

Planning Update

June 2020

Government announces measures to help the construction industry boost building

Following feedback from the construction industry, the Government has announced further changes to the planning system which it is stated are aimed at helping the industry return safely to work and boost building.

Planning Permission Deadlines

Recent data published by the Government estimated that by the end of June 2020, more than 400 residential permissions providing more than 24,000 new homes would have expired since the start of lockdown with builders unable to work on sites. Following calls from developers, housebuilders, and others in the industry, the Government have now confirmed that permissions will be extended.

Permissions set to expire between the start of lockdown (23rd March 2020) and the end of 2020 will be extended to 1st April 2021.

For those permissions which have already lapsed before the provisions come into force, they will be subject to an additional environmental approval process before the automatic extension can take effect. No further detail is available at the moment on what this process is or what it entails.

Overall, this will be a welcome measure to ensure development can still be undertaken without the need to apply for planning permission again. Hopefully it will provide some relief to those with extensions already expired, or about to, given that construction work was largely halted across the country.

“Building the homes the country needs is central to the mission of this government and is an important part of our plans to recover from the impact of the coronavirus”

Robert Jenrick, Secretary of State for Communities and Local Government

Flexible Construction Working Hours

The Government previously confirmed in May that local Councils should take a positive approach to requests to change construction working hours. They have now gone further and confirmed that they will introduce a new fast track route to apply to change construction working hours.

Following receipt of a request, an Authority will have 14 days to determine the application, with deemed approval if no decision is issued in this timeframe.

Applications can only be made to extend hours up to 1st April 2021 and will not apply to construction work on individual houses.

The Government are hoping that this process will make it quick and easy to amend construction hours, making it easier for builders to follow public health guidance onsite and reduce the risk of infection.

Planning Appeals

Following on from the testing and implementation of the recommendations of the Rosewell Review, which has more than halved the time appeal inquiries have been taking from 47 to 23 weeks, further changes have been announced.

Currently, the Town and Country Planning Act 1990 only allows Inspectors to switch between appeal procedures, but not to use more than one for the same appeal. This is now changing, with PINS to be able to use more than one procedure at a time when considering an appeal, allow a more flexible hybrid approach where appropriate.

This change will be permanent and it is hoped it will further speed up the appeals process.

Timeframes

All of these measures require further details and either changes in legislation or new legislation, with the Government simply stating they will be provided 'in due course'. It has been reported that these measures will form part of the Coronavirus Recovery Bill, which ministers are hoping to fast-track through parliament.

No greater clarity is given on timeframes at the moment, but given the Government's intentions to boost housebuilding and their repeated comments on the importance of the industry for the wider economy, it is hoped that greater detail will emerge shortly.

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