

Canterbury District Housing Delivery Test Action Plan (2019/20)



July 2021

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Chapter 1: Introduction

1.1 This document focuses on how the council, working with its partners in the public and private sector, can increase delivery of new homes to ensure we meet our housing needs in the future.

1.2 Based on delivery of new homes over the past three years (2017/18 - 2019/20) and stakeholder engagement the action plan identifies a variety of actions to improve delivery.

Background

1.3 The Housing Delivery Test (HDT), was introduced by the government in 2018 as an annual measurement to determine a local authorities' performance in terms of delivering housing to meet its needs. The HDT is a percentage measurement of the number of net homes delivered against the number of homes required over a rolling three year period.

1.4 If the HDT results show that housing delivery falls short of the housing requirement, then a series of sanctions will apply depending upon the level of shortfall:

- **Below 95%** then an Action Plan must be published.
- **Below 85%** then a 20% buffer should be added to the 5 year supply calculation and an Action Plan must be published.
- **Below 75%** then there is a presumption in favour of sustainable development until the next HDT measurement results are released and an Action Plan must be published.

Local context

1.5 Canterbury District is located in north-east Kent and consists of 30,885 hectares. This includes the historic City of Canterbury, the coastal towns of Herne Bay and Whitstable, attractive countryside and 26 Parishes with some 41 villages.

1.6 The District has a rich historic and natural environment with internationally recognised sites including the UNESCO World Heritage Site comprising the Cathedral, St Augustine's Abbey and St Martin's Church; and Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar designations.

1.7 The Kent Downs Area of Outstanding Natural Beauty covers about a third of the District to the south, as well as some 97 Conservation areas. The District is also extremely important for nature conservation with numerous national and locally protected sites.

1.8 The District is an important sub-regional employment centre in East Kent, and both tourism and education form an important part of the local economy. Canterbury has a strong service and education sector with five higher and further education institutions.

Our HDT

1.9 A housing target of 16,000 new homes between 2011-2031 is set out in the adopted Canterbury District Local Plan (CDLP) 2017.

1.10 The annual housing requirement is “stepped” meaning there is a requirement for 500 dwellings per annum between 2011-16, and thereafter a requirement for 900 dwellings per annum.

1.11 We achieved 87% for the 2019/20 HDT. Which, as well as previous years, is set out in Table 1. Whereas Table 2 identifies the number of homes required over the last three year period, under the transitional arrangements, and the corresponding completion figures¹.

Table 1: HDT results

Monitoring Year	HDT result
2017/18	117%
2018/19	87%
2019/20	87%

Table 2: HDT last three years housing requirement and completion figures

HDT	2017/18	2018/19	2019/20	Total
Housing requirement	772	900	824 ²	2,572
Total completions	1,126	444	602	2,172

1.12 By achieving 87%, the council is **not** subject to the application of the presumption of sustainable development, and for the 5 Year Land Supply calculation the appropriate buffer is 5%. A HDT Action Plan was produced last year and this document provides a review and update.

¹The method for calculating the Housing Delivery Test measurement and transitional arrangements are set out in the Housing Delivery Test Measurement Rule Book. Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728523/HDT_Measurement_Rule_Book.pdf

² 2019/20 housing requirement figures have been decreased by 31 days (a month) by government to account for the country going into National Lockdown during March 2020. Further information is available from: <https://www.gov.uk/government/publications/housing-delivery-test-2020-measurement>

Chapter 2: Methodology

2.1 This year's Action Plan will expand on the work and outcomes gathered through the process last year, based on the National Planning Policy Framework, Planning Practice Guidance, and guidance from the Planning Advisory Service.

2.2 Steps undertaken:

- 1) **Root cause analysis** - Based initially on the work completed for the previous HDT Action Plan, evidence was gathered and analysed looking at factors potentially affecting housing delivery, also known as 'root cause analysis' (Chapter 3).
- 2) **Review of Action Plan** - Last year's Action Plan was monitored to identify whether any of the actions were complete or not working as anticipated.
- 3) **Engagement** - Developers, agents and applicants were engaged to gather their views on housing delivery within the district (Chapter 4).
- 4) **Update and publishing** - The Action Plan was updated based on the previous steps and published.
- 5) **Implementation and monitoring** - The Action Plan will be implemented by the relevant groups, and monitored to determine whether the actions are having an impact on housing delivery.

Chapter 3: Root Cause Analysis

3.1 The council has, through engagement and assessment of evidence, undertaken a root cause analysis to understand the delivery picture in the district. More information on engagement is provided in Chapter 4.

3.2 The council has taken steps to improve housing delivery, and therefore much of the analysis of the root causes and barriers to delivery had already been undertaken. In the previous HDT Action Plan, four key categories were identified as affecting the delivery of housing within the district. These will form the basis of the root cause analysis within this chapter:

- Delivery and supply
- Development Management
- Policy and the Local Plan review
- Direct delivery
- Additional considerations (including COVID-19, Stodmarsh and Legal Challenges)

3.3 The root causes and evidence gathered are set out in Appendix 2.

Delivery and supply

Completions

3.4 Table 3 shows housing completions (net), while Figure 1 compares the net housing completions against the stepped CDLP requirements.

Table 3: All Housing Completions

Monitoring Year	Dwelling Completions	C2 Student	C2 Care homes	Total
2011/12	624	15	16	655
2012/13	524	105	-32	597
2013/14	475	156	10	641
2014/15	285	237	32	555
2015/16	296	275	23	594
2016/17	417	40	-35	422
2017/18	446	679	-6	1119
2018/19	405	7	32	444
2019/20	528	47	22	597
Total	3,473	1,514	40	5,028

