homes, unlike in my constituency where residents are directly backing on to this site, development is starting on a newly constructed motorway spur off the M1 costing £134 million. Also under development is a £2.5 million slow passing link, which would allow freight lorries to wait and heavy trains to let through the passenger services that are all part of the new £6 billion Thameslink commuter services. Moreover, there is a willing local work force who need the jobs.

I cannot say this strongly enough: the public will find that scenario completely puzzling. We are supposed to have a commitment to the green belt and to the policy of letting localism decide. We talk about having economic regeneration in areas that need it and about not over-heating the areas that do not need it. Here we have an area that waited to get the infrastructure in place. It now has it in place and the funding to facilitate it. The scheme is included in the local plan. The reason it wants it is to improve the economic regeneration of the whole area. In January, the site assessment was made in which the council said:

"Overall, it is considered that this site will be suitable for the development of a RFI and employment land and will make a significant contribution to the economic growth of the area."

In its own assessment, it said:

"It will contribute to the economic delivery of the area by providing much needed employment opportunity to complement the growth of north Luton and Houghton Regis."

This is where the public are puzzled; my hon. Friend the Member for Tewkesbury (Mr Robertson), who opened this debate, said exactly that. We must have a degree of sympathy and co-operation with areas that are near to us, and I really want that to happen, as people can imagine. However, I am puzzled why the Minister did not give this mutual gain and benefit to both areas. At the time of his minded-to decision—that is somewhat in the past, so I hope today he has a chance to reflect on it—he said that there was

"little substantive evidence...to indicate that...site" was "preferable".

Perhaps today the Minister will reflect on those recent developments, which I believe are material planning considerations. First, Mid Bedfordshire has a firm commitment to this project; it has expressed the need for development. There is a massive motorway funding agreement now in place and going ahead. The rail infrastructure work has started; he can visit it and see it. It is in an area of green belt that is certainly not as sensitive as mine. What is more, I am not fighting an authority that is resisting it; we are looking at an authority that will welcome it with open arms.

My site will have 25 mph trains crossing a fast line. There will be an interruption to my commuter services, and those commuters are a part of the London economy. The St Albans economy is very much knowledge-based, and those workers support a lot of businesses in London. To have their fast Thameslink train commuter services interrupted by 25 mph freight trains will be a nightmare. I have written to the Secretary of State for Transport because we still do not have the pathings, and we still have not received the assurances we want.

I find it amazing that the planning process is still developer led. Developers pick the sites they want to build on and it seems they are delivering some Government aims, whether on housing totals or strategic rail freight. Surely we can start looking at this process in a more local fashion.

The latest jobs figures in St Albans, which are all part of the mix, confirm almost zero unemployment. Nothing alters; we are fortunate in St Albans. We have a blue collar worker deficit, and yet there are nearly 5,000 unemployed people in the Luton area, which is where the proposals show we would draw our work force from. Why are we still bussing—well, we are not using buses, but why are we allowing cars to circulate around our countryside to access inaccessible sites, when just up the road from us we have an area crying out for economic regeneration? The second inspector's report said:

"Employment has never been a major problem in this part of Hertfordshire. A project such as this ought to be directed towards a regeneration zone."

I agree with that.

Of course, a developer will always push his own site, whether it is for housing or—as in my case—for a major infrastructure project. Ironically, on a large infrastructure project such as this one, the developer is allowed to conduct his own alternative sites assessment and choose his own selective criteria by which to judge a site. So it is not surprising that—hey presto—you can demonstrate after all, Mr Havard, that after due consideration of everywhere else, your site is the best—not yours, Mr Havard, but the developer's.

Is there any consideration within the Minister's current thought processes about whether we can alter that situation? Why should the developer pick the criteria by which we will judge a site and then say, "Well, mine's the best"? If we listen to local decision makers, the answer is different, as I have just demonstrated, but not surprisingly in my case I have two different developers, so each one wants to say that their site is the best; the difference is that one local economy believes theirs is the best.

Mr Dai Havard (in the Chair): Can I ask you to—?

Mrs Main: I certainly can.

If we are to stand for anything, it is as a Government of empowerment and choice over planning and local decision making. That is what the residents expected when this Government came as a coalition. I cheered the abandonment of the regional planning targets. I sincerely hope that this Government will review its planning processes.

Mr Dai Havard (in the Chair): Thank you very much. Well, Ms Vaz gave us a little bit of extra time and as you, Mrs Main, are a co-sponsor of the motion, it was probably helpful that you had a little extra time. May I remind everyone please to give others the opportunity to speak?

2.3 pm

Sir Bob Russell (Colchester) (LD): Thank you, Mr Havard, for calling me to speak. I thank you, the Minister, and the shadow Minister—the hon. Member for City of Durham (Roberta Blackman-Woods)—for understanding that I am not able to be here for the wind-ups.

The Minister will have noticed that there are 23 Government Back-Bench MPs here today, and it may well be that, at the end of three hours of debate, he will not have too many supporters. That is because the reality and the rhetoric of the Localism Act 2011 sadly are not the same, and while the intentions were clearly there, the reality is not.

I will be very parochial and talk about my constituency, which is supposed to be the fastest-growing town in the east of England. The Minister will know from questions that I have put to him and to his predecessors that I will be site-specific. I ask him and his officials whether it is appropriate that they will shortly make a determination on a development of 1,600 homes, even though the section 106 agreement fails to deliver the funds for the two schools that are required. It is not me saying that but Essex education authority. It says that there is no money to build the schools. How on earth can approval be given, particularly as the development is contrary to Government policy, which is that brownfield land, where available, should go ahead of greenfield land?

This particular site, which I have dubbed the fields of west Mile End, is adjacent to a former psychiatric hospital site that is on the market and zoned for housing; it has been for several years. The sale could be scuppered at the 11th hour if the development on the farm land goes ahead, because even though Colchester is the fastest-growing town in the east of England, there must come a point when there are too many houses and there is a glut. We already have a glut of flats—the "Prescott" flats. The last Labour Government insisted that the future was flats. We have a glut of empty flats in my town. What we want is family housing.

Do hon. Members remember an advert from a few years ago about a beer that reached the parts that other beers did not reach? Well, we have a local developer called Mersen Homes that is able to reach land that has never been lined up for development before. For example, the fields of west Mile End have always been land without notation—white land. It was never going to be built on, and no developer had a chance there. All of a sudden, under the radar, the land was lined up for

[Sir Bob Russell]

development. The ward council did not know about it, or if it did—I am not sure what happened. It is the only part of my constituency with a community council—Myland community council—and it was late in the day when it found out what was going on.

This is a bad development, a bad plan, with 1,600 houses to be served by the longest cul-de-sac in Britain. All the cars will pour on to the already congested highway network around Colchester mainline station. Everybody knows it is wrong, and in a question that I put to the Department for Communities and Local Government, I said that developers and planners should be

“forced to live there for a minimum of five years”.—[*Official Report*, 4 February 2013; Vol. 558, c. 13W.]

They are creating problems for others to suffer that they will not suffer themselves, because they tend to live in big houses miles away; they do not have to put up with the consequences.

To the east of Colchester—this is why the hon. Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) are absolutely right—the next-door council, Tendring district council, wants to plonk houses on farm land that, astonishingly, nobody has ever thought should be built on, and on which, in 2010, Mersea Homes secured the best part of 800 acres. Having been lucky twice with farm land that had never been zoned for housing, Mersea Homes must know how to go about securing it. I will leave that hanging there.

Tendring district council has the North sea on one side. Clacton is 15 miles from Colchester, and the council is talking about a development of 3,000 houses adjacent to the borough boundary of Colchester. It will double the urban estates of Greenstead and Longridge Park. It will just be an urban sprawl going eastwards. The local authority—Tendring—should build its houses where its people want them. As for the idea that people living on this huge estate right up on the border of Colchester will look to Clacton—16 miles away, where they pay their council tax—rather than to Colchester, when many of the houses will be in sight of the town hall, that is not what the Localism Act 2011 was about.

What is worrying—I will end on this, Mr Havard—is that it is quite clear that this has all come in under the radar. Elected councillors in Colchester—virtually all of them—have not been engaged in the debate. Secrecy, or at least lack of involvement, is a serious issue here. There should be an inquiry into what the hell is going on.

Mr Dai Havard (in the Chair): Thank you. I have had a missive from Mr Turner. Although special pleading is not allowed, it is his birthday today. I cannot accede to the request that we all sing him “Happy Birthday”, but he indicated to me that he has a pressing engagement, so I call Mr Turner.

2.10 pm

Mr Andrew Turner (Isle of Wight) (Con): Thank you, Mr Havard. It is a pleasure to serve under your chairmanship. I congratulate my hon. Friends the Members for Tewkesbury (Mr Robertson), and for St Albans (Mrs Main), and my right hon. Friend the Member for

Arundel and South Downs (Nick Herbert), on securing this important debate on a issue that affects everybody in every constituency.

I have long been interested in planning and there are many points that I could raise, but I want to keep my remarks brief and will restrict them to an aberration in the planning rules. I shall also make an observation about local development plans.

The problem is that planning authorities can give themselves planning permission to develop sites that they own. I was a city councillor in Oxford for 17 years, until 1997, and during that time, on many occasions, the council gave itself planning permission, sometimes in preference to other applicants. I am certainly not suggesting that my colleagues at the time did anything wrong or even anything questionable. However, if people own a site and are responsible for giving themselves permission to develop it, it is hard to ensure that there is no appearance of impropriety. We all know that appearances are important. We need to make sure that people have faith in the planning system. I know that this issue troubles people across the country; indeed, a number of people have raised it with me on the Isle of Wight.

I am not sure what alternative procedure we could or should follow. Perhaps it would be appropriate for neighbouring authorities—if there are neighbouring authorities—or a totally separate body to take decisions about council-owned land, or in cases where the local authority would benefit in some way. I should be grateful if the Minister shared his thoughts on this issue and said whether he believes it to be a problem that the Government should address that a council may give planning permission for land that it owns, where it would benefit from doing so.

Local development plans were introduced in 2004, so they postdate my experience as a councillor. I do not claim to have any particular knowledge of or expertise about them. However, I know that writing them and getting them approved can be a long-drawn-out process. Although they replaced a system that was seen to be inflexible, the intention being that they could more easily be amended, having spoken to Bill Murphy, head of planning services at Isle of Wight council, I am not convinced that changes to the core strategy document can be made as quickly and easily as was envisaged when the plans were brought in. It seems to me that a Minister can change the rules much quicker than a local authority.

To provide an example of certain problems, on the Isle of Wight the core strategy document sets out that we should have 520 new dwellings every year. It is not a secret that I think that is far too many, but it was not a decision for me to make; it was made, quite properly, by an elected council. However, it is now clear that the existence of that target may make it more difficult for the Isle of Wight council effectively to oppose inappropriate developments, such as Pennyfeathers, a proposal to develop a 55-hectare greenfield site just outside Ryde. There are many problems with that proposal. Not least of them is that Monktonmead brook already floods. Also, there are a number of brownfield sites available in and around Ryde that should be developed before greenfield farm land. Putting between 800 and 1,400 additional houses on Pennyfeathers farm land is quite wrong. I sincerely hope that the council will find the grounds to reject this development; if it does, I will be pleased.

It should be much easier to amend the core strategy document to take account of changes, particularly political change. A Conservative council may be replaced by a Liberal council the following day. *[Interruption.]* Well, not a Liberal, but an independent one, perhaps. The council should be able to change the rules, because the people have voted. That also applies to changes in economic circumstances, changes in local authority control, changes in demographic trends, or even changes in response to proposals that are clearly against the wishes of local people, because if localism means anything, it must take account of what local people want. I shall not detain the Chamber any longer. I should like the Minister to make his views clear.

Mr Dai Havard (in the Chair): Happy birthday, Mr Turner!

2.15 pm

Nick Herbert (Arundel and South Downs) (Con): I congratulate my hon. Friend the Member for Tewkesbury (Mr Robertson) on securing this debate, which I am delighted to co-sponsor.

Two years ago, we passed the Localism Act 2011 and promised local people that they would be given a greater say over matters that they care about, including development. It was part of a deliberate programme of devolution of power to people and communities. Ministers promised, and continue to promise, that power will transfer to local people in accordance with our manifesto and the coalition agreement. I fear that, two years on, people's faith in that promise will be considerably undermined if we allow, by the back door, the re-entry of top-down decision making that effectively denies the localism that was promised.

Let us consider the first problem. Central to the Government's new planning policy was the principle of sustainable development. Paragraph 14 of the national policy framework states that this is the

"golden thread"

that should run through

"both plan-making and decision-taking."

There are two words in the phrase "sustainable development"; it is imperative that proper weight be attached to the first of them.

Many in communities in my constituency are concerned that inadequate consideration is given to the availability of infrastructure to support development proposals. We have congested roads, over-subscribed schools, serious flooding issues and countryside that is valued and in short supply. Half my constituency is protected landscape, forcing all development proposals into the other half that is not.

Under the new system, local authorities are required to make an assessment of housing need, but surely that cannot be the last word. If sustainable development means anything, local authorities must be free to decide how many houses can be built—not just how many are necessary—to match that need, otherwise we might as well return to the top-down targets. The Campaign to Protect Rural England's Sussex Countryside Trust, in my constituency, makes the point well:

"The figures generated by the Strategic Market Housing Assessment are an assessment of need without constraints. These figures cannot simply be passported into an emerging local plan without

an effective analysis of the limitation imposed by the supply of land for new development, historic underperformance of infrastructure or environmental constraints."

Are local authorities free to make such an assessment and, regardless of the housing need that they assess, then decide how many houses can be delivered sustainably in their area? Or is an assessment of need the last word? The Government are driving hard at the demand to provide more housing. The "sustainable" part of sustainable development, promised in the Localism Act, is being put in the second rank.

A second issue is whether there is proper assessment of the available infrastructure. That issue was raised by me and many of my hon. Friends during consideration of the Growth and Infrastructure Act 2013 in December 2012. I moved an amendment stating that infrastructure needs should be taken into account when drawing up local plans. I was grateful to the Minister for what he said in response:

"I will look at making sure that the guidance that is provided in a much reduced set of planning guidance is very clear about the need to plan positively and specifically for infrastructure that is required to support the development and to ensure that it is brought on stream in good time for that development."—*[Official Report, 17 December 2012; Vol. 555, c. 605.]*

That was a pledge that there will be very clear guidance on the need to plan positively for infrastructure, but when the guidance was published in beta form—it was a draft—on 28 August, I think I am right to say that there was no such reference to infrastructure. My second question to the Minister is whether he will in fact introduce that guidance on infrastructure, as he promised in the House last December.

Another key way in which faith in localism will be undermined is if we return to the bad old days of planning by appeal, and allow the Planning Inspectorate to overturn planning applications. That is happening time after time, and it is hugely undermining faith in localism in my constituency and elsewhere. It is undermining faith in the whole system that we have set up to encourage people to take responsible decisions on planning in their local area. That is not just my view. In a briefing today, the Local Government Association said that the Planning Inspectorate's

"apparent disregard for sites identified in emerging local plans not only undermines the principles of a plan led system and local determination set out in the NPPF, but also seriously undermines local communities' trust in the planning system. This results in resistance to further local development, general local resentment, and development that does not reflect the needs of local communities as set out in the draft published local plans."

In a letter to me on 6 August, the Minister said that "decision takers may give weight to relevant policies in emerging plans"—

that is, plans that have not yet been completed, which is important, because they are either district councils' plans, or emerging neighbourhood plans, in which people have put a great deal of effort into deciding where development should go. If those plans were given no weight, speculative applications would be allowed, and we would get a system that was not plan-led, but developer-led, which would effectively amount to a free-for-all on our countryside. However, when the guidance was published, it actually stated that

"arguments that an application is premature are unlikely to justify a refusal of planning permission other than in exceptional circumstances",

[Nick Herbert]

so will the Minister consider allowing more weight to be attached to emerging plans, so that an indication by local people of where they do, responsibly, want development, and also where they do not, is taken on board by the Planning Inspectorate? If that is not taken on board, again, we might as well return to the top-down system that we had before, which did not deliver the new housing that we needed, and we cannot justify promising to people that we are delivering localism.

I understand why the Government were concerned about the situation they inherited. There was a low level of housing starts, and we have to accommodate this country's housing need. There are important generational arguments about the lack of opportunity for young people and their ability to get their foot on the housing ladder, but allowing top-down targets to return through the back door—indeed, even encouraging them—will not deliver the additional housing that is needed. It will merely deliver a great deal of pain—pain politically, as people see that the promise of localism was not in fact real, and pain because such top-down targets will not help people to get their foot on the property ladder and will not have a significant effect in reducing property prices.

House building is growing at the fastest rate for 10 years. A more radical reform will be required if we are to seek to close the gap between incomes and rapidly rising house prices, but I urge the Government to keep faith in the localism that was promised in our manifesto and in the Act that we passed, and not to return to the bad old days of top-down targets and of allowing the Planning Inspectorate to override local decision making, which merely set up conflicts and delivered nothing, in terms of the housing that we needed.

Mr Dai Havard (in the Chair): We have now used the time won by Sir Bob and Mr Turner.

2.24 pm

Sir Tony Baldry (Banbury) (Con): I last raised concerns on planning and planning guidance in a debate I initiated in the House on 18 January, which can be found at *Official Report* column 1218. I will not repeat what I said in that debate, and I will put the full text of what I intend to say this afternoon on my website, www.tonybaldry.co.uk.

In January, I expressed concerns that developers were making opportunist planning applications in the hope of securing planning permission before the adoption and introduction of a new local plan, and I also observed that if localism and neighbourhood planning were to have any meaning, local communities must have the opportunity and a reasonable period of time in which to draw up neighbourhood plans. I drew the House's attention to four specific planning applications in my constituency, all of which clearly ran counter to Cherwell district council's local plan.

Following that debate, the Secretary of State for Communities and Local Government decided to call in all four planning appeals. As a former Planning Minister, I am well aware of how rarely Ministers call in planning applications, so I assumed that the Secretary of State

had called in the applications because he wanted to give an indication on the weight that the Planning Inspectorate should give to draft and emerging local plans, a point raised by my right hon. Friend the Member for Arundel and South Downs (Nick Herbert).

I assumed that the Secretary of State would also want to give some indication on how the Planning Inspectorate should calculate the five-year housing supply and would take the opportunity to reinforce the Government's belief in localism and commitment to neighbourhood planning. In the event, the Secretary of State did give a clear indication on the weight that should be given to the draft local plan: absolutely no weight whatsoever, according to the decisions in all those appeals. By allowing all four appeals, the Secretary of State also made it clear that no weight or consideration should be given to localism or neighbourhood planning.

Given that those appeals all ran so clearly counter to the provisions in Cherwell district council's draft local plan, they not surprisingly provoked a good deal of anger from local residents, local councillors and indeed myself, and given that all the decisions were made by the Secretary of State, they not surprisingly attracted press coverage. In response to journalists' questions on why the appeals had been allowed, in one article the press spokesperson of the Department for Communities and Local Government observed that the appeals had been allowed because Cherwell had not made

"sufficient progress with their Local Plan".

I will examine that proposition. A draft local plan is not something that can be whistled up overnight on the back of an envelope; it requires consideration and full and proper consultation with local people and house builders. If the local planning authority gets the local plan wrong, it is liable to judicial review.

One of my many frustrations with the Secretary of State's decisions is that Cherwell, after careful, widespread and considered consultation, had managed to produce a draft local plan to which there is practically no opposition among local people. I would have understood the Secretary of State's decision to allow all four recent planning appeals if there was a scintilla of a suggestion that my constituents or Cherwell district council were in any way wanting to frustrate local housing development. The reality is quite the contrary.

Over the past 25 years, Banbury and Bicester have been two of the fastest growing towns in Oxfordshire and everyone accepts and recognises that Banbury and Bicester will continue to develop with new housing growth over the next 20 years. Indeed, I can only assume that Ministers in the Department for Communities and Local Government simply do not talk to each other. That may be a consequence of the fact that, unlike in my day, when Housing Ministers—as the Chief Whip, the right hon. Member for North West Hampshire (Sir George Young), who was here briefly, and I were—were also Planning Ministers, those roles now seem to have been separated.

If Planning Ministers had spoken to Housing Ministers, they would have learnt that Housing Ministers had made numerous visits to my constituency over the past couple of years to support and encourage the numerous housing initiatives in north Oxfordshire, including: one of only two eco-town projects left and being developed, which in due course will deliver approximately 5,000 houses;

probably the fastest turnaround to grant planning permission for new housing on a major Government surplus brownfield site on former Ministry of Defence land at Bicester, granting planning permission for 1,900 houses; and one of the largest, if not the largest, proposed self-build housing projects anywhere in the country. Indeed, the Minister's Department and the Homes and Communities Agency tell me that what we are proposing at Bicester will be the largest self-build scheme by a long way anywhere in the country and will deliver up to 1,900 houses. Cherwell district council is so keen to get house building going in north Oxfordshire that it has offered to buy the surplus MOD land from the Government, so that it can ensure that new house building takes place there as speedily as possible.

This very Monday, Cherwell district council agreed its local plan for submission to the Secretary of State at a meeting of the full council, which endorsed it with a unanimous vote. No responsible local authority could have produced a local plan more quickly. The agreed plan makes robust provision for housing until 2031 and envisages 16,750 new houses being built in Cherwell district during the survey period up to 2021. That is in a robust and deliverable local plan that has been adopted unanimously and without any significant local opposition. Moreover, the House might be interested to know that more than 50% of the planned houses are already being built or are subject to planning applications under active consideration by the district council. Cherwell not only has an agreed local plan, but is doing all that it can to deliver on the provisions of that plan.

The whole point of local plans, however, is to enable local councils and local communities to decide where new housing provision should go. Cherwell's local plan focuses development growth on the towns of Banbury and Bicester, while avoiding coalescence with villages by introducing new green buffers around the towns. That seems to be a wholly commendable policy aspiration on the part of district councillors.

One of the recent planning appeals decided by the Secretary of State, however, drove a complete coach and horses through that policy aspiration of developing green buffers, by allowing development in an area that the district council had allocated as a green buffer in the local plan. In effect, the Secretary of State has allowed a policy of first come, first served, with planning permission being given to whichever house builders or developers happen to get their planning applications in earliest. This is not plan-led development; this is not central planning policy—this is planning anarchy.

My hon. Friend the Minister will say that the Secretary of State, having granted planning permission, now has no locus on those decisions. In law, that is correct, although Cherwell district council is not surprisingly considering with leading counsel whether there are good grounds to take the Secretary of State to the High Court for judicial review of his decisions. Ministers may no longer be legally accountable for their decisions, but they are politically accountable.

Ministers say that one reason for allowing the appeals was because, at the time the planning applications were made, the district did not have adequate five-year housing supply. One of the main reasons why the district did not have adequate supply, however, was because, on a number of significant sites where developers had been granted planning permission, they had simply not started building

work. Local authorities and local people, having granted permission on significant sites, are not to blame if the house builders decide not to build until some time in the future, for whatever commercial reasons of their own.

From what the Secretary of State decided in the four appeals, it appears that the local plan will have no weight until it is actually adopted. It cannot be adopted, however, until after the process of examination in public. District councils such as Cherwell are in no way in control of when the Planning Inspectorate will undertake and complete the continuous improvement plan. Until then, we are all vulnerable to continuing opportunist planning applications by developers who strongly suspect that they will be allowed by the Planning Inspectorate or by the Secretary of State on appeal.

2.33 pm

Martin Horwood (Cheltenham) (LD): I apologise to you, Mr Havard, and to my neighbour, the hon. Member for Tewkesbury (Mr Robertson), for missing the opening speech. I congratulate the hon. Members who secured the debate, which is enormously important.

