

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

TO:	Babergh and Mid Suffolk Councils	REPORT NUMBER: JOS/19/40
FROM:	Cabinet Members for Planning Clive Arthey and David Burn	DATE OF MEETING: 21 September 2020
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SCRUTINY AND FIRST REVIEW OF THE BABERGH AND MID SUFFOLK HOUSING DELIVERY TEST ACTION PLANS (SEPARATE DOCUMENTS)

1. PURPOSE OF REPORT

- 1.1 These Action Plans were produced because the Government introduced the Housing Delivery Test (HDT) as a mechanism to monitor housing delivery within local areas. The HDT published in February 2019 measures net additional dwellings provided within a local authority area against the number of dwellings required and shows the performance for each local authority in England.
- 1.2 Due to the results of the HDT for September 2018, both Councils were required to publish a Housing Delivery Test Action Plan (HDTAP) within a six-month period from February 2019 (by August 2019). This requirement was addressed by a report to both Councils in June 2019 and the submitted Housing Delivery Test Action Plans were adopted by both Councils in June 2019 for publication (25th June – Babergh and 27th June – Mid Suffolk). It was understood at this time that these Action Plans would be reviewed on an annual basis both in line with the annual requirement of the Government for their production and also because it would be good practice and demonstrate “due diligence” on the part of both Councils in respect of housing delivery.
- 1.3 The results of the HDT were published in February 2020. Babergh’s performance on housing delivery in this regard was measured at 123% of the requirement and Mid Suffolk achieved 99% of the housing requirement. This meant that there was no legal requirement to publish a HDTAP for both Councils for 2020.
- 1.4 However the intention at that time, was to review the 2019 documents for progress with the first step being the scrutiny of both Council’s HDTAPs. This was planned for the 25th March 2020. However due to Covid-19, this meeting, which was scheduled to take place just after lockdown started, was cancelled. During lockdown Councillors will be aware that many housebuilders closed their construction sites to comply with Government regulations. However this situation has changed now with the re-opening of construction sites consistent with the easing of lockdown measures.
- 1.5 The purpose of this report is therefore to update those documents produced for the Overview and Scrutiny meeting planned for the 25th March 2020 and to allow Overview and Scrutiny to scrutinise current progress with the HDTAPs with a view to publishing updated HDTAPs in 2021 line with HDT timescales.

- 1.6 As part of their annual review. It is important that Joint Overview and Scrutiny is made aware of progress to date through consideration of this report and through discussion with Witnesses attending the Joint Overview and Scrutiny meeting.

2. OPTIONS CONSIDERED

- 2.1 Given the Government's requirements both in legal and timescale terms, no other options could be considered. However, the content and format of the documents were not prescriptively set by Government, although all the Government advice issued around the HDT requirement stressed the importance of basing the documents on evidence and consultation.

3. RECOMMENDATIONS

- 3.1 That the contents of this report and appendices together with verbal contributions by Witnesses to the Overview and Scrutiny Committee be noted and taken forward as part of the HDT Action Plan review (for both Councils) so that new HDTAPs produced for 2021 are informed in part by this scrutiny process.
- 3.2 The Committee may make further recommendations as it deems appropriate.

REASON FOR DECISION

To scrutinise the progress made on the separate Housing Delivery Test Action Plans for both Councils so as to inform their yearly review (to meet Government requirements) together with the objective of improving and accelerating housing delivery.

4. KEY INFORMATION

First HDTAPs produced for Babergh and Mid Suffolk in June 2019

- 4.1 As stated in paragraph 1.1 above, the first set of HDT results were published in February 2019. It identified:-
- Babergh District Council as achieving 88% of the total number of dwellings (420 per year). In addition, the HDT national results for Babergh require the addition of a 5% buffer to the figure of 420 per year.
 - Mid Suffolk District Council as achieving 81% of the total number of dwellings (556 per year). In addition, the HDT national results for Mid Suffolk require the addition of a 20% buffer to the figure of 556 per year.
- 4.2 As a consequence of not meeting the 95% requirement, the Councils were both required to publish a Housing Delivery Test Action Plan (HDTAP) within a six-month period from February 2019 (by August 2019) incorporating a range of measures that will support increased housing delivery. Appendices D and E to this report comprise the Housing Delivery Test Action Plan for Babergh 2019 (Appendix D) and Mid Suffolk 2019 (Appendix E) thereby meeting this requirement. Both Councils adopted these documents and they were published in June 2019.

