

# Land Business Tracker | July 2018

Welcome to our quarterly tracker of key land management, farming, planning and energy regulation and legislation.

Please contact your local Strutt & Parker rural team for further information on anything you read here.

## Implement now

Regulation	Description	Key dates	Action
<b>PLANNING</b>  <b>Amendments to permitted development rights for agricultural and storage uses – The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018</b>	<p>This Order increases a number of permitted development rights.</p> <ul style="list-style-type: none"> <li>– Conversion of agricultural buildings to residential (Class Q): these rights have been extended to increase the number of permitted properties from three to five and the overall floor space from 450m<sup>2</sup> to 465m<sup>2</sup>.</li> <li>– Conversion of storage or distribution uses (Class B8) to residential: these rights have been extended for an additional 12 months to 10.06.19. N.B., buildings cannot have a floor space exceeding 500m<sup>2</sup>.</li> <li>– New agricultural buildings: these rights now allow larger buildings to be built (up to a maximum of 1,000m<sup>2</sup>).</li> </ul>	With effect from 06.04.18	Review opportunities for permitted development.
<b>DEVELOPMENT</b>  <b>Small Sites: Infrastructure and Remediation</b>	Grant from the Government to accelerate the building of homes on small and stalled sites. £630m has been allocated for this until 2022.	Proposals announced in Budget on 22.11.17	Track and review any sites that have stalled due to infrastructure/contamination.
<b>RESIDENTIAL LETTINGS</b>  <b>The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015</b>	<p>From April 2018, a landlord will not be able to grant a lease to a new or existing tenant of private rented properties (domestic and non-domestic) in England and Wales with an EPC rating of F or G.</p> <p>From 1st April 2020, a landlord must not continue letting a relevant domestic property if it has an EPC rating of F or G; or a non-domestic property from 1st April 2023.</p> <p>A landlord must carry out relevant energy efficiency improvements if a property does not meet the minimum standard.</p> <p>There are a number of exemptions, most of which last for five years, and must be registered on the Private Rented Sector (PRS) Exemptions Register (which is now running on a pilot basis pending finalisation). They include exemptions where the cost of improvements is prohibitive, not practical or not appropriate to a property's character.</p>	<p>Implemented on 01.04.16 with provisions effective from:</p> <p>01.04.18</p> <p>01.04.20</p> <p>01.04.23</p>	<p>Use our <a href="#">flowchart</a> to plan how to implement MEES and register for exemptions.</p> <p>Review insulation and the efficiency of heating systems.</p> <p>Review energy costs – contact <a href="#">Kieran Crowe</a> for deals of Strutt &amp; Parker's Energy Basket.</p>

