

**CABINET
23 JUNE 2020**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: HOUSING DELIVERY TEST ACTION PLAN 2020

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

COUNCIL PRIORITY: RESPOND TO CHALLENGES TO THE ENVIRONMENT / ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY / SUPPORT THE DELIVERY OF GOOD QUALITY AND AFFORDABLE HOMES

1. EXECUTIVE SUMMARY

- 1.1. The Housing Delivery Test (HDT) is a Government measure of new homes. The results of this test are produced annually for all local authorities. The second round of HDT results were published in 2020. Because of these results, North Hertfordshire must publish an Action Plan by August 2020 setting out what actions it will take to increase the delivery of new homes within the District. This report seeks approval of that Action Plan.

2. RECOMMENDATIONS

- 2.1. That the HDT Action Plan, attached as Appendix 1, be approved for publication and implementation.
- 2.2. That the key messages and actions contained in the HDT Action Plan are incorporated as appropriate in actions and measures arising from implementation of the Corporate Peer Challenge Action Plan.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To meet the requirements of national planning policy.
- 3.2. To ensure that measures are developed and implemented consistently and in an integrated fashion across the organisation.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. To not produce an Action Plan. National policy states that an Action Plan, when required, should be produced within six months of the HDT results being published. However, there is presently no indication as to any sanctions or penalties that might apply if this requirement is not met. Notwithstanding this point, this is not considered an appropriate course of action and has not been pursued.

- 4.2. To produce an Action Plan in an alternate format and / or with different (or more, or fewer) actions identified. Similar to the above, there has been no suggestion to date that authorities will be judged on the quality or content of their Action Plans. Planning Practice Guidance suggests a range of factors which might be taken into account or addressed through Action Plans. The current Action Plan is not exhaustive in this regard. However, it is focussed upon those actions that, in officers' professional judgement, provide the best opportunity for deliverable outcomes and upon which the Council can exert an influence.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The Strategic Planning Matters report to Cabinet of March 2020 identified the need to produce an Action Plan following publication of the HDT results and that this would be reported to a future meeting. The Executive Member for Planning and Transport and deputy have been briefed on the matters set out above and reviewed the proposed Action Plan prior to publication of the Cabinet agenda.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on 13 March 2020.

7. BACKGROUND

- 7.1. The Government is committed to increasing rates of house building. It has set a target to deliver 300,000 new homes a year across the country by the mid-2020s. A range of measures have been identified to help achieve this.
- 7.2. The most recent version of the Government's National Planning Policy Framework (NPPF) was published in 2019. All Councils are required to identify a five-year supply of housing land. Where they were unable to do this, a 'presumption in favour of sustainable development' applies. In broad terms, this requires Councils to take a more liberal approach to determining planning applications for new homes. North Hertfordshire has not been able to demonstrate a five-year housing land supply for a number of years.
- 7.3. The Housing Delivery Test (HDT) was introduced in 2018. This is an annual measurement of housing delivery in the area of relevant plan-making authorities. North Hertfordshire is a relevant plan-making authority for the purposes of the HDT.
- 7.4. HDT results are published for each annual cycle by the Ministry for Housing, Communities and Local Government (MHCLG). Each result takes account of the number of new homes built over the preceding three years. The first HDT results were published by MHCLG in February 2019. The second HDT results were published by MHCLG in February 2020.