The issue is enormously important politically for both coalition parties, because we both made profound promises in opposition. The Conservative party's policy document, "Open Source Planning", states:

"Our emphasis on local control will allow local planning authorities to determine exactly how much development they want, of what kind and where"—

not how much an econometric model tells them they need, or how much demand has to be met, but how much development they want.

The Liberal Democrats produced a document called "Our Natural Heritage", which states that

"our quality of life is dependant on the quality of our environment. We will not only work to maintain and enhance it but will give people more access to and influence over it."

One of the ways in which we suggested doing that was a new designation, the local green space designation. I helped to author that policy, and I was proud when it made its way into the coalition agreement, and from there into the "Natural Environment White Paper" and then the national planning policy framework. As the Prime Minister said to the director of the National Trust, I think, it would be a tool that local people could use to protect not vast tracts of countryside, but those local spaces that were not necessarily the most beautiful or the most rich in great crested newts, but the ones valued by communities.

Instinctively, all of us know which those areas are—we can all think of that local area that people have been campaigning to protect, sometimes for decades, as in the case of Leckhampton in my constituency. I thought, "At last, we have a Government committed to localism, which I am proud to be part of and a supporter of"—Conservative colleagues were equally proud—and that the Government were actually going to deliver on such promises, rejecting the very unpopular, top-down regional spatial strategies that seemed to be imposing numbers from above. The regional spatial strategy in the south-west had 35,000 objections—but the situation around my constituency in Cheltenham is every bit as bad now.

In practice, we are facing the loss of vast areas of green fields. The local paper converted the amount into that popular measure of area, football pitches—about

[*Martin Horwood*]

2,000 football pitches of green fields are about to be lost, if the plan being formulated in the joint core strategy goes through. Almost everything in the plan is greenfield sites, and almost all those sites are in the green belt—there is a Kafkaesque process whereby the green belt boundary is redesignated, so that the bits taken out of the green belt can be built on, while claiming that the green belt is not being built on.

Equally badly, another area at Leckhampton had a sustainability assessment and a green belt review, which talked about its value in biodiversity, public access, the enjoyment that it brings, its rural character, and such things—all of which were recognised by inspectors in the past—but again that is included simply because the econometric model dictates a certain number. That number for around Cheltenham is at least 10,000 houses, which is a 20% increase in the size of the town. That is not sustainable.

As the right hon. Member for Arundel and South Downs (Nick Herbert) rightly said, it is as if the rest of the national planning policy framework, which we celebrated at the time of its second draft, did not really exist. There were elements that discussed balancing economic growth with environmental and social factors, and things such as the local green space designation to protect what people really cared about; among the core planning principles were meant to be respect for the environment and sustainability, and prioritisation of open spaces and, if possible, brownfield over greenfield development. In practice, however, at local level all of that appears to count for absolutely nothing. We are told that the objectively assessed housing need dictated by the econometric model must be observed absolutely—that the developers must get absolutely everything that they are demanding, because otherwise unelected inspectors will declare the whole plan unsound.

There is a nice coalition balance of local councillors in Gloucestershire. In the constituency of my neighbour the hon. Member for Tewkesbury and in Gloucester city, we have Conservative councillors who felt obliged to vote for the thing, while the Liberal Democrats very much enjoyed opposing them. In Cheltenham, it was rather the other way around—many Liberal Democrats and some Conservatives voted for it, while others voted against. The result was that councillors were put between a rock and a hard place. They were told that if they voted things down and did not move on at least to the next stage of consultation, the plan was likely to be declared unsound, it would all fall apart and we would end up with a developers' free-for-all.

I have to tell the Minister that local people see very little distinction between what is emerging from some local plans and a developers' free-for-all. Despite all our promises in opposition, despite the national planning policy framework and despite all the grand words in it about balancing environmental and economic factors and respecting open space and sustainability, we are in a position that is every bit as bad as the regional spatial strategies. That is simply not acceptable—

Annette Brooke (Mid Dorset and North Poole) (LD): Will my hon. Friend give way?

Martin Horwood: I suspect that I shall be out of time shortly, so I fear that I had better not.

I think we will end up in a situation that is just as bad as under the regional spatial strategies. I want to go back to my local councillors and constituents to say that the coalition Government have delivered on their promises, but I have to tell the Minister that that is not what is happening now.

2.39 pm

Rebecca Harris (Castle Point) (Con): Earlier speakers have said many of the things that I wanted to say, but possibly more elegantly.

I thank the Minister for declining a developer's appeal in my constituency. That was warmly received, but we are on notice that developers may keep pushing, and they will.

I think all hon. Members here greatly welcomed the abolition of the previous housing regime and everything in the new national planning policy, including abolition of the regional spatial strategy housing targets. However, I see all around, particularly in my area, that it is pretty much business as usual for planning departments, for the Planning Inspectorate and certainly for developers. Some key aspects of the current regime seem very similar to the old regime and are being interpreted and treated similarly—for example, the requirement to find the local need. It is not a target, but it must be established based on complicated methodology. Consultants in my area have come up with four or five different scenarios, all wildly different, about local housing need. It is supposed to be objective, but councillors will have to choose the figure that they believe is most likely to be accepted by the Planning Inspectorate. That does not strike me as wholly objective.

We must put together a local plan that specifies deliverable land over a certain number of years and then developable land. There must be objective evidence of whether it really is deliverable, and I understand that. We cannot have local councils saying they want to build all their houses on what is currently a lake because that would be a good way to get around having building done. In the world of planning, however, what is deliverable is entirely down to argument. The big unit developers may see the four or five attractive green fields that are left in a borough, and argue that they could put their bulldozers on there tomorrow, that the development would be in single ownership and that that would be a good deal with a percentage going to the farmer. No one could argue otherwise—it is clearly developable tomorrow.

What happened in practice over the last decade and during the previous Government's regime is that land was banked and there was not enough work done or pressure put on the little brownfield sites in multiple ownership, which is what we should be doing now. Those are the sites our communities would prefer to be developed, not the fields that they see and appreciate.

I urge the Minister to put as much pressure as he can on councils when interpreting and putting together their plans. In the national planning policy framework and the recent guidance, which I greatly welcome, it is clear that our councils have the power to do something about small sites, which may be in multiple ownership with some planning constraints. They can knock heads together and encourage local people to suggest such sites. That would save us from losing the fields that we

all love and appreciate. However, that is a big ask for a constrained planning department. Everyone is feeling the pinch at the moment, and the planning inspector is breathing down councils' necks to get the local plan completed. It is a lot more work and takes a lot more time, but it can be done. For example, if we want to build houses, we are much more likely to get small local sites up and running. If we told the local scrap metal dealer, who has gone bust because we have changed the law and he cannot take cash, that he could build five or six starter homes on his land tomorrow, he would not do what the big unit developers do and wait until the time is right or build only one or two homes because he does not want to flood the market; he would sell straight away and houses would be built there.

We should change what we are doing and target smaller and less popular sites that have local owners, who will use local builders and local estate agents. We would then have a much more popular local plan for residents, and we would not have the big household-name developers acquiring 600-unit sites where, if they got around to building houses on them, it would not be in the time frame we want, and would market them out of town and in London. Local estate agents would not get a look-in, and the houses would not go to local people.

That is the problem with the current planning regime, and we desperately need the Department to tell councils that it expects them to plan positively. Planning positively under the national planning policy framework does not mean more green-belt sites with many houses on them. It means they should find out where they want houses, and make that happen. We must get that message across, because it is in the national planning policy framework and it is good stuff, but out there on the ground it does not seem to be working.

I plead with the Minister to ensure that he directs councils to use their powers of compulsory purchase and to find owners of sites that people would like to be developed, instead of what happens at the moment with the big boys turning up, driving round the area, seeing the half a dozen local fields that everyone loves and appreciates, putting in a planning application, and arguing time and again that that is more deliverable.

Mr Dai Havard (in the Chair): We now move from south-east England to Mr Stuart Andrew who will give us a view from the north.

2.45 pm

Stuart Andrew (Pudsey) (Con): I welcome this debate and congratulate my hon. Friends on securing it. I have been interested in the subject for a long time, not just because I represent a heavily affected ward, but because I am a member of a plans panel on Leeds city council.

My constituency has seen many significant changes over the past 20 years. It was renowned for its cloth and woollen mills, and other industries, but as those industries declined, their sites became redundant and places such as Pudsey, Farsley and Guiseley saw those employment sites turned into residential areas. During the first decade of the this century, we were inundated with application after application to build even more houses, and consequently our roads are congested beyond belief at weekends and during weekdays and evenings. Our surgeries have more and more patients and our schools are so

busy that children living just across the road from their local school may struggle to get into them. Most of all, people were exasperated and frustrated that the planning system was something that happened to them, and that they had little say in it. Sometimes, even when the council said no and that enough was enough, an appeal was allowed. I cannot express strongly enough the anger and resentment that that created.

When the Government talked about planning reform, I thought "Hallelujah". Many of the changes have been welcome and in the right direction. Reducing the plethora of guidance and advice to a more manageable document is making life a lot less complex and the system more understandable. The ability to create neighbourhood forums to offer real engagement is hugely welcome.

I pay tribute to the Minister for taking time to visit so many constituencies around the country. I was pleased to welcome him to mine, where he heard the concerns of local councillors and others, and saw for himself the significant development that has taken place. That was appreciated. I have noticed that when hon. Members list a number of positives in this place, a "but" invariably follows, and here it comes. Despite the Government's work, a problem threatens the intentions of localism and people's trust that we will have a real bottom-up approach to planning.

Localism is about local communities deciding what, where and when development should take place. There has been a real appetite and interest in my constituency in being involved in the planning process. Groups such as Wharfedale and Airedale Review Development and Aireborough Civic Society have campaigned long and hard on the issue. In addition, residents have turned up in their hundreds at public meetings when these issues were discussed. Organisations such as Horsforth town council, Rawdon parish council and Aireborough Neighbourhood Forum have all worked incredibly hard to engage with the whole community, bringing residents, schools and businesses together to develop a vision of future development that is sustainable, realistic and seeks to preserve our natural surroundings.

I am talking not just about building houses but about creating places that people want to live in, work in and play in: real place-making. Something is jeopardising all that work, and is still seen by my constituents as a top-down major influence: the housing targets that we have heard so much about today. We all know that the original regional spatial strategy placed huge burdens on local authorities, but despite abolition of the RSS, little has changed with the targets. In my constituency, the core strategy of the city council is being examined. It includes a plan to build 74,000 homes over the next 14 years, and it arrived at that figure with a host of scenarios ranging from 27,500 to 92,000. That means that the council has gone for the high end because it believes that the Government expect it to be far more ambitious than can reliably be achieved. I, local councillors, and all the groups I have mentioned have argued, ever since the document came out in draft form, that the figures are far too high. Despite our logical arguments, the council has kept the target, fearing that the inspector will force it to go even higher. The problem is that the council is far too ambitious.

What is the consequence? The council then has to prove that it has the land to supply such high targets. Even with the existing permissions of 20,000 dwellings,

[Stuart Andrew]

there is still not enough land, so the council is now looking at greenfield and green belt, meaning that in my constituency up to 80% of all new homes will be built on green-belt or greenfield sites. The precious places that are the lungs of our communities, the natural barriers between the towns and villages, and the green borders between the cities of Leeds and Bradford, will all be gone. They are now all under threat and my constituents are clearly not happy. Even in the best of the boom years, we never managed to build so many houses, and developers want to go even higher, saying that the brownfield sites in the city centre are not viable. That is because they are lazy and do not want to be ambitious about creating places where people want to live in our city centres.

The other day, I asked my hon. Friend the Minister what happens if the inspector, in the process of looking at these figures, agrees to such a high amount. If it is approved, I fear that the brownfield sites in city centres will be abandoned, that the developers will cherry-pick the green belt, and that residents will be stuck between the Government saying that local councils can set high targets and the council saying that the Government expect high targets.

I know that the Minister will say that the target needs to be objectively assessed, but what happens if those figures are approved? Is there any appeal process for my constituents to present their case? They are doing so brilliantly at the hearing, but if we are saddled with those housing targets, our green belt will be ravaged, and future residents will not be able to do anything, because the period will already have been set in stone. Worst of all, however, it will send a message that some already believe: localism goes only so far, but not far enough where it matters.

Mr Dai Havard (in the Chair): In my spatial planning, we now move to Cheshire and Ms Fiona Bruce.

2.52 pm

Fiona Bruce (Congleton) (Con): I am here as a voice for my constituents, who feel grievously let down by the lack of clarity of the planning policy, practices and procedures of local and national Government. Only one thing is clear: despite more than 20 action groups representing thousands of people across my constituency, despite many public meetings, the most recent of which was held last night in Congleton town hall, despite my bringing successive leaders of Cheshire East council to meet Ministers for clarity on these issues, and despite countless letters having been sent to Ministers on behalf of constituents, we still have developer-led development in our area and unsustainable, unplanned development. It ignores town plans, places no weight on the emerging local plan and makes a mockery of localism.

The national planning policy framework, with its presumption of sustainable development, contains an inadequate definition of that—in fact, it is barely a definition at all—which certainly does not equate with my constituents' definition. Sustainability means there being enough schools, roads, medical centres and facilities for local people, and there simply will not be enough if the rate of development continues in our towns.

In Alsager alone, which is a town of some 5,500 houses, applications are in the pipeline for 3,000 dwellings. This is a town recently described by the chief planning officer of Cheshire East council as "currently unsustainable". In Sandbach, which is a town of 8,000, some 6,000 applications have been granted or are in the pipeline. Just last week, two consents for Sandbach were granted, in Abbeyfields and Congleton road. That makes the consents already granted for Sandbach sufficient to cover one third of its 20-year supply. And those are on greenfield sites. This is countryside. This is prime agricultural land. The mayor of Sandbach is in the Chamber today, having come directly from 10 Downing street, where he presented a petition objecting to the Government's policies.

There is then the unclear procedure surrounding the requirement for a five-year supply of housing. That is simply unjust. The primary reason for the two appeals granted last week was that Cheshire East apparently is unable to demonstrate a five-year housing supply, and yet the council told residents months ago that it had developed a robust strategic housing land availability assessment, which would satisfy requirements for a five-year housing supply.

Who is right—national Government, through the inspectorate, or local government? How was it that Cheshire East could say that it had demonstrated a five-year supply if clearly it had not? Is there no means by which such statements can be validated with central Government before they are made? Surely the only way cannot be for the strength of such a supply statement to be tested on appeal, because it adds insult to injury for thousands of pounds of local taxpayers' money to be spent on such appeals, when it could be spent on meeting local people's needs. There is so much confusion regarding the requirements that injustice is being introduced into our communities, particularly because there are other sites—brownfield and non-brownfield, including in Sandbach—that the local community have already said that they will accept for development.

That brings me to my next point. It is wholly wrong that people in the towns of Alsager, Congleton, Middlewich and Sandbach in my constituency were offered the opportunity and funding under the Government's neighbourhood plan front-runner schemes to develop neighbourhood plans, only to find that those town plans count for absolutely nothing, in terms of the Planning Inspectorate's decisions regarding appeals against developments.

The situation is also producing inconsistent decision making. Just last week, when two developers' applications were accepted for Sandbach, we had a refusal for a site at Sandbach road north in Alsager. That was despite the inspectorate acknowledging the lack of a demonstrable five-year supply of deliverable housing in Cheshire East, and apparently, according to my interpretation, giving weight to the draft Cheshire East local plan, which other decisions refused to do. It stated:

"It would seem wise in this part of the borough not to proceed with development which would go beyond the draft strategy at this stage."

The inspectorate also rejected the developer's appeal on the grounds that it is in open countryside, and that harm to it would be significant and demonstrable. But so it would be to Abbeyfields, Congleton road and Hind Heath in Sandbach, which have already been

granted. We really need clarity on these issues. How long should a local plan realistically take to develop? We pride ourselves in this country on clear and speedy delivery of justice. We say that justice delayed is justice denied. We talk about the rule of law. And yet, in planning, we could not have murkier, muddier waters. That is simply unfair.

Our local authority has been working for three years on a local plan. What has gone wrong? Why does the draft plan that was prepared last year, which was the subject of a six-week public consultation, now have to be radically altered and be the subject of a further public consultation, while all the time, developers rub their hands with glee and take advantage of that void? Will the Minister provide whatever assistance is required for Cheshire East council from a senior planning adviser to ensure that there are no further delays or confusion regarding what is required to get our local plan through? My constituents have had enough.

I also ask the Minister to ensure that we have clarity on our five-year housing supply numbers, and that a clear message is sent to the people of my constituency, as I have sought to provide for three years, giving them every and any necessary and available means of help to resolve those issues. My constituents simply cannot understand the situation. They feel angry, in despair, ignored, impotent as regards the plans for development of their own communities, and without any democratic recourse, as one has said to me, except the ballot box.

On behalf of the Under-Secretary of State for Education, my hon. Friend the Member for Crewe and Nantwich (Mr Timpson), I confirm that he, too, has been working tirelessly with planning action groups in his constituency, which is adjacent to mine, and also in Cheshire East. He recently arranged for the Planning Minister to speak to those groups so that they could hear the advice that the Department had for Cheshire East council on resolving the adoption of the local plan and housing supply. I would appreciate that advice and clarity being given today in the Minister's response.

Mr Dai Havard (in the Chair): Thank you. Mr Brady will take over from me shortly. I ask you to temper your enthusiasm with the pessimism of the intellect, and look more towards six minutes than seven for your future contributions. We now move back to the west midlands and Mr White.

2.59 pm

Chris White (Warwick and Leamington) (Con): It is a pleasure to follow my hon. Friend the Member for Congleton (Fiona Bruce), who gave a passionate speech. I also start by thanking my hon. Friends the Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) and my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) for securing this important debate. As we can see from the speeches that we have heard so far from around the country, this is an issue that affects so many of our constituencies.

During the past two years, Warwick district council has been seeking to create a new local plan that will guide the development of our community for the next 18 years. That is a hugely important document, but it has been mired in controversy and opposition since it was put forward. That highlights some of the problems

in the current planning system. The local plan has been controversial because of the number of homes that have been proposed by the council, as well as their concentration and location. First, the scale of the proposed housing development is enormous. The local plan outlines the building, during the next 16 years, of more than 12,000 homes, in addition to the 6,000 that we built between 2001 and 2011. That would increase the number of dwellings in Warwick district by about 20% during the next two decades.

[Mr GRAHAM BRADY in the Chair]

The "Strategic Housing Land Availability Assessment" compiled by the council has indicated that the total capacity of the district is about 13,000 dwellings between 2014 and 2029, so the proposed local plan would use up 91.8% of the total capacity. Planning is something that we must consider over the long term. Once homes are built, we cannot turn back the clock to change the mistakes that we have made, so we must consider the long-term sustainability of our planning decisions as a whole. How can it be sustainable to build so many new homes and to use up so much capacity?

The concentration of development is also a deep concern and raises questions of fairness. The majority of the new properties will be in the area south of Warwick, Leamington and Whitnash, with 70% of the new homes being placed in that part of the district. That is despite the fact that there has been, and continues to be, a considerable amount of housing development in that part of the district and there are already concerns about the impact that the proposals will have on local infrastructure. I do not believe it is fair that such a concentration is allowed in that part of the district. Residents of those areas are rightly angry about the sacrifices that they are being asked to make in order to allow the development of so many new homes.

I shall take this opportunity to urge Warwick district council, once again, to pause the local plan process and start discussions with local residents so that we can build a consensus on creating a sustainable future for our community. During the process, in the lead-up to the preferred options being outlined by the district council, it was clear that residents did not want to have that number of homes and that they wanted development to take place primarily on brownfield land, rather than greenfield land as is proposed. That will have an impact on the wonderful Warwickshire countryside. Our area has a large percentage of green belt, and I do not believe that we should develop on green-belt land. However, that does not give the local authority an excuse to concentrate developments on non-protected greenfield sites. If our district was 95% green belt rather than 80%, would that mean that all development would be concentrated in the unprotected 5%? Surely it would make sense to adjust the scale and ambitions of the development, rather than to ram through such large developments, which take no account of this situation.

However, the views to which I have referred have not been consistently accepted by the council to date. As a result, public confidence in it has been damaged, and that will undermine future efforts by the council to undertake consultations on new developments or infrastructure. I appreciate that councils have an obligation to ensure that there is enough housing to meet demand in the future, but I also think that we need to ensure that

[Chris White]

that obligation is met in the right way. I do not believe that Warwick district council has so far acted in the right spirit during this planning process.

I believe that the Government have done the right thing through the Localism Act 2011 to try to ensure that communities have greater control over planning matters. However, we also need to ensure that the process is carried out in the right way, in empathy with such localism, that councils do not ride roughshod over the desires of local people, and that the principles of localism are delivered on the ground.

The best way forward would be for the Government to get each local authority to sign up to a national planning compact that outlines how councils are expected to carry out their consultations on planning matters; the role that local communities should have in co-producing proposals such as the local plan; and best practice in terms of planning processes that have been carried forward and that have brought communities with them. Having such a compact would ensure that each local authority was taking a long, hard look at how it was developing its local plan.

We must have a system whereby people feel that they have ownership of the planning process and whereby they can have confidence in the decisions that are reached. That will ensure that we create plans that have the support of residents, are in the long-term interests of our community, will address real housing needs and will almost certainly create local economies that grow and prosper.

3.5 pm

Julian Sturdy (York Outer) (Con): It is a pleasure to serve under your chairmanship, Mr Brady, and to speak in this very important debate. I congratulate my right hon. and hon. Friends on securing it. Like many other Members, I would like to highlight some of the concerns in my constituency.

York, like so many other towns and cities across the country, is surrounded by green-belt land, which is vital in preserving and enhancing its character and setting. It is as important to the identity of our great city as the Gothic minster, the Roman walls and the National Railway Museum. To my mind, it is an essential part of York's DNA.

However, the very fabric of what makes York such a great and beautiful city is under threat from the misguided plans of the local authority. The City of York council published its draft local plan in April of this year and, to the utter dismay of many of my constituents, the plan proposes to take 1,400 acres out of York's green belt and build 16,000 new homes on that land during the 15-year life of the plan. As if that was not enough to satisfy the council's appetite for green-belt land, a further 1,000 acres will be removed from the green belt and safeguarded for future development. Sadly, the plan does not stop there. The council has also proposed more than 80 additional Traveller and showpeople pitches, all in inappropriate locations, on green-belt land, in quiet rural communities such as Dunnington, Knapton and Huntington in my constituency.

The icing on the cake is that the council is also pursuing its plans to destroy the open countryside that surrounds our great city with 40

"areas of search for renewable electricity generation",

covering vast swathes of green-belt land in my constituency. It was, until recently, pursuing those sites as potential wind farms. However, due to the unsurprising lack of sufficient wind speed in the Vale of York—something that was obvious to most local people, but that the council and the local taxpayer-funded studies failed to pick up—I have now been given the impression from the council that it is considering solar farms on the sites as an alternative.

I am therefore speaking on behalf of my constituents in welcoming the recent announcements from the Minister of State, Department of Energy and Climate Change, my right hon. Friend the Member for Bexhill and Battle (Gregory Barker), about the Government's determination to crack down on inappropriately sited solar farms in the countryside by introducing the solar road map. I urge the City of York council to consider very carefully what the Minister has been saying on the matter and not to ignore the views of local residents.

Turning to the important issue of housing supply, I want to make it clear that, like many right hon. and hon. Members here today, I fully support the decision to scrap the rigid, top-down housing targets in the regional spatial strategies. The Government should be congratulated on doing that. However, three years on, there remains confusion among some local authorities about what housing targets are appropriate.