<b>ENVIRONMENT</b> <b>Water Abstraction Plan</b>  <a href="#">Find out more</a>	<p>The Environment Agency is increasing its regulation of abstraction licences to protect the environment. This includes reviewing:</p> <ul style="list-style-type: none"> <li>– time limited licences (up to ~ 2,300 licences)</li> <li>– permanent licences (~150)</li> <li>– unused (~600)</li> <li>– historically exempt abstractions (~5,000) that are environmentally damaging by 2020 – 2021</li> <li>– Reviewing all licensing strategies in catchments by 2027</li> </ul>	<p>Proposals announced 15.12.17</p> <p>Policy paper updated 29.05.18</p>	<p>Review the use and impact of all licences held.</p>
<b>ENVIRONMENT</b> <b>Sewage discharge to a surface water – general binding rules</b>  <a href="#">Find out more</a>	<p>Discharges from septic tanks directly to a surface water are not allowed under the general binding rules.</p> <p>Septic tanks that discharge directly to a surface water need to be replaced or upgraded by:</p> <ul style="list-style-type: none"> <li>– 1 January 2020, or</li> <li>– when a property is sold if before 2020, or</li> <li>– within a year if the Environment Agency finds evidence of pollution.</li> </ul>	<p>Replace or upgrade septic tanks by 01.01.2020</p>	<p>Map and record where all septic tanks are, including whether they discharge to surface water.</p>
<b>ENVIRONMENT</b> <b>UPDATED: Private Water Supplies (England) (Amendment) Regulations 2018</b>  <a href="#">Find out more</a>	<p>Updating of the public and private drinking water regulations in England to include:</p> <ul style="list-style-type: none"> <li>– Removal of the limits on fees that local authorities can charge for their activities</li> <li>– Powers for local authorities to carry out remedial work where notices have not been complied with</li> <li>– Technical changes to water quality sampling methods.</li> </ul>	<p>Due to be laid before Parliament in June 2018 and implemented 21 days later</p>	<p>Review arrangements for private water supplies and private water distribution networks to avoid significant non-compliance issues.</p>
<b>LETTINGS</b> <b>Gas Safety (Installation and Use) (Amendment) Regulations 2018</b>	<p>New procedures give added flexibility to the timing of landlords' annual gas safety checks. The change means that landlords can carry out the annual gas safety check in the two months before the due date and retain the existing expiry date. There is no change to the legal requirement for an annual gas safety check.</p>	<p>06.04.18</p>	<p>Landlords should use the additional flexibility to simplify annual safety check programmes.</p>
<b>AGRICULTURE</b> <b>Consultation on Health &amp; Harmony - the future for food, farming and the environment</b>  <a href="#">Find out more</a>	<p>The consultation sought views on proposals for the future and reform of agricultural policy in England following the departure from the European Union and the Common Agricultural Policy.</p>	<p>Consultation closed on 08.05.18</p>	<p>Track.</p> <p>Although it is difficult for land managers to start planning properly for the changes until detail has been confirmed, they can consider Strutt &amp; Parker's 5 principles to get ready for the future.</p> <p>See our summary of the paper <a href="#">here</a>.</p>

Track now			
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<b>ECONOMY</b>  <b>Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill</b>  <a href="#">Find out more</a>	<p>Proposals for property in England and Wales.</p> <p>Allows councils to charge up to 200% of normal council tax on properties that have been empty for two years or more, up from the current limit of 150%.</p> <p>It also, positively, reverses the effects of the 'staircase tax' (Woolway vs Mazars, 2015) in which single valuations could be given to properties that were physically detached but used together, such as separate but adjoining offices in an office block.</p>	<p>Bill going through Parliament.</p>	<p>Track as could have negative and positive effects.</p>
<b>LETTINGS</b>  <b>Mandatory client money protection schemes for property agents</b>  <a href="#">Find out more</a>	<p>Proposed legislation to make membership of an approved / designated client money protection scheme mandatory for letting agents and managing agents acting in the private rented sector.</p> <p>This would implement powers contained in the Housing and Planning Act 2016</p>	<p>Due with effect from 01.04.19</p>	<p>Track. Could require property owners who coordinate and manage property lettings "in-house" to join an approved scheme.</p>
<b>RESIDENTIAL</b>  <b>Review of house buying process</b>  <a href="#">Find out more</a>	<p>Call for evidence to inform proposals to change the house buying process, including:</p> <ul style="list-style-type: none"> <li>– Additional information to be provided in advance.</li> <li>– Preventing gazumping.</li> <li>– "Lock-in" agreements.</li> <li>– Use of digital technology to speed up processes.</li> <li>– Requiring estate agents to hold a professional qualification.</li> <li>– Greater transparency and possible ban on referral fees.</li> </ul>	<p>Government response published 08.04.18</p>	<p>Track.</p>
<b>PLANNING</b>  <b>Consultation on 'fixing our broken housing market'</b>  <a href="#">Find out more</a>	<p>Consultation on changes to planning policy and legislation to boost house building.</p> <p>Proposals, policies and funding being announced regularly.</p>	<p>Consultation responses published 05.03.18</p>	<p>Review planning status of potential sites, including stalled ones (see <b>Small Sites: Infrastructure and Remediation</b> above).</p>
<b>RESIDENTIAL</b>  <b>Review of Building Regulations and Fire Safety</b>  <a href="#">Find out more</a>	<p>Independent review of Building Regulations and fire safety in response to the Grenfell Tower fire. The full report was published on 17 May 2018.</p>	<p>Final report published 17.05.18</p>	<p>Track.</p> <p>Carry out fire safety audit on all occupied properties to ensure best practice and procedures are fully recorded.</p>

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