

London Borough of Enfield

Portfolio Report

Report of: Joanne Drew, Director of Housing and Regeneration
Vincent Lacovara, Head of Planning

Subject: **Housing Delivery Action Plan 2022**

Cabinet Member: **Cllr Caliskan, Leader of the Council**

Executive Director: **Sarah Cary**

Ward: **All**

Key Decision: **KD 5422**

Purpose of Report

1. The Housing Delivery Test (HDT) is a Government measure of housing supply. The results of this test are reported annually.
2. The latest round of HDT results were published in January 2022, which like a number London Boroughs, and in line with the context above, places Enfield Council in the category of “presumption in favour of sustainable development” meaning that proposed developments should be granted planning permission unless their adverse impacts “significantly and demonstrably” outweigh their benefits.
3. As required an Action Plan has been produced which sets out what steps the Council will take to improve the delivery of new homes in the borough in support of its corporate plan and good growth housing strategy.

Proposal

4. Approve the HDT Action Plan attached as Appendix A for publication on the council’s website and for implementation.

Reason for Proposal

5. To meet the requirements of national planning policy, that within six months of the results being published the Council should publish an action plan.
6. To promote the importance of housing delivery across all stakeholders and the need to continue to embed a culture of positive growth supported by timely planning decisions.

Relevance to the Corporate Plan

7. The Housing Delivery Action Plan (Appendix A) helps to improve the delivery of housing and key issues that may affect slower delivery rates for housing in London and the borough.

Background

8. A number of changes to the planning system were introduced through the publication of the new NPPF in July 2018, one of which was the introduction of a new monitoring tool (the Housing Delivery Test) to assess housing delivery against housing requirements. In instances where local planning authorities do not deliver 95% their housing requirements in the preceding three years, they are required to produce an Action Plan detailing how they intend to improve housing delivery going forward.
9. This version of Enfield's Housing Delivery Action Plan has been produced in response to the 2021 HDT results released in January 2022 where it was highlighted that the Council had met 67%¹ of its housing requirements over the last three years. Previous versions were published in 2019 (KD 2996), in 2020 (KD 4996) and in 2021 (KD 5272).
10. The 2021 results place Enfield Council in the *Presumption in Favour of sustainable development* category, which has wider implications for how the Council, acting as local planning authority, makes decisions and for our residents in terms of where homes are built. By invoking the Presumption in Favour of sustainable development, applicants will be able to submit proposals which are considered to be in accordance with planning policies, despite any officer and member concerns.
11. The National Planning Policy Framework (NPPF) requires local planning authorities (LPAs) to identify a supply of development sites sufficient to meet five years' worth of local housing need. In Enfield's case, where it is unable to demonstrate a five-year supply of housing land, the NPPF states that their planning policies that are "relevant ... to the supply of housing" should be considered to be out of date. The presumption in favour of sustainable development then applies to both plan-making and decision-taking.
12. If applications are refused or deferred at planning committee or by delegated authority, the applicant could seek to appeal. With the HDT measure applied as material weight, this is likely to mean a higher volume of planning decisions being overturned if the proposal is considered appropriate development in line with relevant policies. This presents a financial and reputational cost to the Council.
13. A copy of the Enfield Housing Delivery Action Plan 2022 is attached at **Appendix A**. This Action Plan sets out the measures which the Council will be taking to identify and promote more landowners to bring forward sites for development, increase the number of applications and improve the rate of build out.

Main Considerations for the Council

14. The Council does not have full control over the development system and therefore will continue to lobby the Government for the support and interventions to:
 - (1) ensure that Enfield is properly funded to provide the stable foundations to deliver good growth by:
 - Backing the Fair Funding regime addressing long standing funding shortfalls
 - Ensuring that any changes to infrastructure funding through the new planning regime reflect the need for councils to invest upfront to support growth rather than as is proposed, seeking to mitigate developer risk through lag funding following sales

¹ published by the Secretary of State in January 2022

(2) reform aspects of the current and proposed housing system that impact on securing good growth:

- Recognising the market failure in London (high prices, low wages in relation to house prices and high demand) and the case for additional funding for affordable housing enabling Enfield and its housing association partners to deliver new supply at the scale and pace required
- Enable increased local discretion on the right affordable products recognising the affordability barriers of First Homes and the increased viability pressures arising from the reformed shared ownership product.
- Support ambitious councils to bring more land into the system, through infrastructure funding and cross-boundary technical support
- Require developers to build out approved schemes to secure the anticipated pipeline.

(3) invest in the skills and supply chains to deliver the requirements of the Future Homes Standard so that the pace of delivery is not affected by the complexity of new requirements or the higher costs of early adoption.

15. During 2020/21 the Council has continued to promote our direct delivery schemes despite recent economic difficulties with schemes progressing through design to planning and maintaining our contractors on site, to build out homes at pace. In the past year, we have submitted planning applications for over 333 homes, with completions expected by 2024.