Some local authorities surrounding York are reducing their targets from the levels that they were at in the now redundant regional spatial strategy. Meanwhile, York, which is currently controlled by Labour, is proposing to increase its old housing targets by more than 40%. In doing so, the council is placing itself completely at odds with the guiding principle behind the modern planning framework—that development should always be sustainable.

York is an historic city in which the local infrastructure is already under strain. Adding tens of thousands of new homes will mean tens of thousands more cars on an already congested road network and thousands more pupils trying to gain entry to our excellent but already oversubscribed schools. That is not to mention the drainage and the strain on existing health care facilities.

With approximately two thirds of the council's overall housing projections to be allocated to York's established green belt, I am deeply concerned that the plan will push our already creaking local infrastructure to breaking point. The council has provided no guarantees that it will help secure the investment we need in our local infrastructure. It clearly believes the local plan will result in economic growth for York, but having investigated the issue, I fear that putting the cart before the horse and failing to guarantee the infrastructure investment York already needs will lead many of the city's leading employers to question in the long term whether York is still a suitable base for their businesses.

In its current form, the plan has the potential to end in disaster for York on the economic stage. That is why I entirely agree with my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) that the requirement for infrastructure must be considered when granting planning consent—something that, to be frank, is blindingly obvious. I was reassured by the pledge from the former Minister of State at the Department, the right hon. Member for Tunbridge Wells (Greg Clark), that the requirement would form part of the planning

guidance. I hope, therefore, that the omission will be rectified, as York's future viability as a centre of commerce and enterprise could depend on it.

Local authorities that press ahead with unsustainable housing plans must be stopped and compelled to consider whether they have the necessary infrastructure in place; if not, they should change their plans accordingly. Equally, we must ensure that the important principles of sustainability and green-belt protection remain central to the national planning policy framework and that our local authorities understand that that is the case. Otherwise, I fear that the towns and cities we are proud to represent will change out of all recognition.

In summary, the tension between our local planning authorities and the planning inspector is twofold. Where councils produce reasonable, appropriate and sustainable local plans, we face the problem of planning inspectors overstepping the mark and making unreasonable demands. In areas such as York, however, we appear to face the opposite problem, because the local authorities propose to decimate our open countryside and change it out of all recognition. I therefore reiterate that it is vital that we have a strong and fair Planning Inspectorate to protect our communities and countryside from unsustainable development. That means that infrastructure must be at the heart of any considerations.

3.12 pm

Harriett Baldwin (West Worcestershire) (Con): I, too, congratulate my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and my hon. Friends the Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) on securing the debate.

The issue of planning also fills my postbag. I represent the thriving, beautiful constituency of West Worcestershire, which has one of the highest ratios in the west midlands of house prices to average earnings. It is also the birthplace of Elgar, and its countryside inspired much of his music.

Despite all the valid concerns colleagues have raised, I think we are in a much better place on planning than we were under the Stalinist diktats of the right hon. Member for Kirkcaldy and Cowdenbeath (Mr Brown), and I agree with colleagues who have welcomed the abolition of the regional spatial strategy.

Shifting local planning decisions to councils, which makes so much democratic sense, has raised a range of issues. I particularly welcome the Government's introduction of neighbourhood planning. In the Malvern Hills district, the parishes of Kempsey, Clifton upon Teme, Leigh and Bransford, Alfrick and Lulsley, Martley, and Knightwick and Doddenham have all had their neighbourhood areas approved.

When we discuss planning, however, one thing that strikes me is that the beautiful villages we all love—in my area, I have the villages around Bredon Hill, the town of Pershore and the towns and villages of the Malvern Hills district—all grew up without our current planning regulations. Ironically, however, we would not be able to build those communities under today's planning rules. Their growth tended to be more organic and more bottom up; people built their own homes on their own land, which they had bought for that purpose. When the Victorians became concerned that Great Malvern was encroaching far too much on the Malvern hills,

they established the world's first conservation area by Act of Parliament in 1884. Since then, the hills have been owned for the common good by the Malvern Hills Conservators charity. That organic approach has worked well for this country for the thousands of years there have been settlements in Worcestershire and elsewhere. That is why I am so supportive of the recent changes to the planning system, which move us back in the direction of the village and the neighbourhood, while embodying the countryside protections pioneered by the Malvern Hills Conservators.

In south Worcestershire, we may be a bit further ahead on our local plan than other colleagues are on theirs. Our three local councils—Worcester City, Malvern Hills and Wychavon, which my hon. Friend the Minister visited recently—have been working in partnership for many years to develop an ambitious and sound local plan. After the 2010 election, they presciently commissioned expert projections of population growth and perhaps got a head start on some other council areas. Their evidence base is now more up to date and fresher than those in some other parts of the country.

All three local councils democratically agreed the plan last December. I can assure hon. Members that that was not without a great deal of controversy, but one factor that encouraged councillors to vote in favour of the plan was that it would allow them to be in control. The south Worcestershire development plan has much more up-to-date and adequate five-year land supply numbers and such ambitious plans for employment land that we are getting complaints from Birmingham councils.

When I say the plan was democratically agreed last December, people complain that a bit of whipping was involved. Well, I hate to tell my local councillors this, but Whips are often involved in democracy here in Westminster. However, despite the vote last December, it took a further five months to send the plan to the inspector for the examination in public and another few months for him to decide on his inspection plan and timetable. The inspection has just got under way, and I would not be surprised if it took the inspector well into 2014 before he recommends adoption.

I want this period of uncertainty to be over, so that we can move forward with the construction, growth and jobs embodied in the plan. A delay of 18 months to two years is too long, and it undermines the local democracy of the vote in December. As the Minister knows, I and the leader of the council in my area have written to him. I have also written to the local planning inspector urging him to respect the local plan unless there are actual factual inaccuracies in it. The inspector has written a helpful reply, assuring me that he will seek to complete his inspection as soon as possible, subject to the legal requirements on him. The Minister has also responded constructively.

Here is my wish list of four things I would like to ask the Minister for. First, as he finalises his latest national planning practice guidance, which will set out the exceptional circumstances in which a refusal may be justified on the grounds of prematurity, will he try to ensure that the democratically agreed plans that have emerged will get almost full weight in any decision making, allowing the fresh evidence base and the numbers in the plan to be used, unless the inspector sees actual errors of fact, rather than just a divergence of opinion?

[*Harriett Baldwin*]

Surely the future of the area should be entrusted to south Worcestershire councillors, rather than shaped by contesting opinions—they will only be opinions—from Birmingham and elsewhere?

Secondly, may I ask the Minister for his thoughts on how we as MPs can best support emerging neighbourhood plans? I love neighbourhood planning, which is an excellent way of giving power to local people and bringing back an organic approach to planning, reducing the need for vast swathes of land to be swallowed up by urban extensions. Thirdly, can we reassure villages that, once they have agreed their neighbourhood plan and won a vote on it in a referendum, it will take precedence over the local plan, even if that has been adopted?

Finally, what can the Minister say to the octogenarian farmer in my local area who lives in a draughty five-bedroom home and who wants nothing more than to build a bungalow in the field next door for the final years of his life? Under today's rules, such building is prohibited in open countryside. If there is a neighbourhood plan, will my farmer have any hope that he can build his bungalow?

Once again, I congratulate my right hon. and hon. Friends on securing the debate, and I thank you, Mr Brady, for allowing me to pass on the concerns of my constituents in the glorious area of West Worcestershire.

3.19 pm

David Rutley (Macclesfield) (Con): It is a pleasure to serve under your chairmanship, Mr Brady. I am grateful to the Backbench Business Committee for securing the debate, and I congratulate my hon. Friends the Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) and my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) on making sure that we have a debate on such an important subject. The fact that there are so many of us here shows that there is a need for a debate, and I am sure that the Minister is taking copious notes.

As others have said, the debate is a critical one. It is about balance: getting the housing supply right—we have a growing population, so that is an important priority—and protecting the countryside at the same time. We need to provide more houses, but also to protect our natural assets—and they are assets. Our countryside helps to define our communities, making them distinctive. It provides agricultural land and draws in visitors, which boosts tourism in towns and villages. Those things are valuable assets and need to be protected. It is important to underline the point that the debate is not about quaint rural traditions threatening to block housing development; it is about economic effects on the macro-economy and on communities, businesses and residents. That is why it is important to make the right decisions.

In east Cheshire we understand that it is a critical matter to get the local plan in place. The move to become a unitary authority, and the time taken to integrate services previously provided by other local authorities, initially slowed progress, but we got back on track quickly and a huge amount of work has now been done to shape the plan. Successive rounds of public consultation have been undertaken, at pace. Like

my hon. Friend the Member for Congleton (Fiona Bruce) and the Under-Secretary of State for Education, my hon. Friend the Member for Crewe and Nantwich (Mr Timpson), I have attended many public meetings and met many community groups, so that I could understand their concerns better and help to shape and refine the plan.

I am pleased to say that the residents of Macclesfield are not shy about coming forward with their concerns. That is a good thing, and means that there has been rigorous and challenging debate. I commend those who have taken part in campaigns about south-west Macclesfield, Fence Avenue and Lark Hall, to name a few, for the way in which they engaged elected representatives and clearly expressed their views. I know that the final local plan will be much better for that. We recognise in Cheshire East, and in Macclesfield in particular, that the local plan urgently needs to be signed off to stop unwanted speculative housing developments, as my neighbour, my hon. Friend the Member for Congleton, so clearly articulated. At the moment they are a particular challenge in the south of the borough. In Congleton and Crewe work is going on tirelessly with Cheshire East council and residents to stop them, and I fully support that work.

We need to get the local plan set up, and are working hard, but we need the Minister's support and advice to get the right plan signed off. I am, like other hon. Members, grateful for the Minister's efforts to understand the issues on the ground better. I am pleased that he recently went to Cheshire to speak to residents. I am also pleased and grateful for his meetings with me and colleagues to hear about our concerns and challenges. As he knows, one key issue is defining what housing is required in our five-year housing supply. At the moment that is holding us back. As my hon. Friend the Member for Congleton pointed out, sites have been identified in our draft plan that can be developed. There is a difference of opinion between the councils and the inspector as to what the figure should be; that is what needs to be unblocked so we can move forward. I urge the Minister to use his good offices to help resolve the situation and clarify what the target should be, so that the plan can be concluded and unwanted, speculative house building can be stopped in the borough. That is a vital priority, as I think the Minister knows.

For all the hard work that has been done to shape the plan, there are other questions that urgently need an answer. Like many Macclesfield residents I understood that we were close to finalising the plan and that its focus was on housing developments to 2030. I think that the Minister may be a little surprised to know that I found out a few months ago that Cheshire East council officers were now under the impression that they had to work towards a planning horizon not of 2030—which by most people's standards is, I think, quite a long time horizon—but 2050. That has completely slowed down the process. How can we have a view and a sense of purpose in relation to a time horizon of not 17 but 37 years?

The new requirements have major implications, particularly for the northern part of the borough. In communities such as Macclesfield and Poynton, which I am proud to represent, the news led the council to highlight green-belt land as supposedly "safeguarded for development"—not to be confused with safeguarding

it from development, which is very different. The designation could be applied to large areas such as south-west Macclesfield, where up to 3,000 houses could be developed.

We have all worked hard to ensure that the green belt around Macclesfield and nearby communities is protected in the 2030 local plan. The green belt exists to protect the communities from urban sprawl from Manchester, and it is important for it to be kept that way. The Minister will understand the strong local concern—including mine—at the proposal to safeguard green belt “for development” to achieve housing targets for not 2030 but 2050. That situation is made even worse by the fact that there are no exceptional or compelling circumstances, which are a clear requirement in the national planning policy framework.

Will the Minister take this opportunity to set the record straight and tell the House whether showing how housing targets for 2050 will be achieved is a requirement for approval of a local plan? If it is not, will he also confirm that it will not be necessary to safeguard land for development, particularly in the green belt, beyond 2030? Macclesfield residents will be grateful for his views on those issues. They will affect green-belt areas that are vital to the fabric of the community, and will address the concerns of hundreds of residents who could become victims of a planning blight that I believe and hope is completely unnecessary.

3.26 pm

Damian Hinds (East Hampshire) (Con): It is a great pleasure to see you in the Chair, Mr Brady, and to follow my hon. Friend the Member for Macclesfield (David Rutley). I congratulate my hon. Friends the Members for Tewkesbury (Mr Robertson), and for St Albans (Mrs Main), and my right hon. Friend the Member for Arundel and South Downs (Nick Herbert), on securing this important debate, which is particularly important to residents of East Hampshire—especially, at present, residents of Four Marks, the parish of Medstead, Liphook, Alton, Petersfield and the area in and around Bordon and Whitehill. I want to focus on two aspects of the issue that my right hon. Friend the Member for Arundel and South Downs set out clearly and convincingly: the need for recognition of in-progress plans; and the insistence on accompanying infrastructure where permissions are granted.

Like those of many other areas, our plan was stopped in its tracks. In our case it was stopped at the stage of the joint core strategy between East Hampshire district council and the South Downs national park authority, and we now find ourselves in the void period that many hon. Members have spoken about, which can last a long time. The concern is that in that long time, until things are finalised, there is a risk—we already see the signs—of a flood of speculative applications.

I should say that East Hampshire district council is not anti-development, and nor am I. There is concern that the average first-time buyer in East Hampshire is 40 years old, and that the average home costs £321,000. We also recognise the need for market towns and villages to have vibrant, diverse communities. If we want to save what is left of our village pubs and shops, we need people to work in them, and our small primary schools need young families with children to go to them. The council also supports a substantial development on

former Ministry of Defence land at Whitehill and Bordon; my hon. Friend the Member for Banbury (Sir Tony Baldry) spoke about his area’s eco-town, and this is ours. In the case of Bordon, the development will add 2,700 homes. East Hampshire also has a very ambitious self-set target for affordable homes.

In its interim housing statement, in this void period, East Hampshire reflects the revised strategic housing market assessment, or SHMA—I think I am the first speaker this afternoon to say that, although I know that my hon. Friend the Member for Congleton (Fiona Bruce) mentioned the SHLAA—the strategic housing land availability assessment. The SHMA called for between 500 and 650 homes per annum, and East Hampshire is working towards the figure of 582, which is of course in the top half of that range.

In some places, the speculative applications and pre-application interest shown already exceed the targets in the areas and villages concerned for the period until 2028, and in my constituency that is especially true in Four Marks, the parish of Medstead, Alton and Liphook. There has also been significant interest in Petersfield, where a neighbourhood plan is in development; we expect the referendum on that next year. I suggest to the Minister that where a council is making proactive efforts, once the number of houses called for in the interim housing statement—in our case—has been reached in a particular area, it ought to be possible to say, “No more.”

A complication is that part of my constituency is in a national park—the relatively newly formed South Downs national park—and other parts have special protection area status, which leaves people who are in neither feeling somewhat exposed. We need a balance of development and a balance of community throughout the area. I strongly suggest that the elected local council is best placed to determine how the balance should be struck, and the interim housing statement seems to be a good way to express that. In general, residents’ concerns are twofold: first, they are concerned about the general scale of development and its implications for the character of an area; and secondly, they are concerned about the infrastructure deficit. Already, certain parts have seen significant infrastructure deficit. Four Marks has experienced a great deal of development, and needs commensurate infrastructure to ensure safety on the main road—the A31—sufficient primary places, and so on.

The approach is meant to be plan-led, so Ministers rightly say that the best thing that everybody can do is get on and make their plans. That is of course correct, but the plan process seems to take inordinate amount of time, from beginning to end, and there must be ways to accelerate elements of it. We must recognise that many councils are not at the end of the process and find themselves in this void period. A large proportion of plan submissions in the first year of the national planning policy framework were found to be not sound. I therefore join strongly in the calls to make it explicit that infrastructure requirements should be met if permission is to be granted, the calls for emerging plans to be recognised, and the calls to find ways to speed up the whole process.

I shall strike a slightly different tone on the overall need for housing. I recognise that we need housing—the Office for National Statistics figure is 232,000 homes per year—but what is not necessarily well understood is that that is not all, or even nearly all, about immigration. If we strip out future net migration, the projected

[Damian Hinds]

requirement is still 149,000; people are living longer; households are smaller; for all sorts of wider social reasons; kids live away at university and have a place at home; hardly anyone has a lodger anymore; and so on. There are lots of pressures, and they will not go away. The south-east will over-index on that pressure, and we must accommodate it but also mitigate it.

I encourage the Minister to work with councillors on how, on a relatively small scale in our local areas, we can do more about the conversion of redundant agricultural buildings; make granny flat conversions easier; work on empty properties, as my hon. Friend the Member for Tewkesbury said; and take up small-site opportunities, as my hon. Friend the Member for Castle Point (Rebecca Harris) said clearly. An interesting point in the Portas report was about the opportunity to concentrate town centres. That has the benefit of freeing-up space on the relative periphery for residential development. On a bigger scale, there are new towns, but perhaps the biggest opportunity of all is the one touched on by my hon. Friend the Member for Pudsey (Stuart Andrew): we should not only build higher-density, in-town living, but make it attractive. Some of the most sought after areas of the country are high-density, which proves that it can, in principle, be done. I see that I am out of time, Mr Brady, so I will stop there.

3.34 pm

Andrew Bingham (High Peak) (Con): I congratulate my hon. Friends on securing this debate. We can tell by the attendance today, and from our postbags, that the subject is of great importance to Members and our constituents. It follows on from a 30-minute debate held in Westminster Hall some time ago, in which, because of sheer weight of numbers, the time limit was very restrictive. Today we have been given double that limit—six minutes.

I spent 12 years on the local council, and planning exercised my residents more than anything else, and as an MP, I find a similar situation. The creation of the NPPF has simplified the planning laws, which had become complicated and burdensome. Like many others here today, I supported sending the power to rule on applications down to local authorities. As a councillor on the planning committee, I felt many times that we were rubber-stamping central Government policies on development. That was frustrating to me and my residents, because they believed, as I did when first elected, that the local authority was the sole arbiter on applications.

As previous speakers have said, I look forward to a brave new world under the new NPPF and local plans, where locally elected representatives make the decisions that impact so much on local people, but I, too, am concerned about recent events. My constituency, High Peak, is the most beautiful in the country, though I am biased. I am sure that others will disagree. As I said in the previous debate, there has been a proliferation of significant applications for development on greenfield sites. They have been refused by the local authority's planning committee on perfectly legitimate grounds. This is not a case of nimbysism at all. The decisions were met with great approval, and in some cases relief, by local residents, who felt that their views had been represented by the people for whom they had voted.

I want to be clear: the High Peak is a great place to live. I am lucky, as are my constituents. We know that many people would love to live in the High Peak. We are not of the mind that says, "We have our housing and we're going to pull the ladder up. We're all right, Jack." We acknowledge that there is a need for some housing. My constituents have young children and teenagers. There are people in their early 20s who want to stay and live in the High Peak. There is a housing need, which I touched on in my Adjournment debate last week on the challenges facing rural businesses. We need houses for people to live in, so that they can work in the High Peak. No one I have spoken to disputes that there is a need for housing. My constituents would accept development, provided it was proportionate.

Recent decisions by local councillors, who, I remind everyone, are elected by local people, have been overturned by the Planning Inspectorate, which is not. That flies in the face of everything that we believe about localism. I have spoken to many residents, who are seeing more applications coming forward, with the threat of ever larger developments. In my previous speech on the subject, I highlighted the area of Harpur Hill and the concerns of its residents' association. I will not repeat the statistics, because time is short and they are in *Hansard*, but as I said in my previous speech, the problems facing Harpur Hill are mirrored in other areas of my constituency. As the Minister knows, Chapel-en-le-Frith parish council now objects to every significant planning application, after several applications have already been given the nod. If all of them were built, the size of that small village, where I live, would increase significantly, beyond what many believe the infrastructure could cope with.

I could run through a list of applications in different parts of my constituency, but we are not at a planning meeting today. My constituents are asking questions about the applications and the method of approval. Are they powerless to prevent approvals? Can they at least ensure that there is some sense of proportion? Proportion is what they are asking for. I am sure that the Minister will respond that local plans should be drawn up, and planning policy should be defined in documents and properly evaluated. My local council has yet to produce its local plan; indeed, it has delayed its anticipated completion. In 2011, the controlling Labour group rejected proposals from the Conservative group to use some underspend to bring forward brownfield sites. It has now belatedly allocated some extra resources to that. Delaying the local plan has created a window of opportunity for developers. I could easily turn my contribution into a tirade against the Labour group and its management of the local authority. I have met the executive member to discuss the situation; he has his views and I have mine.

I want to deal with the harsh realities of the here and now. No local plan has been completed, and developers are submitting speculative applications time after time—applications that may have been refused in the past. They see from previous examples, which I highlighted today, that the Planning Inspectorate appears to be unmoved by local representations. I repeat that this is not nimbysism; my constituents and I are not against development. It is about proportion. A well-constructed local plan should bring in proportion, but at the moment the Planning Inspectorate does not listen to our views.

I am pleased that the Minister has agreed to visit the High Peak. I promise him a warm welcome in the hillsides. We can have an interesting day. There has been a dearth of houses built in the past few years, and that has created the shortage facing us today, but I am concerned that in our eagerness to deal with that, we are being too hasty, and will be left to repent at leisure. I have asked the Minister this question previously, and I will repeat it today: will he not seek to give more weight to emerging plans? I know that that may amount to making up for the shortcomings of the council, but I am looking to assist my constituents.

I am looking at the clock; time is short, and I could go on to several other issues. A consultation on the latitude in permitted development rights for agricultural buildings closed recently. The Peak District national park covers a large chunk of my constituency. I value that national park greatly, as I know the Minister does—he has gone on record on this. People are concerned about that proposal. There was also a consultation on catching up on housing deficits, and having to reduce them in the first two or three years. That will cause huge problems to local authorities if we are not careful.

I plead with the Minister: listen to what we have all said today. We are all on a common theme: we need houses. We know that under the previous Government, the numbers were woefully low, but let us get some proportion. The essence of localism is local decisions made by local people. That is not happening in the High Peak, and, from what we have heard today, it does not appear to be happening in other areas of the country. I would therefore like some assurance from the Minister that something can be done for my constituents. Harold Wilson once said to Hugh Scanlon,

“get your tanks off my lawn”;

the people of High Peak are saying to developers, “Get your bulldozers off our fields.”

I look forward to welcoming the Minister to High Peak. My residents are eager to see him. I hope that he will come soon. It is very cold and high where I live, and we will get a lot of snow soon, so I recommend that he comes as soon as possible.

Mr Graham Brady (in the Chair): Hon. Members have all been so disciplined in their time-keeping that we have lots of time for Front Benchers' responses. However, I am keen to reserve at least a couple of minutes at the end for the hon. Member for Tewkesbury (Mr Robertson) to respond, if he wishes.

3.41 pm

Roberta Blackman-Woods (City of Durham) (Lab): It is a pleasure to serve under your chairmanship again, Mr Brady. This debate is primarily for Back Benchers, so I had intended to keep my remarks fairly short. I think I should do that and give the Minister lots of time. I congratulate the hon. Members for Tewkesbury (Mr Robertson) and for St Albans (Mrs Main) and the right hon. Member for Arundel and South Downs (Nick Herbert) on securing a lively debate on what is clearly a serious issue, given the large number of Members present.