4.3 The HDTAPs were produced using data and information collected from a range of data sources and documents as listed below: -

Babergh

- Babergh Stalled Sites database (June 2019) and summary
- Babergh Stalled Sites Market Intelligence report (May 2019)
- Babergh & Mid Suffolk Joint Annual Monitoring Reports 2015-2018
- Joint Strategic Plan 2016 – 2020 (also known as Corporate Plan)
- Homes and Housing Strategy 2019 – 2024 and Homelessness Reduction and Rough Sleeper Strategy 2019 – 2024

Mid Suffolk

- Mid Suffolk Stalled Sites database (June 2019) and summary
- Mid Suffolk Stalled Sites Market Intelligence report (May 2019)
- Babergh & Mid Suffolk Joint Annual Monitoring Reports 2015-2018
- Joint Strategic Plan 2016 – 2020 (also known as Corporate Plan)
- Homes and Housing Strategy 2019 – 2024 and Homelessness Reduction and Rough Sleeper Strategy 2019 – 2024

Methodology

4.4 Data was produced for the HDTAP focusing on major housing developments (on sites of 10 dwellings and above) and a database was constructed of all such sites where outline planning permission, reserved matters or planning permission has been granted (and is extant) but where there is no commencement. A Consultant was commissioned to provide housing market intelligence using this database focusing on sites of 10 dwellings and above whilst also looking at overall housing market intelligence and trends (including issues relating to development of sites under 10 dwellings). Data was also collected on rates of delivery from the Councils' Joint Annual Monitoring Reports from 2015-2018.

4.5 In respect of the current Joint Corporate Plan the delivery of housing is a key theme which will be delivered (in part) by new land use and planning strategies; the Joint Local Plan is central to this. In respect of housing the Joint Local Plan preferred options consultation document identifies how many homes are needed in the area and sets out the preferred spatial distribution of homes to ensure this need can be delivered. It also identifies the size, type and tenure of homes needed for the area. The new Joint Local Plan will provide certainty about growth expectations and the locations for growth. Retaining or improving the vitality of communities will be a key consideration. This objective seeks to ensure the delivery of the right types of homes, of the right tenure, in the right place, meeting need.

4.6 As part of developing the Joint Homes and Housing Strategy 2019-24, consultation took place with a wide range of stakeholders and nine themes were developed with corresponding action plans; improving the delivery of housing for both Districts is one of the nine themes. The actions from this Strategy relating to this theme are included

within this HDTAP together with detailed and general recommendations contained in the (separate) Babergh and Mid Suffolk Stalled Sites Market Intelligence reports (May 2019). These actions comprise all those listed in this Housing Delivery Test Action Plans.

Progress and Monitoring

- 4.7 It was expected that both HDTAPs would be reviewed annually (and published) and that each action will be reviewed alongside outcomes. Covid-19 interrupted the planned scrutiny for March 2020 although with many construction sites now reopened it is now considered timely to review progress of the HDTAP's ready for publication in 2021. This report allows the opportunity to scrutinise and inform that review.
- 4.8 Following both Councils' decisions to adopt both documents in June 2019:-
- An internal group of officers were identified as Workstream leads from the following teams - Strategic Planning, Development Management, Strategic Housing and Assets and Investment.
 - Each identified Workstream Lead(s) has been encouraged to take forward each action working collaboratively where necessary to achieve the objective.
 - Monthly meetings have been held to coordinate actions to keep up momentum.
 - A decision was taken to update the Consultant's high-level market intelligence report for both Districts in January 2019. Their preliminary reports for both Councils were received on the 27th April with final reports for both Councils being submitted on the 27th June 2020. With the timing of lockdown, it is clear that this intelligence was gathered and compiled pre Covid-19 lockdown. Before any publication of new HDTAPs for 2021 it would be necessary to update this data at the appropriate stage to take account of post lockdown measures.
 - The Monitoring of stalled sites continues, and this updated information will be used to inform the updated high-level market intelligence report produced by the Consultant. Appendices F and G provide an updated summary of the number of planning permissions and dwellings permitted by typology undertaken in February 2020. To assist with an understanding of the impact of lockdown measures on construction sites and housing delivery, an updated version using data on the 31st July 2020 has been compiled. This can be compared with the summary of similar data at the back of Appendices D and E (undertaken in May 2019).

