
NON-EXEMPT

HAVANT BOROUGH COUNCIL

CABINET

13th JANUARY 2021

HOUSING DELIVERY ACTION PLAN

FOR DECISION

Portfolio Holder: Cabinet Lead for Planning, Hayling Seafront Strategy and Commercial Services

Key Decision: No

Report Number: HBC/026/2020

1. Purpose

- 1.1. This paper is submitted to Cabinet to consider the approval of a Housing Delivery Action Plan which is a requirement of paragraph 75 of the National Planning Policy Framework. A Housing Delivery Action Plan is required to be published where the Housing Delivery Test indicates that delivery has fallen below 95% of the Council's housing requirement over the previous three years.

2. Recommendation

- 2.1. Members are requested to:

- a. note the need to publish an action plan as a result of the anticipated 2020 Housing Delivery Test results for Havant Borough, together with the December 2020 Five Year Housing Land Supply Update and the implications of both of these for determining planning applications for housing; and
- b. approve the publication of a Housing Delivery Action Plan which is attached at Appendix 1; and
- c. delegate authority to the Planning Policy Manager in consultation with the Cabinet Lead for Planning, Hayling Seafront Strategy and Commercial Services to make any necessary amendments to the action plan; and
- d. note the inclusion of the action plan as a submission document with the Havant Borough Local Plan for independent examination.

3. Executive Summary

- 3.1. The production of a Housing Delivery Action Plan will be required due to the 2020 anticipated results of the Housing Delivery Test. It is the first time that the Council

will have had to prepare a Housing Delivery Action Plan since the introduction of the HDT in 2018.

3.2. There will be a clear link between the Housing Delivery Action Plan and the Local Plan in terms of identifying sufficient sites in order to meet the Borough's objectively assessed need for housing up to 2037.

3.3. The Local Plan itself forms a key delivery mechanism for the Corporate Strategy, promoting and facilitating the development and economic growth which is necessary to improve the prosperity of the borough's residents.

4. Additional Budgetary Implications

4.1. None.

5. Background and relationship to Corporate Strategy and/or Business Plans

The need for a Housing Delivery Action Plan

5.1. The Housing Delivery Test (HDT) is an annual measurement of housing delivery for plan-making authorities. The HDT results are usually published in November and provide a measure of performance of housing delivery over the previous three years.

5.2. Depending on the measurement of housing delivery, a different set of policies from the National Planning Policy Framework (NPPF) apply:

- The authority is required to publish an 'action plan' if housing delivery falls below 95%, this is anticipated.
- A 20% buffer is required to be added to the five-year housing land supply requirement if delivery falls below 85%; and
- There is a presumption in favour of sustainable development if housing delivery falls below 75%.

5.3. Housing delivery in the Borough in recent years has been challenging. This is due to the twin pressures of the Dutch Case requiring new development to be nutrient neutral. This led to the Council being unable to determine the vast majority of planning applications for over a year. Combined with this, the COVID 19 pandemic and associated recession has impacted on housing delivery and the progression of major planning applications and emerging development schemes.

5.4. Furthermore, transitional arrangements were in place when the Housing Delivery Test was introduced which are now coming to an end. This increases the thresholds that need to be met at the same time as the two constraints above have had the most effect.

- 5.5. All of the factors which have led to the under delivery of housing in the Borough have been outside of the Council's control. This has been expressed to the Secretary of State by the Leader in respect of the Dutch Case. Nonetheless, MHCLG have confirmed that the relevant requirements related to the Housing Delivery Test remain in force.

The purpose of the action plan

- 5.6. The purpose of the action plan will be to 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.
- 5.7. The action plan recognises that Havant Borough is a pro-development authority and is well advanced in the preparation of its new Local Plan. It will also acknowledge that this is the first time the Council is required to publish a Housing Delivery Action Plan since the introduction of the test in 2018.
- 5.8. Whilst there is an emphasis to provide a 'root-cause' analysis, the reasons of under-delivery are apparent and relate to issues which are out of the Council's control. The action plan will therefore be proportionate to the issues in hand, particularly given the Council is due to submit the Local Plan for examination imminently.