I hope that hon. Members will forgive me if I do not go through their contributions individually, because that would take up a great deal of time. They spoke

passionately about their own areas. There clearly is a major issue across the country. I was pleased that a number of their remarks were not based on just being anti-housing. There was a sound recognition that we need more housing, but concern was expressed about the sites that have been identified for building houses. I was pleased to see a commitment to plan-making and place-shaping, because they are an important part of the solution to some of the issues that have been raised today. Hon. Members also produced a wish list. I am probably going to add to that a little bit, but I hope not too much.

We know that we need more housing, including in rural areas. In order to secure a typical mortgage, a rural resident needs to earn £66,000. With the average rural income standing at just over £20,000, there clearly is a problem with affordability. That exists partly as a result of insufficient supply. The situation in rural areas is part of a wider problem. For decades, under successive Governments, house building has stayed low relative to demand. I will hold my hands up to say that the previous Labour Government did not see enough houses built, but neither did the previous Conservative Government. Private house building completions in England have been relatively static for more than 30 years, averaging about 130,000 per annum. That is below the peak average of 180,000 per annum in the 1960s, and well below potential.

Mrs Main: The hon. Lady just said that the number of houses being built has been low or static. What about the number of permissions? I have not seen anything that shows that the number of permissions has been low or static. It is just the amount of development that developers are prepared to get under way.

Roberta Blackman-Woods: The hon. Lady makes a valid point. We know that a number of sites with planning permission never end up being developed. The point I am trying to make is that we must look seriously at the housing numbers that we need, particularly as we have a shortage, partly because we were not building enough in the past.

Private completions increased from 2003, with a steady improvement to 154,000 in 2007. However, they fell with the economic crash to 89,000 in 2012. In contrast, new affordable homes produced by local councils and housing associations, which averaged more than 130,000 per annum in the 1950s and '60s, have seen a steep downward trend since the 1970s. Production has averaged fewer than 30,000 per annum since the mid-1980s, falling to 13,000 in 2003. There has been some improvement since then, with new completions at 27,000 in 2009 and a similar number in 2012, due to the housing stimulus put in place by the previous Labour Government following the crash. However, the numbers produced are too low.

There is an ever-growing gap between supply and demand, which means that millions of hard-working people are increasingly priced out of buying their own home. Home ownership has declined from its peak in 2001—69%—to 64% in 2011. The average house price is now nine times larger than the average wage. The average low-to-middle income household would now have to save for 22 years to accumulate a deposit for the typical first home, compared with just three years in 1997. So-called second steppers are also being affected, with

[Roberta Blackman-Woods]

the average age for a second purchase rising to 41, despite 40% of families saying that their first home is too small for a growing family.

More than 1.1 million families with children, and 8 million people in all, are now part of what we are calling generation rent. They are paying private rents that are rising faster than wages and contributing towards a cost of living crisis. They face rip-off letting agent fees, instability and uncertainty as a result of short-term tenures, and sometimes poor standards and service. Many want to buy their own home but have little hope of being able to do so.

We must address the housing shortage. I absolutely agree with all the Members who have contributed this afternoon that development sites need to be identified by local communities, with a stronger emphasis on neighbourhood planning and putting consent at the heart of the planning system. I think that can be helped in a number of ways. I have often paid tribute to the Minister and his predecessors for introducing neighbourhood planning. We think that is probably the key in the medium and longer term to delivering the sorts of neighbourhood that we all want.

The issue is not just about housing. I think we will partly get consent when we stop referring only to housing numbers when talking about the issue. People want to see employment, proper infrastructure and leisure, and they want to keep their open spaces. The issue is about building communities, and we have to talk more about that.

We also need to do something about quality. I know from my constituency that people often get upset about the houses proposed, because they simply look awful: they are too small, or have various features not in keeping with the local neighbourhood. We need to get better at improving the quality of our housing stock. That is especially important in rural areas, national parks, areas of special scientific interest and so on. I am a bit concerned that the Growth and Infrastructure Act 2013 reduced some of the existing protections in areas of outstanding natural beauty and national parks. That is not a good thing; it is a step in the wrong direction. [Interruption.] I think that hon. Members might think that the clock is set for 4 o'clock, but we actually have until 4.30.

Will the Minister consider the Woodland Trust briefing sent to all of us about giving better protection to ancient woodlands and planting many more trees? Does he intend to monitor the relaxation of permitted development rights and use-class order changes to see what happens to the quality of buildings in rural areas as well as on our high streets? High streets are not part of this debate, but rural town centres would be relevant as well.

I am looking forward to hearing what the Minister has to say about the over-reliance on appeals that seems to have emerged as a result—probably a temporary one—of the national planning policy framework having been put in place before local plans were adopted. I am interested to know whether he has thought about that, or considered speeding up plan-making to reduce the reliance on decisions made by inspectors. Does he plan to strengthen the brownfield first policy, which the NPPF weakened, and does he intend to reform land

acquisition and assembly in accordance with some of the helpful suggestions made in this debate about opening up the land supply market for competition by a larger number of people?

Mr Graham Brady (in the Chair): The shadow Minister is quite right: it is possible, though not mandatory, for the debate to continue until 4.30.

3.52 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Nick Boles): It is a pleasure to serve under your chairmanship again, Mr Brady. In your other role as the chairman of the 1922 committee, I am sure that you are delighted to see so many of your flock here. I wish I could pretend that I thought so many of my hon. Friends were here because I am so popular in the party or because I am a compelling orator, but I recognise that the reason is the level of concern in the communities that they represent and the lack of comprehension in those communities about some of the decisions being made on nearby developments that matter to them. Those decisions seem to be visited on them from on high without explanation.

Many hon. Members have asked specific questions. I could probably take up all the time until the end of the debate just answering them, although I do not intend to do so. Instead, if it is acceptable to you, Mr Brady, and to my hon. Friends and other hon. Members, I will try to address all the issues and see whether I can answer specific questions in doing so. If, by the time we start edging towards the close of the debate, there are burning questions that I have missed answering, I will be happy to take interventions to answer them. However, I hope that I will be able to cover most of them.

I need not start by underlining the scale of the housing crisis faced by this country, the extent of the need for housing or the grief and hardship that the crisis is visiting on millions of our fellow citizens. My hon. Friend the Member for East Hampshire (Damian Hinds) described it eloquently when discussing the average age of the first-time buyer and the average house price in his constituency, and others have referred to the situation in their constituencies. The hon. Member for City of Durham (Roberta Blackman-Woods) set out clearly the roots of the crisis and the fact that Governments of all stripes share responsibility for it. I hope that we can take that as a premise that everybody agrees on.

Mr Laurence Robertson: The Minister used the word “crisis”, but that is not a situation that I recognise. I would be grateful if he went into it in a little more detail.

Nick Boles: I will just recap some of the figures mentioned by the hon. Member for City of Durham and others. In the past year, the percentage of first-time buyers in England who were able to buy a home without their parents' help fell to its lowest level ever, under one third. Two thirds of all first-time buyers in England last year required a subsidy from their parents. By definition, that means that they came from a relatively narrow social group—those from relatively well-off families. Until we introduced the Help to Buy policy, the opportunity to become a first-time buyer had been denied to a large number of our fellow citizens.

Another key fact also mentioned by the hon. Member for City of Durham is that the average age of first-time buyers has crept up and up, and is now nudging 40 in many parts of the country, although of course there are parts of the country where the crisis is not so acute. It is intense within the south-east and the south, but there are also pockets in parts of Yorkshire, and it is just as intense elsewhere, around certain big cities.

Mrs Main *rose*—

Martin Horwood *rose*—

Nick Boles: If I may finish, we also know that the size of the homes in which families are forced to live has fallen steadily for several decades. The number of overcrowded families has risen and the amount of space in which young people must grow up has fallen for several decades for a simple reason: our population has grown and we have not built enough houses to keep pace with it.

That growth in population has had two main sources. One, which is contentious in the House and elsewhere, is immigration, which was uncontrolled for a long time. We as a party rightly criticised that, and are now doing something to control it. However, it is important to remember that the majority—about two thirds—of the growth in population and in the number of households in the country has resulted not from immigration but from ageing. One way that I ask people to think about it is by considering how many people now are part of families in which four generations are alive. Quite a lot of them are. It used to be rare to have a great-grandparent or great-grandchild in a family; it is now common, because people are living longer, and they do not all want to live in the same house. I could go on, but I know that time is limited.

Several hon. Members *rose*—

Nick Boles: I would like not to take interventions on the argument, as I have heard the argument from hon. Members. I will take interventions later if I have not answered the specific questions raised.

Martin Horwood: Will the Minister give way on that point?

Nick Boles: No, I will not take interventions on the argument; I will take them on the specific questions asked. I have sat here for two hours listening to the arguments from the Opposition, and I would like a brief moment to develop my argument.

Housing need is intense. I accept that my hon. Friend the Member for Tewkesbury (Mr Robertson) does not share my view, but many hon. Members do, and there are a lot of statistics to prove it. How are we going to solve the problem? My hon. Friend, whom I congratulate on securing this debate, referred to the country having 700,000 empty homes, which, he said, should be a priority for meeting the intense need for housing. Although I agree with the sentiment, unfortunately his figure does not give a true picture. The figure of 700,000 homes captures every home that is empty right now, including every home that is between buyer and seller and every home in probate.

I will, therefore, give him the true figure for homes that have been empty for more than six months, which I think we can all agree is probably the right figure for an empty home that could meet somebody's housing need in the long term. That number is 260,000 for the whole of England. It has fallen by 41,000 since this Government came into office in 2010. We are spending a great deal of money, and we and local authorities are working hard, to bring those empty homes back into use. It is important to recognise that many—not all, by any means, but many—of those 260,000 are in parts of the country where demand for housing is not as strong as it once was, not in parts of the country where demand for housing is great. I do not believe that a Government can tell people to go and live somewhere with no jobs and no future, just because houses have been built there. Empty homes can make a contribution and are doing so under this Government, but in the scale of need explained so vividly by so many, they are a small contributor.

We need to move to the question of brownfield sites. If it were possible, everybody in this country would prefer every new house to be built on a brownfield site. We would all love not to develop a single scrap of greenfield land if we did not need to. Therefore, the question is whether there is enough brownfield land to do that. The Campaign to Protect Rural England often bandies about the statistic that 1.5 million homes could be built on the available brownfield land. I am afraid that that figure is not entirely a fair representation, because more than half of that brownfield land is already occupied for another use—for example, with a house or factory on it. In theory, it might make good sense to use it for converted housing, but the people currently occupying and using it for another purpose would, by and large, have a view on that: if they own or use the property, they will probably not want to give it up immediately, and if they did give it up, where would they be employed? Having taken all that out, a large number of the remaining brownfield sites are in places where demand for new housing is not so intense. In many areas of most intense demand, the number of brownfield sites that have not been developed is relatively small.

I reassure hon. Members that nearly 70% of new houses in 2010, the last year for which figures are available, were built on brownfield land. We are still building more houses on brownfield land than on greenfield land. We are approaching the point at which the number of brownfield sites that are in the right part of the country and are vacant and available for housing development is too small to supply more than a small, although significant proportion—nearly 70%, but not more—of our need.

Another subject raised here and elsewhere by many hon. Members, including my hon. Friend the Member for St Albans (Mrs Main), is the amount of land banking in the country. We all know individual examples of sites that have been bought and for which planning permission has been given, but on which development has not happened. The question we have to ask is: why has that happened, what is the scale of that problem and what contribution would fixing that problem make to solving our intense need?

We must first recognise that that is true of many sites because developers bought them before the financial crash, secured planning permission in anticipation of

[Nick Boles]

the economic environment pertaining at the time and, frankly, could not raise the money to build out the site or, even if they raised the money to do so, could not find people to buy the houses. Ultimately, developers are businesses. Certainly in my party, which so many hon. Members here represent, we believe that businesses need to be free to make investments and bring forward projects, but should be forced to complete such projects only if they have a reasonable prospect of getting their money back and perhaps gaining a small return. That problem grew during the recession not because of developers' greedy behaviour, but simply because they do not want to build houses if there is nobody to buy them.

That situation led to an expansion in the scale of land banking, but let me tell hon. Members about the current position, because it has been reduced by the recovery in house building. The latest estimate is that the total number of units of housing in land banks throughout England is 500,000, but only half of that is on sites where building has not begun. From our constituencies, we all know that most housing developments of a scale greater than a dozen houses are not built out in one year, but sometimes in three or five years, because it is natural to do so. If all the houses were built in one place in one year, it would result in a strange development in which half the houses were sitting empty. That is how the house building industry works, and unless any hon. Member in the Chamber wants to nationalise house building, we have to live with that system.

Only 250,000 units are on sites that have not been started. That is a significant number, but the point is that it covers the whole country, including some places where demand is not sufficient to pull through supply. The Labour party has proposed to confiscate that land from developers, but will such compulsion really solve our housing crisis or lead developers to build more places where we want those houses? I am sure that that might make a contribution, as empty homes may, but I do not believe that it could solve the problem on its own.

On the whole question of local plans and the process that local authorities are asked to go through in putting them together, the fundamental basis of the national planning policy framework, about which many hon. Friends and other hon. Members have been generous, is that local authorities are in control because they have put in place a local plan. Doing the work of producing a local plan puts the local council, as the representative of the community, in control. The local plan has a very simple concept that is very difficult to deliver, which is that the authority has to provide a five-year land supply of immediately developable and deliverable sites to meet its objectively assessed housing need.

I understand that there are concerns. My hon. Friend the Member for Cheltenham (Martin Horwood) referred to an econometric model, and other hon. Members have spoken about the various methodologies. It is not unreasonable, however, for the Government to tell an authority, which is representing the people and has a duty to serve them, "Work out what's needed, and make plans to provide it." That is what we do with schools. We do not tell local authorities, "You can provide as many school places as you feel like"; we say, "Provide as

many school places as are needed." We do not tell the NHS, "Provide as many GPs as you feel you can afford right now"; we say, "Work out how many GPs are needed." The same is true of housing sites: we tell local authorities, "Work out how many houses will be needed in your area over the next 15 years, and then make plans to provide them."

Stuart Andrew rose—

Martin Horwood rose—

Nick Boles: I am happy to give way to my hon. Friend the Member for Cheltenham.

Martin Horwood: My constituents in places such as Leckhampton and Hatherley do not understand this: the econometric model is based not so much on need as on demand, which in areas such as mine—and St Albans and many other constituencies—is practically insatiable, so we will still have high house prices that are unaffordable for many first-time buyers in places such as Cheltenham, because we have good schools and shops, as well as a good local environment and good employment levels. If such areas are simply consigned to endless development, we will lose something very precious to local people and to the environment.

The problem with the Minister's scenario is that the issue is not about trying to stop all development—nobody has said that—but about wanting local people to be able to make some difference and have some say. The economic model for the assessed housing need or demand—

Mr Graham Brady (in the Chair): Order. I remind the hon. Gentleman that interventions should be short.

Martin Horwood: Sorry, Mr Brady. The model or whatever dictates that number should not be a be-all and end-all that nobody can influence.

Nick Boles: I want to reassure my hon. Friend that the process is not based simply on a measure of demand. It is not a matter of sending out a survey to ask people whether they fancy living in West Worcestershire. That is not how it is done; it is done on projections of population, of the number of households in which ageing is taking place and of the historical record and, therefore, the likely future trend of inward migration. That is the definition. The immigration figures are based on the past record. They are not just plucked out of the air as the number of people in the whole world who would quite like to live in Cheltenham. The model is based on an understanding of the pressure of demand from people who actually want to come to Cheltenham. They might want to move to Cheltenham to be near a job, go to college, or be close to their mum who is growing old on her own in a flat.

Martin Horwood indicated dissent.

Nick Boles: My hon. Friend shakes his head. I am happy for him to go through the modelling that is the basis on which this is done. I simply say to him that if he added up all the projections of housing need of all the local plans in the country, he would find that it would add up to a figure that is too low to meet the overall population growth of England. It is not, therefore, the

case that there are these hugely inflated demand figures being put into local plans, which add up to something way in excess of what we need; they are too low to meet our universal needs as a nation. Somehow, somewhere, we are not overestimating the need.

Stuart Andrew: In 2001, the population of Leeds was 715,000, and in the census of 2011, it was 751,000, but the estimate of the Office for National Statistics said that it would be 788,000, which is 37,000 more than actually happened. If we go on the same figures, Leeds will yet again be overcompensating for a population increase that will not exist, but it will have to have the five-year land supply, and to do that, it will have to go into the green belt. How does my hon. Friend marry up that problem that we and our communities face?

Nick Boles: My hon. Friend makes a good argument, and he has made a good argument generally, which he will have every opportunity to make in the examination in public. He will be able to say why he thinks that the projections done by his local authority are way out of line with any realistic possibility and to challenge those projections. He will be able to require the local council to demonstrate to the inspector the reasons it needs to supply those numbers, which cannot be that it is ambitious or that it is going for growth. If it has no good arguments or good evidence, there will be every reason for him to say that it is a plan to meet not need but ambition and dreams, which is a great and lovely thing but not what plans are meant to do.

A great many of my hon. Friends are concerned because they see that, in the absence of a local plan that has been fully adopted after an examination in public by an inspector, many decisions are being made that local people are not content with and their local authorities have opposed. It will be of no reassurance to them, but it is interesting that there is not a single person who has spoken in this debate who is from an area that has a recently adopted local plan. There is a reason for that: once there is a recently adopted local plan, the authority is then in the driving seat. It may well have gone through a process, as my hon. Friends the Members for Cheltenham, for Tewkesbury and for West Worcestershire (Harriett Baldwin) have—*[Interruption.]* No, let me finish my sentence. It may well have gone through the process of putting together that plan, which would be painful because it requires someone to carry out the contentious job of identifying the sites. Once the plan is in place, that is the point at which local authority decisions—*[Interruption.]* I hear lots of rumblings. If I could just finish the argument, I promise to take some more interventions. At that point, the authority will find that appeals are not going against it. I accept that there is a certain amount of scepticism about the figures, but I am giving Members the facts. In 2012-13, the number of planning appeals in which the inspector backed the local council and rejected the appeal was 67%. In 2011-12, it was 68%, and so far this year it has been 67%. In two thirds of all appeals, the inspector is backing local decisions, because the council has made local plans that meet the requirements, so it can be trusted to make its decisions.

Sir Tony Baldry: The Minister knows that, for historic reasons, almost half of all local planning authorities in England do not have an up-to-date local plan. They

started to get that going with the introduction of the national planning policy framework. I suggest that most of them are doing so with all due speed, as is evidenced by my local authority, which adopted its local plan on Monday. My concern, and the concern of many Members, is that the Minister and the Government are not giving any protection or taking any notice whatever of emerging local plans. As a consequence, they are not giving any consideration to the efforts by local communities and local councillors to ensure that they have robust local plans.

Nick Boles: I thank my hon. Friend for that. I understand what he is saying. It is difficult and painful, especially in an area of high demand, to produce that local plan. Many local authorities have been making excellent progress, which is why the number of local plans has risen from about 30% when the national planning policy framework was passed to more than 50% now, and many more will be adopted over the next few months. The difficulty is that there are cases—I am afraid that some of those cases are represented in the Chamber—in which the local plan, despite what the local authority might have said, does not meet the requirements of the Localism Act 2011 and of the national planning policy framework, and does not provide a five-year land supply.

In some cases, that is because local authorities put too many eggs in one basket. They identify one big site to which they attach a lot of hope value, and which might make a fantastic development, but which, in reality, has no immediate prospect of being developed. It therefore cannot count as a site in a local plan. Sometimes, they make estimates that a site will build out over two years, when it clearly will not do so in less than five. It is not surprising, therefore, that the inspector sometimes says, "I'm sorry, but that is not a robust plan, because the sites you have identified will not deliver what you say they will deliver in the established time frame." Then he asks the local authority to go back and revise the plan. That is happening in many local authorities represented in this Chamber, and is causing some of the frustration.

Harriett Baldwin: What, in the Minister's view, is the appropriate time between a council democratically agreeing a local plan and the plan finally becoming set in stone, as there is a very protracted period of inspection by a scarce national supply of inspectors?

Nick Boles: In general—I cannot comment on any particular case—one would hope that that would happen in about nine months. If it could be six, that would be great. It certainly should not be more than 12. In some cases—I am not suggesting that it is happening in West Worcestershire—the inspector, rather than saying that the plan will not meet the requirements, says that the authority needs to do a bit more work on it and then suspends the plan. That can be a good thing, because we do not want to see a lot of good work thrown away because one part of the plan has not been properly completed. That is sometimes what causes it to be delayed beyond the time frame. If everything is in order, it should be done within six to nine months.

Mrs Main rose—

Nick Boles: There are many questions that I have not yet answered, and there are only so many minutes left. I want to come on to the point of prematurity that some Members have raised. There is a difficult balance to be struck. One extreme would be to say that it does not matter how early stage a local plan is; as soon as an authority has started on a local plan, the draft policies, which have not yet been examined, consulted on or tested, should determine decisions. That is at one end. I understand that no one is suggesting that it should be at that extreme end. At the other end, we say that no weight should be accorded to a plan until it has absolutely finished the process.

The balance that we have put out in the draft guidance is that once a local plan has been submitted for examination—not completed or passed—it should carry significant weight if there are no substantial unresolved objections to parts of it. A neighbourhood plan has to pass a referendum, which is a big moment at which it might fail, and it starts to acquire weight when it has been presented to the local authority for what is called the local authority publicity period. I accept that both those stages are towards the end of the process. However, the difficulty if we try to move them earlier in the process is that—I promise you—developers will go to court, they will seek the judge's interpretation and they will say, "This plan hasn't even been consulted on. It hasn't even been tested by examination. How can it be the basis for a decision, when in every other way this proposed development meets all of the policies in the national planning policy framework?" That is the argument that they will make, and indeed it is the argument they are making in cases right now.

Therefore, it is not simply in the gift of Ministers to move that decision point through guidance; we cannot do that. We have to put it at a point that the courts will find reasonable as an interpretation of the requirements for a plan to be sound and robust. We have set it where we have because we think that is the most reasonable position, but I am very happy to invite colleagues here in Westminster Hall today to meet my officials to discuss whether there is a way of finding another time frame that would stand up in court. However, I would simply share with them the view that the bar that would stand up in court is a very high one, and I have concluded that the position that we have outlined in the guidance is the one that will not only stand up in court but provide some protection for those plans that have reached an advanced stage of development.

David Rutley: Notwithstanding the point that the Minister is making, can he confirm that the planning horizon currently is to 2030 and any talk of moving to 2050 is for the birds, to use a technical term? Would he also use his good offices, given that there is good will—particularly in Cheshire East—to conclude local plans, to bring the requisite expertise to enable us to get over this hurdle as quickly as possible?

Nick Boles: I am very grateful to my hon. Friend for reminding me of two very important specific questions, to which it is a great pleasure—and a rare one—to be able to give an answer that I hope is satisfactory. The answer to the first question is that there is nothing in the Localism Act 2011, in the NPPF or in any aspect of Government planning policy that requires someone to

plan beyond 15 years. So, anybody who is suggesting that there is any requirement to safeguard land or wrap it up in wrapping paper and ribbons for the future development between 2030 and 2050 is getting it wrong. There is no reason for it and my hon. Friend can knock that suggestion straight back to wherever it came from.

Regarding help for authorities, I will make an offer to everyone here in Westminster Hall who has an authority that is having difficulty resolving the final objections to a plan that is still in draft form. It is that I am very happy to ask officials in my Department and—perhaps even more usefully—the recently retired chief inspector and another recently retired very senior inspector to meet those authorities to help them, in a sense, to understand what are the practical things they have to do to get the plan to a point where it can pass examination.

