

Three Rivers District Council

Committee Report

Date: 15th July 2024

| Report Originator: Aaron Roberts | Head of Service sponsor: Marko Kalik | Date Originated: 18 th June 2024 | |
|--|---|--|--|
| Lead Member Name: Councillor Stephen Giles-Medhurst | Area of Responsibility: Planning Policy | | |
| CMT Date: 25 th June 2024 | | | |
| JLT Date 1 st July 2024 | | | |
| REASON FOR REPORT | | | |
| Reason | JLT/CMT Feedback for Officer and further instructions | | Recommendation to JLT/CMT: |
| Consultees consulted | Finance Yes/No Date: | Legal Yes/No Date: | Head of Service/Other Yes/No Date: |
| Consultees to be consulted following CMT before report publication | Chief Executive | Shared Director of Finance | |
| PROPOSED ROUTE FOR FURTHER APPROVAL | | | |
| | | | Date |
| Committee: POLICY AND RESOURCES COMMITTEE | | | 15 th July 2024 |
| Council (if required) | | | |

POLICY AND RESOURCES COMMITTEE
15th July 2024

PART I

Housing Delivery Test Action Plan (DoF)

1 Summary

- 1.1 The Housing Delivery Test and associated Action Plan for the 2021 measurement figure was agreed by the Policy and Resources Committee on 12th September 2022.
- 1.2 The 2022 Housing Delivery Test Result, which this Committee Report and associated Action Plan relates to, was published by the Secretary of State in December 2023.
- 1.3 The National Planning Policy Framework (NPPF) requires councils to prepare an action plan where housing delivery has fallen below the housing requirement.
- 1.4 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 the 2021 measurement figure was agreed by the Policy and Resources Committee on 12th September 2022.
- 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 As the Council's Core Strategy was adopted in 2011 it was considered out-of-date (over 5 years from adoption) and as such the Housing Delivery Test calculation was made against government targets based on ONS figures.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 2022 Housing Delivery Test Result was published by the Secretary of State in December 2023. Three Rivers scored 46% 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), and subsequent updates (most recently December 2023), 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 2021 Housing Delivery Test measurement of 46%, the Council has already been applying all three of these sanctions and therefore little has changed in practice.
- 2.6 The Action Plan (for the 2022 Housing Delivery Test measurement) 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, house builders 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:

¹ This can be viewed on the Council's website at:
<https://www.threerivers.gov.uk/services/planning/planning-policy/monitoring>

- The Council will continue to positively seek out further opportunities to increase its housing delivery as set out in the paragraphs below and will work closely with the relevant Council services and external organisations to achieve this
- The Council will deliver a new Local Plan that responds positively to the challenge of housing need and identifies a sustainable growth strategy. The Local Plan is expected to be adopted in 2026. The Council will then endeavour to keep the Plan up-to-date, reviewing it every 5 years
- The Council, together with the other South-West Herts Authorities will deliver the Joint Strategic Plan considering strategic areas for growth. A consultation on options for the scale and pattern of future growth in the area is expected to take place in 2025
- As part of the Duty to Cooperate, the Council will work with its neighbouring authorities to produce Statements of Common Ground focussing on strategic cross-boundary issues such as housing
- The Council will 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
- The Council will continue dialogue with developers and landowners to monitor build out rates and obtain information on barriers to housing delivery
- The CIL charging schedule will be reviewed and a new schedule adopted in the future. CIL monies can be used for improvements to local and strategic infrastructure to support housing growth
- The Council will review and update the Infrastructure Delivery Plan alongside the Local Plan
- Further joint ventures with housing associations will be explored by the Council. This will involve expanding the existing joint venture with Watford Community Housing and continuing to look at other potential partnerships with housing associations that work in the District. These joint ventures will help bring sites forward for development and assist in the delivery of affordable homes
- The Council will review its land ownership and work with external agencies that own land in the District to identify any potential opportunities for housing development
- The Council will 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
- Figure 1 shows that despite a slight decrease between 2019/20 and 2020/21, the trend over the last three monitoring years shows an increase in the number of developments built at greater than 50 dwellings per hectare, since the introduction of the standard method in 2018. In order to maintain a high level of residential developments built at this density threshold in suitable and sustainable locations, the Council will continue to encourage an uplift in density in residential developments

where appropriate and will introduce density standards as part of the new Local Plan

3 Options and Reasons for Recommendations

- 3.1 Paragraph 79 of the NPPF states that “*where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer*”
- 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.

Financial, Legal, Staffing, Equal Opportunities, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

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 Staffing Implications

- 7.1 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.

8 Equal Opportunities Implications

- 8.1 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 |

9 Climate Change and Sustainability 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

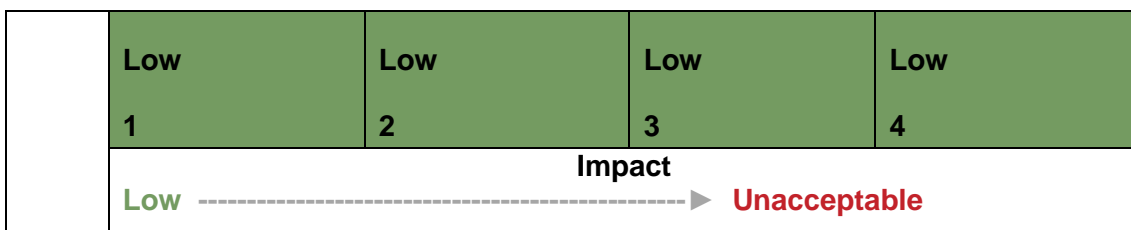
14.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors 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 Planning Policy and Conservation service plans(s). Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

| Nature of Risk | Consequence | Suggested Control Measures | Response (tolerate, treat, terminate, transfer) | Risk Rating (combination of likelihood and impact) |
|---|---|--|--|---|
| 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 <small>Domestic</small> | 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 |



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 2022;
- 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 website.

Report prepared by: Aaron Roberts, Senior Planning Policy Officer

Background Papers

National Planning Policy Framework (December 2023)

Housing Delivery Test: 2022 Measurement (December 2023)

Planning Practice Guidance

Annual Monitoring Report (2021-2022)

APPENDICES / ATTACHMENTS

Appendix 1 – Housing Delivery Test Action Plan

