

POLICY AND RESOURCES COMMITTEE - 19 JULY 2021

PART I - DELEGATED

6. HOUSING DELIVERY TEST ACTION PLAN (DCES)

1 Summary

- 1.1 This report is to update Members on the Housing Delivery Test that was published in January 2021, and for Members to approve the revised Action Plan.
- 1.2 The National Planning Policy Framework (NPPF) requires councils to prepare an action plan where housing delivery has fallen below the housing requirement.
- 1.3 The Action Plan analyses the reasons for the under-delivery of new homes and sets out actions to improve housing delivery within the District.

2 Details

- 2.1 The Housing Delivery Test and associated Action Plan for 2020 was agreed by the Policy and Resources Committee on the 15 June 2020.
- 2.2 The Housing Delivery Test is an annual measure of housing delivery which compares 'total net homes delivered' against 'number of homes required' over a rolling three year period. As the Council's Core Strategy was adopted in 2011 it was considered out-of-date (over 5 years from adoption) and as such the Housing Delivery Test calculation was made against government targets based on ONS figures. This resulted in a significant increase from the Core Strategy target of 180 dwellings per year. As such, the Council has been retrospectively judged against a target it was not aware of at the time.
- 2.3 The 2020 Housing Delivery Test Result was published by the Secretary of State in January 2021. Three Rivers scored 54% and in response to this, the Council is required to:
 1. Produce a Housing Delivery Test Action Plan;
 2. Apply a 20% buffer to its 5 year housing land supply calculation; and
 3. Apply the 'presumption in favour of sustainable development' set out in paragraph 11 of the NPPF.
- 2.4 The Housing Land Supply Update (December 2018) established that the Council was unable to demonstrate a 5 year supply of land for housing. As such, the Council has been required to apply the 'presumption in favour of sustainable development' since December 2018¹.
- 2.5 As a result of the previous 2019 Housing Delivery Test measurement of 41%, the Council has already been applying all three of these sanctions and therefore little has changed in practice.

¹ This is because the NPPF requires that the presumption in favour of sustainable development is applied where the local planning authority cannot demonstrate a five year supply of housing sites (footnote 7, paragraph 11, NPPF).

- 2.6 The 2020 Action Plan has now been updated to reflect progress made. By preparing an action plan the Council is positively responding to the challenge of increasing its housing delivery.
- 2.7 The Action Plan analyses the reasons for the under-delivery of new homes and sets out actions to improve housing delivery within the District. The actions identified in the Action Plan aim to stimulate delivery, however action will also be required by others, particularly landowners, housebuilders and registered providers, to respond to this challenge and significantly increase the level of house building.
- 2.8 The Action Plan is attached as Appendix 1 to this report. It contains a summary of relevant policy, analysis of housing delivery, looks at the actions taken by the Council to date and identifies actions the Council should implement going forwards.
- 2.9 Actions identified in the Action Plan:
- Deliver a new Local Plan that responds positively to the challenge of housing need and identifies a sustainable growth strategy.
 - Keep the Local Plan up-to-date, reviewing it every 5 years.
 - Work together with the South West Herts authorities on delivering the Joint Strategic Plan, and considering strategic areas for growth.
 - As part of the Duty to Co-operate, work with its neighbouring authorities to produce a Statement of Common Ground focussing on strategic cross-boundary issues such as housing.
 - Continue to reduce the number of applications determined after the statutory deadline, and continue to offer a proactive pre-application service to support the delivery of housing.
 - Continue dialogue with developers and landowners to monitor build out rates and obtain information on barriers to housing delivery.
 - Review the CIL charging schedule; CIL monies can be used to improve local and strategic infrastructure.
 - Update the Infrastructure Delivery Plan.
 - Further joint ventures with housing associations will be explored. This will involve expanding the joint venture with Watford Community Housing and looking into other potential partnerships with housing associations. These joint ventures will help bring forward sites for development and assist in delivering much needed affordable housing.
 - Review land in the Council's ownership and work with external agencies that own land in the District to identify any potential opportunities for housing development.
 - Consider whether it is appropriate to split the Brownfield Land Register into two parts, which would subsequently introduce the permission in principle consent route for sites on Part 2 of the Register.

- Continue to encourage an uplift in density in residential developments where appropriate and introduce minimum density standards through the new Local Plan.

3 Options and Reasons for Recommendations

3.1 Paragraph 75 of the NPPF states that “*Where the housing delivery test indicates that delivery has fallen below 95% of the authority’s housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess causes of under-delivery and identify actions to increase delivery in future years.*”

3.2 The NPPF requires the Council to produce and publish an action plan in response to its failure to pass the Housing Delivery Test. There are no alternative options.

4 Policy/Budget Reference and Implications

4.1 The recommendations in this report are within the Council’s agreed policy and budgets.

5 Financial Implications

5.1 None, the work to prepare the action plan has been undertaken by Officers and the actions will be implemented by Officers as part of their day-to-day duties.

6 Legal Implications

6.1 None, the NPPF requires councils that have failed the Housing Delivery Test to prepare an action plan, although it does not state what the implications will be if the plan is not prepared.

7 Equal Opportunities Implications

7.1 Relevance Test

Has a relevance test been completed for Equality Impact?	No
Did the relevance test conclude a full impact assessment was required?	N/A

8 Staffing Implications

8.1 None, the work to prepare the action plan has been undertaken by Officers and the actions will be implemented by Officers as part of their day-to-day duties.

9 Environmental Implications

9.1 None specific.

10 Community Safety Implications

10.1 None specific.

11 Public Health implications

11.1 None specific.

12 Customer Services Centre Implications

12.1 The CSC will be briefed to advise on whom to contact regarding the Action Plan.

13 Communications and Website Implications

13.1 The Action Plan and supporting information will be available on the Council's website.

14 Risk and Health & Safety Implications

14.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

14.2 The subject of this report is covered by the Economic and Sustainable Development service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
That actions from the plan are not implemented by the Council	The NPPF does not state what the implications are if specific actions in the plan are not implemented	Monitor the Council's performance against the actions stated in the plan	Tolerate	4

14.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely Likelihood ▼	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12

	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
	Impact			
	Low -----> Unacceptable			

Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

14.4 In the officers’ opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

15 Recommendation

15.1 That the Policy and Resources Committee:

- Notes the Housing Delivery Test Result for 2021;
- Agrees the Action Plan and the series of actions that the Council will seek to implement;
- Agrees to the publication of the Action Plan on the Council’s Housing Delivery test webpage.

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Background Papers

- National Planning Policy Framework (February 2019)
- Housing Delivery Test: 2020 measurement
- Planning practice guidance

APPENDICES / ATTACHMENTS

Appendix 1 – Housing Delivery Test Action Plan