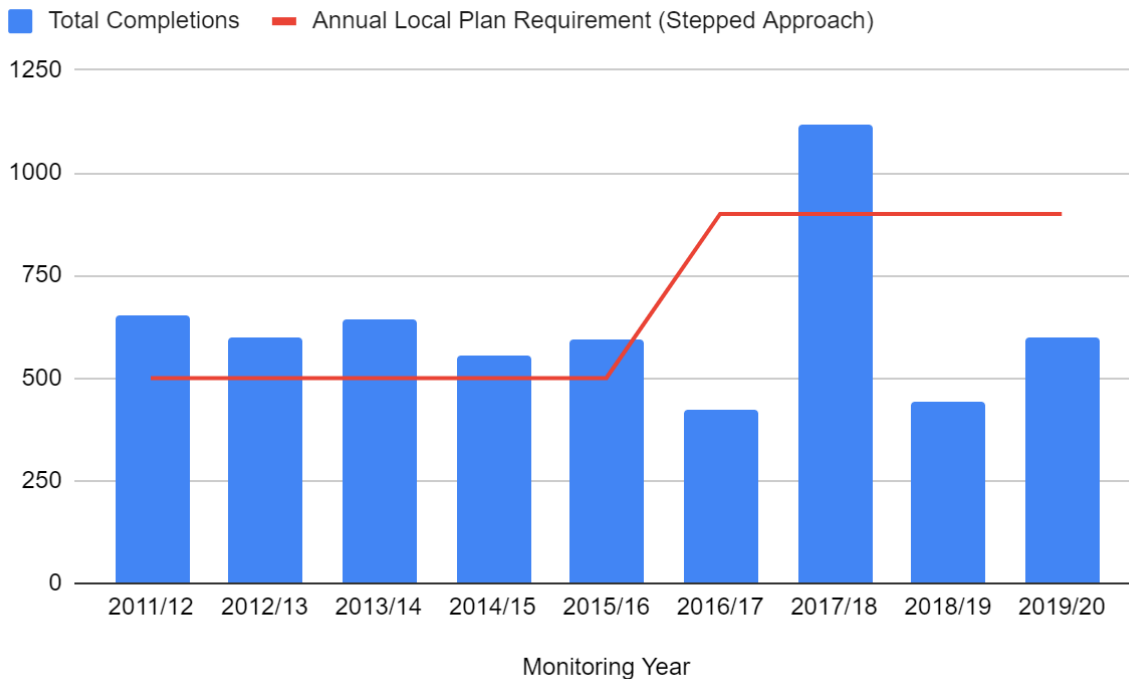


Figure 1: Net housing completions against the stepped CDLP requirements.

3.5 Since the start of the CDLP period, in 2011/12, six of the nine years have delivered above the annual requirement for that year. And even though 2016/17, 2018/19 and 2019/20 are below the annual requirement, the council has still been able to demonstrate a good record of delivery by achieving a HDT of 117% in 2018, and 87% in both 2019 and 2020.

3.6 In March 2020, in response to the global Covid-19 pandemic lockdown started in England and therefore the construction industry stopped work. This had an impact on the number of completions in 2019/20.

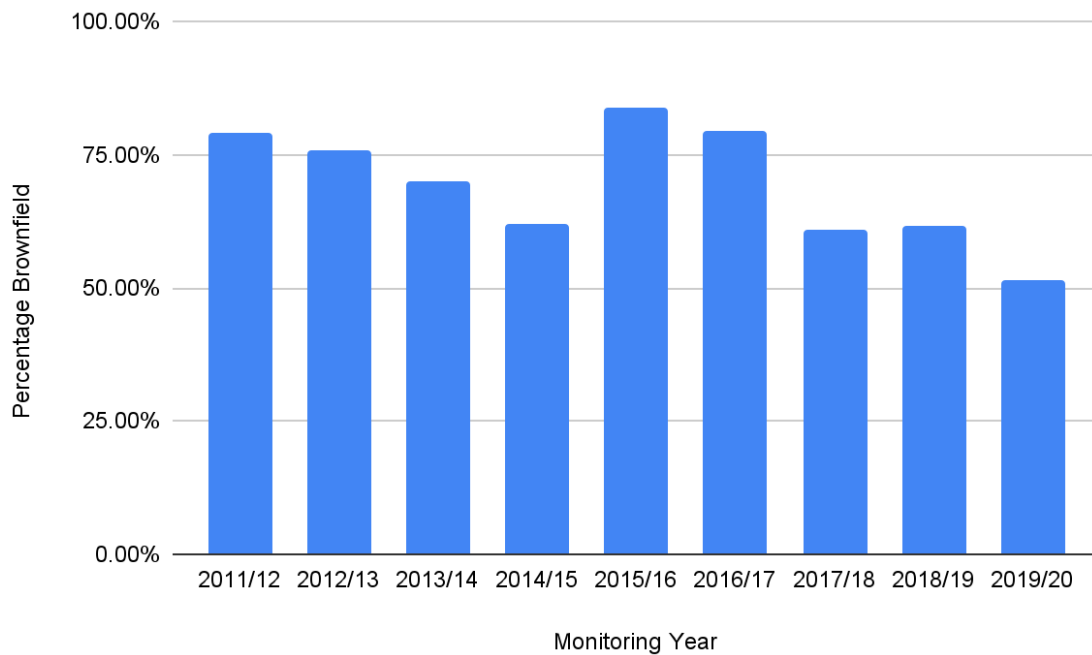
Brownfield vs Greenfield

3.7 Once work has started on a site, brownfield sites can often build out quicker than greenfield³. While the 2017 CDLP allocated both greenfield and brownfield land approximately 11% of housing development was allocated on previously-developed land. However, the proportion of completions on previously-developed land is in excess of this, achieving over 50% every year since the start of the Local Plan period (2011) (Figure 2).

3

<https://citymonitor.ai/fabric/brownfield-land-quicker-develop-greenfield-cpre-research-suggests-so-1938> and <https://www.buildingtalk.com/blog-entry/building-homes-on-brownfield-sites-is-quicker-than-greenfield-land/>