Summary of progress on actions to date and outcomes

- 4.9 Each HDTAP contains 23 Actions; the majority are identical although there are some where actions are tailored to suit either Babergh or Mid Suffolk. For each action there is a workstream lead(s). These are officers taken from each of the four service areas and for some actions there are a few leads all working together collaboratively:-
- Strategic Planning

- Development Management
- Strategic Housing
- Assets and Investments

The main activities or progress for each of these areas are as follows:-

Strategic Planning

- 4.10 The main activities relate to the production of the Joint Local Plan (JLP) and a potential Affordable Housing Supplementary Planning Document (SPD). As Councillors are aware the JLP was subject to a Regulation 18 Preferred Options Public Consultation between 22nd July and 30th September 2019. A new joint Local Development Scheme (LDS) was agreed by both Councils and published in July 2020 outlining a timetable for the production of the JLP. Work has begun on identifying what would need to be included in any Affordable Housing SPD.
- 4.11 Also, under the Strategic Planning umbrella comes work related to the delivery of Infrastructure and the operation of the Community Infrastructure Levy (CIL). Specifically under action 21, a survey on CIL was carried out involving major and minor developers within both Districts. The results are contained within Appendix C to this report. The response rate to the survey was very poor so the answers are not regarded as representative. The intention was to revisit this data through a stakeholder event arranged for March 2020 required under action 19. However because of Covid 19, this event was cancelled. The current intention is to reschedule this event before the end of 2020 as a virtual meeting and to revisit the survey results on CIL. However no firm date for this virtual meeting has been set at this stage. However a key action for this meeting will be to review the HDTAPs so that proper engagement and consultation occurs before any new HDTAPs are produced for 2021.

Development Management

- 4.12 Revisions to the Local Validation List (public consultation finished on the 22nd January 2020) and amendments to the pre application charging process to ensure it is smarter and improved have taken place and as such actions 2 and 16 (ii) of the HDTAP are completed and need to be kept under review only.
- 4.13 Work continues to ensure that applications are approved on time and that legal agreements are signed off promptly. The latter together with discharging planning conditions promptly to ensure that development can commence at the earliest opportunity are part of ten actions for business improvement in Development Management that are being focused on with a Continuous Improvement Project / Service Plan. The Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) has also been agreed and is live on the Councils' website.

Strategic Housing

- 4.14 As stated above, work continues on identifying what would be required in any Affordable Housing SPD. Significant work has occurred through working with Homes England and dialogue is occurring with both Councils' Registered Providers to accelerate housing delivery. Proposals are being worked up to enhance and strengthen the policy and approach to delivery of specialist and accessible housing

as we develop the next stage of the JLP. Officers are collaborating with Suffolk County Council and the other District and Borough Councils via the Suffolk Housing Board. Community Land Trust work is continuing with one scheme already delivered in Babergh (Lavenham).

Assets and Investments

- 4.15 A pipeline of development is being developed through the Assets and Investment team for Babergh and Mid Suffolk in the form of new Council houses funded from the Housing Revenue Account. Work also continues on the delivery of private homes through Council owned housing companies. These details are all set out in the HDTAPs.

