1. **SUMMARY**

   1.1 The following report seeks Cabinet approval of the Housing Delivery Test Action Plan (HDTAP), attached as Appendix 1. The Housing Delivery Test Action Plan is a requirement of the Government’s new Housing Delivery Test as set out in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) where a Council’s housing delivery falls below 95% of its target. The Council has not triggered this requirement but has proactively prepared a HDAP as good practice and in order to support housing delivery. The HDAP sets out the Council’s approach to housing delivery, key objectives and actions related to increasing its supply and delivery.

2. **RECOMMENDATIONS**

   2.1 Cabinet is recommended to:

   2.1.1 Adopt the Housing Delivery Test Action Plan (attached at Appendix 1).

   2.1.2 Delegate any alterations to the Housing Delivery Test Action Plan made prior to publication to the Strategic Director of Economic Growth in consultation with the Portfolio Lead Member for Economic Growth and High Streets.

   2.1.3 Delegate the adoption of future Housing Delivery Test Action Plans to the Portfolio Lead Member for Economic Growth and High Street.
3. BACKGROUND

3.1.1 The Government introduced a new Housing Delivery Test in its updated NPPF (February 2019). However, the Housing Delivery Test was first announced in the Housing White Paper in 2017 with the aim of “holding local authorities to account” in respect of the delivery of new homes.

3.1.2 Housing delivery is measured by how many homes have been built out, over the preceding three financial year periods, and whether this meets the housing target in the adopted Development Plan.

3.1.3 If Local Authorities do not pass the Housing Delivery Test there are the following sanctions:

- The ‘presumption in favour of sustainable development must be applied to planning applications if the test result is less than 45% in 2019, increasing to 75% from 2020 onwards (this means that proposed developments should be granted planning permission unless: (i) policies within the NPPF that protect areas or assets of particular importance provide a strong reason for restricting the overall scale, type or distribution of development or (ii) the adverse impacts of the development "significantly and demonstrably" outweigh their benefits);
- A requirement to add a 20% buffer to the Council’s 5 year land supply of deliverable housing sites if delivery falls below 85% (this is to improve the prospect of achieving the planned supply); and
- A requirement to prepare a Housing Delivery Test Action Plan if delivery falls below 95% to assess the causes of under delivery and identify actions to increase delivery in future years.

3.1.4 Sustainable development is defined in the NPPF as balancing the following three objectives:

- **economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- **environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and
pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

3.1.5 For Waltham Forest, and other London Borough’s, the adopted housing target is the one set out in London Plan (adopted 2016) Table 3.1. Waltham Forest’s current housing target is 862 dwellings per annum. This target is due to increase by 108% (1794 dpa) when the new London Plan has been adopted.

3.1.6 The Housing Delivery Test results will be published by Government each year, making them publically available. The date is expected to be November each year, however, the results for the current period were only published on 19 February 2019. The results covered the period 2015 – 2018. For the period of 2015-2018, the Council has exceeded the current London Plan housing target and delivered 122%. However, the delivery under the new Draft London Plan target of 1,794 dwellings will be more challenging.

3.1.7 The Housing Delivery Test Action Plan is seen as a proactive tool by officers to consider what actions to take to stimulate the delivery of homes to best prevent the sanctions set out in paragraph 3.1.3 above.

3.2 Housing Delivery Action Plan

3.2.1 The Housing Delivery Test Action Plan sets out the objectives and actions with the aim ‘to increase the delivery of new homes across the Borough’. The objectives of the Housing Delivery Test Action Plan are:

- Objective 1: Increase the quality of homes delivered
- Objective 2: Improved planning processes and consistency in decision making
- Objective 3: Ensure the delivery of genuinely affordable housing
- Objective 4: Stimulate the market to deliver more homes
- Objective 5: Encourage the delivery of housing on small sites
- Objective 6: Support the delivery of new homes as part of strategic sites

3.2.2 Progress on delivering the aim, objectives and the actions of the Housing Action Test Delivery Plan will be monitored by quarterly reports to the Infrastructure and Investment Board.

4. OPTIONS & ALTERNATIVES CONSIDERED

4.1 The alternative is not to adopt the Housing Delivery Action Plan. The risk with this option is that the Council will find it harder to demonstrate its proactive approach to housing delivery and stepping up delivery to the new London Plan target of 1,794. This option is not recommended as proactive measures are required to ensure future passing of the
Housing Delivery Test and the Housing Delivery Test Action Plan acts as evidence in planning decisions by the Council when required (i.e. it can be used as a material consideration in the determination of planning applications).

5. SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

5.1 The adoption of the Housing Delivery Test Action Plan will support the Council in achieving its Sustainable Community Strategy priorities by facilitating the delivery of new housing, including affordable housing.

5.2 The new Housing Delivery Test Action Plan also contributes to the aims and objectives of the Waltham Forest Local Plan, Core Strategy (adopted 2012) and Development Management Policies (adopted 2013). It also contributes to the aims and objectives of the Economic Growth Strategy by supporting the delivery of new homes, including affordable housing to support good growth in Waltham Forest.

6. CONSULTATION

6.1 The development of the attached Housing Delivery Test Action Plan is the result of internal engagement and consultation. There is no legal requirement to carry out public consultation on the Housing Delivery Test Action Plan.

7. IMPLICATIONS

7.1 Finance, Value for Money and Risk

7.1.1 Upon adoption of the Housing Delivery Test Action Plan officer’s time will be required to implement the document, including delivery and monitoring of the aims, objectives and actions as well as the publication of the document on the website. Associated staff time and costs will be managed within the current establishment and existing service budgets.

7.1.2 Any costs resulting from delivering the Housing Delivery Test Action Plan (HDTAP) will be funded from existing services and budgets. This includes any annual updates in line with national planning policy as outlined in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

7.1.3 The assumption is that HDAP would enable the delivery of Government housing targets each year, which would generate additional income to the Council post 2020 through Council Tax receipts. At present, there are no financial penalties for non-delivery of Government Housing targets but would have consequential costs if planning sanctions are imposed on the Council.

7.2 Legal
Paragraph 75 of the National Planning Policy Framework (2019) provides that “where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority’s housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under delivery and identify actions to increase delivery in future years”. The Council has met its target for 2015-18 and as such has not triggered the need to prepare an action plan, however one has been produced voluntarily to assist in housing delivery.

The Planning Practice Guidance (PPG) states that “any area may wish to produce an action plan as a matter of good practice or to identify processes to exceed housing requirements and support delivery”.

The Housing Delivery Test Action Plan is not a statutory document and therefore does not require independent examination or approval by Full Council.

There is no legal obligation to publicly consult on the Housing Delivery Test Action Plan. The PPG states that this is a decision for each local planning authority being “mindful of the need to both produce and implement the document’s proposals in a timely fashion”. The PPG also encourages the involvement of relevant stakeholders in the process stating that “it is for the local planning authority to decide which stakeholders to involve, although representatives of those with an impact on the rate of delivery should be included, such as: small and large developers; land promoters; private and public land owners; infrastructure providers (such as utility providers, highways, etc); … neighbouring authorities with adjoining or cross-boundary sites”.

The Housing Delivery Test Action Plan may be considered a material consideration in the determination of planning applications.

**Equalities and Diversity**

Senior Responsible Officers (SROs) and their delivery teams are responsible for assessing the equalities and diversity impacts of objectives and actions set out in the Housing Delivery Test Action Plan.

**Sustainability (including climate change, health, crime and disorder)**

The sustainability implications of the Housing Action Test Delivery Plan relate primarily to supporting the delivery of the necessary planning unit numbers through enabling the approval and implementation of individual housing planning applications. Therefore the sustainability implications of individual applications and developments will be applied through the planning application process, at master planning stage in compliance with both the Local
Plan and the London Plan policies, several of which address the sustainability of proposed developments.

7.5 Council Infrastructure
7.5.1 The proposal will be met within the existing Council infrastructure and resources.

7.6 Brexit
7.6.1 The main influence of EU law on plan making in the UK relates to the Environmental Assessment of Plans and Programmes Regulations 2004 (the ‘SEA Regulations’) and the Conservation of Habitats and Species Regulations 2010 (the ‘Habitats Regulations’), which is also covered in UK law. How the EU Directives and the Regulations may be affected by Brexit depends to some extent on the terms reached with the EU as part of Brexit negotiations.

7.6.2 In the longer term, it is likely that reductions in net migration and changes in employment growth could impact population projections and objectively assessed housing need, which could lead to a review of housing targets. At the present time however, no appropriate long-term assumptions around these issues seem to exist, but it is likely that they will start to emerge once the relationship with the EU following Brexit and the impacts on employment and migration become clearer.

7.6.3 Brexit may have an impact on future contracts and value for money as a result of increased costs, delays in supplies or difficulties in sourcing labour. The impact of Brexit will be considered on a case by case basis. Changes to public sector procurement legislation may also arise in the future, but the Council will need to review the impact on its procurement processes if/when they become known.

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)
None