

Housing Delivery Test

Action Plan

East Cambridgeshire District Council

August 2019

1. Background and summary of national policy

- 1.1. The Housing Delivery Test (HDT) was first mooted by the Housing White Paper, published in February 2017. The purpose of the HDT is to hold local authorities to account over the **past delivery** of new housing.
- 1.2. The HDT should not be confused with the 'Five Year Land Supply' (5YLS) test which is a separate national policy test relating to the **future supply** of housing. ECDC publishes a separate report in relation to whether or not it passes the 5YLS test.
- 1.3. The revised National Planning Policy Framework (NPPF; published July 2018 and updated February 2019) introduces the HDT and sets specific measures to 'punish' local authorities where housing delivery falls short of housing requirement.
- 1.4. The Ministry for Housing, Communities & Local Government (MHCLG) has calculated a HDT 'measurement' figure for every plan area in England. Typically the plan area is a district or borough boundary, but in areas with joint plans the plan area may be a collection of districts. To calculate the HDT measurement for each plan area, the number of new homes **built** in the past three financial years is divided by the number of new homes **required** in the same period. The HDT figure is expressed as a percentage. For example, if the number of new homes built in a plan area is equal to the number of new homes required (over the past three years), the HDT measurement will be 100%. HDT results are due to be published annually, every November.
- 1.5. The November 2018 HDT measurement (the first such measurement to be published) was delayed and only published by MHCLG in February 2019 and covers the financial years 2015/16, 2016/17 and 2017/18. The next HDT result is therefore due in November 2019.
- 1.6. The method for calculating the HDT is further explained in the *Housing Delivery Test measurement rulebook*¹ and the *Housing Delivery Test: 2018 technical note*². Such notes are complicated and take considerable effort to work through and understand.
- 1.7. The NPPF applies sanctions to local authorities where they perform poorly against the HDT. Table 1 (overleaf) sets out the sanctions which will apply where the HDT measurement falls below certain percentage thresholds. The sanctions reflect the performance of the area in delivering housing - the lower the HDT measurement, the greater the severity of the sanctions applied.

Table 1: Housing Delivery Test Sanctions

#	HDT Measurement	Sanction
1.	Less than 95%	The local authority should prepare an Action Plan which assesses the causes of under-delivery and identifies actions to increase delivery in future years.
2.	Less than 85%	Add a 'buffer' equivalent to one year's supply (20%) when performing the Five Year Land Supply calculation
3.	a) From November 2018 - less than 25% b) From November 2019 - less than 45% c) From November 2020 - less than 75%	For applications involving the supply of housing, the Local Plan policies most important for determining the application will be considered out-of-date. In such circumstances, planning applications will be determined in accordance with the NPPF's 'presumption in favour of sustainable development'.

¹ <https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>

² <https://www.gov.uk/government/publications/housing-delivery-test-2018-measurement>

2. East Cambridgeshire's 2018 HDT measurement and sanctions applied

- 2.1. East Cambridgeshire has a relatively high housing requirement (and very high, if compared on a pro rata basis with its existing housing stock) and, according to national policy, a poor recent past delivery of new housing. Consequently, East Cambridgeshire has performed poorly against the HDT.
- 2.2. East Cambridgeshire's 2018 HDT measurement is 52%.
- 2.3. Of the 311 plan areas shown in MHCLG's 2018 HDT measurement (excluding joint plans and development corporations), East Cambridgeshire is the 19th lowest i.e. in the bottom 6%.
- 2.4. Consequently, sanctions must be applied in accordance with the NPPF. The following sanctions are applied (until at least the next HDT results due in November 2019) to East Cambridgeshire:
 - Sanction 1 - Prepare and publish an Action Plan (within 6 months of results being published)
 - Sanction 2 - Apply a 20% buffer when calculating Five Year Housing Land Supply
- 2.5. This document forms the required 'Action Plan' (as required by sanction 1).
- 2.6. ECDC acknowledges that there has been persistent under-delivery of housing, and applies the 20% buffer in its current Five Year Housing Land Supply Statement³. ECDC will therefore continue to apply a 20% buffer for the foreseeable future (as required by sanction 2).
- 2.7. For the avoidance of doubt, East Cambridgeshire's HDT measurement exceeds the 25% threshold, meaning sanction 3(a) is not applied.
- 2.8. At present, the sanctions applied have fairly limited consequences. However, if delivery does not increase in future years, it is possible that sanction 3 will be applied in East Cambridgeshire, meaning the policies contained in the Local Plan and Neighbourhood Plans could be rendered out-of-date irrespective of whether the Council can demonstrate a 5YLS. Sanction 3(b) is not expected to be applied when the November 2019 HDT results are announced, but it is uncertain whether Sanction 3(c) will apply from November 2020 (and depends entirely on the quantity of homes built between now and 31 March 2020).
- 2.9. The measures which ECDC will take to boost supply are set out in this Action Plan.

