

CMA Housebuilding Market Study

Persimmon plc's response to the CMA's working paper on planning dated 15 November 2023

1. Executive summary

- 1.1 Persimmon welcomes the CMA's findings in the working paper and supports the conclusions drawn as to the key concerns with the planning system, being: (a) lack of predictability; (b) cost, length and complexity of the planning process; and (c) insufficient clarity, consistency and strength of LPA targets, objectives and incentives to meet housing need.
- 1.2 Persimmon also mostly supports the CMA's findings that a package of remedial measures at both national (i.e. legislative and government policy) and local (i.e. local authority) levels is required to address the issues in the planning system.
- 1.3 There are a number of areas in the CMA's working paper where Persimmon feels that it can offer additional information, as well as context from Persimmon's own experience, that will aid the CMA's conclusions in its Final Report. These areas are explored further in this response, by reference to the CMA's analysis and each option it is considering for planning reform (see Sections 2 and 3 below).
- 1.4 Each of the areas explored in this response can be boiled down to four key principles, which together represent the elements necessary for a well-functioning planning system and which proposals for reform of the existing system must address:
- (i) **Policy:** There must be a mandatory national housing target, supported by mandatory up-to-date local plans that cumulatively add up to achieve the national target. LPAs must be positively encouraged to manage development to meet needs within their area and should have their planning services financially supported by such development (at Section 3 Persimmon suggests how this could be done). A requirement to have an up-to-date local plan ought to provide such encouragement. If there is no local plan (or an out-of-date local plan) the presumption in favour of sustainable development will encourage more speculative development whilst planning inspectorate (PINs) intervention in local plan formulation or development management processes will impose appropriate sanctions. Persimmon supports the HBF's recommendation to move to a stock-based approach to target-setting; a system which will encourage new housing to be delivered in a fair and proportionate manner across the country in alignment with the CMA's suggested criteria.¹ (*Relevant to Questions 2, 4.3(1), 5.1 and 5.3.*)
 - (ii) **Prioritisation:** Persimmon would refer the CMA to the overarching objectives laid out within Section 2 of the NPPF (latest version September 2023). This key section clearly outlines the three objectives that are vital to ensuring sustainable development. These economic, social and environmental objectives are to be viewed as interdependent and mutually supportive of one another and are to be delivered through the preparation and implementation of plans and the application of the policies in this framework. This

¹ HBF 'Firmer Foundations Report' dated November 2023.

requires appropriate balance, however, this is not currently being realised in practice in relation to housing provision, which is a key social objective.² The pursuit of other policy objectives is not being undertaken in a mutually supportive, interdependent manner. This is having a significant adverse consequence on housing delivery. This is explored further below. (*Relevant to Question 4.3(2).*)

(iii) **Pounds:** The planning system needs to be appropriately resourced, to ensure that local plan production and development management can be effectively implemented. There are various options for the delivery of increased funding of the planning system, [REDACTED] (*Relevant to Question 5.2(1).*)

(iv) **Planners:** The role of planners and the role of the planning committee must be rebalanced, and planners' professional competency fully utilised, by means of increased delegated decision-making, which will help LPAs to avoid delays and increase certainty that decisions will be made in accordance with the local plan. At the same time, this will avoid applications that are in alignment with the local plan from being subject to potentially politicised planning committees. (*Relevant to Question 5.4(2).*)

1.5 In combination, these 'four Ps' have the potential to improve planning outcomes, which is vital in the face of a consistent decline in the granting of new planning permissions;³ a problem broadly recognised as the most significant barrier holding back the delivery of new homes,⁴ particularly for SMEs.⁵

1.6 Persimmon is concerned by the CMA's emerging thinking on which of the options it considers can be implemented in the short, medium and long term. In Persimmon's view, planning reform must begin immediately. It is critical that clear, positive ministerial direction is given to boost local plan production and facilitate decision-making. Local plan coverage should also be a short-term goal. Persimmon would urge the CMA not to underestimate the role that the four Ps must play together in overhauling the immediate issues in the planning system. A holistic approach must be taken which supports changes across politics, policy-making, decision-making and resourcing. None of these changes can be made in isolation; targets will not work

² NPPF (September 2023), paragraph 8, states that part of the social objective is '*to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations*'.