I fully understand that there is a frustration, namely that people cannot negotiate with an inspector, because an inspector is basically like a judge; it would be like someone negotiating with a judge in court as to whether they will be found guilty or not. The inspectors cannot negotiate, but that is why we have created a resource within the Department that is able to provide that practical support, and I am very happy to offer it to Cheshire East and to other boroughs where it would be necessary.

Several hon. Members rose—

Nick Boles: I will move on to the infrastructure point; I am happy to take more interventions after that. That is because my right hon. Friend the Member for Arundel and South Downs (Nick Herbert), who spoke so passionately and so persuasively, as he has done so many times before, on this subject, raised a particular point about a commitment to make a clearer reference to the need for infrastructure to be planned in planning guidance.

When my right hon. Friend raised that point with me before this debate, I was very concerned that I had failed to deliver on a commitment made on the Floor of the House, and that that was something I needed to correct. I will not suggest to him that it is impossible to improve on what we have done, but I would like to reassure him that my officials—being marvellous officials—put in something that addressed the concern that he raised and the commitment that I made; it just may not be something that he considers to be sufficient. I will quote from the new draft planning guidance, because it is important that we all understand it. It says:

"Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure".

That is the introductory phase. Then it says specifically:

"The Local Plan should aim to meet the objectively assessed...infrastructure needs of the area".

Then it says something even more specifically, which directly addresses the point of whether it is possible to ensure that a development only goes ahead once the necessary infrastructure has been put in place, and only after that necessary infrastructure has been put in place. We have made direct provision

"that a condition"—

that is, a planning condition—

"may be used to prohibit 'development authorised by the planning permission or other aspects linked to the planning permission...until a specified action has been taken (such as the provision of supporting infrastructure).'"

That is the element where we have attempted to make it clear that planning authorities can very reasonably say, "Yes, we'll pass this planning application, yes, we will consent, but it can only go ahead and be built out once that infrastructure has been put in place." I believe that the use of conditions is the right way to do it, as well as the plan making that makes the broader plans for infrastructure. However, I am very happy to invite my right hon. Friend to meet my officials and to come up with a better solution if one can be found that addresses his concerns.

Nick Herbert: I am grateful to my hon. Friend the Minister and I will have a look at the specific provisions that he says address the concern that we raised last December, and that he committed to bring forward; I thank him for that. Can he assure me that the proposals in the guidance in relation to infrastructure will enable a local authority, in drawing up a plan, to adjust the housing number that it sets, such that the number may be lower than the strategic housing market assessment provides, because of infrastructure considerations?

Mr Graham Brady (in the Chair): Before the Minister replies, I remind him that we only have three and a half minutes left, and I am keen to allow the Member responsible for securing the debate—the hon. Member for Tewkesbury (Mr Robertson)—to reply as well.

Nick Boles: If you will forgive me a very scrappy finish, Mr Brady, I will answer the question, and then I will sit down to allow my hon. Friend the Member for Tewkesbury to speak.

Very specifically, development must be sustainable, and sustainable in many ways. Infrastructure is one of the ways in which it needs to be sustainable. However—the however is quite important—to say that the current infrastructure is insufficient to support a level of development that otherwise would be "sustainable" in other senses of the word is not quite enough, because someone has to be able to say that it is incapable of being made sufficient to support that level of development; in other words, that the local authority either could not bring the financial resources together or could not physically and geographically make arrangements to make that development sustainable. Just to say, "The road is too narrow; we can't do anything more there," is not quite enough. To say, "The road is too narrow and can never be widened, because it's between two ancient forests that have the highest status," could be sufficient and that tends to be where the debates take place.

However, as I say, I am very happy to invite my right hon. Friend to meet officials to explore this issue further.

I will conclude. I am sorry if I have not answered everybody's questions.

4.27 pm

Mr Laurence Robertson: Thank you for calling me to speak, Mr Brady. It is a pleasure to serve under your chairmanship, and to have served under that of Mr Havard earlier.

I thank all the Members who have attended Westminster Hall today and contributed to this very lively debate. I thank the Minister for his attendance and his answers. I am not completely satisfied, as he would imagine, by some of the answers he has given, particularly about this so-called "housing crisis". He said that we are an ageing population. Of course we will age during the next 20 years, but we aged during the past 20 years as well, so I am not convinced that the projections should jump up so much because of that single factor. Of course, families go their own separate ways and people unfortunately have divorced, but again I am not aware that the projection will go up in the way that it would need to in order to justify the additional housing figures that are being talked about.

The Minister was perhaps talking about people being unable to buy houses, and ignoring the financial constraints. In my experience, it is not necessarily that the houses are not there. We went through a situation where some lenders were lending 125% of the house price, which had the effect of inflating those house prices. Now we have the opposite, where there is a very tight lending policy, and that is making it difficult for people to borrow. I accept the philosophy of price elasticity, of course—demand and supply—but there is more to it than that, so I am a little concerned that the Government are still clinging to the "housing crisis" phrase.

I will rattle through one or two final points. I am very much in favour of neighbourhood plans, of course, but they have to be in conformity with the local plan, so they are not actually that valuable.

My final point is the one raised by my right hon. Friend (the Member for Arundel and South Downs (Nick Herbert)) about infrastructure. Does that mean that numbers can be reduced? What about the green belt? What about flood risk areas? All these provide great difficulties, certainly in my constituency, to coming up with the sort of numbers that are being proposed by the Government—

Mr Graham Brady (in the Chair): Order.

4.30 pm

Sitting adjourned without Question put (Standing Order No.10(13)).

Appendix JS4

Former Secretary of State for Housing, Communities and Local
Government Speech on the Housing Market, November 2017

1. Home (<https://www.gov.uk/>)

Speech

Sajid Javid's speech on the housing market

From: Department for Communities and Local Government
(<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>)
and The Rt Hon Sajid Javid MP (<https://www.gov.uk/government/people/sajid-javid>)

Published: 16 November 2017

Delivered on: 16 November 2017 (Transcript of the speech, exactly as it was delivered)

Secretary of State's speech on the housing market.



Thank you, and good morning everyone.

Half an hour ago, the official figures were published (<https://www.gov.uk/government/statistics/housing-supply-net-additional-dwellings-england-2016-to-2017>) showing that the number of new homes in England increased by more than 217,000 last year.

That represents the highest level of net additions since the depths of the recession, and it's the first time in almost a decade that the 200,000 milestone has been reached.

Yesterday, the Housing Minister Alok Sharma, he signed the papers that will allow housing associations to be reclassified as private sector organisations.

Freed from the shackles of public sector bureaucracy, associations will be able to concentrate on their core, crucial mission – building homes.

Later this morning, the Prime Minister will be in north London meeting with families living in new, high-quality social housing.

They're just some of the families to benefit from last year's 27% rise in the number of new affordable homes.

And they'll soon be joined by many more thanks to the £9 billion that we're investing in affordable housing.

Now, all that is just the tip of the iceberg.

Because this is a government that is getting things done.

A government of deeds, not words.

We've doubled the housing budget to deliver a million more homes, including hundreds of thousands of affordable ones.

We have reformed planning rules, leading to record levels of planning permissions being granted.

We have fought bureaucratic inertia and vested interests and we have freed up unprecedented levels of public sector land.

We're providing hundreds of millions of pounds of finance for small and innovative builders to accelerate construction speeds.

And tens of thousands of derelict homes are being brought back into use...

The list goes on and on.

So yes, we've done a lot.

Yet it is painfully obvious that there remains much, much more to be done.

217,000 net additions means 217,000 more people or families with a roof over their heads.

217,000 places where people can put down roots and build their life.

But fixing the broken housing market will require a much larger effort.

The figures that have been released today show that we have started turning things around.

But they are only a small step in the right direction.

What we need now is a giant leap.

You wouldn't know it if you listened to some people.

Even today, I still hear from those who say that there isn't a problem with housing in this country.

That we don't need to build more.

That affordability is only a problem for Millennials that spend too much on nights out and smashed avocados.

It's nonsense.

The people who tell me this – usually baby boomers who have long-since paid off their own mortgage – they are living in a different world.

They're not facing up to the reality of modern daily life and have no understanding of the modern market.

The statistics are well-worn but they do bear repeating.

Nationwide, the average house price is now 8 times the average income.

The average age of a first-time buyer is now 32.

People in their early 30s are half as likely as their parents were to own their home.

A third of all men in their 30s are still living with their parents – a stat that will send a shiver down the spine of all mums and dads everywhere!

Where once it would have taken an average couple 3 years to save for a deposit – 3 years – it will now take a quarter of a century. Assuming, of course, they can afford to save at all.

And last year, the average first-time buyer in London needed a deposit – a deposit – of more than £90,000.
£90,000!

That's a lot of avocados.

Now, like some kind of noxious oil slick, the effects of our broken housing market are spreading slowly but steadily through all our communities and all demographics.

And if we fail to take decisive action, the impact will be not just be felt by those who are directly touched by it.

And that's because your home is so much more than just the roof over your head.

It's not the backdrop to your life, it's a fundamental part of it – and of society too.

Our home is supposed to be our anchor, our little patch of certainty in an uncertain world.

And once you have that certainty, that stability, then you can start to put down roots.

Start making friends.

Become part of your community.

You can begin to play your role in those Burkean "little platoons" that have long been at the heart of much political thinking, for 2 centuries or more.

So our homes are engines of society, and they're also engines of social progress.

In purely fiscal terms, yes, but in so many other ways.

A safe place where children can do their homework, spend time with their parents.

It's much, much harder to get on life if you're constantly forced to move from school to school, from place to place because your parents can not afford the rent.

And homes are the rocks on which families and communities are built.

If, like me, you believe in the importance of a strong, stable family unit, if you got into politics to help protect it, then you must also accept that homes should be made available.

You simply must.

[Political content removed] At the heart of British life – is the idea that if you work hard you are free to enjoy the rewards.

It's an idea that has been articulated by countless politicians over many generations.

But it's an idea that is fundamentally undermined by our broken housing market.

Because working hard no longer guarantees rewards.

There is no guarantee that you will be able to afford a place of your own, to buy your own home, build your own life, pass something on to your children.

With wages swallowed up by spiralling rents, there's not even a guarantee that you'll be free to spend your money on what you choose.

Opportunity is increasingly limited not by your own talents but by your ability to make a withdrawal from the Bank of Mum and Dad.

The generation crying out for help with housing is not over-entitled.

They don't want the world handed to them on a plate.

They want simple fairness, moral justice, the opportunity to play by the same rules enjoyed by those who came before them.

Without affordable, secure, safe housing we risk creating a rootless generation, drifting from one short-term tenancy to the next, never staying long enough to play a real role in their community.

We risk creating a generation who, in maybe 40 or 50 years, reaches retirement with no property to call their own, and pension pots that have not been filled because so much of their income has gone on rent.

A generation that, without any capital of its own, becomes resentful of capitalism and capitalists.

And we risk creating a generation that turns its back on the politicians who failed them.

A generation that believes we don't care.

[Political content removed]

We must fix the broken housing market, and we must fix it now.

Tomorrow will be too late.

February's white paper (<https://www.gov.uk/government/publications/fixing-our-broken-housing-market>), that set out our broad vision for doing so.

It described the scale of the challenge and the need for action on many fronts.

Since then we've been putting it into action, laying the foundations for hundreds of thousands of new homes.

But I'm about as far from complacent as it's possible to get.

So I'm not about to let myself – or anyone – think that the battle is already won.

I'm going to keep on pushing for much more change, keep on seeking answers to the questions that need to be asked.

Can and should central government take a bigger, more active role in building homes?

Our vision for Garden Villages and Garden Towns have been well received by planners and residents alike.

But should we now be more bold, taking the concept to the next level and creating larger Garden Cities?

How can we get more land into the system, freeing up more sites on which to build?

Despite what some claim, our green and pleasant land not about to turn concrete grey.

Twice a day, more of Britain gets covered by the incoming tide than is currently covered by buildings.

England is the most developed part of the UK, yet less than 10% of its land is urban.

Building the homes that we need does not mean ruining vast tracts of beautiful countryside. It doesn't mean that at all.

It just means working with local communities to make sensible, informed decisions about what needs to be built and where – and finding the right sites on which to do so.

Many of those sites are already part of the urban landscape.

Bristol was quick to sign up to the pilot scheme that we set up for a Brownfield Register.

As a result, another 248 sites have been identified right across this city.

And none of them require the loss of a single piece of greenfield land.

But whether in cities or the countryside, the key to unlocking new sites is infrastructure.

The right infrastructure can make private development viable.

It can make new communities places where people actually want to live.

And it can make development acceptable and attractive to existing communities.

Tomorrow, the National Infrastructure Commission will publish its report on the opportunities on offer if we open up the Cambridge-Milton Keynes-Oxford corridor.

I'm very much looking forward to what Lord Adonis has to say.

That's because infrastructure has to be at the heart of any major development. And as Secretary of State I will make sure make sure that it is.

Too many commentators seem to think we have to choose one solution and stick with it, whether that's planning reform, it's infrastructure, it's training or it's investment.

That couldn't be further from the truth.

There are many, many faults in our housing market, dating back many, many years.

If you only fix one, yes you'll make some progress, sure enough.

But this is a big problem and we have to think big.

We can't allow ourselves to be pulled into one silo or another, and I don't intend to let that happen.

So there is much that central government can do.

But, acting alone, we won't be able to do anything.

Fixing the broken market requires action on many fronts, and from many actors.

That's why we're here today.

I never need an excuse to come back to Bristol, the city where I grew up, my home town.

Being here this morning means I can visit my mum's in time for lunch!

She makes the best lamb samosas this side of Lahore!

But this city – and the site we're on today, Temple Meads Quarter – is also a great example of how different agencies and different groups of people can work together to deliver the homes we need.

When I was a kid, the Temple Meads area was a picture of decline – neglected, run-down, under-used.

The sorting office building had stood empty and increasingly derelict since 1997.

Today, the whole area is being reborn as a new urban hub, a modern and sustainable place to work, to learn, to play and to live.

Appropriately enough, the list of business tenants includes HAB, the innovative housing start-up co-founded by Kevin McCloud.

They're just down the road at Temple Studios.

We're building homes for businesses, so that businesses can build homes for us!

The transformation of Temple Meads has many parents, but at its core is a local authority that's pro-development and a government agency – the Homes and Communities Agency – that's willing to use all of the powers at its disposal.

Now you couple that with a Local Enterprise Partnership that's serious about building, a combined authority that's committed to delivering the right infrastructure, can-do attitude from the superb West of England Mayor Tim Bowles, and a private sector that's ready to meet the challenge... The results, they speak for themselves.

This kind of collaboration brings results, and I want to see these kind of results replicated right across the country.

And that means a huge range of different groups working together to tackle the many faces of the housing challenge.

For starters, I want the Homes and Communities Agency to be less cautious, to be more aggressive, and to be more muscular.

To take its foot off the brake and use all the tools we've created for it.

The agency is taking that approach here at Temple Meads, and the results are clear for us to see.

Now it's time to repeat that success right across the country.

The private sector developers must also play their part, building more homes more quickly.

They're great at securing planning permissions – but people can't live in planning permissions.

The government is actively removing barriers to build-out.

As the white paper said, we're tackling unnecessary delays caused by planning conditions.

We're making the process of dealing with protected species less painful.

And we're committed to tackling the skills shortage and boosting the construction workforce.

We're giving the industry the support that it needs, and I expect the industry to respond by getting shovels in the ground.

That's why the white paper also set out plans to increase transparency and accountability, so everyone can see if a developer is dragging its feet.

Now, I've been very clear about the need for an end to unjustifiable land banking.

But the sector should remember that it's not just government that wants to see this happen.

It's a time of national shortage, and in this kind of time British people will not look kindly on anyone who hoards land and speculates on its value, rather than freeing it up for the homes our children and grandchildren need.

Then there are the housing associations.

I've talked before about my admiration for the work they do.

They kept on building throughout the recession.

They're on course to deliver 65,000 new homes a year by next year.

And many of those homes will go to be people who would otherwise be simply unable to afford them.

Housing associations are run like big businesses – after all, they have assets worth about £140 billion.

But they deliver an incredible social good, providing good quality homes for millions of people right across the country.

They have such an important role to play in getting homes built, which is why this government has not hesitated to give them the resources they need to succeed.

Just in the past month or so we've given them certainty over rental income and increased by £2 billion the fund from which they can bid for cash to build homes for social rent.

And today, as I said at the start of this speech, we're reclassifying housing associations, taking them out of the public sector and off the government's balance sheet.

I know it sounds like a piece of bureaucratic box-ticking.

But the results will be far-reaching.

Freed from the distractions of the public sector, housing associations will be able to concentrate on developing innovative ways of doing their business, which is what matters most: building more homes.

Finally there is the most important cog in the housing and planning machine, local government.

Some councils – most in fact – are doing very well.

Where that's the case, where councils are showing real drive and ambition, the government will back them every step of the way, including with the kind of housing deal we're negotiating here in the West of England.

And in the areas where supply and demand are most badly mismatched, where most homes are unaffordable to most people, I want to give local authorities the tools they need to build more – and that includes financial help.

I want to help local authorities because most of them deserve that help.

They're recognising their responsibilities and they're stepping up to meet them.

But too many still leave much to be desired.

It's more than 13 years since our existing local plan process was first introduced, letting England's 338 planning authorities set out how and where they expect to meet their residents' needs for new homes.

Yet, incredibly, more than 70 still haven't managed to get a plan adopted.

Of these, 15 are showing particular cause for concern.

Deadlines have been missed, promises have been broken, progress has been unacceptably slow.

No plan means no certainty for local people.

It means piecemeal speculative development with no strategic direction, building on sites simply because they are there rather than because homes are needed on them.

It means no coherent effort to invest in infrastructure.

It means developers building the homes they want to sell rather than the homes communities actually need.

And so on.

It's very simple: unplanned development will not fix our broken housing market.

It will most likely make things worse.

I do believe in localism above all else, which is why I've been willing to tolerate those who took their time to get the process moving.

What mattered most was that they got there in the end.

But today is the day that my patience has run out.

Those 15 authorities have left me with no choice but to start the formal process of intervention that we set out in the white paper.

By failing to plan, they have failed the people they are meant to serve.

The people of this country who are crying out for good quality, well-planned housing in the right places, supported by the right infrastructure.

They deserve better, and by stepping in now I'm doing all I can to ensure that they receive it.

To the other authorities who are lagging behind, don't think for one minute that you've got away with it.

That you can ignore agreed deadlines or refuse to co-operate with your neighbours.

Get your plan written.

Get your plan adopted.

I've shown today that I will take action if this doesn't happen.

I will not hesitate to do so again.

I've talked a lot today about housing supply.

After all, building more is the single biggest challenge that we face.

But this government's housing policy goes way beyond that.

Our homes and our lives are completely intertwined, which is why we're determined to make the housing market work better at every stage of your life.

We're building more houses so that you don't have to spend your childhood crammed into the kind of overcrowded accommodation I grew up in.

We're making the rental market fairer, more transparent and more affordable, so that when the time is right and you can leave home you can get a place of your own without being ripped off.

We're introducing longer tenancies, so you can plan ahead, put down roots, and you can start saving for that deposit.

We're creating a supply of affordable, appropriate homes for first-time buyers so that, when you're ready, you can get a foot on the housing ladder in the same way your parents did.

And we're helping you take the step up to buy your own home by putting billions of pounds into schemes like Help to Buy.

We're tackling rogue managing agents who hit leaseholders and tenants with unfair charges.

And we've launched a crackdown on abuse of leasehold so that desperate young buyers don't get stuck with a costly, unsellable asset.

We're reforming the whole process of buying and selling homes, so that as your family grows and your needs change you can move up the property ladder with the minimum of stress and expense.

We're making sure that developers offer a proper supply of suitable smaller homes so that you downsize once you get older.

And we're encouraging the construction of more sheltered and supported housing, so that the right kind of homes are there for you in your old age.

Faced with the crisis of the Second World War, Churchill demanded "action this day" so the country could rise to the challenge.

And, faced with an unprecedented housing crisis, that's what you're going to get from this government.

Real action, day after day, week after week, to give this country a housing market that works for everyone.

In next week's Budget you'll see just how seriously we take this challenge, just how hard we're willing to fight to get Britain building.

But, as I've said, central government can only do so much.

If we're going to fix our broken housing market, if we're going to repair the damage that's being done to our society and communities, if we're going to make good on our promise to the next generation then, just like in Churchill's day, we all have a role to play.

We all have to roll up our sleeves and get to work.

Most important of all, we all have to ask ourselves what kind of country we want this to be.

Do we want this to be a nation where people who work hard can afford a place of their own?

Where strong families are raised in stable, close-knit communities?

Where ordinary working people can save for retirement and pass something on to their children?

I know I do.

That's why I'm totally committed to building more of the right homes in the right places at the right prices.

So is the Prime Minister.

So is the Chancellor.

So is this government.

It's a national crisis and it's one we're ready to meet.

The question is, are you ready to join us?