³ Available at: <https://www.eastcambs.gov.uk/sites/default/files/FYLSRpt20181102cmbd.pdf>

3. National Requirements for preparing an Action Plan

3.1. Paragraph 75 of the National Planning Policy Framework (NPPF) states that:

'To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years.'

3.2. The 'national planning guidance' referenced above is set out in Appendix 1 (as at May 2019, but subject to change at MHCLG discretion at any time). Some key elements, in relation to what the 'Action Plan' should cover and how it should be prepared are as follows:

- *"identify the reasons for under-delivery, explore ways to reduce the risk of further under-delivery and set out measures the authority intends to take to improve levels of delivery"*
- *"The local planning authority is responsible for producing the action plan, involving relevant stakeholders in the process. It is for the local planning authority to decide which stakeholders to involve" (examples given)*
- *"The local planning authority may wish to include an analysis of under-delivery" (examples given)*
- *"Actions to boost delivery could include..." (examples given)*
- *"To ensure the document is as useful as possible, local planning authorities should publish an action plan within 6 months of publication of the Housing Delivery Test result."*
- *"The decision about whether to consult on an action plan is for the local planning authority."*

3.3. In summary, therefore, there is no legal requirement to prepare an Action Plan (only national policy to do so), nor are there any known sanctions for not preparing one. In addition, the contents and preparation process of such an Action Plan are not prescribed in any detail – rather more in a suggestive 'guidance' way.

3.4. Nevertheless, this action plan is loosely based on covering the key elements described above, taken account of loose further guidance issued by the national Planning Advisory Service (PAS) available here: <https://local.gov.uk/pas/pas-topics/monitoring/preparing-effective-action-plan>

4. An analysis of under-delivery in East Cambridgeshire:

Analysis of information as recommended by NPPG

- 4.1. The following questions are based on the proposed areas which could be examined, as set out in PPG Reference ID: 3-071-20180913

Are there any barriers to early commencement after planning permission is granted and whether such sites are delivered within permitted timescales?

- 4.2. On the whole, no fundamental barriers exist across East Cambridgeshire.
- 4.3. Of course, individual sites have their own unique issues and considerations, and many larger schemes include s106 agreements.
- 4.4. If any generalised issues do arise, it revolves around one of the two following issues:
- highway capacity, particularly along the A142 (at many points, as it crosses the district) and the A10 (particularly around Ely). These highway issues do require additional evidence and testing at planning application stage, and off-site improvements (or contributions towards improvements) agreed with developers. ECDC and wider partners are working to fully understand the issues and solutions for these problems; and
 - education capacity, which can take some time to establish site specific need and contributions from the county council, and subsequent agreement with the developer.

Are there any barriers to delivery on sites identified as part of the 5 year land supply (including land banking, scheme viability, affordable housing requirements, pre-commencement conditions, lengthy section 106 negotiations, infrastructure and utilities provision, involvement of statutory consultees etc.)?

- 4.5. If a site is included in the 5YLS, then by definition there should be no fundamental barriers to it being delivered. ECDC very carefully considers all its sites for deliverability, and only includes sites deliverable with five years on its 5YLS register.