³ Analysis carried out by Lichfields in a joint report by Lichfields, the HBF and the LPDF 'Making a bad situation worse – the impact on housing supply of proposed changes to the NPPF' dated February 2023, shows that the number of planning permissions in Q1-Q3 2022 was 10% lower than five years ago, and on a downward trend (page 7). See: https://lichfields.uk/media/7853/making-a-bad-situation-worse-the-impact-on-housing-supply-of-proposed-changes-to-the-ppf_lichfields_feb-23.pdf.

⁴ Federation of Master Builders' Survey 2023 dated 29 November 2023: See: <https://www.fmb.org.uk/resource/fmb-house-builders-survey-2023.html>.

⁵ SMEs have stated in a recent HBF survey that the planning process is the most significant barrier to entry. As reported in the HBF report 'State of Play: Challenges and Opportunities Facing SME Home Builders 2021 Edition' dated 5 January 2022 (page 8). See: <https://www.hbf.co.uk/news/state-play-challenges-and-opportunities-facing-sme-home-builders/>.

without the political ambition, funding and skilled and empowered planners to enforce them. However, change can start to work immediately via government policy intervention.

1.7 Against this background, Persimmon sets out below its:

- (i) views of the CMA's analysis, and the issues it considers to be most pertinent in the current planning system; and
- (ii) comments on the options for reform proposed by the CMA.

2. The CMA's analysis and issues with the planning system

2.1 Persimmon agrees with the CMA's findings as to the causal link between planning permissions granted and the number of homes being built, in particular the link drawn between lower housing delivery in areas without an up-to-date local plan. Persimmon also supports the CMA acknowledging that it is necessary for the number of planning permissions granted to significantly exceed the delivery targets set.

2.2 For each of the three issues identified by the CMA ((a) lack of predictability; (b) cost, length and complexity of the planning process; and (c) insufficient clarity, consistency and strength of LPA targets, objectives and incentives to meet housing need), Persimmon wishes to draw out specific challenges faced by housebuilders.

(i) *Lack of predictability*

2.3 Persimmon agrees with the four areas of unpredictability identified by the CMA,⁶ and considers that these issues are dealt with comprehensively. Nevertheless, the following observations can be made: (*Relevant to Question 4.1*)

- (i) The CMA recognises that the planning system is used to implement a range of new policies, commonly environmental regulations. This is entirely consistent with achieving sustainable development – in accordance with the NPPF's overarching objectives as set out above. The absence of a clear set of policies and political ambition and prioritisation to ensure a coherent framework is in place can mean that new issues and challenges that arise create significant uncertainty as they are not resolved in a prompt manner. For example, Persimmon outlined in its response to the CMA's Statement of Scope the fact that (as reported by the HBF) over 100,000 new homes have been delayed by nutrient-related issues and the failure to create an adequately clear policy framework within which to operate. This applies equally to local authorities wrestling with how to assess nutrient neutrality issues in their determinations as well as developers. The result has been the delay in new homes delivered.⁷ A further example is that the government has yet to finalise the specification that will be required for the Future Homes Standard, which is to be implemented from June 2025. While Persimmon is fully supportive of the objective of the Future Homes Standard and have

⁶ Policy, the planning process, lack of up-to-date local plans and political and public attitudes.

⁷ HBF 'Building Homes in a Changing Business Environment' dated 31 October 2022 (page 18). See: https://www.hbf.co.uk/documents/12117/HBF_report_-_Building_Homes_in_a_Changing_Business_Environment.pdf.

a programme of trials in place to meet the new expected standard, the lack of clarity on technical specifications and confirmed timings is creating uncertainty, including in the supply chain. A further cause of uncertainty is that in the absence of an agreed criteria, some LPAs are formulating their own specifications, introducing unnecessary variation into the system.

