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A COMMENTARY ON STRATEGIC LAND PROMOTION IN UK

Peter Jones and Daphne Comfort

Abstract

The supply of land for new housing within the UK is an important and a contested issue. Strategic land promotion, namely the identification, acquisition and promotion of land through the planning system, has become a major element in contributing to government targets for new housebuilding in the UK. This brief commentary paper outlines, the characteristics of strategic land promotion, provides illustrations of the range of schemes land promotion companies have pursued within the UK and concludes with some wider reflections on the process.

Keywords Strategic Land Promotion; Housebuilding; Planning; Greenfield Sites; Public Relations

Introduction

The supply of land for new housing is an increasingly important, and a contested, public issue. In her foreword to *'Fixing our broken housing market'* (Department for Communities and Local Government 2017) Theresa May, the then Prime Minister, argued *'we need more land for homes where people want to live'* and *'we need to ensure that homes are built quickly once planning permissions are granted.'* Strategic land promotion, *'the identification, acquisition and promotion of land through the planning system'* (Ainscough 2019) has become an important element in contributing to government targets for new house building. Richborough Estates (2017), one of the UK's leading strategic land promotion companies, argued *'it is impossible for the majority of housebuilders to promote all of their sites through the planning system and the role of the land promoter becomes fundamental to the delivery of housing.'* That said, neither the National Audit Office's (2019) report entitled *'Planning for new homes'* nor latest version of the *'National Planning Policy Framework'* (Ministry of Housing, Communities and Local Government 2019), made any explicit mention of strategic land promotion.' With this in mind, this commentary paper outlines the characteristics of strategic land promotion, provides some illustrations of the range of schemes land promotion companies have pursued within the UK, and offers some wider reflections on the process.

Strategic Land Promotion

Lichfields (2018) recognised *'increased attention is being given to how housing is delivered, focused on issues relating to land, planning, finance, tenure and construction.'* However Lichfields (2018) also suggested that *'relatively little attention has been given to the different types of organisation involved in bringing forward new housing and the role they play in the light of the risks involved in the planning and development process.'* A number of strategic land promotion companies are increasingly playing an important role in bringing land forward for development. Many of these companies define strategic land, and their role in promoting it, in a number of ways.

For King West (2019), for example, *'strategic land is usually greenfield in nature and located on the edge or close to existing settlements, especially those sustainable towns and villages with good transport links and local facilities. Usually such land doesn't have planning*

permission but has the potential in the medium to long term to achieve planning permission.' Adalta Real (2019) describes residential strategic land promotion as *'land that has a prospect of being successfully taken through the planning process for residential development'* and the company emphasise *'we use our market knowledge to identify areas where demand exists for housing development, which we feel have a genuine prospect of obtaining a satisfactory planning consent.'* Wallace Land (2019) claims *'our extensive experience in the promotion and delivery of strategic land allows us to guide our clients through the ever changing and complex planning process'* and *'our goal is achieving the maximum potential asset value for our clients through the planning and land promotion process.'*

Each land promotion company has its own specific way of working but within the land promotion process a number of common steps can be identified, namely site identification and appraisal; negotiations with the land owner and the securing of a promotion agreement; the promotion of the site; securing detailed planning approval; construction; and the sale of the completed homes. The land promotion companies emphasise that every step involves risks and uncertainties and Lichfields (2018) suggested that such risks embrace planning risks, technical stakeholder risks, implementation risks and timescale risks. In addressing planning risks, for example, Lichfields (2018) argues that in some local authorities *'a local decision-taking vacuum for those promoting land means uncertainty in assessing development potential or seeking agreement with landowners.'* In a similar vein, Lichfields (2018) suggested that decisions taken by any of the four direct stakeholders, namely land owners, land promotion companies, housebuilders and local authorities, can be the difference between the success or failure of a land promotion scheme.