Are sufficient planning permissions being granted and are they are determined within statutory time limits?

- 4.6. Yes. The Council often, year in year out, permit over 1,000 new homes, well in excess of typical annual delivery (200-350 homes per annum).

Are the mix of sites identified proving effective in delivering at the anticipated rate?

- 4.7. The Council is confident that a good mix of sites are being approved, meaning a high choice for the market, from small sites up to large urban extensions, and also permission are across the district (i.e. geographically spread).
- 4.8. Nevertheless, despite this mix, delivery has not been effective. There is no evidence to suggest that the mix of sites identified is proving ineffective in delivering the required rate.

Are proactive pre-planning application discussions taking place to speed up determination periods?

- 4.9. Yes, the Council has clear and well used pre-application discussion in place.

What is the level of ongoing engagement with key stakeholders (for example, landowners, developers, utility providers and statutory consultees) to identify more land and encourage an increased pace of delivery?

- 4.10. Between 2016 and 2018, the Council's strategic planning team had regularly engagement with a wide range of developers and agents, via the process of preparing a new Local Plan. Unfortunately, that Local Plan did not reach its adoption stage (it being withdrawn from

examination immediately prior to 'main modifications' consultation). Nevertheless, that process resulted in a good understanding by the Council of what land was available for development (whether already allocated or not).

- 4.11. Similarly, but more from the 'development management' perspective, the Council holds frequent, and well attended, 'agents forum' meetings. These wide ranging meetings help to understand from developers where issues or concerns may be, as well as an opportunity for the council to further encourage delivery.

Could issues, such as infrastructure or transport for example, be addressed at a strategic level - within the authority, but also with neighbouring and upper tier authorities where applicable?

- 4.12. The strategic issue of highway capacity is being addressed at a strategic level, namely the Combined Authority and Cambridgeshire County Council.
- 4.13. No other strategic issue exists.

Analysis of other information (not necessarily recommended in NPPG)

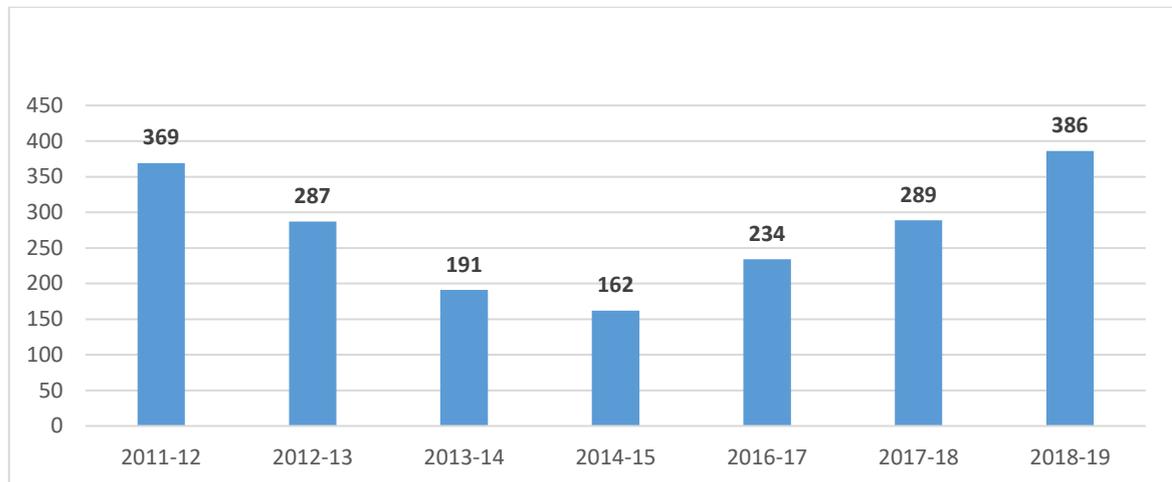
- 4.14. This section provides an analyses other information which might help to ascertain why delivery has not achieved requirements.

Are Large Sites coming on stream?