Conclusions

- 4.16 Appendices A, B, and C provide the detailed monitoring information and /or completed information for activities or progress in respect of each of the actions. This is used for coordinating activities, maintaining momentum maintaining an overview on progress for the review of the HDTAPs. As stated above (in paragraph 4.8) appendices F and G comprise an updated version of the summary contained at the back of appendices D and E. These show the profile of sites and the number of planning permission that have been granted.)
- 4.17 Representatives of each of the above service areas will be in attendance so that Members of Overview and Scrutiny can ask the Witnesses about progress to date. The officers attending are:-
- Strategic Planning – Robert Hobbs and Christine Thurlow
 - Development Management – Philip Isbell
 - Strategic Housing – Heather Tucker
 - Assets and Investments – Tracey Brinkley

Outcomes and conclusions for the HDTAPs

- 4.18 Finally as Councillors will be aware the Joint Babergh and Mid Suffolk Annual Monitoring Report was published in September 2019. This document is concerned with housing delivery and can be read in full through the hyperlinks below:-
- <https://www.babergh.gov.uk/assets/Strategic-Planning/AMR/Babergh-and-Mid-Suffolk-Annual-Monitoring-Report-2018-19.pdf>
- 4.19 Babergh' s Five-Year Housing Land Supply Position Statement was published in September 2019 and can be read through the following link:
- <https://www.babergh.gov.uk/assets/Strategic-Planning/AMR/Babergh-District-Council-Housing-Land-Supply-Position-Statement-Sep-2019.pdf>
- 4.20 Mid Suffolk's Five-Year Housing Land Supply Position Statement was published in September 2019 and can be read through the following link:-

Housing Delivery Key facts for 2018/19

4.21 In respect of the amount of housing delivery measured by house completions for Babergh and Mid Suffolk for the year 2018-2019, the following facts are taken from the above reports.:-

- 579 new dwellings were built in Babergh District in 2019, which represents 138% of the current annual target (420 dwellings) set by the national standard methodology.
- 690 new dwellings were built in Mid Suffolk District in 2019, which represents 124% of the annual target set (556 dwellings) by the national standard methodology.
- A total of 1,269 dwellings were built across both districts during the monitoring year 2018/19.
- Babergh' s total Outstanding Planning Permissions (as at 01/04/19) = 4,513 dwellings.
- Mid Suffolk's total Outstanding Planning Permissions (as at 01/04/19) = 6,555 dwellings.
- Babergh' s Five-Year housing supply is calculated at 5.67 years.
- Mid Suffolk's Five-Year housing supply is calculated at 5.66 years

Housing Delivery Key facts for 2019/20

. 4.23 The following facts are key:-

- The annual local housing need for 2019-20 was 420 dwellings in Babergh and 556 dwellings in Mid Suffolk, (which was also published in the Joint Local Plan Preferred Options document (July 2019) as the plan requirement).
- The annual local housing need for 2020-21 as at 1st April 2020 was 416 dwellings in Babergh and 535 dwellings in Mid Suffolk. This is calculated through the Government's standard method for assessing local housing need and is a minimum figure.
- The Councils are currently producing their Joint Annual Monitoring Report (AMR) and Housing Land Supply Annual Statements. Consultation on the draft Housing Land Supply Annual Statements is expected to commence in mid-August 2020, with both these documents and the AMR being published as final documents in late September 2020.
- Given that more housing completions were achieved in both Districts than the amount required by the Housing Delivery Test 2019 (see paragraph 4.1 above), with Babergh achieving 123% and Mid Suffolk 99% of its

requirements, it is less likely that the 20% buffer required through the Housing Delivery Test if delivery is below 85% of the requirement will apply to Babergh District Council and Mid Suffolk District Council going forward for 2021.

