



Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Scrutiny Commission 9 June 2022

Wards affected: All Wards

Housing Delivery Test Action Plan 2022

Report of Director (Environment & Planning)

1. Purpose of report

- 1.1 This report is to notify Members that the Government's (MHCLG) 2021 Housing Delivery Test (HDT) results were published on 14 January 2022 which calculated that the Council had delivered 86% of its required housing target over the last 3 years. This means that HBBC is required to publish an action plan by 14 July 2022.

2. Recommendation

- 2.1 That Members endorse the Housing Delivery Action Plan to aid in the delivery of dwellings within Hinckley and Bosworth Borough.

3. Background to the report

National Policy Requirements

- 3.1 Paragraph 75 of the National Planning Policy Framework (2019)¹ states 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.

¹ [National Planning Policy Framework \(2019\)](#)

3.2 The Planning Practice Guidance (housing supply and delivery)² recommends that the following could be reviewed within the action plan (Paragraph: 050 Ref ID: 68-050-20190722):

- barriers to early commencement after planning permission is granted and whether such sites are delivered within permitted timescales;
- barriers to delivery on sites identified as part of the 5 year land supply (such as land banking, scheme viability, affordable housing requirements, pre-commencement conditions, lengthy section 106 negotiations, infrastructure and utilities provision, involvement of statutory consultees etc.);
- whether sufficient planning permissions are being granted and whether they are determined within statutory time limits;
- whether the mix of sites identified is proving effective in delivering at the anticipated rate.
- whether proactive pre-planning application discussions are taking place to speed up determination periods;
- the level of ongoing engagement with key stakeholders (for example, landowners, developers, utility providers and statutory consultees), to identify more land and encourage an increased pace of delivery;
- whether particular issues, such as infrastructure or transport, could be addressed at a strategic level - within the authority, but also with neighbouring and upper tier authorities where applicable.

3.3 Paragraph 51 of the Planning Practice Guidance (housing supply and delivery) (Ref ID: 68-051-20190722) goes on to recommend what actions local authorities could consider as part of the action plan in order to boost delivery. These are:

- revisiting the Strategic Housing Land Availability Assessment (SHLAA) / Housing and Economic Land Availability Assessment (HELAA) to identify sites potentially suitable and available for housing development that could increase delivery rates, including public sector land and brownfield land;
- working with developers on the phasing of sites, including whether sites can be subdivided;
- offering more pre-application discussions to ensure issues are addressed early;
- considering the use of Planning Performance Agreements;
- carrying out a new Call for Sites, as part of plan revision, to help identify deliverable sites;
- revising site allocation policies in the development plan, where they may act as a barrier to delivery, setting out new policies aimed at increasing delivery, or accelerating production of an emerging plan incorporating such policies;
- reviewing the impact of any existing Article 4 directions for change of use from non-residential uses to residential use;
- engaging regularly with key stakeholders to obtain up-to-date information on build out of current sites, identify any barriers, and discuss how these can be addressed;

² [PPG: housing supply and delivery \(2019\)](#)

- establishing whether certain applications can be prioritised, conditions simplified or their discharge phased on approved sites, and standardised conditions reviewed;
- ensuring evidence on a particular site is informed by an understanding of viability;
- considering compulsory purchase powers to unlock suitable housing sites;
- using Brownfield Registers to grant permission in principle to previously developed land; and
- encouraging the development of small and medium-sized sites.

Housing Delivery Test (HDT) result³

3.4 The 2021 result is calculated by dividing the total number of homes delivered over the past 3 years by the number of homes required over the 3 years.