8. RELEVANT CONSIDERATIONS

- 8.1. The latest HDT results were published by MHCLG on 13 February 2020. North Hertfordshire's result was 44% meaning less than half the number of homes that the HDT considers are required were delivered over the last three years. North Hertfordshire's result places it amongst the ten worst-performing authorities in the country when measured by the HDT. The way in which this result was calculated is set out in the proposed Action Plan, attached as Appendix A to this report.
- 8.2. National policy sets out a range of actions that relevant plan-making authorities must take depending on their HDT result. These actions and the thresholds at which they must be implemented are explained in the Action Plan.
- 8.3. As a consequence of the latest results, the District Council must produce an Action Plan within six months. This Plan should detail what steps are being taken to improve performance. The Council must also use the maximum buffer when working out land supply and apply the 'presumption in favour of development' to relevant schemes for residential development. The Council has already been doing this for a number of years.
- 8.4. The Government's Planning Practice Guidance sets out a range of factors which might be considered in an Action Plan (see link in Background Papers for further information). This identifies a wide range of potential issues. The proposed Action Plan focuses on three key themes:
 - Theme One: Local Plan
 - Theme Two: Ensuring corporate readiness to successfully deliver major Local Plan schemes
 - Theme Three: To facilitate development and economic recovering following Covid-19
- 8.5. These themes are discussed in detail in the Action Plan. They are presently considered to be those areas where the Council can most effectively take action to the benefit of future HDT results. The themes and actions build upon those contained in the first Housing Delivery Test Action Plan approved by Cabinet in June 2019. They have also been developed having regard to the findings of the Corporate Peer Challenge carried out in January 2020 and the recommendations contained in the Corporate Peer Challenge Action Plan (subject to a separate report to this meeting).
- 8.6. As set out in the Strategic Planning Matters report, the Executive Member for Planning and Transport has written to the Secretary of State for Housing, Communities and Local Government seeking reassurances that the progression of our Local Plan examination, which has now been ongoing for three years, is seen as a priority.
- 8.7. Since the publication of the latest HDT results, the COVID-19 pandemic has had a profound impact upon development activity, the economy and society. This action plan has been produced in the context of that pandemic, whilst also recognising the Council's role as a facilitator of future economic and social recovery.

9. LEGAL IMPLICATIONS

- 9.1. Cabinet exercises the Authority's functions as Local Planning Authority (except to the extent that those functions are by law the responsibility of the Council or delegated to the Service Director: Regulatory).
- 9.2. The Strategic Planning Matters report to Cabinet of March 2020 identified the need to produce an Action Plan following publication of the HDT results and that this would be reported to a future meeting.
- 9.3. The HDT, and the actions arising from it, form national Government policy on planning as set out in the National Planning Policy Framework.

10. FINANCIAL IMPLICATIONS

- 10.1. The preparation of this Action Plan, and the implementation of the actions arising from it, is funded from within approved revenue budgets for the planning service. The costs of planning appeals (e.g. for non-determination of planning applications within statutory time periods) need to be met from within these budgets.
- 10.2. (Planning for) the delivery of new homes within the District influences future funding for the Council through the revenue base derived from Council Tax as well as application fee income and performance-related Government funding (e.g. any replacement for the New Homes Bonus).

11. RISK IMPLICATIONS

- 11.1. There are no direct risk implications from this report but Sustainable Development of the District and the Local Plan are both Corporate Risks. The HDT Action Plan includes proactive measures to help address these.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. There are not considered to be any direct equality issues arising from this report. Future individual schemes or considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1 This report will have indirect environmental implications as it seeks to facilitate, and where appropriate accelerate, delivery of housing sites across the district including those identified in the Council's new Local Plan. The Council's environmental assessment template has not been completed for this report as the Local Plan and relevant planning applications will be subject to their own statutory assessments.
- 14.2 The Local Plan is accompanied by a Sustainability Appraisal (SA) which comprehensively considers the likely social, economic and environmental impacts of the Plan and each of its individual policies and allocations. Mitigation measures recommended by the SA are incorporated into the policies of the Local Plan as necessary. The robustness of the SA is considered by the Inspector currently conducting the statutory examination of the Local Plan. This forms part of his consideration of the legal compliance of the plan. Any further work or mitigations will be identified through that process.
- 14.3 Relevant planning applications will be screened to determine whether a statutory Environmental Impact Assessment is required. Where necessary, an Environmental Statement will be submitted for consideration by the case officer, in consultation with relevant technical experts, and will inform any recommendation to the Planning Committee or any other decision-making body.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 A number of appointments have been made within the planning service since the implementation of the directorate restructure in 2018. Workload and vacancies are monitored on an on-going basis against operational and financial requirements. There are currently two vacancies within the Strategic Planning & Enterprise team and one vacancy within the Development Management team.

16. APPENDICES

- 16.1 Appendix A – Housing Delivery Test Action Plan 2020

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18. BACKGROUND PAPERS

18.1 [National Planning Policy Framework](#)

18.2 [Planning Practice Guidance – Housing Delivery Test](#)