

Notice of KEY Executive Decision

Subject Heading:	Publication of the Housing Delivery Test Action Plan 2020
Cabinet Member:	Councillor Joshua Chapman Cabinet Member for Housing
SLT Lead:	Barry Francis Director of Neighbourhoods
Report Author and contact details:	Jill Warren – Deputy Team Leader, Development Planning Tel. 01708434461 Email. jill.warren@havering.gov.uk
Policy context:	National Planning Policy Framework (2019) Housing Delivery Test: 2019 Measurement Technical Note (Published 13/02/2020) Housing Delivery Test : 2019 Measurement (Published 13/02/2020) London Plan Intend to Publish Havering Local Development Framework (2008) Havering Corporate Plan (2019/2020) Havering Local Plan submission version (2018) Havering Local Plan Main Modifications (2020)

Key Executive Decision

	Housing Position Statement May 2019: Technical Update CPHDO25.1 Housing Trajectory update for the Inspector (2019)
Financial summary:	There are no direct financial implications as a result of publication of the Housing Delivery Test Action Plan. The actions identified are already part of the Council's work programme or are able to be implemented as part of the normal operation of the policy planning team.
Reason decision is Key	Significant effect on two or more Wards
Date notice given of intended decision:	22/06/2020
Relevant OSC:	Towns and Communities
Is it an urgent decision?	No
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Check objectives haven't changed	
Communities making Havering	✓
Places making Havering	✓
Opportunities making Havering	✓
Connections making Havering	✓

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1.0 Background

1.1 The Government's National Planning Policy Framework 2019 (NPPF) includes a 'Housing Delivery Test' (HDT) which reflects the emphasis on housing delivery as a key national priority. The HDT serves as a mechanism to monitor housing delivery locally and set out consequences for local planning authorities that fail to deliver sufficient homes. The Test measures net additional homes delivered against the local requirements for new homes resulting in a percentage of delivery.

1.2 In line with Government requirements, the HDT focusses on overall housing delivery against the relevant housing target for an authority. For Havering, this is the current London Plan target of 1,170 new homes per year. The HDT does not require that matters of tenure (including affordable housing), dwelling mix and size are addressed in the HDT assessment.

1.3 The consequences of failing the HDT are set out in the NPPF. Local Planning Authorities whose housing delivery over the previous 3 years is less than 95% of their housing targets are required to prepare and publish an Action Plan which identifies reasons for under-delivery, explores ways to reduce the risk of under-delivery and sets out measure the authority intends to take to improve levels of delivery.

1.4 The 2018 HDT results were the first set of results to be published and found that Havering's housing delivery (when measured against the London Plan housing targets) over the previous three years was 49%. In response to this the Council prepared and published its first Housing Delivery Test Action Plan in 2019.

1.5 The 2019 HDT results were published by the Government in early 2020 and Havering's housing delivery for the three years between 2016/17 and 2018/19 was 33%. Consequently there is a requirement to publish an updated Housing Delivery Test Action Plan.

1.6 This report seeks approval to publish the updated Action Plan for 2020. It sets out the barriers for housing delivery which are not just experienced by Havering but many other local authorities throughout the country. It also outlines the current and future actions the Council is taking as part of its proactive and comprehensive approach to improving the delivery of high quality, sustainable homes in the borough. Much of the information and actions contained within the Action Plan 2020 have been drawn from the Housing Implementation Strategy in the Housing Position Statement 2019 which forms part of the Council's evidence base for the emerging Local Plan.

1.7 In addition to the requiring an Action Plan to be prepared the NPPF sets out further consequences for local planning authorities by deeming local housing policies to be out of date and applying the presumption in favour of sustainable development where an authorities 2019 HDT result is less than 45%. This is in addition to the need to add 20% to the 5 year land supply provision in the Local Plan already required.

Key Executive Decision

1.8 The presumption in favour of sustainable development can be described as a “tilted balance” in favour of development. This means that there is a presumption for the Local Planning Authority to grant permission for new housing unless:

- i. the application of policies in the NPPF 2019 Framework that protect areas or assets of particular importance (such as land designated as green belt) provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

1.9 The Council has been applying the presumption in favour of sustainable development when determining relevant planning applications since the test results were published in early 2020. The presumption in favour of sustainable development will continue to apply until subsequent Test results demonstrate that delivery has recovered.

1.10 The Council notes that new Government legislation amending the Use Classes in England and expanding the process of Prior Approval will facilitate development, boosting the numbers of new homes. The impact of these changes will be monitored and reported in future updates to the Housing Action Plan and the Havering Authority Monitoring Report.