Table 1: Breakdown of homes required and delivered per year

Year	Number of homes required	Number of homes delivered
2018/19	468	464
2019/20	418	285
2020/21	301	267
Total	1,188	1,016

3.5 Therefore 1,016 dwellings divided by 1,188 gives a 86% delivery rate.

3.6 It should be noted that for the 2019/20 period, the number of homes required used is only the requirement for 11 months rather than 12 months. Therefore 418 is used within the calculation rather than 457 dwellings. This was to account for disruption to housing delivery and monitoring caused by the first national lockdown in March 2020. Therefore 418 is used within the calculation rather than 457 dwellings. This is to account for disruption to housing delivery and monitoring caused by restrictions announced on 23 March 2020, in response to the COVID-19 pandemic. For the 2020/21 period, the number of homes required used is only the requirement for 8 months rather than 12 months therefore 301 is used rather than 444 dwellings. This is to account for the considerable variations in levels of housing delivery as local planning authorities and the construction industry faced disruption on a nation, regional, and local level due to the pandemic.

3.7 Early indications for next year's measurement (2022) show that it is likely that the Council will fall below the 85% delivery threshold which will trigger the requirement to impose a 20% on our five year housing land supply.

³ [2020 Test measurement](#)

Action Plan

- 3.8 Officers have worked on the root cause analysis which has identified the current barriers to delivery and which areas (from planning permission to completions) need to be improved. A Developer Panel⁴ was held with key stakeholders on 5th April 2022 and this confirmed assumptions officers had made from the data presented in the Action Plan.
- 3.9 Areas that have been identified as barriers to housing delivery are:
- Delay in a new Local Plan with a new portfolio of housing allocations;
 - Lack of support for small/medium builders in the Council's Local Plan;
 - Lack of housing sites within emerging neighbourhood development plans as a result of an unidentified housing need for the Council's emerging Local Plan;
 - Delays to the delivery of the SUEs;
 - Planning application determination timeframes;
 - Completion of S106 agreement timeframes between LCC, HBBC and developers/landowners and promoters; and
 - Statutory stakeholder engagement (particularly with Leicestershire County Council).
- 3.10 Actions that could be taken to increase delivery were discussed with the Developer Panel. These actions will build upon the actions that the Council have already started to implement in the last two years. The barriers and proposed actions are set out in the table below.

⁴ All invitees and attendees are shown in Appendix 1 of the Action Plan.

Action Plan and Expected Outcomes

Action	Task Description	Expected Outcomes	Timescale (short/medium/long/ongoing)	Responsible Teams	Action Progress at April 2022
Progress the new Local Plan with a portfolio of housing allocations.	Prepare a draft Local Plan to bring forward new allocations.	A new Local Plan submitted to PINS.	Medium (in accordance with the LDS)	Planning Policy	A Regulation 19 pre-submission consultation was undertaken from February-March 2022. At April 2022 the consultation responses were being reviewed.
	<i>Local Plan to include a framework for housing development in neighbourhood development plan areas</i>	<i>A new Local Plan submitted to PINS.</i>	<i>Medium (in accordance with the LDS)</i>	<i>Planning Policy</i>	<i>New action within this Action Plan</i>
Enhanced Engagement with NDP Groups.	Continue to advise and support NDP groups on the requirements to meet housing need through robust planning practices. Advise them to continue to engage through the production of the NDP with site promoters/developers.	Allocation of reserved sites in NDPs.	Ongoing	Planning Policy	A specific NDP officer has been in post over the last year to assist NDP groups. This will continue to be monitored.

Action	Task Description	Expected Outcomes	Timescale (short/medium/long/ongoing)	Responsible Teams	Action Progress at April 2022
Progress the delivery of the SUEs.	Continue to push forward with parties involved to unlock issues surrounding their current delays.	Planning application for Earl Shilton SUE.	Medium	Major Projects, Development Management and Planning Policy	An outline planning application has been submitted on the site for 1000 homes (21/01511/OUT). The application for the remainder of the site will be submitted imminently.
		Issue a decision notice for the Barwell SUE.	Medium		Progress has been made on this site. Additional highways and Environmental Statement work has been consulted on however highways mitigation work is still ongoing and a decision has not been issued.
Reduce planning application timeframes.	No specific action for this issue as this will be influenced by reducing the length of S106 agreements drafting as well as improving statutory stakeholder engagement.	Reduction in planning process timeframes.	Long	Development Management	These timeframes have not been reduced and will continue to be monitored.
Reducing section 106 agreement timeframes.	Standard templates and instructions to legal to be reviewed for section 106 agreements.	Reduction in Section 106 timeframes and therefore overall application process.	Short	Development Management	Standard templates and instructions have been reviewed and are being used. Overall timeframes