- (ii) Persimmon agrees with the CMA that ongoing changes to the planning process increase uncertainty. The lack of clarity on housing targets and whether they need to be achieved in areas of constraint has seen a significant number of LPAs simply putting their local plans on hold or withdrawing them altogether. Equally, the expected forthcoming changes to the NPPF are likely to make it more challenging as some LPAs use the anticipated new approach to delay or refuse permissions that were expected to be granted relatively quickly under the previous regime and may not review existing land availability in a sufficient manner to meet local housing need as part of the local plan process. For example, the expected changes in the NPPF are anticipated to make clear that LPAs are not required to review green belt boundaries to meet housing needs.⁸ This is an important issue as green belt is not an environmental designation but a policy constraint. Not reviewing green belt is therefore a political choice which must be made as part of balancing sustainable development objectives. Persimmon anticipates that this will have a significant impact as green belt areas are located in some of the most populated areas. These areas have few realistic options to meet their need unless they review their green belt and plan positively for housing. Whilst Persimmon firmly believes that housing need should be met where it arises, a further concern is that the expected removal of the duty to cooperate via the LURA will make it easier for LPAs not to work with neighbouring authorities to meet some of their housing need nearby if they cannot do so themselves.
- (iii) The CMA discusses the fact that a majority of LPAs have not updated their plans in the last five years,⁹ and notes the uncertainty that this can cause for housebuilders. Persimmon supports the CMA's findings here and notes that the situation regarding plan coverage is deteriorating in the face of government ambiguity. More detail on the impact of the local plan is set out below.
- (iv) Persimmon agrees with the CMA's conclusion that local political resistance can impact housing delivery. Some LPAs can have a difficult job balancing the need for new housing against sometimes vociferous local campaigns. This is why a national policy framework and political ambition to achieve the overarching sustainable development objectives, including a sufficient range of homes to meet the needs of present and future generations is so important. To ensure this is achieved an approach that balances the

⁸ Green belt land is part of 'footnote 7' land. As recognised by the CMA (at footnote 20 of its working paper), footnote 7 of the NPPF "defines area of assets of particular importance as: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest); and areas at risk of flooding or coastal change".

⁹ The CMA's analysis shows (at paragraph 4.65) that, as of 31 December 2021, only 40% of LPAs had updated their plans in the last five years whilst 22% had not adopted a plan for more than 10 years or had no plan in place.

incentivisation to develop local plans and deliver housing targets with credible sanctions for those authorities that do not meet this clear national policy requirement is needed.

2.4 It is important the CMA recognises that the planning system is unpredictable across Great Britain. On the one hand, the policy framework varies between the nations: in Scotland and Wales there is no national target¹⁰, resulting in there being fewer allocated sites; and no presumption in favour of sustainable development, meaning LPAs are effectively protected from having to approve speculative development. In addition, the setting of housing targets for local plans is ambiguous, which creates uncertainty for housebuilders trying to deliver new housing and invest in future sites. In England there is a national target and a presumption does exist (outside footnote 7 areas). Yet on the other hand, the system is unpredictable throughout. Housebuilders in Scotland and Wales must rely on local plans which are often significantly outdated, resulting in very few speculative applications because developers struggle to identify housing supply and, if they can, are often unwilling or unable to make such uncertain investment decisions in the face of likely refusal. England imposes a national target and a presumption in favour of sustainable development where there is no up-to-date local plan, which should give housebuilders more certainty that off-plan developments can be brought forward. However, in reality this is being continually eroded by changing policy objectives not being mutually supportive as required by the NPPF. (*Relevant to Question 4.1(4).*)

(ii) *Length, cost and complexity of the planning process*

2.5 On cost, Persimmon agrees with the CMA's findings that the current level of planning, policy and regulatory costs threaten the viability of development at some sites. The CMA acknowledges analysis by Lichfields and the HBF on the huge cost burden of the planning process. To add to that research, Persimmon would note that viability is particularly threatened in lower value areas – i.e. where housebuilders may be unable to generate the revenue necessary to recoup increased planning costs. Often a large proportion of brownfield land contained on brownfield registers is found within these areas. Persimmon understands that such sites are typically small and medium sized, which disproportionately impacts SME housebuilders and works against policy reforms that aim to support SMEs.¹¹ (*Relevant to Question 4.2(1).*)

2.6 In addition, the assessment of viability varies across Great Britain. Persimmon would draw the CMA's attention to the fact that viability assessment is part of the local plan process in England, but this discipline is not as advanced in Scotland and Wales.¹² In addition, Scotland has a 25%

¹⁰ Scotland has recently introduced a Minimum All-Tenure Housing Land Requirement (MATHLR), which gives a minimum figure to each authority, however Persimmon understands that emerging work for Homes for Scotland suggests that the MATHLR significantly underestimates housing need in Scotland.