Illustrative Case Studies

Within the last decade, a growing number of companies have pursued land promotion schemes and many of them emphasise their distinctive approach. A number of case studies provide illustrations of the variety of these schemes. Gladman Land (2019) describes itself as *'today's market leader in the promotion of strategic housing land'* and claims *'our approach is both refreshing and innovative and it is a true partnership where we seek to achieve optimum land value whilst balancing the need for a high quality development in keeping with the surroundings.'* The company, which has a national profile, has mapped its success in achieving planning permission on over 70 sites stretching from the North East to the South West of England between 20015 and 2018.

More specifically, Gladman Land successfully secured planning permission for a 292 dwellings at Oak Road, in the market town of Halstead in Essex in 2015. Here the granting of planning permission involved the provision of affordable housing, ecological mitigation and the provision of new footpaths and road widening. At Warmingham Lane at Middlewich, in East Cheshire, Gladman Land successfully gained planning permission for 194 dwellings on an 18 acre site previously owned by a local farming family. The site was sold to Morris Homes in 2014 and they have built a mix of 1, 2 and 3 bedroomed mews homes and 3, 4 and 5 bedroomed detached houses on the site. At Snowley Park at Whittlesey near Peterborough, Gladman Land completed a promotion agreement with the landowners in April 2013 and although their initial planning application for 150 houses was refused

because of concerns about flooding risk and inadequate highway capacity, a revised application was approved in September 2014, subject to drainage and transport conditions being met.

Richborough Estates (2017) reported that it *'concentrates its efforts on promoting small and medium sites and therefore facilitates the entry of Small and Medium enterprises, a key government aspiration to ensure the market is more diverse.'* The company also reported selling some 1,500 plots to housebuilders during the period April 2016-April 2017, which accounted for *'approximately 1% of the total new build completions in the same period'* (Richborough 2017). More specifically, Richborough Estates embarked on the successful promotion of the development of 130 homes, with 40% classed as affordable, on a 9 acre site at Eccleshall in Staffordshire, early in 2014. The site, adjacent to the town, was originally farmland, and classified as good (Grade 3a) agricultural land. The company's aim was to see the development of a new residential environment with a recognisable identity. Stafford Borough Council approved the planning application in September 2014 and the site was sold to Bovis Homes in May 2015.

Richborough Estates also successfully promoted a 23 acre site for residential development at Maw Green on the north east edge of Crewe in East Cheshire. This site originally consisted of a mix of agricultural land and a partly restored area of landfill. Here, in the face of local authority concerns about surface water drainage, flood risks and the impact of the proposed development on the existing road infrastructure, Richborough Estates secured planning permission for 165 residential units in a two phase development approach. The permission included conditions on improvements to local transport links, the creation of new footpaths and cycle ways and the creation of a sustainable urban drainage system. This promotion scheme began in 2011 and the first phase of the development, comprising 7.5 acres, was sold to David Wilson Homes in 2014.

Dandara (2019) describes itself as *'one of the largest and most diverse independent property development and land promotion companies in the United Kingdom'* and claims *'we understand the UK land market.'* At Saunderton, a village in the Chiltern Hills in Buckinghamshire, Dandara secured planning permission for 42 dwellings on a site within the Green Belt and the Chilterns Area of Outstanding Natural Beauty that had previously been in use as an industrial yard. Dandara were able to demonstrate that the development would have no increased impact on the openness of the green belt and the development which included a range of 2, 3 and 4 bedroomed houses, was completed in the autumn of 2018. Dandara also successfully promoted the development of over 500 2 bedroomed apartments and 2, 3, 4 and 5 bedroomed houses on a 40 acre site surrounded by over 200 acres of ancient woodland, at Knights Wood on the fringe of Royal Tunbridge Wells in Kent.