Summary

- 5.9. The publication of the 2020 HDT results will mean that there is a need for Havant Borough Council to publish an action plan. The action plan will consider the reasons for housing under-delivery and set out measures the Council is taking to improve housing delivery going forwards. The proposed action plan for approval is included at Appendix 1.
- 5.10. Publishing a housing action delivery plan swiftly is important. This is because the action plan will set out the Council's case for addressing housing delivery and can be a material planning consideration in decision-making. This will be particularly key in the consideration of speculative applications for housing development.

6. The alternative option

- 6.1. The alternative would be not to prepare an action plan. This is not recommended.
- 6.2. In the absence of an action plan, there would be not be a clear narrative outlining what the Council is doing to improve housing supply or bring forward housing sites in the emerging Local Plan.
- 6.3. There would be social and economic implications of this in terms of not meeting the housing needs of the borough's residents. However, there could be also

environmental harm through speculative developments being permitted on appeal, as the Council's ability to defend hostile planning applications at appeal would be negated. Furthermore, the Local Plan Inspector would be likely to recommend the inclusion of 'omission sites' in the Local Plan, which have been rejected by the Council as being unsuitable for housing delivery.

- 6.4. Significantly the Council's reputation and its "open for business" approach would be at risk. The absence of an action plan, by implication would suggest that the Council did not want to proactively address housing delivery or improve the prosperity of the borough's residents.
- 6.5. Finally, the production of an action plan is required of the Council by national planning policy
- 6.6. As such, this option is not proposed.

7. Resource Implications

- 7.1. Financial Implications – the need for this action plan was not known for certain until the draft housing completions figures for 2019/20 were confirmed by Hampshire County Council. However, the staffing 'cost' associated with the preparation of the action plan has been absorbed within the 2020/21 budget.
- 7.2. Human Resources Implications – there are no additional staffing requirements from the proposed course of action.

Deputy Section 151 Officer comments

Date: 30 November 2020

As included within the report, the cost of producing the report will be included within current budgets.

Section 151 Officer comments

Date: 18 December 2020

No comments.

- 7.3. Information Governance Implications – none.
- 7.4. Other resource implications – none.

8. Legal Implications

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 8.2. The preparation of an action plan where housing delivery has fallen below 95% over the previous three years is a requirement of the NPPF (paragraph 75). The NPPF is a material consideration in planning decisions and must also be taken into account in the preparation of Local Plans. The Housing Delivery Action Plan would similarly form a material consideration in decision making.

Monitoring Officer comments

Date: 05 January 2021

No further comments to the Legal Implications comments above.

9. Risks

- 9.1. The Housing Delivery Action Plan will be prepared in response to the anticipated 2020 HDT measurement for Havant Borough and in line with national planning policy and guidance.
- 9.2. There is a risk that the Council could be in a weakened position to defend speculative developments. However, the Housing Delivery Action Plan sets out what actions the Council is taking to address under-delivery and increase housing supply so would also be a material consideration in decision taking.
- 9.3. As set out above, failure to publish an action plan would have implications for the Council's reputation both in terms of failing to comply with national policy and addressing the housing needs of its residents and the economic prosperity of the borough.

10. Consultation

- 10.1. There is no statutory requirement for the Housing Delivery Action Plan to be subject to public consultation.
- 10.2. There are clear and apparent reasons why there has been a shortfall of housing delivery in Havant Borough over recent years. As such, it is considered there

would be limited merit in consulting on the action plan. Furthermore, there is an urgency to ensure there is an action plan in place as quickly as possible.

11. Communication

- 11.1. Members need to be aware of the significance of the Housing Delivery Action Plan as a material planning consideration in the determination of planning applications, including development allocations which do not form part of the development plan but do form part of the emerging allocations in the Local Plan.

12. Appendices

- 12.1. Appendix 1 – Housing Delivery Action Plan.

13. Background papers

- 13.1. None.

Agreed and signed off by:

Portfolio Holder: Cllr Gary Hughes	17 th December 2020
Director: Simon Jenkins	17 th December 2020
Monitoring Officer:	5 th January 2021
Section 151 Officer:	18 th December 2020

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