¹¹ Paragraph 69 of the NPPF stipulates that LPAs should identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on site no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved. It is Persimmon's view that this requirement has not been enforced via PINs, while undertaking local plan soundness testing via Examination in Public (EIP) leads to the adoption of local plans that do not deliver a sufficient number of small sites. See also Persimmon's response to the CMA's land banks working paper (at paragraph 3.15).

¹² In England, because local plan making and viability is more advanced, LPAs and housebuilders have become more experienced and there is a raft of guidance and precedent cases available to developers wishing to carry out a viability assessment. In formulating local plan policy, PINs are alive to the shortcomings of local plan viability detail and the need for it to be supported by flexible policy wording that allows site-specific viability work (that can demonstrate there has been a material

affordable housing requirement and Wales employs fixed transfer values for affordable housing, each of which creates additional difficulties in assessing viabilities. (*Relevant to Questions 4.2(3) and 4.2(4).*)

- 2.7 On length and complexity, the CMA recognises that the timescales for obtaining planning permission are significantly longer than the statutory timescales and the percentage of decisions made within the statutory 13-week period has significantly fallen. This aligns with Persimmon's own experience, [REDACTED] and with other housebuilders' (as made apparent during the CMA's roundtable sessions). (*Relevant to Question 4.2(2).*) The causes of these delays, as recognised by the CMA, come down to politicisation of decision-making as well as inadequate resourcing at the LPA level. Resourcing issues are further compounded by issues with the process for consulting key stakeholders during the planning approval process. At Section 3 below, Persimmon has provided its view on how such issues should be reformed. (*Relevant to Question 4.2(3).*)

(iii) *Insufficient clarity, consistency and strength of LPA targets, objectives and incentives to meet housing need*

- 2.8 Persimmon generally supports the CMA's view that LPA targets do not accurately reflect underlying housing need, across each region of Great Britain. To achieve the delivery target, the CMA also recognises that the number of permissions granted must significantly exceed that target over a sustained period. (*Relevant to Question 4.3(1) and 4.3(4).*)

- (i) In England, targets can be heavily constrained by footnote 7 land (principally green belt around areas of high population), meaning LPAs have an opportunity to avoid meeting the target. Incentives for LPAs to meet housing need have been eroded over time with changes to planning policies and the imbalance of objectives, for example through the anticipated removal of the duty to cooperate in the LURA. This clearly adversely affects housing delivery as it results in too little land being allocated and too few planning permissions being granted.
- (ii) In Scotland, following the introduction of the MATHLR – which was set by NPF4 in February 2023 – LPAs are encouraged to allocate an amount of land for housing development which is higher than the MATHLR requires for that area. However, emerging work for Homes for Scotland suggests that the MATHLR significantly underestimates housing need meaning that, unless LPAs decide to go significantly above target, housing need will remain unmet.¹³ In addition, NPF4 has a strong environmental focus, and LPAs have significant discretion to prioritise environmental factors (for example) and little incentive to meet housing need.

change in circumstances since the local plan viability work) to be undertaken at application stage when full development costs are more fully understood.

¹³ For example, Persimmon understands that, despite the Scottish government stating that LPAs should allocate above the MATHLR figure, a recent Local Development Plan Examination Report in the Scottish Borders accepted that only the minimum (i.e. the MATHLR figure) could be allocated.

(iii) In Wales, there is a wide disparity in local target setting, with targets having little correlation with the figures and growth strategies set by Future Wales. This has resulted in too few sites being allocated, with a consequent adverse impact on housing delivery. The removal of TAN1 in Wales (and, along with it, the removal of a presumption in favour of sustainable development) has effectively removed all incentives for LPAs to keep plans up-to-date and meet housing targets. Future Wales also introduces a new strategic plan framework for the Welsh system that will establish strategic plan locations that will sit above LPA local plans. This future tiered system of plan-making has effectively given rise to a vacuum in progressing local plans. While LPAs wait for the strategic plan, they are not reviewing and updating their local plans (and remain protected via the removal of the presumption).