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From: Department for Communities and Local Government

(<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>) The Rt Hon Sajid Javid MP (<https://www.gov.uk/government/people/sajid-javid>)

Appendix JS5

Tetlow King Planning Review of Five Year Housing Land
Supply, 2021/22 to 2025/26



Uttlesford 5YHLS - Large Sites Affordable Housing Analysis

Application Ref.	Site Address	Total number of units (Gross)	Dwellings in 5YHLS	AH Policy Threshold %age	Application AH Contribution type	On Site AH units	AH Units in HLS	On Site AH %age	Source
UTT/18/3326/PIP UTT/19/2852/FUL	Clavering: Land West Of Stortford Road	8	8	40%	n/a	0	0	0	Officers report confirms AH is not required
UTT/17/0649/OP	Felsted: Land off Stevens Lane	7	7	40%	n/a	0	0	0	Officers report confirms AH is not required
UTT/18/0784/OP UTT/19/2118/OP	Felsted: Land East And North Of Clifford Smith Drive	41	41	40%	On site	16	16	40%	Committee Report and Appeal Decision
UTT/18/1011/OP UTT/20/0757/DFO	Felsted: Land West Of Maranello	28	28	40%	On site	11	11	40%	Appeal Decision dated 30th May 2019
(UTT/20/1596/OP) UTT/21/0757/DFO	Felsted: Land at Maranello	7	7	40%	n/a	0	0	0%	Officers Report on RMA confirms the application falls below the AH threshold
UTT/18/2508/OP	Felsted: Land West Of Bury Farm	38	38	40%	On site	5	5	13%	Section 106 dated 25 March 2021 provides for 5 AH units
UTT/14/0425/OP UTT/17/2745/DFO	Great Chesterford: Land north of Bartholomew Close	13	13	40%	On site	3	3	20%	S106 dated 16th October 2014 and Officers Report
UTT/14/0472/OP (UTT/17/3623/DFO)	Great Dunmow: Land East of St Edmunds Lane	22	22	40%	On site	9	4	40%	Appeal Decision dated 15th May 2015
UTT/13/1684/OP	Great Dunmow: Land west of Chelmsford Road	370	30	40%	On site	100	15	27%	S106 dated 3 November 2014 advises 15 units in phase 1; 70 units in Extra Care phase (100%). Officers Report advises phase 2 also to include 15 units. 100 AH units in total; 15 assumed within the five year supply due to phasing
(UTT/13/2107/OP) (UTT/18/1826/DFO) UTT/20/3419/DFO	Great Dunmow: West of Woodside Way	464	120	40%	On site	186	48	40%	Committee Report
(UTT/13/2107/OP) (UTT/18/1826/DFO) UTT/20/2220/DFO	Great Dunmow: West of Woodside Way	326	225	40%	On site	130	90	40%	Committee Report
UTT/1006/04/DFO UTT/1809/02/FUL UTT/0395/05/FUL UTT/0496/05/FUL UTT/0386/05/DFO UTT/0392/05/DFO; UTT/0246/07/FUL; UTT/17/1652/FUL	Great Dunmow: Woodlands Park Sectors 1 - 3	1633	250	40%	On site	20	20	-	Complex planning history. PPs referred to in LPA trajectory cover Sectors 2 and 3. Sector 2 (and part Sector 3) affordable provided under UTT/0147/03/FUL (153 dwellings) delivered in 2000s. Remaining Sector 3 affordable provided for in applications UTT/0406/08/FUL (34 units, recently completed) and UTT/17/1652/FUL (20 affordable dwellings; officer's report provides further detail on affordable arrangements for Sector 3)
UTT/2507/11/OP. UTT/13/1663/DFO	Great Dunmow: Woodlands Park Sector 4	125	113	40%	On site	50	45	40%	S106 dated 2nd August 2012 and Officers Report
(UTT/18/3172/PAP3O) UTT/20/2380/PAO3 UTT/20/2376/FUL	Great Dunmow: The Old Mill, Haslers Lane	10	10	40%	n/a	0	0	0	Prior Notification Application
UTT/18/3089/FUL	Great Dunmow: Tiggers	9	8	40%	On site	2	3	37.50%	Officers Report
(UTT/18/0816/FUL) UTT/20/0121/FUL	Great Dunmow: Land adjacent The Granary	6	6	40%	n/a	0	0	0	Application form indicates nil AH provision
UTT/17/0259/OP (UTT/18/0103/DFO)	Great Easton: Land between Brocks Mead and the Endway	9	9	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/16/3669/OP	Great Hallingbury: Land South East of Great Hallingbury Manor	35	35	40%	On site	11	11	31.40%	S106 dated 16th January 2019
UTT/18/1982/FUL	Great Hallingbury: Barnmead, Start Hill	9	8	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/0831/10/FUL	Great Hallingbury: Newlands, Woodside Cottage & Oakside	6	1	40%	n/a	0	0	0	Application falls below AH threshold
UTT/18/1704/OP	Hatfield Broad Oak: Oakbourne	7	6	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/18/3370/OP	Henham: Land south of The Farmhouse	9	9	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/19/0573/OP	Little Chesterford: Land To The South West Of London Road	76	76	40%	On site	23	23	30%	S106 dated 17 June 2020 confirms 30% affordable
UTT/17/3556/OP UTT/19/2185/DFO	Little Dunmow: Priory Lodge, Station Road	8	8	40%	n/a	0	0	0	Planning statement confirms application falls below AH threshold
UTT/18/1039/OP	Little Dunmow: Land East of Station Road	9	9	40%	n/a	0	0	0	Appeal Decision dated 20th June 2019
UTT/15/0879/OP UTT/19/1064/DFO	Newport: Land at Holmwood, Whiteditch Lane	12	12	40%	On site	5	5	41%	Appeal Decision dated 23rd May 2016
UTT/16/1290/OP UTT/19/2900/DFO	Newport: Bricketts, London Road	11	11	40%	On site	2	2	18%	Officers Report
UTT/15/1869/FUL	Newport: Land west of London Road	94	94	40%	On site	38	38	40%	S106 dated 14th September 2017

Uttlesford 5YHLS - Large Sites Affordable Housing Analysis

Application Ref.	Site Address	Total number of units (Gross)	Dwellings in 5YHLS	AH Policy Threshold %age	Application AH Contribution type	On Site AH units	AH Units in HLS	On Site AH %age	Source
UTT/18/0739/FUL	Newport: Site of Redbank	24	24	40%	n/a	0	0	0	Officers report confirms that a sports contribution is made rather than AH provision or contribution. If the sport facilities are not delivered then AH should be provided at 40%.
UTT/19/1301/FUL	Newport: The Joyce Frankland Academy	9	9	40%	n/a	0	0	0	Officers report confirms it would not be justifiable to seek AH
UTT/17/3413/OP	Saffron Walden: Commercial Centre Ashdon Road	55	55	40%	On site	22	22	40%	Appeal decision dated 10th October 2019
UTT/16/1444/OP UTT/17/3038/DFO	Saffron Walden: Land Behind The Old Cement Works, Thaxted Rd	35	35	40%	On site	20	14	40%	Officers Report
UTT/13/3467/OP UTT/16/1856/DFO	Saffron Walden:Land south of Radwinter Road (excludes C2: 12 extra care bungalows; 30 extra care apartments and excludes 60 bed care home)	200	49	40%	On site	92	20	40%	S106 dated 21st May 2015
UTT/17/2832/OP	Saffron Walden: Land North Of Shire Hill Farm	100	100	40%	On site	40	40	40%	S106 dated 13 July 2020 confirms 40% affordable
UTT/16/2210/OP UTT/18/2959/DFO	Saffron Walden: Land off Little Walden Road	85	85	40%	On site	34	34	40%	S106 dated 27th July 2017
UTT/18/3399/FUL	Saffron Walden: Former Walden Dairy	7	7	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/18/2820/FUL	Saffron Walden: Land at Thaxted Road	14	14	40%	On site	14	14	100%	Officers Report
UTT/18/0824/OP UTT/19/2355/DFO	Saffron Walden: Land East of Thaxted Road	150	150	40%	On site	60	60	40%	S106 dated 12th April 2019
UTT/16/2865/OP UTT/19/2388/DFO	Stansted Mountfitchet: Land north of Water Lane	9	9	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/17/2480/OP	Stebbing: Sabre House, Dunmow Road	9	9	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/17/1852/FUL	Takeley: Land between 1 Coppice Close and Hillcroft, south of B1256 Takeley Street	20	20	40%	On site	8	8	40%	S106 dated 18th May 2018
UTT/19/0393/OP	Takeley: Land West Of Parsonage Road	119	119	40%	On site	48	48	40%	Section 106 dated 9th December 2019
UTT/20/0386/FUL	Takeley: Remarc	8	8	40%	n/a	0	0	0	No reference to affordable in application documents; site below threshold
UTT/17/1896/FUL	Thaxted: Warners Field, Copthall Lane	7	7	40%	n/a	0	0	0	Officers report confirms AH is not required
UTT/18/2055/FUL	Thaxted: Land East of Claypit Villas	9	9	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/18/2055/FUL	Thaxted: Cutlers Green Farm	7	7	40%	n/a	0	0	0	Officers report confirms the application falls below AH threshold
UTT/18/0750/OP	Thaxted: Claypits Farm, Bardfield Road	14	14	40%	n/a	0	0	0	Officers report confirms that there is no requirement for the applicant to provide affordable housing or a financial contribution in lieu of affordable housing on site.
UTT/17/3751/OP	Ugley: Pound Lane	11	11	40%	n/a	0	0	0	Planning statement confirms AH would be unviable
Totals		4284	1945			949	598		
PA		857	389			190	120		

Appendix JS6

Uttlesford District Council Housing Allocations Scheme, 2021





UTTLESFORD DISTRICT COUNCIL

HOUSING ALLOCATIONS SCHEME (ALLOCATIONS POLICY)

Uttlesford District Council Housing

Allocations Scheme

1. Introduction

- 1.1 The Council is required, by virtue of Section 168(1) of the Housing Act 1996 to have an allocations scheme for determining priorities and the procedure to be followed in allocating housing accommodation.
- 1.2 We have written and published this policy so everyone can be clear how:
 - i. Council houses are allocated
 - ii. The homes we are offered by our Registered Providers (RP) are allocated
 - iii. Applicants on our housing register have some choice about the home they are offered;
 - iv. We meet the law's requirements about people whose housing needs we should consider.
 - v. We make best use of the available housing stock within the District
 - vi. We give preference to those applicants who have a local connection to the District
- 1.3 This Allocations Scheme has been formulated in accordance with the provisions of
 - The Housing Act 1996, as amended by the Homelessness Act 2002
 - The Localism Act 2011
 - The Allocation of Accommodation: Choice Based Lettings Code of Guidance 2008
 - The Equality Act 2010
 - The Allocation of Accommodation: Guidance for Local Housing Authorities England 2012
 - Providing social housing for local people: Statutory Guidance December 2013
 - Other relevant legislation and Guidance
- 1.4 In operating the Allocations Scheme, the Council will have due regard to legislation which shall take precedence.

2. Choice Based Lettings

- 2.1 The Council allocates accommodation through a Choice Based Lettings Scheme (CBL) called Home Option. The scheme enables applicants to

express an interest in available properties which are advertised in a fortnightly publication and on a website. All applicants are provided with detailed information explaining how the scheme operates.

- 2.2 Under the CBL Scheme, applicants are able to register their interest in properties which are suitable for their household size and needs in accordance with the terms of this Allocations Policy.

2.3 Direct Lets

2.3.1 Direct Lets will not be part of the choice based lettings scheme.

2.3.2 Direct Lets may apply in the following circumstances:

- i. Extra care properties
- ii. If a property is needed to house someone in council property temporarily
- iii. In cases of where someone has to be moved immediately a direct let may be made
- iv. In the case of a specially adapted property built for a specific person
- v. Decants – Council properties required to be vacated by the Council for a specific purpose
- vi. If a previously joint applicant qualifies to be offered the property of which they were previously a joint tenant we will make them an offer of that property
- vii. Where applicants owed the full homelessness duty by the Council under Section 193 of the Housing Act 1996 as amended who do not meet the Council's Allocation's Policy eligibility criteria.
- viii. In cases where a multi-agency team requests a planned move to resolve a serious management situation a direct let (one offer only to be made) may only be considered if the situation cannot be resolved by any other means and the tenant is either an existing Uttlesford tenant or the tenant of a RP property within Uttlesford and the subsequent vacancy would be allocated through the council's Choice Based Lettings Scheme
- ix. Exceptional cases where there is an evidenced risk of significant harm to a vulnerable household, where there are no other housing options available, and which is supported

by at least one other agency, for example social care. Cases to be agreed by the Asst. Director

3. The Allocations Scheme

- 3.1 Allocation of accommodation will be through the Housing Register in accordance with the provisions of the Allocations Scheme.
- 3.2 The Council recognises that there may be some exceptional situations not covered by the Allocations Scheme. In such instances, Assistant Director of Housing and Environmental Health will have delegated authority to make decisions, as he/she considers appropriate and these will be fully documented.
- 3.3 The Scheme will apply to vacancies in the Council's own housing stock and to vacancies in accommodation in the District belonging to RPs for which the Council is required to make nominations.
- 3.4 The provisions of this Allocations Scheme will apply to applicants on the Council's Housing Register at the effective date of this Allocations Scheme, as well as those who apply after the effective date.
- 3.5 **The Allocations Scheme will not apply in the following cases;**
 - i. Where a tenant succeeds to a secure tenancy on the death of a tenant
 - ii. Where a tenancy is assigned to a person who would qualify to succeed to the secure tenant
 - iii. Where a tenancy is assigned by way of a mutual exchange to an existing secure tenant or RP assured tenant
 - iv. Where a tenancy is disposed through the courts (under matrimonial and family proceedings)
 - v. Where a priority transfer is agreed in urgent circumstances due to person's safety being at risk.
 - vi. Where a property has been identified as temporary accommodation
 - vii. Where the council needs to provide alternative accommodation for a council tenant in order to carry out repairs or improvements to their property.
 - viii. Where the council needs to provide accommodation to meet its duties under homelessness legislation

- ix. Where the council has a duty to re-house home owners following a compulsory purchase, provide suitable alternative accommodation under the Land Compensation Act 1973, s 39, or under the Rent Agricultural Act 1976. (If it is not possible to provide a permanent tenancy immediately, the applicant will be registered within band A of the scheme).
- x. Where the council grants a secure tenancy to a former owner of a defective home under the Housing Act 1985, s554 or s555

4. The Housing Register

- 4.1 The Council is not legally obliged to maintain a Housing Register but has chosen to do so.
- 4.2 The Housing Register will be maintained by Housing Services at the Council Offices in Saffron Walden.
- 4.3 The Housing Register will be open to all categories of person except those who are ineligible as defined at Paragraph 5.
- 4.4 The Housing Register will be open to;
 - i. homeseekers of 18 years of age and over
 - ii. current council or RP tenants
 - iii. 16 and 17 year olds owed a full housing duty by a local housing authority under homelessness legislation.
 - iv. 17yr 6mth old Care Leavers who were resident in Uttlesford at the time they were placed in Care or who are living in Uttlesford immediately prior to the time of leaving care
 - v. People with the capacity to understand and adhere to a tenancy agreement

5. Eligibility categories

5.1 Eligibility

- 5.1.1 The following categories of applicant may not be eligible for the Housing Register;
 - i. Persons subject to immigration control (except those in classes prescribed by the Secretary of State as being eligible for an allocation of housing)
 - ii. Persons not habitually resident in the Common Travel Area (i.e. the U.K., Channel Islands, Isle of Man and the Irish Republic)

- 5.1.2 Any person making an application who is identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act.
- 5.1.3 Eligibility for housing will be determined in accordance with the Allocation of accommodation: guidance for local authorities in England issued by the government under s169 of the Housing Act 1996 Part 6 as amended by the Localism Act 2011.
- 5.1.4 Any other persons the Secretary of State may by regulations prescribe as persons from abroad who are ineligible to be allocated housing by local authorities in England.

5.2 Local Connection Eligibility

- 5.2.1 Any applicant who does not meet one or more of the following local connection eligibility criteria will not be eligible to join the housing register.
 - i. Have lived continuously in the Uttlesford District for the last 3 years (time spent away at University or college will count as living continuously within the district providing the applicant had previously lived in the district immediately prior to the start of their course.)
 - ii. Living outside of Uttlesford or within the District for less than 3 years but have immediate family members who have lived in Uttlesford for the last 5 years and from whom they are receiving or giving substantial ongoing support that cannot be provided from outside of the District
 - iii. Living outside of Uttlesford but have been permanently employed in the Uttlesford District for a minimum of 3 years and working at least 24 hours per week
 - iv. Applicants who meet the Right to Move criteria as set out in Appendix III.
 - v. Applicants who are owed a full homelessness duty by Uttlesford District Council under s.193 of Part VII of the Housing Act 1996, as amended and where a Senior Officer has agreed exceptional circumstances resulting in the need for access to social housing locally
 - vi. Applicants who have been assessed as falling within a reasonable preference category (under 166A (3) of Part 6 of the Housing Act 1996) and where a Senior Officer has agreed exceptional circumstances resulting in the need for access to social housing locally.

- vii. Applicants who are owed a prevention and/ or relief duty under The Homelessness Reduction Act 2017 and where a Senior Officer has agreed exceptional circumstances resulting in the need for access to social housing locally
- viii. Care leavers up to the age of 25 who were originally from Uttlesford but were accommodated outside of the district
- ix. Care Leavers who were placed in Uttlesford for at least 2 years including sometime before they reach the age of 16. They will retain a connection to Uttlesford until they reach the age of 21
- x. Other special reasons, to be agreed by two Senior Officers at their discretion, for example where an applicant has no safe connection to another area due to domestic abuse

5.2.2 The following categories of person will be exempt from local connection criteria:-

- i. Existing social housing tenants residing in the Uttlesford District
- ii. Applicants who are serving members of the regular forces or who have served in the regular forces, if the application is made within five years of their date of discharge.
- iii. Applicants who have recently ceased or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where:-
 - the spouse or civil partner has served in the regular forces; and
 - their death was attributable (wholly or partly) to that service
 - Is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service and the application is made within five years of discharge.

5.3 Financial Eligibility

- 5.3.1 Any homeseekers who in the opinion of the Council has sufficient funds including: annual income, residential property equity, savings, or other assets to enable them to meet their own housing costs by open market purchase or open market renting will be ineligible to join the housing register.

5.3.2 Any lump sums received as compensation for injury or disability sustained on active service by either, members of the Armed Forces, former Service personnel, bereaved spouses and civil partners of members of the Regular Forces, or serving or former members of the Reserve Forces, will be disregarded from this criterion

5.3.3 Owner Occupiers, or other applicants who are financially ineligible to join the housing register, will be eligible to join if they qualify for sheltered housing.

5.4 Housing Related Debt Eligibility

5.4.1 Applicants with housing related debt will generally not be eligible to join the housing register if they are not addressing the debt. Housing related debt includes rent arrears to the Council, RP, other local authority or private landlord, also Council Tax and any monies given through the Councils Rent Deposit Guarantee Scheme.

5.4.2 When a financial assessment carried out by the Council shows that the debt cannot be cleared immediately then a realistic and affordable repayment arrangement should be agreed to clear the debt.

5.4.3 Applicants will become eligible to join the register if they have an agreed repayment plan in place and have made regular payments for at least 12 months or the debt has been cleared in full.

5.4.4 Council and RP tenants who have been accepted onto the housing register but have rent arrears on their current property will not be offered another tenancy until all rent arrears have been cleared in full.

5.4.5 Accepted homeless applicants who have rent arrears on their current temporary accommodation will not be offered accommodation that would discharge the Council's homelessness duty until the rent arrears are cleared in full.

5.4.6 Housing Associations may also hold their own policy on debt.

5.4.7 All cases of housing related debt will be considered on an individual basis taking account of all the information provided by all interested parties. All exceptions to the above Policy criteria on debt are to be agreed by two Senior Officers.

5.5 Exclusions from the Housing Register

- 5.5.1 The Council may exclude someone from the register if it considers it proportionate and reasonable to do so as a result of unacceptable behaviour. The Council will take into account all relevant factors such as health, dependants and the individual circumstances of the applicant when making these decisions. The decision to exclude someone from the housing register will in the first instance be made by the Housing Options Team Leader.

5.6 Unacceptable Behaviour

- 5.6.1 “Unacceptable behaviour” “ is defined as behaviour, which would, if the person was either a secure tenant or a member of a secure tenants household, entitle a landlord to a possession order under any of grounds 1 to 7 of HA 1985 sch 2.”
- 5.6.2 If an applicant who has previously been refused an application onto the housing register because of unacceptable behaviour and considers that their unacceptable behaviour should no longer be held against them they can complete a new application from.
- 5.6.3 When making decisions regarding unacceptable behaviour Uttlesford District Council will consider:
- i. If the applicant (or a member of their household) has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.
 - ii. When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed, this will be a minimum of two years and whether there has been any change in circumstances.
 - iii. What action the landlord would have taken against the perpetrator of the unacceptable behaviour. The behaviour must be serious enough for the landlord to be granted a possession order as detailed above.
 - iv. Whether the behaviour is serious enough to make the applicant unsuitable as a tenant.
 - v. If the applicant or any member of their household is subject to an Anti-Social Behaviour Order an Acceptable Behaviour Contract or any similar penalty introduced by the ASB and Crime and Policing Act 2014 or any relevant legislation.
- 5.6.4 The Council may decide to exclude existing applicants from the register where they become aware of unacceptable behaviour that would make them unsuitable to be a tenant.

- 5.6.5 All decisions made by the Council in relation to excluding applicants from the housing register are subject to review if requested by the applicant (see 16).

5.7 Notifying an ineligible applicant

- 5.7.1 Applications from ineligible applicants will not be registered. The applicant will be notified in writing of the decision and the reasons for the decision will be explained to them.

6. Application to the Housing Register

6.1 Advice and Information

- 6.1.1 The Council will ensure that advice and information is available free of charge to persons in the District about the right to make an application for housing.
- 6.1.2 The advice and information can be provided by the Council on the phone, by letter/e-mail or in person at the Council Offices. Applicants may also seek advice from other agencies such as the Citizens Advice Bureau.
- 6.1.3 Applicants will be required to complete an on-line application form for inclusion on the Housing Register and to provide supporting documentation as the Council deems appropriate to allow an assessment of their entitlement to housing accommodation to be made.

6.2 Joint Applicants

- 6.2.1 Applicants may be a joint applicant with another person although for a joint application, both applicants must be eligible under this policy, except for the local connection criteria where only one of joint applicants needs to meet the criteria.

6.3 Definition of a household

- 6.3.1 Applicants should only include persons on their application who are established members of their household and who will be occupying the accommodation as their only principal home.

- 6.3.2 Non-dependent adults will not be considered as part of the household. Unless they have had continuous recorded residence with the applicant, except whilst in further education.
- 6.3.3 Applicants with a shared residence order or staying contact for children are not automatically entitled to bedrooms for their children. The general principle is that a child needs one home of an adequate size, and that the council will not accept responsibility for providing a second home for children. The council will make an assessment based on the individual circumstances.

6.4 Documents

- 6.4.1 As part of the application process, applicants will be asked to provide the following documentation:
- i. Photographic proof of their identity or a full birth certificate for all those included on their application
 - ii. Proof of immigration status for all those included on the application
 - iii. Proof of current address
 - iv. Proof of meeting the local connection residency criteria
 - v. Proof of dependency responsibilities anyone living with them
 - vi. Proof of income, including bank statements for all accounts held
 - vii. Proof of savings for all accounts held
 - viii. Details relating to previous accommodation where appropriate
- 6.4.2 We may require additional information according to an applicant's circumstances and may sometimes need to contact third parties to verify the information that the applicant has given us. By completing the application form applicants, as detailed on the form, are giving consent for us to do this.
- 6.4.3 If all the required supporting documents are not received within 28 days the application will be cancelled.
- 6.4.4 If assistance is needed in making an application to the Housing Register help will be available from the Housing Services Department.

6.5 User guide

6.5.1 When an applicant has been found to be eligible to join the Register, we will assess their application and they will receive a letter of confirmation and access to an on-line Scheme User Guide which will tell them:

- i. Their HomeOption identification number;
- ii. The Band that their application has been placed in and the date from which this takes effect
- iii. The size of home for which they are eligible
- iv. Details of how they can register interest for a home under CBL

6.5.2 If from an application form we have identified that an applicant may need assistance with using the Scheme we will add their name to a database of applicants for whom assistance with making expressions of interest is offered. Applicants can be added to this list at any time upon their request.

6.5.3 A printed version of the User Guide can be provided on request.

6.6 Renewal of applications

6.6.1 In order to keep the Housing Register up to date, applicants will be required to renew their application, this will normally be on the anniversary of their application. Applicants will be prompted to renew their application when they log on to the HomeOption website. They will also be sent an email to the email address supplied on their application or a letter to the address registered on the application.

6.6.2 If an applicant fails to renew their application within 28 days from the date they received a communication to say that renewal is due, they will be deleted from the Housing Register without further notification.