The Land Home (2019) *'promote land nationwide, with particular reference to central and southern England, and the home Counties, where land is most in demand.'* The company has pursued a number of small projects including the demolition of an existing bungalow to build 5 new natural stone houses on 1 acre site at Kirtlington in Oxfordshire and the development of 6 houses and 4 flats at the village of Nuneham Courtenay, to the south east of Oxford. The dowsettmayhew Planning Partnership (2019) claims to *'identify and help to acquire strategic land opportunities of any size. We can manage the process from site*

finding, through acquisition to development concepts and presenting evidence at local and neighbourhood plan examinations. During 2013/2014, for example, the company successfully obtained planning permission for 20 residential units on green belt land on the edge of a settlement in the New Forest District in Hampshire.

Catesby Estates (2019a) claims to be *'one of the foremost experts in land promotion and infrastructure delivery in the UK'* and suggests that its *'land promotion portfolio is diverse including both greenfield and greenbelt sites delivering from 45 to in excess of 3,000 plots.'* Catesby Estates successfully promoted a 15 acre site, which was subsequently removed from the green belt, at Abingdon in Oxfordshire, through the Vale of White Horse District Council in May 2016 for 200 homes and sold the site to David Wilson Homes in April 2018. A 54 acre site at Pentland Farm at Haywards Heath, in Sussex, was also successfully promoted by Catesby Estates, This scheme included 235 new homes, with provision of new internal access roads and footpaths, landscaping, open access and drainage. Here an outline planning application was submitted in April 2013 and though the application was initially rejected, it was eventually granted approval by the Planning Inspectorate in January 2015 and sold to Redrow Homes later that year.

Wallace Land (2019) claims *'our extensive experience in the promotion and delivery of strategic land allows us to guide our clients through the ever changing and complex planning process'* and *'our goal is achieving the maximum potential asset value for our clients through the planning and land promotion process.'* Wallace Land has successfully promoted land at West Edge Farm, five miles to the south east of the centre of Edinburgh, for 260 homes via a revised planning application. Here despite opposition from Edinburgh City Council, Wallace Land were able to demonstrate the site was in a sustainable location, that the development would have no adverse effect on the wider Edinburgh Greenbelt and that any infrastructure constraints could be mitigated. Following the successful planning appeal the site was sold to Persimmon and Miller Homes, and a range of 2, 3, 4 and 5 bedroomed houses are currently under construction. Wallace Land is currently promoting land at Stretton to the South of Warrington close to Junction 10 of the M56, in the North West of England, for some 600 dwellings. Some 30% of the homes are to be classed as affordable and the scheme is to include the provision of green infrastructure and Wallace Land estimate that the site may be a five to ten year development.

While many strategic land promotion companies are freestanding, Hallam Land Management is the strategic land and planning and promotion arm of the Henry Bots Group of companies and it reports having secured planning consent for almost 50,000 plots across 28 English counties as well as at sites in and around Edinburgh and in Ayrshire and Lanarkshire.in the west of Scotland. The focus of the company's business *'is to promote and develop land opportunities through the complexities of the UK Town and Country Planning system'* and the company claims that it looks *'to work with local planning authorities in helping landowners who are seeking to develop or promote land through the system'* (Hallam Land Management 2019).

Working in partnership with landowners is a strong feature of the strategic land promotion process. Gladman Land (2019), for example, claims *'our interest is totally aligned to you as landowners'*, that by *'partnering with us, using a promotional agreement, you will*

achieve planning permission quicker and receive a far greater sum for your land’ and that such a promotion agreement ‘is heavily weighted to the landowner at all times.’ Further, the company carry all of the costs throughout the process and only receive their agreed fees from the landowner once the sale of land to a house builder is formally completed. In a similar vein, Catesby Estates (2019b) ‘works collaboratively with landowners to bring forward land to the market with planning consent for housing’ and here ‘landowners can be involved in the land promotion process as little or as much as they like’ and ‘some landowners leave the process entirely to us, whilst others have a more hands-on approach.’