- 4.15. It is widely accepted that large sites (say, 500+ homes) take longer to provide the first completed home than smaller sites, due to the greater level of upfront infrastructure required. However, once completions commence on large sites, generally speaking such large sites can provide a steady supply of homes for many years to come (potentially 250 homes per annum, or even more).
- 4.16. In East Cambridgeshire, there are relatively few large (500+) sites. However, one site stands out, that being 'North Ely' which is intended to deliver around 3,000 homes, split over two similar sized 'halves' albeit covered by a single policy allocation and SPD framework. This large combined site has taken some time to get from its inception, to permission, to delivering homes. However, 2018/19 has marked a considerable turning point, with homes now steadily being delivered, and detailed permission in place for a further homes. The Council expects a valuable contribution of new homes to be completed in 2019/20, and beyond. This one (joint) site alone, therefore, should boost delivery in the district for many years to come.

Recent Trajectory – up or down?

- 4.17. The district hit its 'low' point for delivery in 2014. However, since then, there has been a steady upwards trajectory in terms of delivery. This is positive, albeit annual delivery is still somewhat short of requirements. The following graph illustrates the recent trajectory:



Net Completions in East Cambridgeshire 2011-19

Conclusion

- 4.18. The analysis by the Council does not point to a specific reason(s) why delivery has underperformed in recent years.
- 4.19. Permissions granted are at record highs, and considerably more houses are permitted than are required to meet our 'need'. Over the past few years, the stock of unimplemented permissions (the number of consents, plus the number of homes permitted in total) has consistently are considerably grown in number.
- 4.20. There are no known fundamental 'showstoppers' (eg infrastructure capacity) which prevents delivery.
- 4.21. The analysis points, therefore, to a 'market failure' to deliver. With over 5,000 homes permitted, yet only 200-350 per annum delivered, it is not a lack of consent or available land which appears to be the problem, but rather a lack of investment and delivery by landowners/developers. On the positive site, North Ely should now start to provide a steady supply for many years to come.
- 4.22. Accordingly, the focus for any action should be on two broad themes:
- (a) Continue to maintain a positive approach to granting consents, to further expand the supply of available land; and
 - (b) Work even more closely with developers to understand why delivery is not happening on the ground for consented sites, or delivery is not as quick as would be anticipated.

5. Actions Proposed

- 5.1. The NPPG lists a number of possible actions (see appendix 1), and each of these are listed below. In addition, at the end, are further actions proposed which are more bespoke to East Cambridgeshire.

NPPF Suggested Actions (in bold italics) and Council Response

Revisiting the Strategic Housing Land Availability Assessment (SHLAA) / Housing and Economic Land Availability Assessment (HELAA) to identify sites potentially suitable and available for housing development, including public sector land and brownfield land;

- 5.2. The Council last produced a SHLAA style document as part of the emerging (now withdrawn) Local Plan, containing site based information (including suitability) using information and data of around late 2017.
- 5.3. More recently, a July 2019 Five Year Land Supply Report (5YLSR) sets out extensive information on a site by site basis (though this excludes sites which are not committed in some form or other, because such untested sites would not be deemed 'deliverable').
- 5.4. The Council could publish an updated SHLAA. The risk with producing a SHLAA, within which are sites which are untested and uncommitted, is the considerable confusion the status of such sites have. The general public often regard a SHLAA as a council promoted document i.e. a development plan allocations document 'by the backdoor'. Similarly, some developers claim the existence of their site in a SHLAA means the principle of development is approved.
- 5.5. Overall, there is no clear evidence that publishing an updated SHLAA will have any effect on delivery rates, and could cause confusion. It is also resource intensive to prepare (and manage queries thereafter). As such, the Council is not proposing to update its SHLAA at the present time.

Working with developers on the number of houses on site, including whether sites can be subdivided;

- 5.6. The Council already works positively with developers and will continue to do so. Whether a site should or could be sub-divided is an entirely commercial matter, and not something the Council could require.

Offering more pre-application discussions to ensure issues are addressed early;

- 5.7. The Council runs a wide ranging and effective pre-application service. Such a service has been reviewed as part of the preparing this Action Plan, and no further enhancement is deemed necessary or value for money.