Figure 2: Percentage of dwelling completions on brownfield land

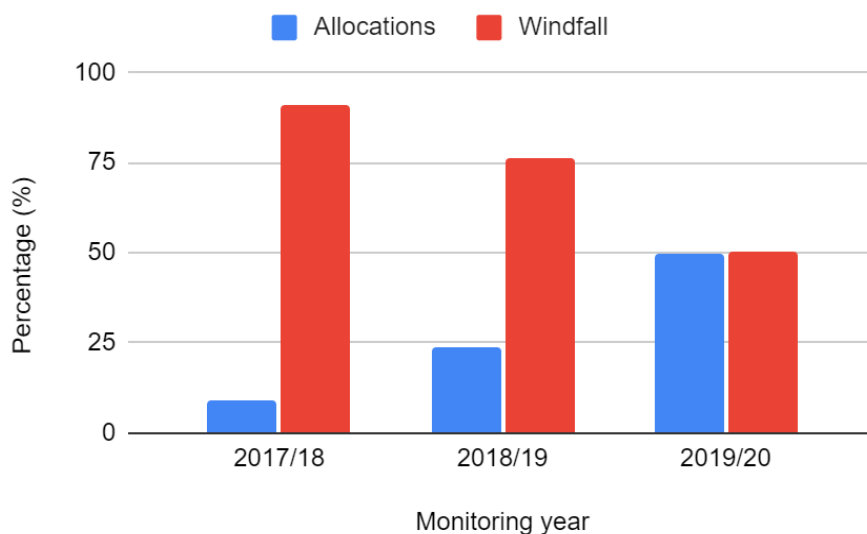


Housing allocations vs windfall

3.8 Of the 16,000 homes needed in the 2017 CDLP approximately 12,842 homes were allocated (80%), of which 11,360 homes were allocated on the 12 strategic sites forming 71% of the supply. A windfall allowance of 138 dwellings per year was demonstrated at examination (accounting only for small sites of less than 5 units).

3.9 Analysis of the past three years completion data highlights the importance of non allocated sites to meet the housing need requirement. This includes windfall sites, student, care homes and gypsy and traveller sites. However, there has been a year on year increase in the proportion of the housing supply from allocated sites suggesting that the CDLP proposed stepped approach due to the long run-in times for large sites was accurate and now those large allocated sites are starting to progress.

Figure 3: The split of homes delivered from CDLP allocations and windfall sites



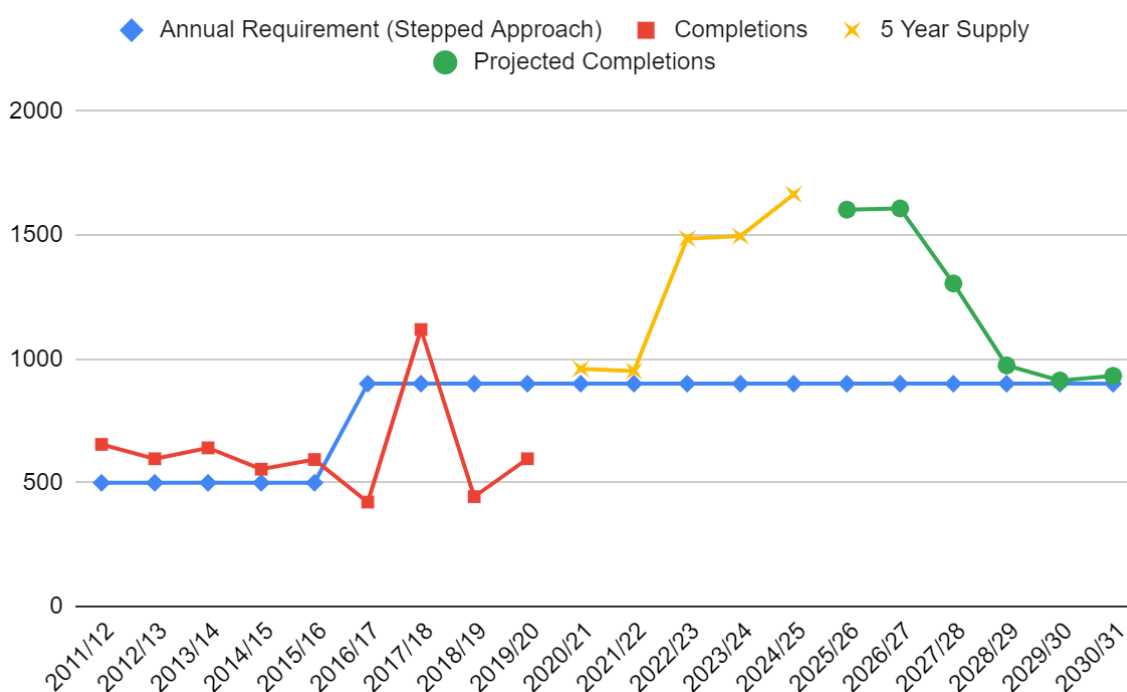
Housing Land Supply

3.10 The council is able to demonstrate a housing land supply of 6.62 years which equates to a surplus of 1,605 units over the 5 year period⁴.

3.11 Figure 4 shows the housing land supply trajectory. The trajectory shows:

- Stepped requirement of the CDLP in blue;
- Completions for each monitoring year since the base date of the Local Plan (2011/12 - 2019/20) in red⁵;
- The 5 year land supply in yellow; and
- Projected completions for each monitoring year to the end date of the Local Plan (2030/31) in green.

Figure 4: Housing land supply trajectory



3.12 Analysis of the land supply anticipated to come forward shows that housing delivery will continue to improve as the sites allocated within the CDLP come forward to construction and completion.

3.13 The council has analysed whether a lack of consented supply is affecting delivery. The Council has granted planning permission for 4,085 dwellings in the last 3 years (2017/18, 2018/19, 2019/20). The housing requirement, set out in the CDLP, for the last years is 2,700 dwellings. The number of dwellings consented exceeds the housing requirement for the same time period by 1,385 dwellings. This confirms the council's position that it continues to grant a sufficient supply of new homes.

⁴ Further information can be found in the Housing Land Supply Statement 2019/20:

https://www.canterbury.gov.uk/downloads/file/1415/housing_land_supply_statement_2019_to_20

⁵ Further breakdown of completion data is available in Appendix B.

3.14 The council is currently preparing the 2020/21 Housing Land Supply Statement and land supply calculation. The council expects to continue to be able to demonstrate a land supply of over 5 years.

Progress on allocated sites

3.15 Since adoption of the CDLP significant progress towards the delivery of the 12 Strategic Sites has been made; 9 of the sites (11 parcels) now have either an outline or detailed consent covering the whole or part of the site. These are either delivering dwellings or expected to do so immediately. This will continue to improve both delivery rates and land supply going forward.

Table 4: Progress summary of strategic sites.

