



Press release

Judgment paves way to build more homes on small sites

From: Department for Communities and Local Government (<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>) and Brandon Lewis MP (<https://www.gov.uk/government/people/brandon-lewis>)

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Judgment paves the way for more housebuilding on smaller sites and that will get homes built more easily.



Housing and Planning Minister Brandon Lewis hailed a judgment that paves the way for more housebuilding on smaller sites and that will get homes built more easily.

The Court of Appeal decision restores a government policy which means affordable homes contributions will fall to those bigger developers building the largest sites – while those smaller builders developing sites of 10 homes or fewer will be able to get work started on their sites, without facing charges that could leave them unable to build any homes at all.

Ministers criticised the moves by West Berkshire District Council and Reading Borough Council who challenged the policy and brought legal action as “a total waste of taxpayers’ money”.

Smaller housebuilders make an important contribution to helping meeting the government’s key ambition of delivering one million new homes.

Brandon Lewis said:

“ We’re committed to building more homes, including record numbers of affordable homes – key to this is removing unnecessary red tape and bureaucracy that prevents builders getting on sites in the first place.

Today's judgment by the Court of Appeal restores common sense to the system, and ensures that those builders developing smaller sites – including self-builders - don't face costs that could stop them from building any homes at all.

This will now mean that builders developing sites of fewer than 10 homes will no longer have to make an affordable homes contribution that should instead fall to those building much larger developments.”

He added:

“ This case was a total waste of taxpayers' money and the uncertainty the case created amongst housebuilders stalled new development from coming through.

I hope councils focus their time and money on delivering the front line service that their residents rely on and helping support new housebuilding in their areas that is very much needed.”

The Court of Appeal's judgment allowed on all grounds the government's appeal to a High Court ruling.

Further information

The small sites affordable housing contributions policy was introduced in November 2014 to help boost housing delivery and incentivise brownfield development. It introduced a national threshold of ten units or fewer (and a maximum combined gross floor space of no more than 1,000 square metres) beneath which affordable housing contributions should not be sought. The policy was introduced to tackle the disproportionate burden of developer contributions on small scale developers, custom and self-builders.

Larger sites have continued to be subject to affordable housing requirements. There have been significant policy changes since 2014 that will speed up planning and housing delivery even more including the government's commitment to deliver 200,000 starter homes by 2020 and further reforms to planning obligations and the community infrastructure levy.

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