- Examination of the summary data collected in respect of stalled sites from February (pre lockdown) compared with July 2020 allows the following conclusions to be drawn:-

For Babergh

- Number of sites under construction has increased from 20 to 24 with the number of dwellings affected rising from 1326 to 1428.
- Numbers of sites where condition discharge is occurring yet there is no start has reduced from 8 to 4 with the number of dwellings affected reducing from 680 to 63.
- Number of sites where there is no known condition discharge has risen from 13 to 15 but the amount of dwellings affected has reduced from 666 to 593.
- Number of sites where there is an outline planning permission but no detailed planning permission in place has increased from 10 to 12 with the number of dwellings affected rising from 1728 to 1870.
- There are also two development sites where condition discharge is occurring and there is a planned start on site with 457 dwellings affected.

For Mid Suffolk

- Number of sites under construction has increased from 28 to 33 with the number of dwellings affected rising from 3400 to 3607.
 - Numbers of sites where condition discharge is occurring yet there is no start has reduced from 6 to 3 with the number of dwellings affected reducing from 430 to 36.
 - Number of sites where there is no known condition discharge has risen from 16 to 19 but the amount of dwellings affected has increased from 749 to 974.
 - Number of sites where there is an outline planning permission but no detailed planning permission in place has decreased from 43 to 40 with the number of dwellings affected reducing from 2620 to 2395.
- However, this summary information which represents data capture on a snapshot in time basis will be superseded by the Joint Annual Monitoring Report (AMR) and Housing Land Supply Annual Statements when published.

5. LINKS TO JOINT CORPORATE PLAN

5.1 The current Joint Corporate Plan includes the following priority themes:

- Housing
- Economy
- Environment
- Strong and Healthy Communities

5.2 The Joint Local Plan reflects these themes by including them as objectives to be achieved (in part) through new land use and planning strategies. In particular, the Joint Local Plan will help Babergh and Mid Suffolk District Councils to achieve these key priorities.

5.3 The Housing Delivery Test Action Plans (HDTAP) underpin the housing objectives in the Joint Local Plan and have been produced in direct response to the Housing Delivery Test requirements. (see 2.1 above)

6. FINANCIAL IMPLICATIONS

BABERGH

Revenue/Capital/ Expenditure/Income Item	Total	2017/18	2018/19	2019/20	2020/21
Technical evidence (consultancy work)	£4320 (plus VAT) excluding the costs of the update report for 2020 – costs currently unknown - to be confirmed	None	None	£3,060 (plus VAT)	2019 Update costs £1260 (plus VAT) 2020 Update costs to be confirmed
Examination costs (publicity, printing, Inspector costs, Programme Officer costs)	None	None	None	None	None
Net Effect	£4320 (plus VAT)	None	None	£3,060 (plus VAT)	£1260 (plus VAT) 2020 Update costs to be confirmed

MID SUFFOLK

Revenue/Capital/ Expenditure/Income Item	Total	2017/18	2018/19	2019/20	2020/21
Technical evidence (consultancy work)	£4320 (plus VAT) excluding the costs of the update report for 2020 – costs currently unknown - to be confirmed	None	None	£3,060 (plus VAT) Update costs to be confirmed	2019 Update costs £1260 (plus VAT) 2020/21 Update costs to be confirmed
Examination costs (publicity, printing, Inspector costs, Programme Officer costs)	None	None	None	None	None
Net Effect	£4320 (plus VAT)	None	None	£3,060 (plus VAT) Update costs to be confirmed	£1260 (plus VAT) 2020/21 Update costs to be confirmed

- 6.1 The above figures represent the financial expenditure in respect of the Consultant costs for the Stalled Sites Housing Market Intelligence Reports (May 2019) and (July 2020) together with an indication of need for an updated high-level market intelligence report for both Councils. As the Brief for the update to these documents will be concluded in January 2021 with the Consultant, these figures are not able to be confirmed before the Overview and Scrutiny meeting in September 2020.
- 6.2 The Government requirement to publish both HDTAPs was met in June 2019 and there are no further consultation or Public examination costs. However, as stated elsewhere in this report, the HDTAP's will need to be implemented, reviewed and monitored with a further updated versions being produced in 2021. Expenditure for this original work came from the Local Plan budget; the costs were relatively small and the consultancy work came in under budget. Savings were made by data collection and formulation of this HDTAP using existing resources. Going forward the costs for an updated report for both Councils are also expected to be minimal with savings being made as before using data collection and existing resources.