Consider the use of Planning Performance Agreements;

- 5.8. The Council continues to offer Planning Performance Agreements, though take up has been limited to date.

Carrying out a new Call for Sites, as part of plan revision;

- 5.9. The Council has yet to determine if and when to commence a new Local Plan. It will do so over the coming months. If it does so, a 'call for sites' is highly likely to be towards the early stages of such a plan preparation.

Revising site allocation policies in the development plan, revising existing policies acting as a barrier to delivery, setting out new policies aimed at increasing delivery, or accelerating production of an emerging plan incorporating such policies;

- 5.10. The Council has yet to determine if and when to commence a new Local Plan. If it does so, the issue of accelerating delivery will be an important (albeit not sole) consideration.

Reviewing the impact of any existing Article 4 directions for change of use from non-residential uses to residential use;

- 5.11. The Council has no such Article 4 directions in place.

Engaging regularly with key stakeholders to obtain up-to-date information on build out of current sites, identify any barriers, and discuss how these can be addressed;

- 5.12. In January 2019, the Council engaged with all known developers / agents of sites. A reasonable response rate was received. Many developers and agents refuse to participate in such evidence gathering. Nevertheless, of the responses received, such information has usefully fed in to the recently published 5YLSR.

Establishing whether certain applications can be prioritised, conditions simplified or their discharge phased on approved sites, and standardised conditions reviewed;

- 5.13. The Council's position is that all applications will be treated fairly and in a timely manner. All the Council's standard conditions have been reviewed to try and reduce the amount of pre-commencement conditions, in order to speed up the process. The Council also use phased conditions if acceptable, but this is assessed on a site by site basis.

Ensuring evidence on a particular site is informed by an understanding of viability;

- 5.14. Viability is always a consideration when considering relevant planning applications, and officers have a good working understanding of viability issues.

Considering compulsory purchase powers to unlock suitable housing sites;

- 5.15. The Council believes CPO measures should be a measure of last resort. Instead, the Council prefers to work with developers to unlock sites, and take advantage of alternative funding streams such as GIF and CA funds.

- 5.16. The Council does not presently intend to use CPO powers.

Using Brownfield Registers to grant permission in principle to previously developed land;

- 5.17. There is no clear evidence that taking this action would speed up delivery of sites, particularly in an area such as East Cambridgeshire with very limited brownfield land. Also, granting permission in principle is a very resource intensive activity for the council, with no means of recouping such costs. It is not, therefore, a practical option to pursue.

Encouraging the development of small sites and higher site densities.

- 5.18. Where development is occurring, it appears to be concentrated more on small sites rather than larger sites. The issue for small sites is speed and total volume of supply which comes forward.

- 5.19. Higher density is an important consideration at the planning application stage, and has to be considered in the context of East Cambridgeshire's relatively rural characteristic, and small market towns.

- 5.20. A greater emphasis on 'higher density' is unlikely to yield any gain in terms of short term delivery of numbers, but could harm townscape and landscape quality.

Other Actions

- 5.21. In addition to the suggested Actions in the NPPG, the following matters have been considered by the Council and are either actively underway, are being considered, or have been rejected:

Actions underway:

Community-Led Housing (Community Land Trust development)

- 5.22. The Council is a national leader in terms of promoting community-led development, and this is delivering homes on the ground. We will continue to support such development.

Delivering homes directly

- 5.23. The Council has set up (2016) 'Palace Green Homes' in order to directly deliver homes on the ground, and is already achieving just that, with ambitions to deliver greater volumes as the company establishes itself. Details: <https://www.palacegreenhomes.co.uk/>

Updating SPDs

- 5.24. The Council intends to update its set of SPDs over the coming 1-2 years, such as the developer contributions SPD. Such updates will provide clarity and up to date information for developers, for the benefit of developers, and should speed up the application process.