A number of the strategic land promotion companies are understandably keen to publicise the positive testimonials from the landowners, with whom they partner. Gladman Land, for example, published complimentary endorsement from Christopher Franey, a landowner at Nantwich in East Cheshire. This endorsement ran ‘*Gladman Developments are a totally professional developer encompassing all aspects of development from contract to planning permission. We were able to rely totally on their operation and they gave us confidence in their abilities to deliver and negotiate on our behalf*’ (Gladman Land 2019). In a similar vein, the Spedding Family from Clitheroe in Lancashire wrote ‘*we would have no hesitation recommending Gladman. They keep you in touch every step of the way. We have been extremely satisfied with their professionalism and their expertise in dealing with all matters regarding every aspect of the planning procedure*’ (Gladman Land 2019). John Clarke, a landowner at Malpas in West Cheshire and Chester, commented ‘*I would not hesitate in recommending the Gladman Team to any landowner considering their options with respect to unlocking the potential in their land asset and indeed, I have already done so on several occasions*’ (Gladman 2019). Perhaps most surprisingly, the Muller Property Group reported the following endorsement from David Holdcroft, from Houndings Lane Farm at Sandbach, in Cheshire, namely that ‘*Colin Muller invests as much time and effort into getting planning for my land as I do farming it*’ (Muller 2019).

Reflections

Within the present political climate and in the face of continuing pressure to meet ambitious government new housing targets, strategic land promotion looks to have a promising future. Indeed Lichfields (2018) suggested that strategic land promotion companies play an important role in enabling both large and small housebuilders to contribute to the delivery of new houses. More specifically, Lichfields (2018) claimed that ‘*if the government wants to increase the number of housebuilders by ensuring smaller firms have access to sites, land promoters will be an important part of the site supply chain. At the same time, Lichfields (2018) also claimed ‘insofar as there is a clear Government agenda to accelerate the pace of delivery on larger sites, specialist land developers and promoters are clearly aligned to this objective.’*

However, strategic land promotion is a contested set of activities and a number of issues merit attention. Firstly, the larger debates surrounding the demand for new housebuilding are contested in a variety of ways. At the macro level, for example, McKibbin (2018), suggested that that ‘*the level of house building in England has consistently failed to keep up with demand over a protracted period, contributing to a housing shortage and rising house prices.*’ McKibbin(2018) argued this has led experts to suggest that the number of

new housing units required each year to meet new and historic demand varies between 240,000 and 300,000 additional units. McKibbin (2018) further suggested that the number of new homes completed annually has consistently failed to meet the projected level of household formation, but acknowledged that the use of household projection data, which has been used to predict demand, is also contested. Here the argument is that while some projections underestimate demand due to the number of concealed households, others argue that projected number of new households consistently exceeds the actual household formation.

At another level there is considerable debate about the role of green field sites, usually in agricultural or amenity use, which are often under pressure for new housing development. On the one hand, those who would seek to protect such sites argue that new housing development would lead to the destruction of the habitats of many animal and plant species, the loss of valuable agricultural land and a reduction of amenity or recreational value. On the other hand, many housebuilding companies typically argue that green field sites generally offer more attractive locations for new housing development, because they are often on the edge of towns and cities and may have better access, less congestion, be in a more pleasant environment.

Secondly, and more specifically, conflicts have been identified between the strategic land promotion companies and both the planning system and local authority planning departments. One of the goals of the *National Planning Policy Framework* (Ministry of Housing, Communities and Local Government 2019) is '*delivering a sufficient supply of homes*' and here the focus is on looking to ensure that '*a sufficient amount and variety of land can come forward where it is needed.*' As such, strategic land promotion is certainly contributing to that goal in bringing a growing number of sites forward for development. However, such achievement may, in part, be at the expense of other aims of the planning system. Town and country planning has traditionally been concerned with making '*public and political decisions in respect of the planning of our places more rationally and consistent with an overarching public interest*' (Wright 2013). However, the overwhelming majority of strategic land promotion schemes principally look to serve the interests of a small minority of the population, namely existing landowners. Indeed the major land promotion companies emphasise the financial benefits landowners can derive from such schemes in their corporate marketing material. At the same time these companies implicitly, and sometimes explicitly, suggest that they can speed up the planning process to serve the individual, rather than the wider, public interest.

