

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**PLANNING and TRANSPORTATION ADVISORY BOARD**

**29 June 2021**

**Report of the Director of Planning, Housing and Environmental Health**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

**1 HOUSING DELIVERY TEST ACTION PLAN**

**This report explains what the Housing Delivery Test is and why an Action Plan has been prepared. The Action Plan includes the profile of housing supply in the borough and actions that can be taken to help boost delivery. Stakeholders involved in housing delivery will be engaged on the actions. Members are requested to endorse the draft Action Plan in Annex 1.**

**1.1 Housing Delivery Test**

1.1.1 The Government's Housing Delivery Test (HDT) is an annual measurement of housing delivery at the local level.

1.1.2 The HDT covers the previous three financial years. In the case of the 2020 measurement, the years are 2017/18, 2018/19 and 2019/20. The HDT compares the net homes delivered over three years to the homes required over the same period.

1.1.3 For Tonbridge & Malling, the requirement for the first year (2017/18) was the housing requirement generated by the Household Projections available at that time and for the subsequent two years (2018/19 and 2019/20) the housing requirement was the number generated by the Government's standard method for assessing housing need.

1.1.4 The 2020 measurement was published on 19 January 2021. For Tonbridge & Malling the outcome was a measurement of 91%, i.e. the supply of new homes (net) during the three-year period 2017/18 to 2019/20 fell short of the homes required by 9%.

**1.2 HDT Action Plan - Introduction**

1.2.1 As a consequence of achieving a HDT measurement below 95%, the Council is required to prepare an Action Plan. The intentions of an Action Plan are to understand the issues affecting housing supply locally with a view of identifying actions to help boost the delivery of new homes.

- 1.2.2 In response, a draft Action Plan has been prepared. This is set out in **Annex 1** to this report. The preparation of the Plan has been informed by the Government's planning practice guidance on HDT Action Plans as well as a review of existing plans produced by other authorities.
- 1.2.3 The Action Plan first sets the scene with a profile of the borough, highlighting the character, local housing markets, assets and constraints. These are important to understand because they have a bearing on supply. This is followed by a summary of the position on the Council's development plan, highlighting that the current plan (the Local Development Framework) is reaching the end of its time horizon and that the process for the emerging Local Plan has stalled. Again, this is an important factor that has a bearing on supply, particularly in the context of existing constraints.
- 1.2.4 The Plan then features an analysis of the supply of new homes, identifying the location, size and nature of sites across the borough. Much of the supply is being delivered on sites beyond the outer edge of the Green Belt where there are fewer constraints. This is unsurprising, given the absence of an up-to-date Local Plan that includes a range of allocations across the borough. In addition, the Action Plan analyses the record of the Council on decision-taking on major (10+ homes) and minor (fewer than 10 homes) applications for new dwellings. This analysis is set within local (neighbouring districts), regional (South East) and national (England) contexts. Generally the Council's record is good compared with the contextual data.

### **1.3 HDT Action Plan – Actions**

- 1.3.1 Having considered this analysis, a set of actions is proposed in section 7 of the Plan. The purpose of these actions is to boost housing supply locally to help the Council meet the housing requirements set by the Government.
- 1.3.2 The actions address the root-cause factors for the under-supply of new homes. The most significant factor is the absence of an up-to-date Local Plan. It is only the Local Plan that can make available a range of sites across the borough to address the assessed housing needs in full where they are broadly generated. Many of the other actions are focussed on Development Management, including how proposals for housing are brought forward and how the delivery of new homes can be secured in a timely fashion. There are additional actions on monitoring, including the development of a more sophisticated database that can provide up-to-date reports on-demand on the status of sites. This will benefit the Council's preparation for future planning appeals. This is being taken forward with support from IT.

### **1.4 HDT Action Plan - Engagement**

- 1.4.1 The Action Plan in **Annex 1** is a draft. As part of the preparation process the Council will be engaging with relevant stakeholders, including house builders and land promoters, on the Plan, in particular the actions set out in Table 6. This is an

expectation of the Government because these stakeholders are involved in housing delivery locally and they are in the prime position to help boost supply. This will primarily be done through a letter from the Cabinet Member [**Annex 2**] following this meeting, alerting them to the production of the Action Plan and asking for their comments. The specific actions in Table 6 may also be discussed with relevant stakeholders as part of ongoing engagement relating to sites in the borough.

- 1.4.2 It is important to bear in mind that the Government’s guidance states that “...*local planning authorities will need to publish an action plan within 6 months of publication of the Housing Delivery Test measurement.*” The 2020 HDT measurement was published on 19 January 2021, meaning that the Government expects the Action Plan to be published by 19 July 2021. A draft version will be put onto the website following this meeting, with the final version being uploaded following engagement with stakeholders.

## **1.5 HDT Action Plan – Role in Decision-taking**

- 1.5.1 The Action Plan can be a useful tool for Development Management, in particular the process of taking and defending decisions on planning applications, providing the actions are implemented. The positive nature of the actions, which are designed to boost housing supply, can help the position of the Council in supporting sustainable development, where it is considered appropriate, in the context of national policy. This is particularly important in the absence of an up-to-date adopted Local Plan.

## **1.6 Legal Implications**

- 1.6.1 There are no legal implications arising from the production of the HDT Action Plan. The expectations to produce a Plan feature in national policy (the National Planning Policy Framework (NPPF)) and Government guidance; there is no requirement within current legislation.

## **1.7 Financial and Value for Money Considerations**

- 1.7.1 There are no direct financial and value for money considerations associated with the production of the HDT Action Plan. Many of the actions involve utilising existing resources. There are likely to be financial considerations associated with progressing the Local Plan to adoption, which is the primary action that will make the most significant difference in terms of boosting housing supply.

## **1.8 Risk Assessment**

- 1.8.1 There is a risk that if the actions in the Plan are not agreed and implemented the Council’s next HDT measurement may be worse. If future housing delivery falls below 85% of the housing requirement, the Council would be required to add a 20% buffer to the 5-year housing land supply calculation; currently the buffer is only 5%. If future housing delivery falls below 75% of the housing requirement,

the presumption in favour of sustainable development set out in the NPPF would apply to decision-taking on applications involving the provision of housing.

- 1.8.2 There is also the risk that without the Action Plan the Council's position on certain development proposals which do not accord with existing and emerging spatial strategies may not be as robust, given the absence of an up-to-date adopted Local Plan.

## 1.9 Recommendations

- 1.9.1 That the draft Housing Delivery Test Action Plan in **Annex 1** to this report is **ENDORSED**, and the final version, following engagement with relevant stakeholders, is **AGREED** by the Director for Planning, Housing and Environmental Health in consultation with the Cabinet Member for Strategic Planning and Infrastructure and the Chair of the Planning and Transportation Advisory Board.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation, if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Housing Delivery Test: 2020 Measurement – Technical Note  
Housing Delivery Test Action Plans – Planning Practice Guidance

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