2.9 In England, speculative development in footnote 7 land is extremely limited as the presumption in favour of sustainable development is disapplied meaning the release for new housing of green belt land in particular (noting that it is a policy constraint not an environmental designation when balancing sustainable development objectives) must come through the local plan (which, as explained above, is often non-existent or out-of-date). As the CMA identifies, areas of green belt often correlate with poor plan performance and lower housing delivery and these areas are often densely populated with the most acute housing need. The anticipated removal of the duty to cooperate in the LURA will make it easier for LPAs not to work with neighbouring authorities to assist with housing shortfall. (*Relevant to Question 4.3(3).*)

2.10 In summary, the current system's approach towards delivering sustainable development is imbalanced and is not mutually supportive of housing delivery. This is having the significant effect of suppressing housing delivery (compared to housing need) across all regions of Great Britain. A rebalancing of these overarching objectives is needed urgently if housing need is to be met. (*Relevant to Question 4.3(2).*)

3. Planning reforms

3.1 Persimmon broadly agrees with the CMA's conclusions that effective reform to the planning system could include changes to the rules underpinning the system across Great Britain as well as to the processes and supporting measures currently in place for LPAs.

3.2 Persimmon would encourage the CMA to consider in more detail how appropriate remedial measures may be implemented in order for the system to work more effectively.

(i) Changes to the planning system

3.3 Changes must be made to the planning system at a national and local level. Persimmon considers that there must be a mandatory national target, underpinned by mandatory local plans which set out housing numbers that add up to the national target. There must be sanctions for failure to do so and/or failure to grant planning approvals in line with the plan. (*Relevant to Question 5.1.*)

3.4 In terms of setting those targets, it is vital that existing methods of assessing housing requirements are overhauled in their entirety. The existing Standard Method does not work as it relies on flawed population projections and adjustments (such as the urban uplift) which

under-serve real housing need. Persimmon supports the HBF's proposal to introduce a stock-based national housing target,¹⁴ and notes that a 1.2% stock-based figure would achieve the current housing target of 300,000. This should act as the minimum in full recognition of the need for the full number of allocations and permissions to significantly exceed this number for a sustained period. Such reform would help to ensure that new housing is delivered in a fair and proportionate way across the country. While the HBF's proposal is made in relation to England, Persimmon believes it could also be implemented in Scotland and Wales (*Relevant to Question 5.1.*)

(i) *Planning process reforms*

- 3.5 With respect to a rules-based system, while Persimmon acknowledges that there is potential for this to work in some capacity, there is a risk that a rigid, rules-based approach (that may be less responsive to change) will fail to provide the step change that is needed to improve housing delivery. Planning rules are often subjective and reliant on individual interpretation, which may then be heavily influenced by local policy objectives.
- 3.6 However, Persimmon would support a system which increases delegation to planning officers on allocated sites or sites that benefit from outline planning permission. Similarly, Persimmon broadly agrees with the CMA's findings that financial and resourcing constraints facing LPAs must be mitigated.
- 3.7 In Persimmon's experience, statutory consultee responses are often received weeks beyond the statutory deadline. Persimmon would therefore endorse statutory consultees being engaged early – at both the local plan making stage and in pre-application engagement. This engagement must become a material consideration in decision-making. Given consultees will already have had the opportunity to review a case, LPAs should then only be required to take into account the views of the statutory consultees received within the mandatory 21-day period, and to deem consent thereafter. Clearly this needs to be achieved with sufficient safeguards to mitigate the risk of consultees later raising objections (see below). (*Relevant to Questions 4.2(3) and 5.2(1).*)
- 3.8 Persimmon would also support a review of mandatory consultees and the role they must play in the wider 'start to finish' planning system. As noted above, these consultees should be closely involved with – i.e. be able to interrogate and get comfortable with – the formulation of the local plan, and be involved in pre-application engagement. This will give housebuilders much needed confidence that an application complies with consultees' requirements. To ensure certainty, consultees should be unable to divert from a previously agreed position without consequences relevant to the disruption caused.
- 3.9 In addition, putting in place systems of delegation is necessary to ensure an effective solution. Over time there has been a drift towards matters in alignment with the local plan (e.g. allocated sites) being escalated for planning committee approval, which can have the effect of adding delay/uncertainty. To resolve this, Persimmon would endorse a review of delegation throughout the planning process with a view to: (i) allowing committees to focus on matters of most concern to their role; (ii) preventing sound LPA decisions from being unpicked at committee level; and

¹⁴ HBF 'Firmer Foundations' November 2023. See: https://www.hbf.co.uk/documents/13050/Firmer_Foundations.pdf.

