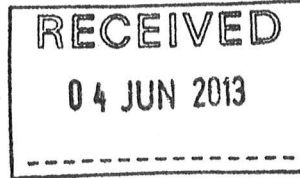




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28th June 2013

Christine Chapman AM
Chair (Inquiry into Barriers to Home Building in Wales)
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

Dear Chair

INQUIRY INTO BARRIERS TO HOME BUILDING IN WALES

Please see below response to the inquiry which I have tried to keep brief.

Generally there is little support for the housebuilding industry in Wales at local and national level as demonstrated by the failure to bring in the same level of Government support as provided in England, even though the powers and allocation of money was available to do so. Help to Buy is now being considered but years have gone by with nothing. We are pleased to see this inquiry but are skeptical on the outcome. Whilst addressing Barriers as requested, I have also tried to put forward some potential solutions.

Barrier

There is perceived to be a negative attitude towards developers and new development at local and national political level. There appears to be little real emphasis put on the significant role the industry plays in economic stimulus and regeneration despite the various policy statements issued at local and national level.

Solution

Policy to make clear that there is an over-riding presumption in favour of development on socio-economic grounds. Local Authorities to be granted New Homes Bonus as in England to encourage positive attitude to new development.

Barrier

No Government support provided to Industry as in England making Wales less competitive.

Solution

Implement Help to Buy immediately

Barrier

Building costs in Wales are higher due to enhanced code 3+ costs and will rise dramatically if sprinklers are imposed on all new build homes and the proposed higher energy efficiency regulations are imposed. I am always at pains to point out that more people die from falling down stairs than through house fires yet WAG does not ban stairs to remove the risk as we know it's not viable/sensible. The single minded crusade on sprinklers, whilst well intentioned, appears ill thought through on a wider governmental responsibility basis. All this makes Wales a less attractive place to invest in new development as projects are often not economically viable. We have already written to 9 Local Authorities in Wales advising them that all or part of their area is now no longer viable for us to develop in and hence no further investment will take place in those areas. These no-go areas will increase if the above cost increases are imposed. This will mean less new homes and less jobs in Wales.

Solution

Building regulations to be immediately amended to mirror those in England to maintain competitiveness of Wales and to prevent investment capital being re-directed to England. Any improvements over England to be deferred to a stronger market.

Barrier

Planning gain requirements via S106 agreements are often unrealistic incurring long delays and extra cost particularly when required to undertake a full independent viability assessment via the district valuer (this process takes 3/4 months).

Solution

Terms of 106 agreements should be agreed and part of planning resolution with a fixed period of time following a planning resolution to enter into a section 106 agreement of 4 weeks. With a penalty of £50k reduction in 106 contributions for every week delay.

Barrier

The cost of Planning applications has increased beyond all proportion. A 50 home application can have a £100k cost of fees.

Solution

Guidance should be issued to limit the quantum of information required for an application and planning fees reduced

Barrier

Planning Applications take far too long to determine. We are seeing timescales of 6 - 12 months.

Solution

A presumption in favour of consent for development should be issued and any application which is not determined within the statutory time period should be deemed to be approved. Extensions to the period to be at the applicants discretion.

Barrier

Too many planning conditions are imposed on planning permissions when the information they refer to is already provided as part of the application. Also too many pre-start conditions are imposed delaying the start of projects.

Solution

Guidance to be issued that where a condition refers to information already supplied to the Authority as part of the application the applicant may write to discharge the condition referring to the information already supplied and approved within the planning application submissions. The condition to be deemed as discharged if no response within 14 days. In the event of dispute the applicant has the right to refer the matter to an independent adjudicator appointed by the RITP with all costs met by the losing party. Guidance issued that Pre-start conditions should only be used where there is no other option, as last resort and only following agreement with applicant.

Barrier

Consultees taking far too long to respond to consultations on applications and often far beyond the statutory consultation period causing long delays and costs

Solution

Any consultation response not received within the statutory period to be treated as a 'no objection to the application' response

Barrier

Planning committee members often reject officers recommendations on spurious grounds as no come back on them and 'playing to the crowd'.

Solution

Reintroduce the ability to pursue costs against individual councilors for improper decisions or introduce the ability for applicant to request a recorded vote and for councilors to be removed from holding a planning committee role for a 5 year period where a planning inspector determines that the decision was improper and not based on material planning grounds as advised by planning officers. Better still remove the process from the political environment altogether and create a single professional planning body to decide all applications in Wales purely on relevant local and national planning policy with appeals to the inspectorate in the normal manner.

Barrier

Welsh Water restrictions are causing significant delays and costs. They have not carried out sufficient modeling of their infrastructure as their equivalents have done in England to ensure they can meet the needs of land allocated for development in development plans. This results in standard holding objections to applications on allocated sites, high costs being demanded of developers to fund studies of their own infrastructure to establish capacity and then significant capital costs from developers to upgrade the infrastructure. This is in marked contrast to England and makes Wales less competitive.

Solution

Welsh Water should be required to ensure that they have known capacity data on all their infrastructure to ensure they can accommodate development proposed on allocated land and to make adequate provision in their AMP capital programmes to upgrade where necessary in time for the developments to come on stream. No objection should be allowed from Welsh Water on applications on allocated sites due to lack of knowledge of capacity. Developers should not be required to fund studies on Welsh Waters behalf - they should know what their infrastructure consists of. The monopoly for Welsh Water should be dealt with as despite good intentions a monopoly rarely leads to balanced decision making.

Barrier

Welsh Assembly call in/appeal process takes far too long and has no timescale provisions leading to long delays and increased costs. Recent experience in respect of two planning appeals has resulted in Welsh government planning division requiring 8-10 weeks to determine whether the scheme requires an environmental impact assessment, even though at the pre application stage the schemes were screened by the local planning authority which confirmed no EIA was required. Therefore the appeal process is taking twice as long as would normally be expected and this is another barrier to overcome which is entirely within Welsh Government control to resolve and reduces bureaucracy.

Solution

Planning appeals should be submitted directly to the planning inspectorate and appeals determined within a fixed time frame of 3 months. Appeals which are not determined within 3 months to be deemed as approved. Extensions to period to be on agreement with developer only. The local authority's decision on whether an EIA is required should not be revisited. The process of the Assembly deciding whether or not to call in an application should have a fixed timescale of 4 weeks. If an application is called in it should have a fixed timescale notice issued for a decision and no more than 2 months.

We await with interest to see if any of the above barriers will be treated seriously and if any effective solutions to the above barriers are introduced.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Glyn Mabey', written in a cursive style.

Glyn Mabey
Regional Chairman
Wales and South Midlands