16. Overall good progress has been made against 2021 Action Plan, with the majority of actions implemented and a renewed focus in ensuring outcomes are achieved and measured. The summary is provided in **Appendix B**.

17. In addition to the progress made on direct delivery the Council delivered the following against the previous action plan the following are notable outputs from last year's Action Plan:

- Increase in the number of major dwellings planning decisions in 2021
- Appointment of two Housing Enabling Managers focussed on unlocking stalled sites and improving overall data monitoring on supply
- Identification of 100 units across small sites for delivery in next two years
- Promotion of custom-build sites with three sites identified and in live planning, with works due to commence in 2023
- Acceleration of large regeneration schemes – Alma, New Avenue and Meridian Water

18. The 2022 action plan has identified the following five key strategic priorities, which have been rolled forward or further defined for the next delivery period:

Priority	Key output	Driver for change
Local Plan	Progress the Local Plan to its next stage as set out in the Local Development Scheme	Clarity to the sector and housing market on site allocations and land use will help promote more developments
Development Management process	Increased number of pre-applications received and determined in a single year.	Planning performance will create confidence in the market and attract more investors to unlock supply

Increased build out of consented schemes	Improved build out rates for construction, delivery of unimplemented permissions and completions.	Construction activity creates competition and increase supply of homes for local residents
Market-led interventions and land release	Increased new developer-led entrants into the local market and reduction in speculative land trading, where possible. Developers and landowners forums for housing development utilising expertise from the private, housing associations and local agents to identify barriers to delivery and the role of our planning service in that process.	Use of council's leverage will improve delivery, ranging from how assets are disposed, acquired or built to offset slow paced delivery led by private sector.
Council-led housing delivery	Accelerated delivery of council-owned sites and developer-led regeneration to strengthen the role the council has and continues to play in the local housing market.	More affordable homes are needed to improve the availability and access to homes by local residents

Safeguarding Implications

19. There are no safeguarding implications arising from this report.

Public Health Implications

20. The plan to improve delivery of housing in view of the shortfall in delivery over the last three years will likely have a positive impact on the public's health. We know that people experiencing homelessness have a life expectancy 30 years less than the general population and poor housing has a significant impact on mental health and wellbeing. The Building Research Establishment Trust recently estimated that poor housing costs the NHS at least £1.4 billion per year. Housing is therefore fundamental to health and delivery of new housing in response to the demand is necessary to improve the borough's health outcomes.

Equalities Impact of the Proposal

21. In preparing this report a screening Equalities Impact Assessment (EqIA) was completed which identified that the approval of the Housing Delivery Action Plan is not relevant to the PSED. An EqIA will be completed on individual schemes or proposals to ensure that the PSED is met when designing and delivering the programme.

22. Future individual schemes or considerations may well be subject to appropriate review to ensure they comply with latest equality legislative need. Any risks and opportunities identified will also be subject to assessment for impact on those that share a protected characteristic.

Environmental and Climate Change Considerations

23. The Housing Delivery Action Plan reports on the measurement of the HDT and sets out actions to promote housing growth. It will have indirect environmental implications as it seeks to facilitate and, where appropriate, accelerate delivery of housing sites across the borough and inform the new Local Plan. In 2018 residential buildings accounted for 39% of borough-wide carbon emissions so, whilst the need for new housing is a key priority, it should be sustainable and be delivered following good growth principles.

Risks that may arise if the proposed decision and related work is not taken

24. National policy states that an Action Plan, when required should be produced within six months of the HDT results being published. However, there is presently no indication as to any sanctions or penalties that might apply if this requirement is not met. Notwithstanding this point, this is not considered an appropriate course of action and the activities outlined in the action plan are necessary to improve overall supply in the borough.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

25. There are no direct risk implications arising from this report. However, sustainable development of the borough and the preparation of the Local Plan are both corporate risks. The Housing Delivery Action Plan includes proactive measures to help address these to maintain quality developments despite the need to apply presumption in favour of development.

Financial Implications

26. The action plan includes will be delivered through existing services, as well as new commitments, some of which will also result in increased income such as planning fees.

Legal Implications

27. Paragraph 76 of the National Planning Policy Framework 2021 states that where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authorities housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance.
28. Paragraph 052 of the housing delivery and supply guidance (ID: 68-052-20190722)² states that the action plan should be published within 6 months of the publication of the Housing Delivery Test results.
29. Enfield's delivery is 67% of its housing requirement and therefore an updated Housing Delivery Test Action Plan should be published and will be a material consideration in the determination of planning applications.

² <https://www.gov.uk/guidance/housing-supply-and-delivery#housing-delivery-test--action-plans>

30. The recommendations set out within this report are within the Council's powers and duties.

Workforce Implications

31. A number of appointments have been made within the planning service since the implementation of the directorate restructure in 2018. Workload and vacancies are monitored on an on-going basis against operational and financial requirements.

