

## **Councils should assess evidence of unimplemented earlier consents**

**Councils should assess why previous consents for major new housing schemes failed to start when considering planning applications on the same site, new national guidance states, including looking at "evidence" as to why the earlier permission was not implemented.**

A [Planning Practice Guidance \(PPG\)](#) addition on 'Determining a planning application', issued in March 2019, states that the planning history of a site "may be a relevant consideration" in the determination of a planning application, in particular for "major development including the provision of housing".

Councils should assess "why an earlier grant of planning permission for similar development on the same site did not start". The new text reflects the approach in the revised [National Planning Policy Framework \(NPPF\)](#), the guidance says.

Paragraph 76 of the NPPF states: "For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start."

However, at paragraph 010, the PPG goes on to outline relevant factors that decision-makers should take into consideration. It states that these "might include evidence as to the reasons why an earlier permission was not implemented, the time that has elapsed since the previous permission expired and the number of similar applications made for the same site".

Text has been removed from the section on how the secretary of state decides whether to call in a planning application. The deleted text stated that in deciding whether to call in application, "the government's policy is to be very selective about calling in planning applications."

This is replaced by new text stating that the secretary of state is "generally concerned with whether the application involves planning issues of more than local importance that warrant the decision being made by him rather than the local planning authority". The wording reflects the policy on call-ins made in an [October 2012 ministerial statement](#).

Text is added to paragraph 001 of the section on 'Before submitting an application' to state that collaborative working on pre-application engagement should include "where relevant, the need to deliver improvements in infrastructure and affordable housing".

Meanwhile, a new paragraph 012 of the climate change PPG gives advice on how a local planning authority can set higher energy performance standards than the building regulations in their local plan.

[New guidance was also published on the Community Infrastructure Levy \(CIL\) and planning obligations](#), allowing councils to pool CIL receipts across boundaries.

In addition, the PPG was updated last month [to update the advice on assessing local housing need](#), and new [guidance was also issued on carrying out economic needs assessment](#).

A feature looking at revised NPPF policies aiming to give powers greater powers to spur developers to faster delivery can be found [here](#).