2.0 Recommendation

2.1 The attached Housing Delivery Test Action Plan 2020 is approved and published on the Council’s Website.

AUTHORITY UNDER WHICH DECISION IS MADE

3.0 Authority for this decision is contained within Part 3, Section 2.5 of the Constitution which delegates to individual Cabinet members the ability to (q) agree minor matters and urgent or routine policy matters and (r) approve supplementary planning guidance and policies.

STATEMENT OF THE REASONS FOR THE DECISION

4.0 There is a requirement to publish this Action Plan in accordance with the National Planning Policy Framework 2019.

OTHER OPTIONS CONSIDERED AND REJECTED

Key Executive Decision

5.0 The option of not preparing an updated action plan was rejected as this would not meet the requirements of the National Planning Policy Framework 2019.

PRE-DECISION CONSULTATION

i-Decision. 22/06/2020

Councillor Damian White, Leader of the Council 29/06/2020

Councillor Joshua Chapman, Cabinet Member for Housing 29/06/2020; 04/08/2020

Relevant Senior Officers at SLT. 03/08/2020

Themed Board. 12/08/2020

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Jill Warren

Designation: Deputy Team Leader, Development Planning

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

6.0 Paragraph 75 of the National Planning Policy Framework 2019 states that where the Housing Delivery Test indicates that delivery has fallen below 45% of the local planning authorities housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance.

6.1 Paragraph 073 of the housing and economic land availability assessment guidance (ID: 3-073-20180913) states that the action plan should be published within 6 months of the publication of the Housing Delivery Test results.

6.2 Havering's delivery has remained below 45% of its housing requirement and therefore an updated Housing Delivery Test Action Plan should be published.

FINANCIAL IMPLICATIONS AND RISKS

7.0 The Housing Delivery Test Action Plan contains actions that are either already underway or are able to be undertaken as part of the planning policy work programme. There are no further financial implications.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

8.0 Whilst some of the actions identified in the Housing Delivery Test Action Plan will be able to be undertaken within the constraints of current staff resources, due to the nature of the work that is required to be undertaken there may be a requirement for some of the work to be undertaken by external consultants who will be engaged via an appropriate procurement route using the Councils existing procedures and in line with the financial implications set out above.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

9.0 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Key Executive Decision

9.1 Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

9.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

9.3. Where actions identified in the Housing Delivery Test Action Plan impact on people, equality impact assessments are either already in place or will be developed as the projects progress, if they have an impact on people.

9.4 In particular, a full Equality Impact Assessment was undertaken of the Local Plan as set out in the Cabinet and Council reports for the Submission Havering Local Plan in March 2018. This concluded that there were no known negative equalities implications on protected persons listed in the Equality Act 2010.

9.4 The Submission Local Plan provides the Council with a strategic framework to help deliver a range of outcomes including new homes, jobs, local economic growth and improved social infrastructure for all residents across Havering including those who share the characteristics protected by the Equality Act 2010. As such ensuring that the Local Plan has addressed these has been a priority in its preparation throughout the process since 2015. As the Local Plan has a key role in influencing the built environment and how people use it, a key aspect of the EIA is to ensure that access issues for people with disabilities is considered.

9.5 The Housing Delivery Test Action Plan identifies a number of actions that form part of the planning work programme outlined in the Local Development Scheme (LDS). As work progresses on forthcoming documents listed in the LDS further review and updating as necessary of the equalities impact assessment will take place.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

10.0 In 2018, the submission version of Havering's Local Plan began its examination process by HM Planning Inspectorate. The Local Plan for Havering guides future growth and development within the borough over the next 15 years, until 2031, setting out the Council's vision and strategy, and the policies that are needed to deliver them.

10.1 An accompanying Health Impact Assessment (HIA) of the Local Plan was undertaken to ensure due consideration was given to any arising health and wellbeing implications throughout the development. The HIA approach recognises that where we live, how we travel, and how we gain access to green space or leisure activities can all have a significant impact on health and wellbeing.

10.2 In addition to the potential impacts on health and wellbeing, the HIA provides an opportunity to assess any inequalities in outcomes for marginalised or disadvantaged groups, and to address these from the outset, with mitigations where possible. The purpose of the HIA was to ensure that the Local Plan was sufficiently robust to

Key Executive Decision

maximise health gains and, where there is a risk of negative impact, to mitigate against this where possible.

10.4 The HIA was used to inform the Local Plan and as the Local Plan is the primary delivery mechanism of the Housing Delivery Test Action Plan, the drafting of the Housing Delivery Test Action Plan. This equalities assessment follows through to the active involvement in housing delivery and facilitation of development through the development management process and associated infrastructure delivery.

BACKGROUND PAPERS

Key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with my authority as the Cabinet Member for Housing and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Proposal NOT agreed because

Details of decision maker

Signed

Councillor Joshua Chapman
Cabinet Member for Housing

Date: XX August 2020

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____