

The policy and legislation changes to expect in 2020

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After years of weak governments, the general election has produced an administration that controls its own destiny. So, what are we to expect from the administration in planning terms?

Planning White Paper

[The Queen's Speech](#) was accompanied by a briefing note which said that a planning White Paper would be published "in coming months".

The note described the document as one of the steps that the government was taking to help it achieve its goal of "building at least a million more homes over this Parliament". It said the White Paper would "make the planning process clearer, more accessible and more certain for all users, including homeowners and small businesses. It will also address resourcing and performance in planning departments".

Further detail was not provided. But in November the Ministry for Housing, Communities and Local Government said the paper would seek to cut precommencement conditions "by a third" and review application fees "to ensure council planning departments are properly resourced, providing more qualified planners to process applications".

The department also said the paper would consider the "potential for more fees to be refunded if councils take too long to decide on specific applications".

Details of how the government intends to improve the user-friendliness of the system are yet to be announced. But in [a Tory conference fringe meeting](#), secretary of state Robert Jenrick said ministers "want to see whether there are further planning reforms we can do to help people assemble land, to regenerate land and to get housing into town centres". He previously said the government wants to help "big developers who play an essential role in unlocking large parcels of land and getting major development done".

The full scope of the bill is also not yet clear. But when Prime Minister Boris Johnson first announced his intention to tackle the housing crisis, he also said the government would review housing zones. These are areas in which focused efforts are made to increase brownfield housing development, through a mixture of long-term funding, planning simplification, local authority leadership and expert government advice.

Development corporations

The MHCLG consultation on changing the rules on development corporations closed in January 2020. It sought views on, among other things, giving all development corporations plan-making and development control powers. The government is yet to respond to the consultation.

The National Infrastructure Strategy

The [Queen's Speech briefing note](#) said that the government will unveil its National Infrastructure Strategy alongside its first Budget, due on 11 March. The strategy, the note stated, will "set out further details of the government's plan to invest £100 billion to transform

the UK's infrastructure", and include the government's long-awaited final response to the National Infrastructure Assessment produced by its advisor the National Infrastructure Commission. The assessment is a once-a-parliament recommendation to government on how the country's infrastructure needs should be addressed.

The NIC's recommendations said that city leaders and metro mayors should develop and implement "integrated strategies for transport, employment and housing" and be granted greater planning decision-making powers by 2021. It also called for councils to be allowed greater powers to capture any uplift in land value arising from planning and infrastructure decisions, stating that "linking transport enhancements to housing growth is essential to get the most value from investment" and that strategies should be supported by "substantial, devolved funding".

HS2

The government-commissioned review, chaired by Douglas Oakervee, of whether and how to proceed with the High Speed 2 North-South rail link was due to be published last autumn, but was put off until after the general election. The HS2 (West Midlands - Crewe) Bill, providing the powers to build and operate the high-speed railway line from the HS2 phase one route near Lichfield to connect to the West Coast Main Line south of Crewe, has still to go to committee stage in the House of Lords.

The Environment Bill

The Queen's Speech said the government would re-introduce [the Environment Bill](#), which was withdrawn when the general election was called. The bill includes a mandatory requirement for developers to secure an overall ten per cent biodiversity net gain in all new schemes, while local authorities would have to draw up local nature recovery strategies.

Under the terms of the bill, developers would also have to prepare biodiversity net gain plans to submit with their applications and guarantee the net gain for 30 years. Authorities would be charged with ensuring that developers make good on their commitments.

The Queen's Speech said the bill will introduce statutory targets, including for air quality. The accompanying briefing note, meanwhile, said the government's first Budget will prioritise the environment in order to help "deliver the green infrastructure needed to improve lives and achieve Net Zero, including by investing in carbon capture, offshore wind, nuclear energy, and electric vehicle infrastructure".

Housing

First Homes

[In its manifesto](#), the Conservative Party promised to give councils powers to use developer contributions to discount new homes for "local people" by a third. The Queen's Speech briefing note said that a consultation on the policy, named 'First Homes', would be launched "shortly", providing "homes for local people and key workers at a discount of at least 30 per cent". It added that the discount would be secured through a covenant, meaning that "these homes will remain discounted in perpetuity".

A MHCLG statement said the scheme would be aimed at "people who cannot otherwise afford to buy in their area", adding that a "£10bn Single Housing Infrastructure Fund will

provide the roads, schools and GP surgeries needed to support new homes". The manifesto said planning rules would be amended "so that the infrastructure ... comes before people move into new homes".

Permitted development rights

The government [is conducting a review](#) of the quality of housing created by conversions enabled by permitted development rights. Last year, the MHCLG said it would make more information on the review available, but further details are yet to be released. Separately, last autumn, the government promised to push ahead with easing planning rules to allow upward extension of homes. Speaking at a Tory conference fringe event, Jenrick said this would allow homeowners to add up to two storeys to their property.

Office demolitions to make way for housing

[Jenrick also said the government](#) would create a right for developers to demolish "neglected" commercial buildings to make way for new housing. Consent would be secured through the two-stage permission in principle route, he said, with authorities able to consider issues such as quality, the facade, height and parking provision.

The Future Homes standard

The government's consultation on the [Future Homes standard](#), intended to ensure the average new home generates 75-80 per cent less carbon dioxide emissions than one built to current energy efficiency requirements, closed in January 2020. As part of the consultation, the government is seeking views on whether or not to drop a previously planned amendment to the Planning and Energy Act 2008, which would restrict planning authorities from setting energy efficiency standards for new homes that are higher than those required under building regulations.

Social housing white paper

The note accompanying the Queen's Speech also said that the government would bring forward a social housing White Paper that will set out measures to "support the continued supply of social homes" and "improve the quality of social housing".

Design

Building Better, Building Beautiful Commission

The Conservatives' manifesto stated that every community will be given the power to "decide on its own design standards for new development ... with local councils encouraged to build more beautiful architecture". The pledge reflected the [interim report from the Building Better, Building Beautiful Commission](#), which recommended that community engagement and consultation should be improved and take place earlier in the planning process, at the plan-making stage. The commission's final report was due to be published by the end of 2019, but was delayed by the general election.

National model design code

The national design guide, [published in October](#), promised that a national model design code would be issued this year, with local authorities required to produce local variations.