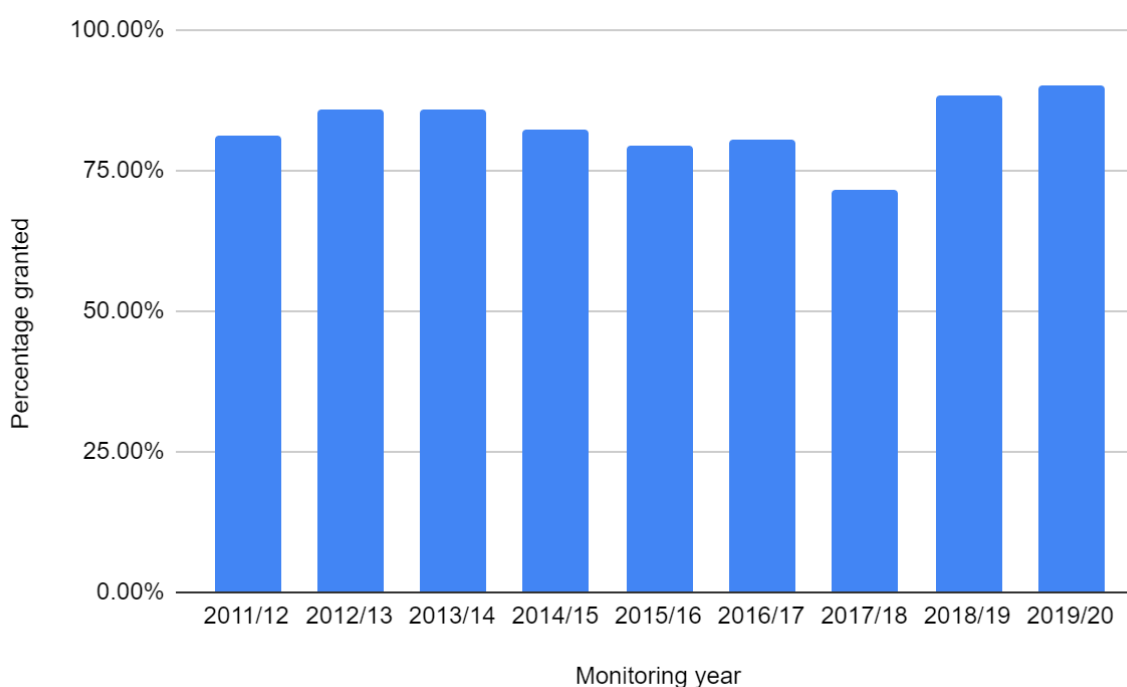
Site Name	Progress update
Site 1 South Canterbury	Consented - The site has planning permission. However, it is now subject to a Judicial Review
Site 2: Sturry	Consented - The site has outline consent and is making progress towards delivery
Site 2: Broad Oak	Consented - The site has detailed permission and delivery is imminent
Site 3: Hillborough (Parcel A)	Under consideration
Site 3: Hillborough (Parcel B)	Under consideration
Site 3: Hillborough (Parcel C)	Under consideration
Site 4: Herne Bay Golf Course	Delivering - The site has been under construction since 2017 and will continue delivering homes
Site 5: Strode Farm	Consented - The site has outline consent and is making progress towards delivery
Site 6: Greenhill	Consented - The site has outline consent and is making progress towards delivery
Site 7: Land North of Thanet Way	Consented - The site has detailed permission, works have started and delivery is imminent
Site 9: Howe Barracks	Delivering - The site has been under construction since 2018 and will continue delivering homes
Site 11A: Cockering Farm	Delivering - The site has been under construction since 2019 and will continue delivering homes
Site 11B: Cockering Farm	Consented - The site has detailed permission and delivery is imminent
Site 12: Grasmere	Consented - The site has detailed permission and delivery is imminent

Development Management

3.16 Approval rates and determination periods can play a key role in delivery of housing sites.

3.17 As mentioned previously the council is granting a sufficient supply of new homes. This is further evidenced by the high percentage of planning applications granted permission (Figure 5).

Figures 5: Percentage of applications granted planning permission



3.18 The council has determined 6,413 applications since 2016/17 with 5,630 determined within the time limits. Table 5 suggests a highly efficient development management service overall, as well as the fact that there has been improvement year on year, for the last four years.

Table 5: Determination of Applications Data

HDT Year	Number of applications determined	Number of applications determined within the time limits	% applications determined within the time limits
2016/17	1,711	1,339	78%
2017/18	1,704	1,493	87%
2018/19	1,471	1,349	91%
2019/20	1,527	1,449	94%

3.19 Determination periods and consents to completions of small sites continues to be quick, excluding the impacts of Stodmarsh water quality concerns and Covid-19 which are discussed in more detail later on.

3.20 It was anticipated within the CDLP that the lead in period of Strategic Sites would be longer due to the size and complexities involved. Analysis of the determination times experienced by the strategic sites and other local plan allocations in gaining initial consent, reserved matters or 'follow up' consents for phases, and the time between validation and now for the Strategic Sites under consideration is identified in Table 6.

Table 6: Determination times for CDLP allocated sites

Determination times ⁶ ...	Average Time (Months)
Of all strategic sites initial consents	18 months
Of all strategic sites follow up consents	10 months
Of all strategic sites under consideration	32 months
Of Other LP Allocations	11 months

3.21 An average determination time of 18 months, when compared against the national studies⁷, is considered to be speedy. This timescale is also affected by two of the Strategic Sites which went to appeal and therefore took significantly longer than the rest. When these two sites are removed from the analysis an average time to determine is 12 months.

3.22 The Lichfields study, which looked at a national sample of determination times for strategic planning applications, suggests a national average of 50-54 months for sites above 500 dwellings and up to approximately 72 months for sites over 2,000 homes. Therefore, those strategic sites still under consideration are still below the national average.

3.23 Whilst the average determination time for sites is good we always strive to improve performance, and have identified the determination time for strategic sites still under consideration as a root cause behind housing delivery being below the required need.

3.24 The main factors which have affected the determination times are

- Legal challenges;
- Length of time to prepare S106 agreements;
- Changes in viability requiring additional evidence and independent review; and
- Complex interlinkage with infrastructure projects such as roads and railway infrastructure.

