

Paper to Note – Action Point from 26 September:

Inquiry into barriers into  
home building in Wales

CELG(4)-29-13 Paper 4

Grŵp  
Cartrefi  
Cymunedol  
Cymru



Community  
Housing  
Cymru  
Group

## Community Housing Cymru Group

### A note for the committee-length of time for planning permission

The planning system has come under considerable scrutiny in recent years and Welsh Government have undertaken a root and branch review with several studies carried out. The following information has been put together with Asbri planning, who have considerable experience in promoting development for many of the RSL's in Wales.

The majority of the applications submitted for RSL's are dealt with in a timely fashion without much fuss. There is considerable goodwill with officers to enable affordable housing schemes. Where extensive pre-application discussions take place the process is usually much easier. Notwithstanding the above, where problems arise they are as follows:-

- Members refuse planning application for political reasons. This is normally responding to local opposition and the members taking a populist standpoint- local democracy can be a major issue:
  - Where planning applications are refused and S78 Appeals are made, there is a 90% success rate at appeal. A colleague from Asbri planning noted that he had only lost two appeals out of approximately 45 RSL appeals over a ten year period. The dismissed appeals related to a listed building and contemporary design issues.
  - RSL's can be very reluctant to undertake appeals by way of either the informal hearing methods or public inquiry to allow for cost applications to be made against local planning authorities. Instead they prefer to appeal by written representation and keep the process 'low key'.
  - Asbri planning has found that some councils are worse than others for refusing RSL applications.
- The planning system also incurs unnecessary costs on RSL's by imposing unwarranted planning conditions. Normally the information required has been submitted as part of the planning application but the planning officers and statutory consultees have failed to read the documentation in detail.
- The need to discharge unwarranted conditions and the time taken to formally issue a discharge letter, results in a delay in the development commencing on site, sometimes by a few months. LPA's do not resource this part of the planning function adequately.
- There is an on-going issues with LPA's seeking better design and inappropriate car parking standards on RSL schemes. There is very little appreciation of cost implications and the impact of over requirement for car parking spaces on RSL layouts. Excessive car parking standards is more of a problem than design issues.

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- Some Local Authorities are imposing excessive time constraints in respect of Code for Sustainable Homes. The need to obtain BRE/Stroma approval prior to implementing key stages is unwarranted. Pragmatic authorities are requiring the information to be submitted within 3 or 6 months from key milestones, thus allows for timeline flexibility.
- The planning application validation process is currently preventing planning applications to be lodged without detailed ecological surveys, which are constrained by the 'seasons'. An element of flexibility should be allowed in order that non-ecological matters can be dealt with and resolved during the winter months.
- There is another planning issue which is causing major difficulties for RSLs which is not related to the granting of consent but it's about the fact that LPAs seem to have little understanding of their lack of cooperation/resourcing with regard to the discharging of planning conditions. RSLs are able to lever in major amounts of private finance to help deliver affordable housing which is secured against previously completed homes. If there are any matters outstanding against these homes then the amount that can be secured is dramatically reduced which clearly has a major impact on supply.
- Planning consents include an increasing number of conditions, the pre-start conditions are time consuming to deal with but the ones which come later in the process and particularly those which should be discharged during the latter stages of a development or post completion are simply not being dealt with. There are scenarios where contractors do try to provide the required information to facilitate the discharge but LPAs often do not respond, citing lack of resources. All of this impacts on the amount of money available to deliver affordable homes, with impacts on the submitting of planning applications and the issue of keeping this aspect of the economy going as well as delivering affordable homes.

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