Property Implications

32. Given the high-level, general perspective of this report in relation to corporate property matters, there are no immediate property implications. However, as the action plan is implemented over time, there is the possibility of property implications arising on specific projects and actions as they pan out. These will be addressed as necessary and as they come forward in future reports.

Other Implications

33. The Coronavirus pandemic has had unprecedented impact on the planning and construction industry and this is likely to continue for some time, with housing delivery likely to be delayed or stalled.

34. The Housing Action Plan is a measure placed on the council for failing to meet the housing delivery threshold set in the Housing Delivery Test. The Housing Action Plan emphasises the need to deliver a new Local Plan as a priority. Therefore, the Enfield new Local Plan is critical to ensure sustainable growth is planned and fundamental in ensuring corporate priorities are delivered.

35. There is no requirement to consult on the Housing Delivery Action Plan.

Options Considered

36. The option of not preparing an updated action plan was rejected as this would not meet the requirements of the National Planning Policy Framework 2021.

Conclusions

37. The Housing Delivery Action Plan is a necessary response to the shortfall in the delivery of housing over the last three years and a housing system that is not adequately supporting supply. In summary, government regulations require local authorities to publish their Action Plans. This report therefore seeks approval for the publication of the Council's Housing Delivery Action Plan as set out in **Appendix A**.

Report Author: Cem Erkmen
Housing Enabling Manager
cem.erkmen@enfield.gov.uk
020 8132 0128

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Appendices

- **Appendix A** Enfield's Housing Delivery Action Plan 2022 (attached)

- **Appendix B 2021** Action Plan Performance (below)

Appendix B : 2021 Action Plan performance (incomplete actions will be rolled forward in 2022 Action Plan where relevant)

Thematic Priority	Actions	Service Area	Completion
Effective development management process	<ul style="list-style-type: none"> • Improve the pre-application process ensuring clear guidance, feedback response times and develop planning statement which set principles and parameters for development. • Maintain the timeliness of determination period • Translation of grant of planning into start of construction – in London only X% of permissions lead to construction. • Update the standard planning application checklists • Training for planning service, including planning committee members, to understand development cycle and viability • Introduce a standard S106 Agreement Template to facilitate faster determination of planning applications • Review and update standard planning conditions and review their timing and use. Produce • Design Code for development, with a focus on offsite construction 	Planning	80%
Embedding housing delivery and growth as a key priority of the Council	<ul style="list-style-type: none"> • Approve Housing Delivery Test Action Plan and promote it to relevant staff, councillors, partners and other stakeholders Housing Delivery Strategy which addresses other delivery challenges than supply of numbers and promote it to relevant staff, councillors, partners and other stakeholders • Set up cross departmental Housing Delivery Group including membership, terms of reference, decision making. Increase transparency on performance of planning committee focussed on key indicators for HDT (permissions granted, conversions to delivery etc) Compile housing development programme register of all sites and sites above 100 units. Use Supply database to monitor progress from pre-app to completion on a quarterly basis and to identify delivery barriers and interventions required 	All	80%
Effective data analysis and monitoring of housing market and supply	<ul style="list-style-type: none"> • Maintain Brownfield Land Register • Maintain Custom & Self-Build Register, identifying opportunities for delivery • Review stalled sites in housing land supply to identify any potential sites that could be unlocked • Establish number of empty homes and actions to bring them back into use 	Planning / Housing	50%

	<ul style="list-style-type: none"> Review the system of developer viability assessments, monitoring progress and considering a range of initiatives to better appraise Viability Assessments Develop empty Homes register 		
Efficient Local Plan and unlocking housing through infrastructure	<ul style="list-style-type: none"> Progressing the Draft Local Plan 	Planning	100%
Strengthening Council-led market interventions	<ul style="list-style-type: none"> Establish RP development forum Develop partnership approach with RPs, developers and pension funds to invest Support SMEs to secure land for development Develop other partnership routes including JV companies; in addition to those already established to support delivery Develop partnership approaches with custom build developers to improve housing offer Identify opportunities and develop approaches for self- build/ serviced plots Consider MMC/off site/modular planning strategy Develop pipeline for land disposals and review General Fund appropriation for residential Acquire more land for future housing development Maximise Government & GLA funding to assemble, de-risk land and provide infrastructure to unlock land for housing 	Housing	60%
Proactively pursuing housing delivery across range of providers	<ul style="list-style-type: none"> Set up an external Housing Delivery Forum with a range of agents - developers, contractors, RPs accessing funding to assemble and de-risk sites Develop partnership approach with RPs and developers with pension funds to invest Support SMEs to develop small sites Release more land for future housing development Maximise Government funding to assemble, de-risk land and provide infrastructure to unlock land for housing 	Housing	50%
Lobbying government to create the right conditions for development	<ul style="list-style-type: none"> Financial proposal to government and GLA for capital grant to unlock delivery and derisk future supply Develop collaborative strategies with local, central and London Government to reduce land banking, using GLA land fund to acquire stalled sites. Develop local strategies in line with the White Paper for planning. 	Housing	50%