3.25 Root cause analysis has identified the principal reason why delivery has dipped below expected is due to the time slippage of the Strategic Sites to deliver a proportion of the land supply. The development strategy within the Local Plan and the inclusion of the Strategic Sites demonstrates the commitment by the council to enable housing delivery and meet the Government's aim to significantly boost housing supply. Many of the reasons for time slippage are now resolved and 9 Strategic Sites have consent and either delivering or

⁶ Data accurate to the end of March 2020

⁷ Start to Finish - Litchfields, Phasing Methodology - Section 4

imminently about to. Strategic Sites will continue to play an important role in delivering the Districts housing with completions of new homes predicted to improve significantly over the next 5 - 10 years.

3.26 Analysis of the post consent period between consent and construction, including discharging of conditions, non-material amendments or variations remains effective with above average timescales. This was identified in the Phasing Methodology and continues to be the case. These delivery issues are specific and bespoke to Strategic Sites and therefore targeted site specific actions are the most effective approach.

3.27 Through the production of the new Local Plan the council intends to review the timescales within the Phasing Methodology. Although it considers the lead-in times and build-out rates will remain broadly the same, above national averages and with actions to continue this.

Policy approaches and the Local Plan review

3.28 In 2019, the council began reviewing the adopted CDLP (2017) with the publication of the Statement of Community Involvement and the Local Development Scheme.

3.29 Call for Sites is a key step in enabling consistent housing delivery in the future as it begins to uncover potential sources of land available for future development. On 6 February 2020 - 30 June 2020, and 17 April 2021 - 9 July 2021 the Canterbury District Call for Sites were open for submissions. Landowners, developers, housebuilders, agents, residents, parish councils and community groups submitted sites for market housing, affordable housing, accommodation for students, housing for older people, disabled and specialist needs accommodation, self and custom-build housing, and gypsy and traveller pitches.

3.30 'Our future district 2040' (Reg 18) was a public consultation, July 2020 - September 2020⁸, on the Issues within the district. As the first step towards a new Local Plan, the Issues consultation was an inclusive process, engaging with the community, allowing stakeholders the opportunity to be involved at very early stages in shaping the plan.

3.31 'Draft district vision and Local Plan options' (Reg 18) is a public consultation, 28 May 2021 - 30 July 2021⁹. Comments are sought on the draft vision and objectives for the district and three town / city centres as well as growth and technical options which include identification of the preferred options.

3.32 In addition to housing policies the CDLP contains several policies which relate to specific pieces of road infrastructure which will support the delivery of housing in our district. Delays to strategic infrastructure can cause delays to housing delivery:

- **A2 Slip Road, Relief Road** - Works and contributions will be secured in line with CDLP Policy SP2, some have already been secured.
- **A2 Bridge Interchange** - Secured through planning permission for strategic site at South Canterbury. However, that planning application is currently subject to a Judicial Review.

⁸ Comments received through the consultation, and associated workshops are available on the council's website:

https://www.canterbury.gov.uk/info/20014/planning_and_building/313/new_local_plan_2040

⁹ Available on the council's website: <https://localplan.canterbury.gov.uk/>

- **Herne Relief Road** - Contributions will be secured in line with CDLP Policy SP2. Some contributions have already been secured. Works are anticipated to start April 2022.
- **Sturry Relief Road** - Contributions will be secured in line with CDLP Policy SP2. Some contributions have already been secured and the parts within the Sturry / Broad Oak applications have been granted planning permission. An application to KCC is anticipated in the coming months.
- **A28 / A257 Barracks Link Road** - Secured through planning permission for strategic site at Land at Howe Barracks.

3.33 Discussions on viability and significant infrastructure, in relation to Strategic Sites, often causes delays at application stage. While the council has been addressing this matter via a project team approach and working closely with infrastructure providers there will be further opportunities through the new Local Plan.

3.34 A review of delays to strategic sites and monitoring data, supported by stakeholder engagement, identified the following issues related to land purchase, development costs and viability:

- Developers have previously been paying too much for land
- Landowners 'hope value' expectations are high
- A view by of some public is that developers maximum profits over the provision of community benefits and there is public resistance to flexibility on a proposal to improve viability such a renegotiation on affordable housing
- There are challenges and limitations to gathering information - pre-app and viability evidence, transfer and land value paid are all market sensitive.

3.35 To address this going forward the council will be increasing transparency on the land values expected and assumptions on viability input. Work on this is already underway within the Call for Sites and CIL documentation which is publicly available.

3.36 The opportunities provided by the creation of a new Local Plan include the development of a legally compliant evidence base. A plan wide viability evidence base and assessment of funding and timings of infrastructure linked to the Infrastructure Delivery Plan at Local Plan stage should minimise delays at application stage and create transparency over what is expected in terms of obligations and development cost assumptions.

3.37 Additionally, since the adoption of the CDLP in July 2017, updated national guidance on housing types has been produced e.g. around older persons housing and first homes. The Local Plan review will respond to the guidance and the range of sites being submitted and, it is anticipated, this will result in a diversification of housing delivery in the future.

Direct Delivery

3.38 The council as a direct deliverer of housing and a landholder has a direct impact on housing delivery. The council has also recently begun to deliver housing directly as well as in partnership with others. As the property programme develops effective working between internal departments will be key in order for us to maximise the opportunities for delivery.

3.39 The council has progressed housing schemes at Parham Road and the Riverside regeneration project. The council is in the process of developing an Asset Management Plan to ensure a coordinated approach to the delivery programme. The council will be reviewing its landholdings as a matter of best practice and this includes a review of small sites. The council also has a cross party councillor housing working group and an internal officer group to discuss housing and delivery matters.

Additional Considerations

Legal Challenges

3.40 Both the Local Plan and a number of strategic sites have been subject to legal and judicial review processes which have resulted in delays to the delivery of these sites.

3.41 The judicial review launched against the Local Plan took more than two years but ended with the withdrawal of the case in early March 2020.

3.42 The largest of the Strategic Sites (Mountfield Park) was also subject to separate legal action against the Secretary of State for the government's decision not to call-in the planning application for further examination on air quality grounds. The challenge ended in January 2019 when it was comprehensively dismissed by the High Court and the Court of Appeal. The Supreme Court then refused the application for a further appeal, stating the application did "not raise an arguable point of law". However, having granted planning permission for Mountfield Park (South Canterbury) in early 2021, the decision has now had a judicial review launched against it.

3.43 There have also been a number of other legal challenges and appeals related to a number of the strategic sites and the council considers that these have impacted on the anticipated timescales involved in delivering housing.