Updated Viability Information (published)

- 5.25. The Council recently published updated generic (i.e. not site specific) viability information, in order to set a framework for negotiating planning proposals whereby the affordable housing 'ask' in the development plan may be a barrier to viably delivering a scheme. Whilst this information does not over-ride development plan policy, it establishes baseline principles as to what the current viability situation is in East Cambridgeshire, saving applicants from undertaking such work (though site specific viability issues are still the responsibility of the applicant).

6. Engagement on the Action Plan

- 6.1. This first Action Plan has not been consulted upon. Nevertheless, the information contained within it has been assisted by ongoing engagement with developers and agents.
- 6.2. Views on this Action Plan are welcomed.
- 6.3. The Council is not expecting to fully pass the HDT tests in November 2019, and therefore a further Action Plan will likely be required to be published between November 2019 and approximately May 2020. Your views on this first Action Plan will therefore inform the publication of that updated Action Plan.

Appendix 1: National Planning Practice Guidance (as sourced from <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment#housing-delivery-test> at 24 May 2019)

Housing Delivery Test

How is the Housing Delivery Test calculated?

The method for calculating the Housing Delivery Test measurement is set out in the [Housing Delivery Test measurement rule book](#).

The Rule Book should be read in conjunction with this guidance on the Housing Delivery Test.

Paragraph: 055 Reference ID: 3-055-20180913

Revision date: 13 09 2018

When will the Housing Delivery Test results be published?

The Secretary of State will publish the Housing Delivery Test results annually in November.

Paragraph: 056 Reference ID: 3-056-20180913

Revision date: 13 09 2018

What organisations does the Housing Delivery Test apply to?

It applies to local planning authorities in a plan-making authority area: non-metropolitan districts, development corporations with plan-making and decision-making powers, metropolitan boroughs and London boroughs. The Housing Delivery Test does not apply to National Park Authorities, the Broads Authority and development corporations without (or not exercising) both plan-making and decision-making functions.

Paragraph: 057 Reference ID: 3-057-20180913

Revision date: 13 09 2018

Which delivery years does the Housing Delivery Test apply to?

The Housing Delivery Test, published in the November of any given year, provides a measure based on the preceding 3 financial years.

Paragraph: 058 Reference ID: 3-058-20180913

Revision date: 13 09 2018

What happens in areas with stepped requirements?

Where the adopted housing requirement is stepped, these stepped requirements will be used in the Housing Delivery Test in place of annual average requirement figures. A stepped requirement allows authorities to reflect significant changes in the level of housing expected to be delivered across the plan period.

Paragraph: 059 Reference ID: 3-059-20180913

Revision date: 13 09 2018

What happens in areas with requirements set out as a range?

Where plan makers have successfully argued through plan making and examination for a requirement set out as a range, the Housing Delivery Test will measure authorities against the lower end of the range.

Paragraph: 060 Reference ID: 3-060-20180913

Revision date: 13 09 2018

Does the Housing Delivery Test include credit for delivering communal accommodation?

Delivery of communal accommodation, including student accommodation and other communal accommodation, can count towards the Housing Delivery Test. Self-contained dwellings are included in the National Statistic for net additional dwellings. Communal accommodation will be accounted for in the Housing Delivery Test by applying adjustments in the form of 2 nationally set ratios. These are based on England Census data. The ratios for both net student and net other communal accommodation are found in the [Housing Delivery Test rule book](#).

Paragraph: 061 Reference ID: 3-061-20180913

Revision date: 13 09 2018

What happens if the identified housing requirement is not delivered?

If delivery of housing falls below the housing requirement, then certain policies set out in the National Planning Policy Framework will apply, with immediate effect from publication of the Housing Delivery Test results, depending on the level of delivery:

- the publication of an action plan if housing delivery falls below 95%;
- a 20% buffer on a local planning authority's 5-year land supply if housing delivery falls below 85%; and
- the presumption in favour of sustainable development if housing delivery falls below 75%, once transitional arrangements have ended.

The consequences will continue to apply until the subsequent Housing Delivery Test results are published, or a new housing requirement is adopted. The relevant consequence for any under-delivery will then be applied. Should delivery exceed 95%, no consequences will apply. Where a new housing requirement is adopted, the Housing Delivery Test calculation will be run using these new targets and any consequences for under-delivery will be applied.