There are also issues concerning the resources available to local planning authorities, who increasingly have to work on applications being pursued by land promotion companies. There is widespread recognition that '*local planning authorities find themselves operating in a harsh environment*' and that '*almost a decade of UK-wide austerity has made resourcing a serious challenge*' (Slade et al. 2019). Devoting scarce resources to schemes being vigorously promoted by well-resourced land promotion companies can take local authority planners away from more mainstream planning duties and responsibilities. While many land promotion companies criticise local authorities for their failure for not having adopted a Local Plan to guide new residential development, the lack of resources and attendant staffing shortages may go some way to explain problems in drawing up Local Plans.

Paradoxically, some land promotion companies have looked to turn such arguments on their head. While recognising *'the idea of risking tax payers money on expensive planning applications and local plan promotions'* is *'understandably a financial risk many (local authorities) are unwilling to take'*, Richborough Estates (2014) argued *'we are therefore working on behalf of local authorities to help them navigate this uncertain, complex and expensive process.'* More generally, Slade et al.'s (2019) concern that *'the Government's pro-housing and pro-growth agenda, have resulted in an overwhelming focus on these two issues-often in detriment of other important agendas and a more holistic model of planning'* certainly resonates. More politically, strategic land promotion might also be seen to be contributing to the commercialisation (Jones and Comfort 2019), and ultimately potentially to the privatisation of the planning system within the UK.

The Council for the Protection of Rural England (2018) have given formal voice to a number of these concerns, suggesting that *'land promoters make lucrative profits by exploiting the planning system and working against local wishes.'* Here one of the arguments is that land promotion companies are effectively undermining the planning system and that this often leads to new housing developments in unsustainable locations, and that this in turn destroys the character of the countryside and of rural towns and villages. More specifically, the Council for the Protection of Rural England (2018) argued that land promotion *'undermines confidence in the planning system, not only for the individuals and community groups that engage positively with local plans'* but also *'for those landowners and developers who have worked in good faith with the community and pursued their projects through the planning process.'* Further the Council for the Protection of Rural England (2018) concluded *'land promoters' activities lead to unnecessary work and expense for already hard pressed local planning authorities, as well as anxiety and uncertainty for people who live in the communities affected.'*

Thirdly, conflicts over land promotion offer a wide range of communications and public relations opportunities for consultancies. Cratus (2019), for example, a political engagement and community consultation company, looks to *represent, guide and advise our clients so that they can work effectively with local government.'* More specifically, Cratus (2019) claim to recognise *'the importance of decision making at local level and our primary goal is to help clients navigate the process to secure results'* and that *'every council is different. While there are some common themes and patterns between public bodies and the politics within them, it is often the local nuances and politically-focused priorities that will impact the approach we take.'* The company's Southampton team has worked on a range of projects on the south coast of England, from Brighton to Dorset, supporting strategic land promotion projects.

In 2014, Bloor Homes commissioned Lexington Communications to provide strategic advice to support an application for 200 homes on a greenfield site at Congleton, in East Cheshire. Here Lexington Communications (2019) developed *'a multi-faceted communications programme'* designed to *'promote the application to influential stakeholders.'* The initial activity focused on an extensive stakeholder mapping exercise, which enabled the consultants to embark on an online consultation process and a series of briefings with key community stakeholders, deemed to have an interest in, or likely to be affected by, the proposed housing development.

Lexington Communications formed a working relationship with one of the local primary schools, focussed around the provision of a playing field as part of a community contribution and coordinated a series a business network event designed to explain the economic benefits associated with the new housing development. At the same time, the consultants also looked to engage with a variety of local people, particularly first time buyers, those who were renting properties, and families unable to find suitable housing options locally, who might be supportive of the proposed development. This community support took a variety of forms including, individual representations sent directly to the local authority, the lobbying of local councillors by community stakeholders and the recording of video messages, which were shown to members of the local authority planning committee.

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