Covid-19

3.44 Covid-19 has caused disruption to house building and many of the impacts are still unknown. The council will continue to monitor the situation carefully and work closely with the development industry. The council sees this Action Plan as key to enabling the local recovery of housing delivery.

3.45 While it is too early to report precisely on what the local impacts of Covid 19 and potential recessionary effects will be. Early and locally targeted engagement with the development industry operating in the District indicates that the impacts of Covid 19 on delivery rates are unlikely to be severe with many developers predicting, and some already starting to demonstrate, a return to usual market confidence, sales and build out rates within the current year.

3.46 National lockdowns, followed by social distancing slowed down construction and submission of planning applications. However, it appears that the submission of planning applications is now back to the levels before, and for some months even higher than previously.

3.47 Emerging completion data shows the local construction industry has restarted. However, the uncertainties and lockdowns have had an impact and that is expected to be seen in relation to the next year's completions (2020/21). To account for the temporary

disruption caused by the first national lockdown in March last year, the 2019/20 HDT housing requirement figures were reduced by a month for each council. It is not yet known how the government intends to account for the distributions caused throughout 2020/21, but the council will continue to monitor the situation.

Stodmarsh and water quality

3.48 Natural England has issued water quality advice which affects planning applications for new homes in large parts of the district. This means that an appropriate assessment must be carried out before we can agree new housing development which discharges wastewater to the Stour Valley river catchment area. This is to make sure new development doesn't cause any further deterioration of the water quality at Stodmarsh. Further information is available on the [council's website](#).

3.49 There have been delays in granting planning permissions in the Stodmarsh catchment area due to challenges in finding solutions for both the phosphate and nitrate concerns. This issue was mentioned by the majority of responses in the stakeholder engagement which highlights the extensive impact it is having on housing delivery.

3.50 The council is committed to continuing to work with stakeholders, partners and the development industry to find solutions for planning applications so that housing delivery can continue with minimal disruption. Further information on work to date can be found in Chapter 5.

3.51 An update to the catchment area in Herne Bay was provided in April 2021. The Natural England advice does not restrict new development in the villages to the south and east of Herne Bay. Southern Water Services have confirmed these villages are in catchment area 1 of the May Street waste water treatment works. This discharges into the sea and does not impact Stodmarsh.

Chapter 4: Engagement Responses

4.1 The council is committed to taking a proactive approach to housing delivery in the District and positively engages with the development industry and other delivery partners. In 2018, the 'Housing Delivery Group' was established and its members include developers, house builders, SME house builders, affordable housing providers and infrastructure providers.

4.2 The Housing Delivery Group has been regularly engaged since its inception, including workshops, email correspondence and surveys. The group has been key to identifying any barriers to housing delivery and to gain first-hand experience of the current housing market.

4.3 In May and June 2021 surveys were circulated to the Housing Delivery Group, as well as applicants with an allocated site or live planning application, to gather feedback on housing delivery in the district. The choice to widen stakeholder engagement was taken this year due to the unusual past year and a desire by the council to get a robust picture of the impacts.

4.4 The survey included seeking views on last year's action plan, identifying any additional issues this year and what further actions can be taken to improve housing delivery across the district by both the council and the development industry. Overall the collaboration between stakeholders has been really positive.

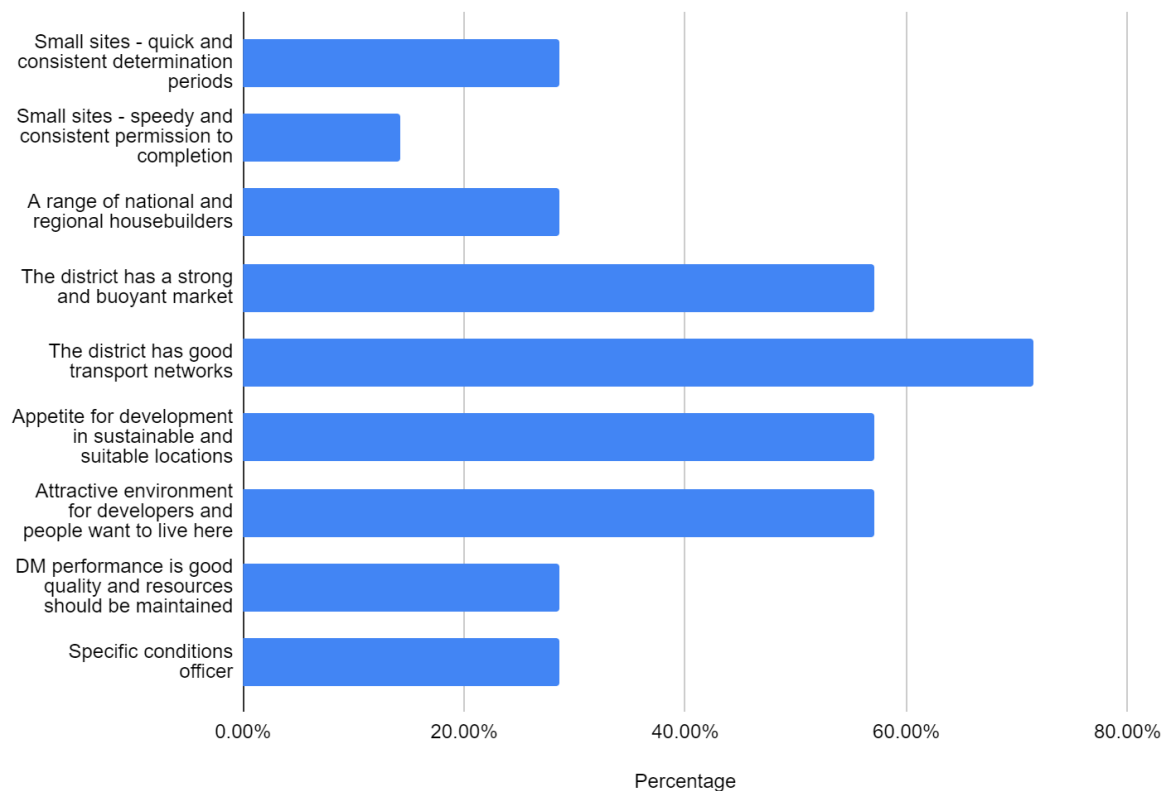
Factors aiding delivery

4.5 The Housing Delivery Group felt that development management performance is of a good quality especially the focus on dealing with conditions approvals and minor amendments in the post consent period. It was identified that adequate resources should be maintained and protected including the specific conditions officer. This will allow the council to continue to work positively and constructively with developers in order to secure delivery of sustainable growth and housing.