Paragraph: 062 Reference ID: 3-062-20180913

Revision date: 13 09 2018

How will areas with joint plans be monitored for the purposes of the Housing Delivery Test?

Areas which have or are involved in the production of joint plans will have the option to monitor their Housing Delivery Test over the whole of the joint planning area or on a single authority basis. This will be established through the plan making process and the approach will need to be set out in the plan. For joint plans less than 5 years old in November 2018, the authority will need to notify MHCLG of their preference.

Where the Housing Delivery Test is to be measured on a single authority basis, annual housing requirement figures for the joint planning area will need to be apportioned to each area in the plan.

Paragraph: 063 Reference ID: 3-063-20180913

Revision date: 13 09 2018

How will Housing Delivery Test consequences apply to areas with a joint plan?

Housing Delivery Test consequences will apply to all local planning authorities with a joint plan collectively if the housing figure used to measure against the delivery test is the joint housing requirement. The consequences will apply individually if the housing figure used is the apportioned one.

Paragraph: 064 Reference ID: 3-064-20180913

Revision date: 13 09 2018

How will Housing Delivery Test consequences apply to areas covered by a Spatial Development Strategy (SDS)?

Local planning authorities covered by a Spatial Development Strategy will be monitored against their requirement as set out in the individual borough or district plan for the purposes of the Housing Delivery Test, where this requirement is less than 5 years old. Housing Delivery Test consequences will therefore apply to local planning authorities covered by a spatial development strategy individually. The [Housing Delivery Test rule book](#) sets out the circumstances for monitoring where the requirement is over 5 years old, or there is no individual borough or district plan.

Paragraph: 065 Reference ID: 3-065-20180913

Revision date: 13 09 2018

When and for how long does the Housing Delivery Test indicate the 20% land supply buffer should apply?

For local planning authorities where delivery is under 85% of their identified housing requirement, a 20% buffer will be added to their housing land supply, with immediate effect from publication of the Housing Delivery Test results, to ensure a realistic prospect of achieving the planned housing requirement.

The 20% buffer will continue to apply until subsequent Housing Delivery Test results show that delivery exceeds 85% of the local planning authority's identified housing requirement.

Paragraph: 066 Reference ID: 3-066-20180913

Revision date: 13 09 2018

At what level of delivery does the presumption in favour of sustainable development apply?

Where a plan-making authority's delivery rate falls below the number of homes required then the presumption in favour of sustainable development will apply as follows:

- from the day following the publication of the 2018 Housing Delivery Test result, where housing delivery falls below 25%;
- from the day following the publication of the 2019 Housing Delivery Test result where housing delivery falls below 45%;
- from the day following the publication of the 2020 Housing Delivery Test result, where housing delivery falls below 75%.

The presumption in favour of sustainable development will continue to apply until the subsequent Housing Delivery Test results are published, or a new housing requirement is adopted. The relevant consequence for any under-delivery will then be applied.

Paragraph: 067 Reference ID: 3-067-20180913

Revision date: 13 09 2018

What is the Housing Delivery Test action plan?

The action plan is produced by the local planning authority where delivery is below 95% of their housing requirement. It will identify the reasons for under-delivery, explore ways to reduce the risk of further under-delivery and set out measures the authority intends to take to improve levels of delivery.

Paragraph: 068 Reference ID: 3-068-20180913

Revision date: 13 09 2018

Who can produce an action plan?

Local planning authorities, in collaboration with key stakeholders, are expected to produce the action plan. This will apply for each year of under-delivery.

Any area may wish to produce an action plan as a matter of good practice or to identify processes to exceed housing requirements and support delivery. This could include local planning authorities

where delivery meets, or exceeds, 95% of their housing requirement. In areas not measured by the Housing Delivery Test, such as National Park Authorities, the Broads Authority and development corporations without (or which do not exercise) both plan-making and decision-making functions, the use of an action plan is encouraged where appropriate to help identify any causes of under-delivery and actions to address these.