Action	Task Description	Expected Outcomes	Timescale (short/medium/long/ongoing)	Responsible Teams	Action Progress at April 2022
	Imposing time limits on drafting of S106 agreements before returning to planning committee and monitoring their success.		Long		have not reduced in the last year but this will continue to be monitored.
	<i>Introduce section 106 monitoring fees for HBBC in order to effectively manage and monitoring agreements to streamline the process.</i>	<i>Reduction in Section 106 timeframes and therefore overall application process.</i>	<i>Medium</i>	<i>Major Projects</i>	<i>New action within this Action Plan</i>
Infrastructure – Improve Statutory Stakeholder engagement	Set up a project board for development sites, including providing feedback from the Developer Panel on issues being encountered.	Regular engagement would keep track of major applications and unlock potential barriers	Short	Major Projects	Currently in the process of setting up a project board for Earl Shilton SUE. A formal project board for future housing allocations will be set up when the Local Plan is at the correct stage.
Improve developer engagement	Form an SME panel to support SME delivery in the Borough.	Support SMEs to retain delivery in the Borough	Short	Major Projects	SMEs were contacted to ask if they wanted to join a specific panel however, uptake was limited. More SMEs joined the main panel this year so a separate panel will be initiated again this year.

Action	Task Description	Expected Outcomes	Timescale (short/medium/ long/ongoing)	Responsible Teams	Action Progress at April 2022
	Ensure effective and proactive engagement with landowners and developers of sites within the Borough.	The aim of ongoing engagement is to ensure all parties are adequately informed of each other's position regarding their development sites as well as helping to unlock any barriers that may be present.	Ongoing	Major Projects / Development Management / Planning Policy	Officers engage with developers on sites where required and always make themselves available surrounding the delivery of sites.

- 3.10 It was anticipated that there could be a point in time where the Council would fail the Housing Delivery Test measurement (not building 100% of the Borough's housing need) and so as mentioned above in paragraph 3.9, the Council has worked to implement strategies to help push forward development. This includes working with developers to bring forward sites, particularly where there is community support such as Markfield where the emerging Neighbourhood Plan identified a site off London Road for development that has recently benefitted from a resolution to grant for 283 homes.
- 3.11 Whilst the two SUEs and the development known as 'Hinckley West' have contributed to the lack of delivery in the borough (Although Hinckley West has now started to deliver housing as of April 2022) the Council has been proactive in encouraging further development in sustainable locations across the borough to ensure the Borough was meeting its housing needs by revisiting its SHLAA. These sites include (status as of April 2022):
- Westfield Farm, Heath Lane, Earl Shilton (350 homes) – 111 dwellings have been delivered
 - Land opposite Bosworth College, Desford (80 dwellings) – 51 dwellings have been delivered
 - Land South of Markfield Road, Ratby (90 dwellings) – site has full planning permission and conditions are currently being discharged
 - Land off London Road, Markfield (282 dwellings) – site has full planning permission and conditions are currently being discharged. This will start to deliver in 2024 due to the infrastructure needed before housing completions can occur.
 - Land off Wood Lane, Higham on the Hill (61 dwellings) – site has a resolution to grant planning permission (section 106 in process of negotiation)
 - Springfield Riding School, Groby Road, Ratby (168 dwellings) – 36 dwellings have been delivered
 - Land north of Barton Road, Barlestone (55 dwellings) – site has a resolution to grant planning permission (section 106 agreed and in process of being signed)
 - Stoke Fields Farm, Hinckley Road, Stoke Golding (70 dwellings) – site has outline planning permission and the reserved matters is currently pending consideration
- 3.13 The strategies above have provided positive results so far by bringing forward development in the absence of a new Local Plan as well as speeding up delivery once approved and therefore these actions have been taken forward within the Action Plan. The Action Plan has also expanded upon these measures using the root cause analysis and the feedback from the key stakeholders from the Developer Panel. The timeline for the production of the Action Plan is as follows to ensure it meets MHCLG's deadline of 14 July 2022:

	Date
Developer Panel with Key Stakeholders	5 April 2022
Scrutiny	9 June 2022
Member working group to endorse Action Plan	7 July 2022
Publication of Action Plan	14 July 2022

4. Exemptions in accordance with the Access to Information procedure rules

4.1 This report will be taken in open session.

5. Financial implications [IB]

5.1 Although there are no direct implications, refusal of applications which is contrary to professional planning advice could result in additional appeal costs.

6. Legal implications [MR]

6.1 Set out in the report

7. Corporate Plan implications

7.1 The Action Plan will contribute to the delivery of the following Corporate Plan priorities:

People

- Help people to stay healthy, be active and feel well
- Take measure to reduce crime and antisocial behaviour and protect people from harm
- Give children and young people the best start in life and offer them the opportunity to thrive in their communities

Places

- Make our neighbourhoods safer
- Improve the quality of existing homes and enable the delivery of affordable housing
- Inspire standards of urban design that create attractive places to live

Prosperity

- Boost economic growth and regeneration...places to work and live all over the borough.
- Support the regeneration of our town centres and villages
- Support our rural communities

8. Consultation

8.1 A Developer Panel was held on 5 April 2022 to present key stakeholders with the results of the root cause analysis and to discuss barriers to delivery and any actions that could be taken.

8.2 Stakeholders who took part in this meeting included⁵:

- Utilities companies (i.e. Severn Trent and Western Power)
- Leicestershire County Council (including Highways)
- Developers
- Land Promoters
- Land Agents
- Affordable Housing Registered Providers

9. Risk implications

9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks

Risk Description	Mitigating actions	Owner
DLC 37 Consult with customers and stakeholders: failure to do so leads to non-compliance of Local Authority's Statement of Community Involvement	Key stakeholders will be consulted through a Developer Panel and member endorsement for the plan will also be sought.	Kirstie Rea
DLS. 51 Housing Delivery Test. Failure leads to lack of housing requirements	The production of the Action Plan will fulfil the statutory duty within the NPPF. Also the actions should boost delivery so that future failures can be avoided.	Stephen Meynell

10. Knowing your community – equality and rural implications

10.1 The Housing Delivery Test Action Plan is a document required by MHCLG for local authorities to demonstrate how they propose to boost housing delivery, given there has been a reduction in the number of houses that are required to

⁵ A full list is provided in Appendix 1 of the Action Plan

be built. The HDT Action Plan, draws on the current barriers in meeting the housing needs identified by MHCLG with the end result being to encourage more housing development in the borough.

- 10.2 Engagement with relevant stakeholders and other local authorities is an integral part of plan making and the planning application process and such engagement is carried out in accordance with the Council's Statement of Community Involvement 2019 which has regard to the Equality Framework for Local Government.

11. Climate implications

- 11.1 The climate implications will be assessed through future planning applications that arise from the actions set out within the Plan.

12. Corporate implications

- 12.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications – none directly as a result of this report
- Environmental implications – will be assessed through future planning applications that arise due to the actions taken within the action plan. This includes green space provision, net gain for on-site biodiversity, sustainable drainage systems (SUDS) and services, etc.
- ICT implications - none directly as a result of this report
- Asset Management implications – none directly as a result of this report.
- Procurement implications - none directly as a result of this report
- Human Resources implications - none directly as a result of this report
- Planning implications – The housing delivery test has a direct impact upon housing land supply which has to be taken into account in the decision making process.
- Data Protection implications - none directly as a result of this report
- Voluntary Sector – none directly as a result of this report.

Background papers: National Planning Policy Framework (2021)
Planning Practice Guidance (2019)
Housing Delivery Test Measurement 2021

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