4.6 Canterbury district has a buoyant and distinctive housing market which was confirmed through engagement. In particular, the following is consistently confirmed:

- There is an appetite for development in sustainable and suitable locations,
- Land and property sales values are good and above other East Kent areas,
- The district has an attractive environment which developers want to build in and people want to live here, and
- There are good transport connections within and beyond the district.

Figure 6: Percentage of responses which identified key factors which continue to aid delivery

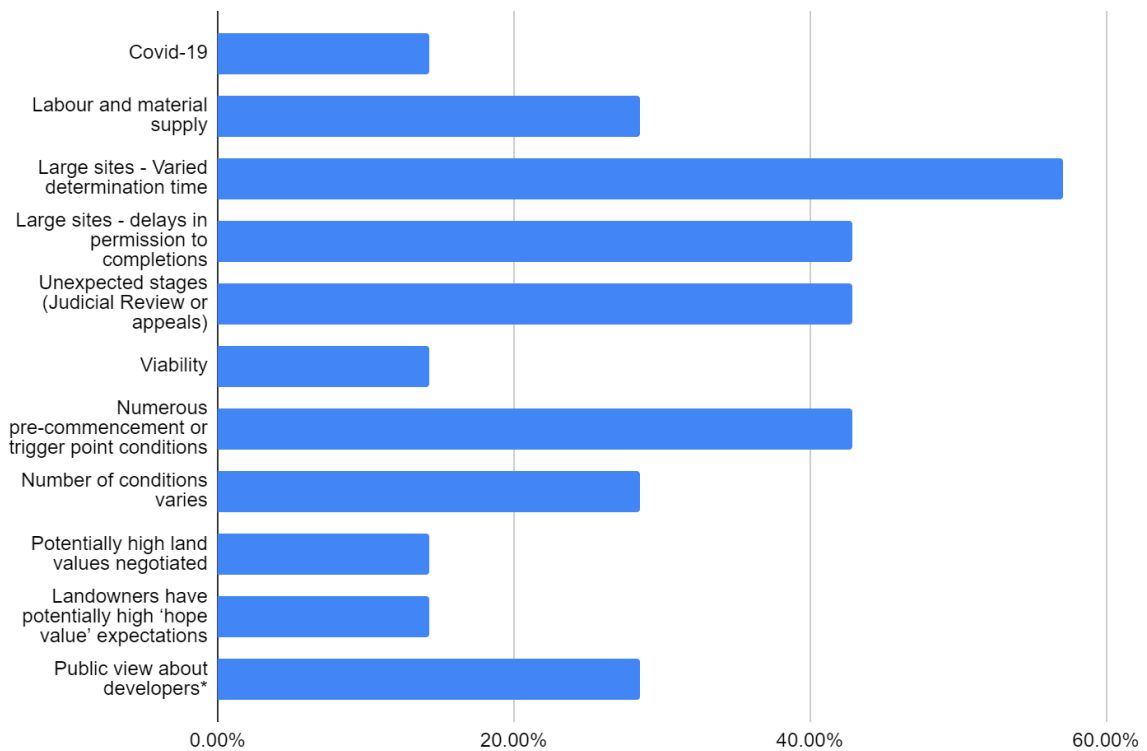


Factors delaying delivery

4.7 Several of the factors identified as still delaying delivery have been discussed in previous sections such as the varied determination times on large / strategic sites and Covid-19. It was also raised that delays can occur through comments from other stakeholders. The council encourages pre-app's to discuss any of these potential issues prior to planning applications to limit delays.

4.8 It was expressed that the difficulty with the supply and availability of materials has been a greater issue recently. Some greater flexibility was requested in imposing and approving conditions in order to reduce post consent delays. The Housing Delivery Group were also keen to see the tests for conditions imposed on planning permission being applied rigorously so as to avoid unnecessary or onerous conditions being imposed on planning permissions. This is something that the team have been focussing on over the past 12 months through internal training sessions and peer review of decisions.

Figure 7 :Percentage of responses which identified key factors which continue to cause delays to housing delivery



* Public view that developers prioritise profits over community benefits and infrastructure obligations.

Other actions for consideration

4.9 Other actions identified, through the engagement process, to improve housing delivery are listed below. These have been considered and incorporated where appropriate within the Action Plan:

- Mitigation strategy or other solution to Natural England's concerns around increased nutrients in the water at Stodmarsh;
- Recognise and support the distinctive role that different types of organisations engaged in the development process play in delivering new homes; and
- Considerations for the emerging Local Plan
 - to allocate a wide range of sites which are various sizes and within different market locations;
 - to increase the number of sales outlets, which may require increasing the number of housing sites;
 - to consider reducing dependency on windfall sites by allocating sites above the identified need to create a buffer; and
 - to consider the inclusion of flexible policies which could enable sustainable development to come forward outside of defined built up areas.

Chapter 5: Action Plan

5.1 The council has been monitoring last year's HDT Action Plan alongside monitoring the delivery of housing throughout the district.

5.2 Appendix 1 sets out the Action Plan, including an update on the progress of actions identified last year and new actions where appropriate.