6.7 Cancelling an application

6.7.1 We will only cancel an application if:

- i. The applicant has written to us to ask us to cancel it, or

- ii. The applicant has not responded to the renewal requests (see paragraph 6.6 above) or
- iii. The applicant has accepted an offer of accommodation through HomeOption.
- iv. The applicant has ceased to be eligible (see paragraph 5 above), or
- v. The applicant has made false or deliberately misleading statements in connection with their application (see paragraphs 18 below)
- vi. The applicant has not provided documentary proofs for their application within 28 days of completing the on-line form

7. Access to Information

7.1 Upon written request, an applicant, will be able to;

- i. receive a copy of their details entered on the Housing Register free of charge
- ii. receive copies of documents provided by them
- iii. have access to their file in accordance with the provisions of the Data Protection Act 1998
- iv. ask for a formal review of any decisions about the facts of their case
- v. be informed in writing of any decision about the facts of their case and of their right to request a review of any such decision
- vi. receive general information to enable an applicant to assess;
 - how their application is likely to be treated
 - whether accommodation appropriate to their needs is likely to be available and, if so, when

8. Assessment of Housing Need and Allocation of Properties

8.1 Assessing Housing Need

- 8.1.1 Applicants housing circumstances are assessed on their individual circumstances and their application placed in one of five Bands. These Bands ensure that we give greatest priority to those in the greatest housing need, so that we make the most effective use of available homes. The law also requires us to give preference to certain categories of housing need, and these have been included within the banding priority criteria.
- 8.1.2 Band A is considered the highest priority of housing need, Band B the next highest etc., with Band E being the lowest priority.
- 8.1.3 Within each Band, the applicant with the greatest priority is the applicant who has spent the longest time in that band.
- 8.1.4 Some allocations will be dealt with outside the scheme; these are explained in paragraphs 2.3 and 3.2.
- 8.1.5 Where an applicant or one of joint applicants is a tenant of the Council at the time of the application then the property subject to that tenancy will be inspected by the Council to ensure compliance with the terms of the tenancy agreement before the application is processed.
- 8.1.6 Further details of how each band has been assessed is provided below:

The Band Criteria

8.1.6.1 BAND A

Applicants meet at least one of the following criteria

- i. Accepted Homeless in severe need
- ii. Critical Medical/Welfare award – to include emergency situations
- iii. Relationship breakdowns in council properties where applicants are under-occupying but have been assessed as having housing need within Uttlesford
- iv. Successor tenants in council properties where applicants are under-occupying
- v. Releasing a property in need (council or RP property that the Council has nominations rights to) or where it prevents the Council making expensive alterations to a property

- vi. Those applicants within Uttlesford required to leave their homes as a result of an emergency prohibition order served in relation to the premises under the Housing Act 2004
- vii. Uttlesford Council tenants, or tenants in RP property where the Council will receive the nomination, who are currently in accommodation larger than their needs(Uttlesford tenants may be eligible for removal expenses grant see paragraph 9.21 below)
- viii. Multiple needs - If someone has two or more needs in band B they will be moved to band A (accepted homeless cases do not come under this category – if additional preference is needed for homeless cases they will be assessed as accepted homeless in severe need)

8.1.6.2 High welfare and multiple needs in band A would be expected to express an interest within 4 cycles of available properties otherwise priority may be reduced.

8.1.6.3 **BAND B**

Applicants meet at least one of the following criteria

- i. Serious Medical/Welfare award (If after 6 months applicants have not expressed interest in all suitable advertised properties this award will be reviewed and applicants may be placed in a lower band)
- ii. Social housing tenants living in overcrowded permanent social housing within Uttlesford
- iii. Accepted homeless cases who meet the Allocation's Policy eligibility criteria
- iv. Applicants owed a relief duty under the Homelessness Reduction Act 2017 who are assessed by the council as likely to be in priority need and unintentionally homeless
- v. Nominations from supported housing schemes where the Council has agreed move-on arrangements and the applicant is ready to move on. These applicants will be able to use the CBL scheme for a period of 4 weeks from the date they are placed into this band to express interest in any suitable flatted accommodation. If they have not been successful

after the end of this period they will be made one offer of suitable flatted accommodation which may be either in the private or social sectors which if they refuse will result in them being down banded to a band that reflects their housing need.

- vi. A prohibition order or demolition order has been served, or is about to be served in relation to the applicant's dwelling. This indicates that the property contains one or more category 1 hazards that probably cannot be remedied.
- vii. An improvement notice has been, or is about to be, served in relation to the applicant's dwelling and :-
 - a. The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time
 - b. The cost of the remedies are beyond the means of the applicant (where applicable)
 - c. The remedies will make the property unsuitable for occupation by the applicant
- viii. Multiple needs – Applicants with four or more needs in band C will move to band B

8.1.6.4 BAND C

Applicants meet at least one of the following criteria

- i. Moderate medical/welfare award
- ii. Notice of Seeking Possession due to expire within 56 days or assessed as being at risk of homelessness within 56 days
- iii. Applicants who are owed the relief duty under the Homelessness Reduction Act 2017 but who are assessed by the council as likely to not be in priority need
- iv. Applicants who are owed the relief duty under the Homelessness Reduction Act 2017 but who are likely to be intentionally homeless

- v. Applicants who following a homelessness application have been deemed by the council to be in priority need but intentionally homeless
- vi. No fixed abode
- vii. Overcrowded in private rented accommodation or social housing outside Uttlesford
- viii. Fixed term licensees
- ix. Shared facilities – not generally applicable for single applicants under 35yrs
- x. Lacking facilities
- xi. A hazard awareness notice has been served in relation to a category 1 or 2 hazard at the applicant's dwelling

and

the remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time;

or

the cost of the remedies are beyond the means of the applicant (where applicable);

or

the remedies will make the property unsuitable for occupation by the applicant

8.1.6.5 **BAND D**

- i. Applicants assessed as meeting Right to Move criteria who have been placed in one Band higher than their housing need.
- ii. Any applicant subject to the prevention (s.195 (2) or the relief duty (s189(2): S.193B(1).) under the Homelessness Reduction Act 2017 who fails to co-operate as stated in s193B and 193C of the Act will be placed in Band D.

8.1.6.6 **BAND E**

Applicant meets at least one of the following criteria

- i. Caravan or mobile home but no housing need
- ii. Tied accommodation but no housing need
- iii. Applicants who live in a property that is adequate to meet their needs in terms of property type, size and facilities.
- iv. Applicants aged under 35 years who are sharing accommodation
- v. In prison
- vi. A suspended prohibition order or improvement notice has been or will be served by the Environmental Health Department in relation to the applicant's dwelling but the criteria leading to it becoming active are not met by the applicant.
- vii. A hazard awareness notice or improvement notice has been or will be served in relation to the applicant's dwelling but the specified remedies are low cost and straight-forward to achieve.

8.2 **Allocation of Properties**

8.2.1 With the exception of those allocations dealt with outside the scheme; these are explained in paragraphs 2.3 and 3.2 properties will be allocated to the applicant who expressed interest in the property, who is in the highest Band and with the earliest priority date within that Band.

8.2.2 At the time of the offer of a property applicants will be asked to provide proof that they continue to meet all eligibility criteria to be included on the housing register

8.2.3 Where two applicants have the same priority date in the Band the property will be allocated to the household who it is judged to have the family composition that makes best use of the accommodation. This will be decided by a Senior Manager and the reasons documented

8.2.4 **Houses** – Transfer applicants and homeseekers who are tenants of RP accommodation within Uttlesford, where UDC has the nomination rights, will be given priority for houses or general needs

bungalows with the same number of bedrooms as their current property ahead of other applicants, even if they are in a lower Band or have a lower priority date (which will be the date of application or date they have been a tenant of the flat for 2 years, whichever is the latter), providing they meet the following criteria:-

- Currently living in a flat or maisonette
- Have lived in the flat for more than 2 years
- Have conducted their current tenancy in a satisfactory manner

For properties larger than one bedroom this will only apply if there are children under 16 within the household.

9. Housing Priority

9.1 Deciding who has priority on the register

- 9.1.1 Applicants will be placed in the relevant Band defined by their specific circumstances and as assessed by the Housing Options Team with reference to the banding system set out in this policy

9.2 Overcrowding

- 9.2.1 Homeless applicants placed in temporary accommodation by the council will not be assessed under the criteria for overcrowding.
- 9.2.2 Applicants will be placed in Band B if they are overcrowded, i.e. lacking one or more bedrooms and are tenants of a Council or Housing Association property where the Council has nomination rights to the RP.
- 9.2.3 Applicants will be placed in Band C if they are overcrowded in private rented accommodation or living with relatives or friends.
- 9.2.4 Overcrowded applicants with a local connection to Uttlesford, but living in Council or Housing Association properties outside the District will be in Band C.
- 9.2.5 Rooms which do not meet the standards for use as living accommodation for one person (the standards are given in the Housing Act 1985 Part X) will not be counted.
- 9.2.6 If applicants need an extra room for medical or welfare/hardship reasons they will not be considered overcrowded but will be assessed for medical or welfare priority.

- 9.2.7 Overcrowding priority will not be given if someone moved into the applicants' household making them overcrowded. This will be looked at on welfare grounds.
- 9.2.8 Where an applicant is pregnant and the birth of the child will mean that they are entitled to a larger property, the applicant will not receive overcrowding priority until the baby is born.

9.3 Children sharing bedrooms

- 9.3.1 Two children of the same sex are expected to share a bedroom until one of them reaches the age of 16.
- 9.3.2 Two children of the opposite sex are expected to share a bedroom until the oldest is 10 years old.

9.4 Applicants without children

- 9.4.1 Single applicants and couples without children who are living in overcrowded conditions will not be given priority for overcrowding unless they are in self-contained accommodation which is too small, for example a couple in a one person bed-sit. Young adults living with their parents or people temporarily sharing with friends will not get overcrowding priority.

9.5 Disrepair, poor design and lack of facilities

- 9.5.1 Any complaint about poor repair within Council or RP properties must be reported to the applicant's landlord's Repairs service.
- 9.5.2 Applicants living in private sector accommodation in poor condition must be referred to the Council's Environmental Health Department who will assess the situation and then make their recommendations according to the Allocations Scheme.
- 9.5.3 If an applicant lacks facilities such as cooking facilities, washing facilities, toilet facilities or adequate heating they will be placed in Band C.

9.6 Sharing with another household

- 9.6.1 Applicants will be placed in Band C if they share any of the following facilities with either people they are not related to or their family if they are wishing to live separately from them.
 - i. living room

- ii. kitchen
- iii. bathroom or toilet.

9.6.2 Single applicants under the age of 35 who are sharing will generally be considered as adequately housed. Consideration will be given for applicants in special circumstances.

9.7 People living in mobile homes or caravans

9.7.1 Applicants living in a caravan, mobile home or houseboat will be placed in band E if there is no other housing need, reflecting parity with other private sector applicants.

9.7.2 It does not matter if the caravan is on a site or not or if they own or rent the property.

9.7.3 If their accommodation lacks facilities or is in poor repair (see paragraph 9.5) they will be placed in band C.

9.8 Homelessness

9.8.1 Accepted homeless households are applicants to whom:

- i. The Council has accepted a duty under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002 (the duty towards households who are in priority need and unintentionally homeless) **and**
- ii. the council accepts a duty to provide suitable accommodation.

9.8.2 In the first instance the Council will look to discharge its homelessness duty for all accepted homeless applicants within the private rented sector. The Council will ensure that any offer of private rented housing is appropriate to the needs of the household, that the length of any tenancy is a minimum of 12 months and that the property meets the Homelessness (Suitability of Accommodation) (England) Order 2012. An assessment will also be carried out to assess the affordability of the property, including the eligibility to receive Local Housing Allowance/Housing Benefit. The property may be outside the Uttlesford District.

9.8.3 When a private rented property becomes available it will be offered to the accepted homeless applicant for whom the property is suitable and if this is more than one applicant, it will be offered to the applicant with the earliest homelessness application date.

- 9.8.4 Any private rented tenancy that discharges the council's homelessness duty will be for a period of not less than 12 months. If within 2 years, beginning with the date on which the applicant accepts a private rented sector offer, the applicant re-applies for accommodation, or for assistance in obtaining accommodation, and if the applicant is found to be homeless (from the date of the expiry of the termination notice) and did not become homeless intentionally from the private rented accommodation, the Council will accept a homelessness duty regardless of whether the applicant has a priority need.
- 9.8.5 Applicants who meet the Allocation's Policy eligibility criteria will be allowed to make expressions of interest on suitable properties advertised through the CBL system. If after a period of 2 cycles from when the applicant received their S.184 decision letter they have not been suitably accommodated, the Council will express interest on their behalf and make one final offer of suitable flatted accommodation. If this offer is refused, the Council's homelessness duty under the Housing Act 1996 to provide accommodation will be considered to have been discharged.
- 9.8.6 Homelessness applicants who do not meet the Allocation's Policy eligibility criteria but meet the criteria for a Direct Let will be made one final offer of suitable accommodation. If there is more than one homeless case waiting for a direct let then when a property is available it will be offered to the case for whom it is suitable and with the earliest homelessness application date.

9.9 Accepted homeless households in severe need

9.9.1 These are applicants to whom:

- i. the council has accepted a duty under the Homelessness legislation **and**
- ii. they meet the Councils eligibility criteria
- iii. are elderly and vulnerable due to frailty***or**
- iv. have a terminal or long-term illness **or**
- v. have severe mental health problems, have been unable to cope in temporary accommodation, and have been 'sectioned' or are likely to be admitted under the Mental Health Act **or**
- vi. are permanent wheelchair users **or**

- vii. are council or RSL tenants who have an urgent need to transfer as they are suffering from violence or threats of violence and are considered to be at significant risk
- 9.9.2 Where the above circumstances apply these applicants will be placed in Band A.
- 9.9.3 The Council will decide who will be placed in Band A. Recommendations will be made by the Housing Officer dealing with the case because they have the most accurate and up-to-date information on the applicant, due to the investigations carried out before an applicant is accepted as homeless.
- 9.9.4 *Elderly non-frail applicants may still be placed in Band A, however clear supporting evidence will be required to support their application.

9.11 Failure to Co-operate

- 9.11.1 Any applicant subject to the prevention (s.195 (2) or the relief duty (s189(2): S.193B(1).) under the Homelessness Reduction Act 2017 who fails to co-operate as stated in s193B and 193C of the will be placed in Band D.

9.12 Assured shorthold tenants under notice

- 9.12.1 Assured shorthold tenants who have received a 'Notice Requiring Possession'/ Notice to Quit from their landlord will be placed in Band C if there is 56 days or less before the notice expires.
- 9.12.2 All applicants will be offered advice regarding their housing options.

9.13 Lodger under notice

- 9.13.1 This applies to applicants living in the same property as their landlord.
- 9.13.2 They must be renting a room that is for their own use only, and be paying a market rent.
- 9.13.3 Proof that notice has been served is required.
- 9.13.4 They will be placed in Band C if there is 56 days or before the notice expires.
- 9.13.5 The Council will then check to see whether the notice will be enforced.

9.14 Tenants of tied accommodation under notice

9.14.1 Tenants in tied accommodation with no need to move will be placed in Band E.

9.14.2 If they have received a legal notice requiring them to leave their accommodation in 56 days or less will be placed in Band C.

9.15 Protected tenants with a possession order

9.15.1 This applies to a tenant with a 'protected' tenancy (that is a tenancy with protection from eviction, but not an assured shorthold tenancy).

9.12.5 They must have been served with a court order for possession and then will be placed in Band C.

9.16 Fixed-term licensee

9.16.1 This applies to applicants living in supported housing schemes. Applicants in these schemes will be placed in Band C.

9.16.2 Applicants in supported housing schemes where the Council has agreed move-on arrangements will be placed in Band B if they are judged as ready to move on.

9.16.3 Applicants accepted by the Council as being owed the full homeless duty and in a specialist refuge for victims of domestic abuse will be placed in Band B

9.17 Applicants with no fixed address

9.17.1 This applies to applicants who have no fixed address.

9.17.2 They will be placed in Band C.

9.17.3 If they are in prison they will be placed in Band E.

9.18 Medical, welfare, hardship and harassment

9.18.1 Important: priority can only be awarded under **one** heading: medical, welfare, hardship or harassment.

9.18.2 Applicants can be assessed under all headings, but get awarded priority under only one heading.

9.18.3 Any medical or welfare priority can be reassessed if an applicant's circumstances change.

9.19 Medical assessments

9.19.1 This applies if an applicant's present housing is detrimental to their health, or if a move to more suitable accommodation would have a positive effect on their health.

9.19.2 Applicants may also be awarded priority if the applicant is asking to be rehoused so they can receive care or specialist support.

9.19.3 Extra information may be sought from private sector landlords, housing officers, GPs, health visitors and other parties.

9.19.4 The table below is used to act as a guide to priority:

Effect of housing on health	Medical Problem			
	Very Serious	Serious	Moderate	Low
Very Serious	Band A	Band B	Band C	No award
Serious	Band B	Band B	Band C	No award
Moderate	Band C	Band C	Band C	No award
Low	No award	No award	No award	No award

9.19.5 Assessments of medical priority of band B or above will be carried out by two senior officers in consultation with any officers with direct knowledge of the applicants and using all information available at the time and using the above guide.

9.19.6 Applicants accepted under Homelessness legislation will not be eligible for medical priority. If a homeless applicant's temporary accommodation is unsuitable on medical grounds the Council will first look to see if alternative temporary accommodation can be found.

9.19.7 Homeless households can be considered through a medical assessment if an extra room is required on medical grounds.

9.20 Welfare/Hardship/Harassment assessments

9.20.1 This applies if at least one person in the household is vulnerable and less able to find settled or suitable accommodation.

9.20.2 These people will have a need to move but may not get medical priority because their present housing may be suitable for their needs.

9.20.3 The table below is used to act as a guide to priority:

Need for settled suitable accommodation	Level of Vulnerability		
	High	Medium	Low
High	Band A	Band B	Band C
Medium	Band B	Band B	Band C
Low	Band C	Band C	Band C

9.20.4 Welfare/Hardship/Harassment priority of band B or above will be carried out by two senior officers in consultation with any officers with direct knowledge of the applicants and using all information available at the time and using the above guide.

9.20.5 Homeless applicants will not be looked at under welfare issues. If a homeless applicant's temporary accommodation is unsuitable on welfare grounds the Council will first look to see if alternative temporary accommodation can be found.

9.20.6 If a homeless applicant or household is particularly vulnerable and they may be at significant risk in temporary accommodation the Council can consider the category of 'accepted homeless applicants in particular need' to increase them to band A (see paragraph 9.9).

9.21 Tenants with a home that is bigger than they need

9.21.1 This applies to Uttlesford District Council secure tenants or tenants of RPs (where the Council has nomination rights), who are 'under-occupying' their homes and want to move to a smaller property. These applicants are given high priority because it enables a household with high need to move into the freed up larger home.

9.21.2 Applicants who are currently in property larger than their needs will be placed Band A.

9.21.3 Where an Uttlesford District Council tenant is downsizing to a Council or RSL property they may be eligible for a downsizing grant to help with removal costs. For further details please see the Council's Decant Policy.

9.22 Applicants offered housing because of the death of an Uttlesford Council secure tenant

9.22.1 This applies if the applicant qualifies to 'succeed' to a tenancy when the tenant dies.

9.22.2 To be a 'successor tenant' the applicant has to meet certain rules – usually must be related to the tenant, or be their partner, and have

lived in the property a certain time. The rules for this are in the tenancy conditions for the property.

9.22.3 If the successor tenant does not need the property because of its size, or the adaptations or services in the property, they may be served a notice seeking possession under Schedule 2, Ground 16 of The Housing Act 1985. This will be served more than six months but less than twelve months after the tenant's death.

9.22.4 Where successor tenants are in a property larger than they need or with major adaptations they do not require they will be placed in band A. They are able to express an interest for suitable properties under the scheme. If they have not expressed an interest within six months of their application their case will be reviewed and the Council may reserve the right to express an interest for them on suitable properties.

9.23 Uttlesford Council secure tenants offered housing because of a Relationship breakdown

9.23.1 This category applies to Uttlesford secure tenants only.

9.23.2 If a joint tenant ends the tenancy when moving out, the property is not automatically offered to the tenant remaining.

9.23.3 Applicants will be placed in Band A when there is a relationship breakdown and the joint tenant moves out and ends the tenancy and the other tenant qualifies to be offered a smaller property.

9.23.4 They will be able to express an interest for properties under the scheme but if they have not expressed an interest within six months of their application their case will be reviewed. The Council reserves the right to express an interest for them on suitable properties.

9.23.5 If a property is then subsequently refused they will have no right to remain in their current property and therefore action will be taken by the council to gain possession of the property.

9.23.6 If an applicant qualifies to be offered the same property we will make them a direct let offer of that property.

9.24 Transfers which will release a property that is needed

9.24.1 Applicants will be placed in Band A of the scheme if they wish to move **and**

- i. the property they would leave is needed to meet the urgent housing needs of another household on the register which otherwise would not be met within a reasonable time **or**
- ii. where it prevents the Council making expensive alterations to the property **and**
- iii. there is not a serious shortage of the types of home they want to move to.

9.25 Applicants who have deliberately made their housing situation worse

9.25.1 The Council will consider whether an applicant has deliberately made their housing situation worse to increase their housing need, and consequently improve their chances of re-housing through the register.

9.25.2 If it is decided that the applicant has made their housing situation worse, they will remain in the band that reflects their housing need in their previous accommodation.

9.25.3 If the applicant was not registered from their previous address, the assessment of housing need will be based on the accommodation occupied before their accommodation changed.

9.25.4 The assessment will be reviewed after 12 months, on request. If the restriction is removed, the application will be placed in the band that reflects current circumstances. Their effective date will be the date they moved to the new band.

9.26 Owner-occupiers

9.26.1 Applicants who previously owned a property and have sold it will be asked to provide proof of the sale and evidence of any proceeds received.

9.26.2 Owner-occupiers will generally not be eligible to join the housing register unless they are able to demonstrate that they are unable to meet their housing needs through their own resources.

9.26.3 Property owners over 60 will be eligible to join the housing register if they can demonstrate a need for sheltered accommodation.

9.27 Applicants in 'tied' accommodation which is suitable for their needs

9.27.1 Applicants are considered to be in tied accommodation if the occupation of their home is essential for the performance of their

duties as an employee. This includes applicants who are accommodated by HM Forces.

9.27.2 Applicants in 'tied' accommodation will be placed in band E. They will be moved to Band C if:

- i. they are six months away from retirement **or**
- ii. they have received a legally binding notice asking them to leave their accommodation.

9.28 Deciding the effective date

9.28.1 Priority within bands relates to an applicant's effective date. The effective date is usually the date the application is received, except;

- i. Where an applicant is moved from one band to a higher band. Their new effective date will be the date their circumstances changed.
- ii. Where an applicant receives priority on medical or welfare grounds their effective date will be the date the Council receives the required supporting evidence to make this award.
- iii. Where an applicant has been accepted as Homeless their effective date will be the date a relief duty was accepted, unless they already qualify for Band B with an earlier date.

9.29 Armed Forces Priority

9.29.1 Members of the Armed Forces, who are in urgent housing need who fall within one or more of the following criteria, will be placed in one Band higher than their housing need.

- i. Is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service
- ii. Formerly served in the regular forces where the application is made within 5 years of their date of discharge
- iii. Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service or

- iv. Is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

9.29.2 For this purpose "the regular forces" and the "reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006(4)

9.30 By-passing applications that would otherwise meet eligibility criteria for an offer of accommodation

The Council reserves the right to by-pass an offer of accommodation while shortlisting applicants in the following circumstances

- i. The property is not in accordance with an applicant's assessed medical needs
- ii. Applicant has pets and the property is not suitable or pets are not permitted
- iii. Applicant has housing related debt where an agreed repayment plan has been breached (see 5.4)
- iv. Applicant is a Council or RP tenant with rent arrears (see 5.4)
- v. Council tenants where the condition of their current property is considered to be a breach of their Conditions of Tenancy
- vi. If the applicant does not meet the rules relating to age or household size by the RP advertising the property.
- vii. Other reasons where the Council deem that a sensitive allocation is necessary and this has been agreed by a Senior Manager .
- viii. If the applicant has been offered a property and have not yet refused that offer.
- ix. If the applicant is unable to view or accept the property within the required timescale.
- x. Where the applicant has not notified the Council of a change of circumstances material to their application.

9.31 Penalty for refusal of offers of accommodation

Any applicant (except from existing Council or RP tenants who are under-occupying and wishing to move to smaller accommodation) who refuses 2 offers of accommodation, for properties on which they have expressed interest, within a 6 month period, will have their application suspended for 12 months.