Paragraph: 069 Reference ID: 3-069-20180913

Revision date: 13 09 2018

Who can be involved in the creation of the action plan?

The local planning authority is responsible for producing the action plan, involving relevant stakeholders in the process. It is for the local planning authority to decide which stakeholders to involve, although representatives of those with an impact on the rate of delivery should be included, such as:

- small and large developers;
- land promoters;
- private and public land owners;
- infrastructure providers (such as utility providers, highways, etc);
- upper tier authorities (county councils) in two-tier areas;
- neighbouring authorities with adjoining or cross-boundary sites.

Paragraph: 070 Reference ID: 3-070-20180913

Revision date: 13 09 2018

What aspects could local planning authorities review as part of the action plan?

The local planning authority may wish to include an analysis of under-delivery considering:

- barriers to early commencement after planning permission is granted and whether such sites are delivered within permitted timescales;
- barriers to delivery on sites identified as part of the 5 year land supply (including land banking, scheme viability, affordable housing requirements, pre-commencement conditions, lengthy section 106 negotiations, infrastructure and utilities provision, involvement of statutory consultees etc.);
- whether sufficient planning permissions are being granted and whether they are determined within statutory time limits;
- whether the mix of sites identified is proving effective in delivering at the anticipated rate.
- whether proactive pre-planning application discussions are taking place to speed up determination periods;
- the level of ongoing engagement with key stakeholders (for example, landowners, developers, utility providers and statutory consultees), to identify more land and encourage an increased pace of delivery;
- whether issues, such as infrastructure or transport for example, could be addressed at a strategic level - within the authority, but also with neighbouring and upper tier authorities where applicable;

Paragraph: 071 Reference ID: 3-071-20180913

Revision date: 13 09 2018

What actions could local planning authorities consider as part of the action plan?

Actions to boost delivery could include:

- revisiting the Strategic Housing Land Availability Assessment (SHLAA) / Housing and Economic Land Availability Assessment (HELAA) to identify sites potentially suitable and available for housing development, including public sector land and brownfield land;
- working with developers on the number of houses on site, including whether sites can be subdivided;
- offering more pre-application discussions to ensure issues are addressed early;
- consider the use of Planning Performance Agreements;
- carrying out a new Call for Sites, as part of plan revision;
- revising site allocation policies in the development plan, revising existing policies acting as a barrier to delivery, setting out new policies aimed at increasing delivery, or accelerating production of an emerging plan incorporating such policies;
- reviewing the impact of any existing Article 4 directions for change of use from non-residential uses to residential use;
- engaging regularly with key stakeholders to obtain up-to-date information on build out of current sites, identify any barriers, and discuss how these can be addressed;
- establishing whether certain applications can be prioritised, conditions simplified or their discharge phased on approved sites, and standardised conditions reviewed;
- ensuring evidence on a particular site is informed by an understanding of viability;
- considering compulsory purchase powers to unlock suitable housing sites;
- using Brownfield Registers to grant permission in principle to previously developed land;
- encouraging the development of small sites and higher site densities.

Paragraph: 072 Reference ID: 3-072-20180913

Revision date: 13 09 2018

When will the action plan be implemented?

To ensure the document is as useful as possible, local planning authorities should publish an action plan within 6 months of publication of the Housing Delivery Test result.

Paragraph: 073 Reference ID: 3-073-20180913

Revision date: 13 09 2018

Will an action plan require formal public consultation?

The action plan will work best as a transparent, publicly accessible document. The decision about whether to consult on an action plan is for the local planning authority. Local planning authorities should be mindful of the need to both produce and implement the document's proposals in a timely fashion.

Paragraph: 074 Reference ID: 3-074-20180913

Revision date: 13 09 2018

How could the action plan be monitored?

Responsibility for creating the action plan lies with the local planning authority, as does monitoring of the action plan. However, the action plan is a collaborative process between various stakeholders, and all stakeholders have a responsibility to deliver the action plan.

Paragraph: 075 Reference ID: 3-075-20180913

Revision date: 13 09 2018