(iii) allowing certain matters to be delegated to be planning officers. (*Relevant to Questions 4.2(3) and 5.2(1).*)

3.10 Finally, Persimmon supports two ideas discussed during the CMA's roundtable sessions on planning. First, that a list of accredited consultants should be kept and, where a housebuilder has sought the professional advice of such a consultant and relied upon a previously agreed position, that element of the application should not be subject to further scrutiny by statutory consultees. Second, that there should be a process for mediation before an application is refused (either by officers or committee) which would enable housebuilders to consult with the LPA to see if a compromise can be made, thus hopefully reducing the likelihood of needing to go to appeal.

3.11 The CMA must bear in mind that these reforms in isolation will not resolve issues in the planning system. Targets must be in place to encourage LPAs to bring forward new housing for development. At the same time, such targets must have political backing, incentivising stakeholders in the planning system to plan "positively" and not rely on constraints (such as green belt land) to avoid granting permissions. (*Relevant to Question 5.1(2).*)

(iv) *Supporting measures*

3.12 Persimmon welcomes the CMA's proposal to increase fees further to meet costs, provided such fees are ringfenced and put back into the planning system. These resources are critical. If LPAs are not sufficiently well funded, the range of measures put forward in this response cannot be implemented. Specifically:

(i) In the current system, the fee increase of 35% for major applications has just come into force. Persimmon suggests that all these fees are ring-fenced for planning service support.

(ii) Persimmon would endorse paying a premium fee in return for a fast-track service that delivers a major scheme within an agreed timescale.

(iii) Any such fee increases / premiums must translate into improvements in the planning process.

3.13 In addition, Persimmon notes that one reason why local plans may not exist or may be out-of-date is that they are very expensive to produce. Persimmon would support an initiative whereby LPAs could recoup a percentage of the cost of putting an up-to-date plan in place (for example through the CIL) for every instance where a development approved under the plan begins work on site.

3.14 The CMA also acknowledges that local authorities struggle to recruit planning staff but does not suggest any measures to tackle this. Measures to address this [REDACTED] could include: (*Relevant to Question 5.4.*)

(i) Re-establishing the importance of Chief Planning Officers in LPAs, a role that has been eroded over time. This could be achieved through effective measure of delegation and allowing CPOs/their teams to have sole determination over matters that align with the

local plan, without a planning committee needing to be involved. This will free up critical resources to ensure that measures for reform can be successfully implemented.

- (ii) Linked to this, case officers should be seen as facilitators of sustainable development and should be afforded better training and funding. The professional competency of those officers should be fully utilised in all decision making.
- (iii) Large housebuilders have many town planners in their organisations and Persimmon would endorse implementing a working group aimed at aligning the focus of public and private sector planners on the importance of sustainable development. This could be organised via the HBF and the Royal Town Planning Institute.

4. SME housebuilders

4.1 Persimmon notes the CMA's particular interest in the impact of the planning system on SME housebuilders. While Persimmon is not an SME housebuilder, and therefore cannot comment on the impacts of the system on SMEs first-hand, it can offer the following observations based on its experience: (*relevant to Question 4.4 and 5.5*)

- (i) Overhauling the planning system and ensuring that it works properly for all. The planning system is the most significant barrier to entry for SMEs and complete reform is required to address this.¹⁵ Mandatory local plans must allocate a wide range of sites suitable for a wide range of housebuilders.
- (ii) SMEs are significantly impacted by local constraints by specific LPAs. SMEs are less likely than larger housebuilders to have geographic diversity, meaning they are far more susceptible to sudden policy changes that deprioritise planning in favour of environmental considerations, such as nutrient neutrality. Such changes can severely delay a development process and SMEs do not benefit from the same security of finance to be able to withstand such uncertainty.¹⁶ Persimmon would advocate for reform which applies a firmer presumption in favour of sustainable development on brownfield sites and greater enforcement of the NPPF paragraph 69 requirement.

¹⁵ See Footnote 5.

¹⁶ The Federation of Master Builders' Survey 2023 found that 60% of SMEs have reported that the process of obtaining planning for small sites seems to be getting worse. See Footnote 4.