10. Types of Tenancies

- 10.1 The type of tenancy an applicant will be offered will be in accordance with the Council's tenancy policy or the tenancy policy of the landlord of the property. Tenancy policies will be set having regard to the West Essex Tenancy Strategy.
- 10.2 The Council will offer joint tenancies to adult partners where there is a need for a long term commitment to a joint home, except where one of the prospective joint tenants is excluded from or ineligible to join the housing register.
- 10.3 Generally, homeless applicants residing at homeless accommodation (including the Council's managed short stay accommodation) or bed and breakfast accommodation, if offered Council accommodation, will be offered an Introductory Tenancy followed by secure or flexible tenancy in accordance with the Council's Introductory Tenancy Scheme and Tenancy Policy.

11. Tenancy Start Dates

- 11.1 The Council will allow applicants 7 days to reach a decision whether to accept any Council accommodation they are offered, although we may allow longer having regard to personal circumstances.
- 11.2 Where possible the applicant will be given an opportunity to view the property they are being offered before they have to give the Council a decision.
- 11.3 If the applicant is interested in the tenancy they will either be advised by telephone when the property is ready for letting or receive a formal offer of the tenancy by first class post.
- 11.4 Generally, for properties becoming ready for letting on Friday, the tenancy start date will be the following Monday.

12. Redecoration Scheme

Internal decorations to an Council property are the tenant's responsibility. However, if a property (excluding sheltered accommodation) offered to a housing applicant is, in the view of the inspecting officer, in need of redecoration, a voucher for the purchase of an appropriate amount of paint will be provided.

13. Designation of Property Type – Age restrictions

- 13.1 To make best use of housing stock properties are designated as being either general needs or for older persons or people with disabilities.

13.2 Older person's properties, such as bungalows, will normally be allocated to the following categories of person:-

- i. Those aged 60 or over (55 for some RP accommodation)
- ii. Those under 60 with Band B medical assessment who require this type of accommodation. In these circumstances single people and couples will only be offered 1 bed bungalows and will not generally be able to express interest in general needs properties (unless they have a verified need for a 2-bedroom bungalow).

13.3 In areas of lower demand some bungalows may be advertised without an age restriction, however, in the first instance preference will still be given to applicants over 60 expressing interest.

13.4 General needs properties such as houses or flats will be allocated to persons under 60 unless there are special circumstances which indicate that a particular general needs property is suitable for and applicant who is 60 or over.

14. Allocating Sheltered Housing

14.1 When allocating sheltered housing the same general principles as for other property types are followed, apart from the following:

- i. An assessment of the applicants suitability and need for support must be completed before any tenancy is offered. If the applicant is considered unsuitable for sheltered accommodation, they will be advised and given advice on homes more suitable to their needs.
- ii. When assessing suitability for sheltered housing applicants will also be given advice about the allocation scheme and how to bid. If an applicant needs help with the process, this will be noted and appropriate arrangements made.
- iii. Applicants must generally be over 60 years of age to be eligible for sheltered housing (over 55 for some RP accommodation)

15. Properties designed or adapted for people with physical disabilities

15.1 If an applicant needs a home suitable for wheelchair users or needs other specialist adaptations we will usually require an assessment by an Occupational Therapist before an offer can be considered. (Please refer to the Council's Disabled Adaptations Policy)

15.2 Homes particularly designed for, or accessible to, people with disabilities will be advertised as such to help applicants with those needs identify them.

- 15.3 Properties which have been adapted to a very high standard may not be included in the scheme and may be directly allocated.

16. Reviews

- 16.1 If an applicant considers they have been unfairly or unreasonably treated having regard to the provisions of the Allocations Scheme they have the right to request a review of their case within 28 days of the decision
- 16.2 In the first instance, they must appeal in writing to the Housing Options Team Leader and will receive a written response within 10 working days.
- 16.3 If, having received this response they wish to make a further appeal they can write to the Housing Strategy and Operations Manager who will then review the case.

17. Equal Opportunities

- 17.1 The Council's allocation scheme will be operated strictly in accordance with Council policy irrespective of an applicant's ethnic origin, race, nationality, colour, religion, gender, sexual orientation, marital status, age or disability.
- 17.2 The Council will have regard to, and implement, the provisions of the Race Relations Code of Practice in Rented Housing, which it has adopted. The Council will also abide by the Race Relations Act 1976.
- 17.3 As an aid to ensuring that applicants are not discriminated against on the grounds of race, the Council will monitor the racial origin of:
- i. Applicants on the Housing Register
 - ii. Applicants allocated housing
 - iii. Applicants offered sheltered accommodation
- 17.4 The practices and procedures of Housing Services will be monitored by the Head of Service to ensure that they do not discriminate directly or indirectly. Changes will be made if it is established that practices or procedures may be contravening the Equalities Act 2010.

18. False and Withheld Information

- 18.1 It is an offence for anyone seeking housing assistance from us to give false information or withhold information that may affect their application for housing.
- 18.2 This could result in:
- i. Criminal prosecution

- ii. Cancelling the applicant's housing register application (see paragraph 6.6 above)
- iii. Possession proceedings for any tenancy an applicant has obtained as a result of giving or withholding false information

18.3 The Council may seek possession of a property under Ground 5 of Schedule 2 of the Housing Act 1985 if a tenant has induced the Council to grant a tenancy by knowingly or recklessly making a false statement. The Council can prosecute and fine up to £5,000 if found guilty.

19. Information on the Allocations Scheme

19.1 The Council will:-

- i. Publish a summary of its Allocations Scheme in a leaflet and provide copies free of charge on request to any member of the public
- ii. Provide copies of the Allocations Scheme free of charge at Housing Services, Council Offices, Saffron Walden
- iii. Enable copies of the Allocations Scheme to be downloaded on the Internet from the Council's web-site: www.uttlesford.gov.uk

19.2 Within a reasonable period of time, the Council will notify applicants on the Housing Register of an alteration to the Allocations Scheme reflecting a major change of policy, explaining in general terms the effect of the change.

20. Review of Allocations Scheme

The Allocations Scheme will be reviewed periodically by the Council's Housing Board and any recommended changes agreed by the Council's Cabinet.

21. Consultation on Changes to the Allocations Scheme

Before adopting a new Allocations Scheme or making an alteration reflecting a major change of policy in an existing Allocations Scheme, the Council will notify every RP with which it has nomination arrangements of the change, and all local Councils affording them a reasonable opportunity to comment on the proposals.

Data Protection Act

The information you provide may be put on a computer system registered under the current Data Protection law. It may be checked with other information or data held by the Council. It may be disclosed for the purposes as described on the Register Entry

in the Council's Data Protection Register. We may also share data with other agencies for the prevention and detection of crime.

**IF YOU REQUIRE THIS INFORMATION LEAFLET IN AN ALTERNATIVE
FORMAT AND OR LANGUAGE PLEASE CONTACT HOUSING SERVICES ON
01799 510510**

Housing Services
Uttlesford District Council
Council Offices
London Road
Saffron Walden
CB11 4 ER

Telephone: 01799 510510
Email: uconnect@uttlesford.gov.uk
Website: www.uttlesford.gov.uk

Appendix I

For General Needs Accommodation, the number of bedrooms that working age applicants are eligible to express interest in, will be in line with the prevailing Housing Benefit Regulations on size criteria.

Size of Accommodation Allocated – working age applicants

Household Size	Number of rooms
1 adult	Bedsit/ 1 bedroom
2 adults living together as a couple	1 bedroom
1 adult (2 adults living together as a couple) expecting baby and the pregnancy is over 24 weeks	2 bedrooms
1 adult (or 2 adults living together as a couple) with either: - 1 child* - 2 children* of different sexes where neither child is over 10 years of age - 2 children* of the same sex up until the eldest child is 16 years of age	2 bedrooms
1 adult (or 2 adults living together as a couple) with either: - 2 children* of different sexes where the oldest child is over 10 years of age - 2 children* of the same sex where the eldest child is over 16 years of age - 3 children* - 4 children* regardless of sex up until the eldest child is 16 years of age	3 bedrooms
1 adult (or 2 adults living together as a couple) with either: - 4 children* where 1 child is over 16 years of age - 5 or more children*	4 bedrooms

***Parents with ‘staying access’ to dependent children or shared residence orders** - Applicants with a shared residence order or staying access for children are not automatically entitled to bedrooms for their children. The general principle is that a child needs one home of an adequate size, and that the council will not accept responsibility for providing a second home for children. The council will make an assessment based on the individual circumstances.

Single applicants or couples where one is over 60 years of age will be eligible to express interest in 1 or 2 bedroom designated older persons accommodation.

Appendix II

Local Lettings Plans

A Local Letting Plan is an arrangement for the allocation of properties to meet the specific needs of a locality in response to results of a housing needs survey..

Rural Housing – Exception site

When vacancies arise in properties that have been built in rural localities (rural exception sites) and a planning obligation specifies a local connection requirement, this takes precedence over the local connection eligibility in 5.2. This means that households wishing to apply for housing on an exception site who fulfil the local connection requirement set out in a planning obligation, but not the eligibility criteria in 5.2, will be eligible to join the housing register but **only** for this specific development site.

The local connection criteria for rural exception sites will be as follows and in the following order of priority

1. Persons who have been permanently resident in the specified parish for at least two years
2. Persons who are no longer resident in the specified parish but who have been resident for at least three years during the past five years
3. Persons who meet either of the following criteria
 - i. in permanent employment in the specified parish for a minimum of 2 years and working at least 24 hours per week
 - ii. having close relatives (i.e. parents, grandparents, children, brother or sister) living in the specified parish or parishes who have lived there for at least five years
4. If there are no persons meeting the criteria in 1 to 3 then the cascade above will be applied to any neighbouring parishes identified in relevant clauses in the planning agreement
5. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 4 above then the property may be allocated to applicants who meet the local connection requirements who will under-occupy the property, providing that the under-occupancy created does not exceed one bedroom
6. In the event that it is still not possible to allocate a property to applicants who meet criteria 1 to 5 above then the property may be allocated to applicants who meet the Uttlesford eligibility criteria set out in Section 5.2.1

7. In the exceptional event that the council is unable to nominate any persons from its Housing Register who comply with 1 to 6 above, the Registered Provider would offer tenancies to Eligible Persons, the definition of which would be consistent with both the council's local connection criteria and the occupancy requirements. The priority when offering tenancies to Eligible Persons would mirror the council's policies on Allocation of Properties.

The council will select nominations which meet the criteria set out in 1 to 6 in the priority order of their local connection and then on the basis of their housing need and then the date that their housing need priority was awarded.

The age criteria (Section 13) may be waived for suitable properties to allow older people to remain in a village.

Rural Housing – Non exception site

Requiring applicants to have a connection with the locality may also be considered by the Council, on a proportion of the affordable housing provision, on any site subject to the terms of a planning obligation where a local need can be demonstrated through a housing needs survey, no more than three years old at the time of the submission of the planning application.. To be eligible for an allocation on these sites applicants must be assessed as having a housing need by being in Bands A – D of the allocation policy.

Sustainable Communities

In exceptional circumstances, the council may decide to let properties on a slightly different basis from normal, in the interests of building a strong and sustainable community or to deal with particular local issues. The decision to apply such criteria will be jointly made by the landlord of the property and the council.

On new developments, the Council and the landlord may consider widening the eligible bands for home types on first lettings, again taking equal opportunities and legal issues into account

Appendix III

Right to Move Guidance

The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 states that local authorities cannot decide that a person does not qualify for an allocation of accommodation on the grounds that the applicant does not have a local connection with the area if the applicant is a tenant of social housing and who needs to move to take up a job or live closer to employment or training (including apprenticeships).

A local connection requirement must **not** be applied to existing social tenants seeking to transfer from another local authority district in England who:

- have reasonable preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, and
- need to move because the tenant works in the district, or
- need to move to take up an offer of work

The applicant must demonstrate that they **need**, rather than wish, to move, for work related reasons. In this regard the following factors will be taken into account:

- the distance and/or time taken to travel between work and home
- the availability and affordability of transport, taking into account level of earnings
- the nature of the work and whether similar opportunities are available closer to home
- other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

This is not an exhaustive list, other local circumstances may be taken into consideration.

The following forms of work are excluded from the Right to Move

Short-term

In determining whether work is short-term the following factors will be taken into consideration

- whether the work is regular or intermittent
- the period of employment and whether or not work was intended to be short-term or long-term at the outset
- A contract of employment that was intended to last for less than 12 months could be considered to be short-term

Marginal

In determining whether work is marginal the following factors will be taken into consideration

- the number of hours worked (employment of less than 16 hours a week could be considered to be marginal in nature)
- the level of earnings

However Uttlesford District Council may take into account, for example, if a tenant only works 15 hours a week but they can demonstrate that the work is regular and the remuneration is substantial.

Ancillary

- If a person works occasionally in the local authority's district, even if the pattern of work is regular, but their main place of work is in a different local authority's district, the work is excluded from the regulations
- If the tenant is expected to return to work in the original local authority district. If a local authority has reason to believe this is the case, they should seek verification from the tenant's employer
- A person who seeks to move into a local authority to be closer to work in a neighbouring authority – for example, where the transport links are better in the first local authority's area – is also excluded from these regulations.

Voluntary Work

- Voluntary work means work where no payment is received or the only payment is in respect of any expenses reasonably incurred

Apprenticeship

- The term 'work' includes an apprenticeship. This is because an apprenticeship normally takes place under an apprenticeship agreement which is an employment contract (specifically a contract of service) *[Why are apprenticeships excluded?]*

Verification and evidence

Uttlesford District Council will require proof that the work or job-offer is genuine and will need to see appropriate documentary evidence, which could include:

- a contract of employment
- wage/salary slips covering a certain period of time, or bank statements (this is likely to be particularly relevant in the case of zero-hours contracts)
- tax and benefits information – e.g. proof that the applicant is in receipt of working tax credit (if eligible)
- a formal offer letter
- additionally, the employer may be contacted to verify the position *[Do we need to write in that applicants may be required to sign an authority to enable the employers to provide information regarding employment?]*

Uttlesford District Council may consider whether an applicant qualifies both at the time of the initial application and when considering making an allocation.

A set quota which the Council feels appropriate for the proportion of properties that it expects to allocate each year to transferring tenants who need to move into their district for work related reasons is 1%. However this will be reviewed and revised as appropriate based upon supply and demand through monitoring channels.

Applicants who meet the criteria for Right to Move will be placed in one and higher than their housing need.

Appendix JS7

'Applicants Barred by Local Connection Rules', Inside Housing, March 2016





Monday, 20 February 2017

Applicants barred by local connection rules

11 March 2016 8:00 am | By Sophie Barnes

More than half of councils to respond to an *Inside Housing* survey have imposed new local connection rules to slash their waiting lists.

An exclusive *Inside Housing* survey reveals 159 English councils have struck 237,793 people off their waiting lists and barred a further 42,994 new applicants since the Localism Act came into effect in June 2012. Ninety councils, or 57% of respondents, have introduced a requirement that applicants have a connection to the local area.

Melanie Rees, head of policy at the Chartered Institute of Housing, said the requirements "generally aren't good practice" as they can be "discriminatory depending on how long they're applied". Twenty-six councils require a person to have lived in the area for three years or more.

The research suggests a surge in the number of people removed or barred from waiting lists. In a similar survey of 126 councils two years ago, 113,000 people had been removed or barred.

There have been 775 occasions since 2012 where a decision to remove an applicant from the waiting list or refuse access has been reversed after it was contested.

Current statutory guidance says councils should require a person to live in the borough for at least two years before they are considered for social housing.

However, the government plans to increase this to four years as part of a deal struck with the European Union prior to the referendum in June.

A spokesperson for the Local Government Association said the Housing and Planning Bill will cut investment in council housing and pressure local authorities to "further reconsider" their policies.

Glen Hearnden, portfolio holder for housing at Harrow Council, which has introduced stricter criteria, said the demand for housing "far exceeds supply".

Other restrictions include means-testing income and barring people with rent arrears. Some people will have voluntarily come off the register, or moved out of the area. However, 39 councils, or 25%, have made no changes to their allocations policy since the Localism Act passed into law.

A Local Government Ombudsman report published in January said there had been a 13% increase in complaints about housing allocations.

A Department for Communities and Local Government spokesperson said *Inside Housing's* research was "unnecessary scaremongering".

Readers' comments (2)

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Appendix JS8

Relevant Secretary of State and Appeal Decisions



Relevant Secretary of State and Appeal Decisions

Appendix JS8

- 1.1 Brief summaries of appeal decisions relevant to the appeal at Land south of Radwinter Road (East of Griffin Place), Saffron Walden, Uttlesford, are summarised below. The full decisions are included as Core Documents.

Secretary of State Decision: Pulley Lane, Droitwich Spa (July 2014) (CD J11)

- 1.2 The Inspector recognised that the contribution of the scheme in meeting some of the affordable housing deficit in the area cannot be underestimated (Inspector's Report, Page 89). The Inspector set out under paragraph 8.123 of their Report that:

"The SOS should be aware that a major plank of the Appellant's evidence is the significant under provision of affordable housing against the established need Figure and the urgent need to provide affordable housing in Wychavon. If the position in relation to the overall supply of housing demonstrate a general district-wide requirement for further housing, that requirement becomes critical and the need overriding in relation to the provision of affordable housing. The most recent analysis in the SHMA (found to be a sound assessment of affordable housing needs) demonstrates a desperate picture bearing hallmarks of overcrowding, barriers to getting onto the housing ladder and families in crisis."

- 1.3 The Inspector continued under paragraph 8.123 of his report to state that *"the SHMA indisputably records that affordability is at crisis point. Without adequate provision of affordable housing, these acute housing needs will not be met. In terms of the NPPF's requirement to create inclusive and mixed communities at paragraph 50, this is a very serious matter. Needless to say, these socially disadvantaged people were not represented at the Inquiry."*

- 1.4 The level of significance attached to affordable housing provision was addressed through paragraph 8.124 of the Inspectors Report where he stated that:

"These bleak and desperate conclusions are thrown into even sharper focus by an examination of the current circumstances in Wychavon itself. Over the

whole of the District's area, there is presently a need for 268 homes per annum. These are real people in real need now. Unfortunately, there appears to be no early prospect of any resolution to this problem...Given the continuing shortfall in affordable housing within the District, I consider the provision of affordable housing as part of the proposed development is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission" (Inspectors Report, page 111).

- 1.5 This statement is supplemented at paragraph 8.125 by the Inspector considering that *"from all the evidence that is before me the provision of affordable housing must attract very significant weight in any proper exercise of planning balance."*
- 1.6 The Secretary of State concluded that both schemes delivered *"substantial and tangible"* benefits, including the delivery of 40% *"much needed"* affordable housing.

Secretary of State Decision: Oxford Brookes University (April 2020) (CD J4)

- 9.1 The SoS' decision at Oxford Brookes University, Wheatley Campus, College Close, Wheatley, Oxford, dated 23 April 2020 underlines the importance of the housing register and in meeting affordable housing needs. Inspector DM Young asserted, at paragraph 13.101 at page 74 of his report, that in the context of a lengthy housing register that *"It is sometimes easy to reduce arguments of housing need to a mathematical exercise, but each one of those households represents a real person or family in urgent need who have been let down by a persistent failure to deliver enough affordable houses"* (my emphasis).
- 9.2 He went on to state at paragraph 13.102 that *"Although affordable housing need is not unique to this district, that argument is of little comfort to those on the waiting list"* before concluding that *"Given the importance attached to housing delivery that meets the needs of groups with specific housing requirements and economic growth in paragraphs 59 and 80 of the Framework, these benefits are considerations of substantial weight"* (my emphasis).

Appeal Decision: Land at the Corner of Oving Road and A35, Chichester (August 2017) (CD J3)

- 1.7 Within the consideration of the appeal which sought to provide 100 dwellings to the east of Chichester, the Planning Inspector acknowledged the provisions of the Localism Act 2011 which allowed for Local Housing Authorities to set their own set of qualification criteria in order to register on the respective housing waiting lists.

- 1.8 As discussed, Local Housing Authorities such as Chichester used these freedoms to generate a more rigid set of requirements, which inevitably resulted in a reduction on those on housing waiting lists. However, whilst this was acknowledged by the Inspector, it was noted at Paragraph 63:

“Moreover, the provision of 35% policy compliant affordable houses carries weight where the Council acknowledges that affordable housing delivery has fallen short of meeting the total assessed affordable housing need, notwithstanding a recent increase in delivery. With some 1,910 households on the Housing Register in need of affordable housing, in spite of stricter eligibility criteria being introduced in 2013 there is a considerable degree of unmet need for affordable housing in the District. Consequently, I attach substantial weight to this element of the proposal.” (my emphasis)

- 1.9 The recognition by the Inspector presiding over the Chichester appeal highlights the impact of the freedoms brought by the Localism Act 2011, and the significant reduction in those households on Councils’ Housing Registers. The Inspector’s comments acknowledged that there is a wider cohort that have been wiped off such waiting lists as a result of the changes, and in my opinion, are still in desperate need for affordable housing. The appeal was allowed on 18 August 2017.

Appeal Decision: Land east of Park Lane, Coalpit Heath, South Gloucestershire (September 2018) (CD J6)

- 1.10 Paragraph 61 of the decision states that *“there are three different components of the housing that would be delivered: market housing, affordable housing (AH) and custom-build housing (CBH). They are all important and substantial weight should be attached to each component for the reasons raised in evidence by the appellants, which was not substantively challenged by the Council, albeit they all form part of the overall housing requirement and supply”* (my emphasis)

Appeal Decision: Land adjacent to Cornerways, High Street, Twyning, Tewkesbury (13 July 2015) (CD J5)

- 1.11 The appeal was in respect of a proposed development of 58 dwellings with 36% affordable housing in Tewkesbury Borough Council administrative area.
- 1.12 In allowing the appeal the Inspector commented at paragraph 63 of their report that:

“Mr Smith agreed that the delivery of 21 affordable dwellings is a social benefit of the proposal to which it was appropriate to give substantial weight. There is

a great deal of unchallenged evidence before the Inquiry to demonstrate that there is a housing crisis in this country that manifests itself in this Borough in terms of an acute shortage of affordable housing. Table 7.16 of the Strategic Housing Market Assessment [SHMA] Update [CDA17] identifies that the net annual need for affordable housing in Tewkesbury is 587 dwellings. This is more than twice the equivalent figure for the neighbouring District of Wychavon, despite the fact that Tewkesbury's population is little more than two thirds of that in Wychavon. The Inspector in the Wychavon appeal found that the provision of affordable housing in that case: "...is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission"; the Secretary of State agreed. Given the much larger quantum of identified need in Tewkesbury and the magnitude of the accumulated shortfall in affordable housing delivery, it would be appropriate to attribute very substantial weight to this important benefit of the proposal". (My emphasis)

- 1.13 In allowing the appeal, the Inspector gave weight to the scheme's significance in meeting the needs of different groups in the Borough. The Inspector highlighted, at paragraph 65, this need which was *"underlined by the stark figure that this scheme alone would result in a 100 % increase in shared ownership properties in the Parish of Twyning, as well as a 27 % increase in social rented properties"*.

Overview of Secretary of State and Appeal Decisions

- 1.14 The decisions above emphasise the great weight which the Secretary of State has, on various occasions, attached to the provision of affordable housing in the consideration of planning applications. Inspectors have agreed that affordable housing is a significant benefit in its own right. Some of the key points I would highlight from these examples are that:
- Affordable housing is an important material consideration;
 - The importance of unmet need for affordable housing being met immediately;
 - The Secretary of State has attached 'significant weight' and 'substantial weight' to the provision of affordable housing as a substantial benefit.