7. LEGAL IMPLICATIONS

- 7.1 The Housing Delivery Test set out the Councils requirements with regard to the publication of a HDTAP within six months from the publication of the HDT (in February 2019; thereby the HDTAPs had to be published before August 2019.
- 7.2 Both Councils adopted and published an HDTAP in June 2019 thereby meeting the Governments requirement.
- 7.3 Both Councils are fully committed to keeping this under review and scrutinising progress such that the documents (and therefore the actions) are as effective as they can be to improve and accelerate housing delivery in both Districts.

8. RISK MANAGEMENT

- 8.1 This report impacts upon the following Corporate / Significant Business Risks:-
- 1c (not being able to meet the Governments Housing Delivery Test)
- 8.2 Other key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Disagreement to endorse the proposed publication of this HDTAP	Unlikely (2) Lead Councillors have been engaged with consultation stages of the Joint Homes and Housing Strategy on which (in part) this HDTAP is based	Serious (3) – would not meet the HDT timescale requirement to deliver a HDTAP within the specified period	Stakeholder engagement together with housing market intelligence report which has examined the Districts housing delivery and the issues arising

9. CONSULTATIONS

- 9.1 Consultation occurred through stakeholder engagement during the development of the Joint Homes and Housing Strategy 2019-24; this included Cabinet Leads for Housing and the Council Leaders together with developers, land agents, estate agents and key local people involved in housing delivery. In addition, the Councils appointed a local Consultant skilled in housing delivery to provide key information in relation to housing market intelligence together using local data from the Councils' database.
- 9.2 Officers will continue to work closely with stakeholders in any implementation monitoring and review work of these HDTAPs.

10. EQUALITY ANALYSIS

- 10.1 An Equality Impact Assessment (EIA) is not required for this document as one has been written to support the Joint Local Plan.

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 Housing delivery is key to the production of a HDTAP and the impact on the environment is fully taken into account and considered as part of the plan making and decision taking part of the planning processes. As such there is no need for an EIA in respect of this specific document.

12. APPENDICES

Title	Location
(A) Babergh Housing Delivery Test Action Plan June 2019 Progress Monitoring	Attached
(B) Mid Suffolk Housing Delivery Test Action Plan June 2019 progress Monitoring	Attached
(C) Results of the October 2019 CIL Survey	Attached
(D) Housing Delivery Test Action Plan June 2019 Babergh District Council	Attached
(E) Housing Delivery Test Action Plan June 2019 Mid Suffolk District Council	Attached
(F) Updated summary of the number of planning permissions and dwellings permitted by typology (February 2020 and July 2020) Babergh District Council	Attached
(G) Updated summary of the number of planning permissions and dwellings permitted by typology (February 2020 and July 2020) Mid Suffolk District Council	Attached

13. BACKGROUND DOCUMENTS

- 13.1 Babergh and Mid Suffolk Stalled Sites database (June 2019) and summaries - (Separate documents)
- 13.2 Babergh and Mid Suffolk Stalled Sites Market Intelligence reports (May 2019 and July 2020) – (Separate documents)

- 13.3 Babergh and Mid Suffolk Joint Annual Monitoring Reports 2015-2019
- 13.4 Joint Corporate Plan
- 13.5 Homes and Housing Strategy 2019-2024 and Homelessness Reduction and Rough Sleeper Strategy 2019-24
- 13.6 Equality Impact Assessment prepared for the Joint Local Plan
- 13.7 Babergh and Mid Suffolk's Joint Annual Monitoring Report published in September 2019
- 13.8 Babergh and Mid Suffolk's (separate) Five-year Housing Land Supply Position Statement
- 13.9 Babergh Housing Delivery Test Action Plan (June 2019) and Mid Suffolk Housing Delivery Test Actions Plan (June 2019)
- 13.10 Housing Market Intelligence report for Babergh and Mid Suffolk (separate documents) – (May 2019) and (July 2020)

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