Key Actions from the past 3 years

5.3 Key actions undertaken in the past 3 years to aid housing delivery within the district:

- **Adoption of the Local Plan** - in July 2017 the Local Plan was adopted and plans for 16,000 homes including allocating 12 Strategic Sites which will deliver over 11,000 dwellings over the lifetime of the plan. The certainty of land allocations is a significant benefit to both developers and the development industry in seeking finances and in securing planning permission.
- **Legal challenges** - against the Local Plan, decision to not call in South Canterbury and other strategic sites have been resolved.
- **Stodmarsh water quality concerns:**
 - Partnerships - the council has worked with local councils, Natural England, Kent County Council, the Environment Agency, Southern Water and government departments to find a solution.
 - Catchment wide strategy - following work with the Planning Advisory Service and a series of meetings a catchment wide strategic approach to address nutrient neutrality has been developed. We have presented the proposals to the government and are awaiting a response.
- **Local Plan to 2040** - the council has started work on the new Local Plan which will include further allocations to meet the higher housing requirement identified to meet the districts need. Two Call for Sites and an Issues consultation have already been undertaken, and a consultation on the 'Draft district vision and Local Plan options' is underway. A revised [Local Development Scheme](#) has been published.
- **Phasing Methodology** - published in 2018, and reviewed in 2019, the document was produced and adjusted following engagement with the Housing Delivery Group, so that build out rates of development in the district could be understood. The Housing Delivery Group signed off the document and the council uses it to inform its conclusion on whether housing sites can be considered deliverable and how long they may take to develop. By looking at localised housing delivery the document provides a robust method of assessing the land supply pipeline.
- **Housing Land Supply Position Statement 2019/20** - published January 2021 the Housing Land Supply Position Statement identifies that the Council is able to demonstrate a housing land supply of **6.62 years**.
- **Internal practices and procedures** - as a proactive approach to improve delivery the council has implemented a number of internal practices and procedures such as:

- Providing a comprehensive pre-application service and encouraging hybrid applications,
- Focused internal practices on strategic development sites via a project team approach to managing strategic sites with regular meetings to monitor progress at all stages from early pre-application discussions to the completion of the project; this also reduces the risk of legal challenge; and
- Having a dedicated resource for dealing with and monitoring the post consent delivery period such as applications for submission of details, discharging conditions, non-material amendments and variation applications.
- **Direct Delivery** - the council is a direct deliverer of homes and is assessing its existing assets for future opportunities.
- **Kent Planning Protocol** - the council has been at the forefront of developing and implementing the protocol.
- **University of Kent Planning School** - the council has been instrumental in the setting up of the Planning school and planning courses at the University of Kent which aim to locally train and retain highly skilled planners in the county.

Appendices

Appendix A: Action Plan

Action	Timescales	Outcomes	Update
Actions related to DM practices - Strategic Sites			
Encourage pre-app and seek involvement of policy team and external infrastructure (KCC) when necessary.	Ongoing	<ul style="list-style-type: none"> • Holistic approach to swiftly guiding development through the planning process and improving determination times. • Risk of appeal and legal challenge minimised. 	Ongoing
Work with legal to enable fast tracking of S106 agreements	Short	<ul style="list-style-type: none"> • Maintain collaborative working with KCC and improve S106 timescales. 	Ongoing
Continue with project team approach to Strategic Sites and other major developments	Ongoing	<ul style="list-style-type: none"> • Holistic approach to swiftly guiding development through the planning process and improving determination times. • Risk of appeal and legal challenge minimised. 	Ongoing
Facilitate site specific meetings aimed at targeting delivery issues on strategic sites to identify the individual issues and actions needed.	Ongoing	<ul style="list-style-type: none"> • Holistic approach to swiftly guiding development through the planning process and improving determination times. • Risk of appeal and legal challenge minimised. • Early intervention with problems • Identification of early stalled sites. 	Ongoing
Review allocated sites yet to be submitted and hold meetings with the developer to explore why	Short / Medium	<ul style="list-style-type: none"> • Site specific solutions to stalled sites. 	Ongoing. Requests were made to all allocated sites for information on delivery and

			issues as part of the 2020/21 Housing Infrastructure Audit. Further work will be undertaken inline with the production of the new Local Plan.
Seek to ensure quality of decision making and pre app advice remains high as well as retain experienced staff	Short	<ul style="list-style-type: none"> ● Maintain high quality decision making and thorough pre-application advice to enable holistic approach to swiftly guiding development through the planning process and improve determination times. 	Ongoing
Maintain adequate resources for handling small sites	Ongoing	<ul style="list-style-type: none"> ● Maintain the high approval rate within time limits. ● Maintain the supply from small and windfall sites. ● Improve the planning process for SME and developers of small sites. 	Ongoing
Actions related to DM practices - Post consent and Conditions			
Implement a review and reflect system to conditions prior to decision to minimise conditions.	Short / Medium	<ul style="list-style-type: none"> ● Continue to experience shorter than average and smooth post consent period to accelerate build out. 	Ongoing. There has been a reduction in the number of conditions and depending on the nature of the application discussions on the proposed conditions with applicants
Implement a flexible approach to approved materials, in appropriate cases - move to an agreed materials schedule system	Short	<ul style="list-style-type: none"> ● Continue to experience shorter than average and smooth post consent period to accelerate build out. ● Improve the planning process for SME and developers of small sites. 	Ongoing

Continue to focus resources on post consent stage via officer post and conditions tracker	Ongoing	<ul style="list-style-type: none"> Continue to experience shorter than average and smooth post consent period to accelerate build out. 	Ongoing
Appointment of CIL officer in post to monitor and track applications through consent to construction timescales and early identification of stalling sites.	Immediate	<ul style="list-style-type: none"> Improved monitoring of post consent timescales and early identification of stalled sites. 	CIL officer appointed
Actions related to Policy and Local Plan review - Delivery monitoring and Supply			
Review Council's Phasing Methodology to reflect any changes in lead in times or build out rates experienced.	Short	<ul style="list-style-type: none"> Update the Phasing Methodology to reflect latest evidence. Ensure the ongoing robustness of the land supply assessment. 	Work ongoing, alongside the production of the new Local Plan.
Produce the annual Housing Land Supply Statement and confirm the presence of a 5yr housing land supply	Annual	<ul style="list-style-type: none"> Continue to demonstrate a 5yr housing land supply. 	2019/20 Housing Land Supply Statement was published on the website .
			2020/21 Housing Land Supply Statement is being produced.
Continued engagement on the completion monitoring and phasing of sites in the land supply	Annual	<ul style="list-style-type: none"> Continue to demonstrate a 5yr housing land supply. Ensure the ongoing robustness of the land supply assessment. 	2019/20 engagement complete. Response limited due to COVID-19. However, 10 Statement of Common Ground produced for the strategic sites.
			Engagement for 2020/21 is ongoing.

Continue Delivery Group to identify barriers and as a sounding board for issues and actions rolling throughout the year	Ongoing	<ul style="list-style-type: none"> • Ensure the ongoing robustness of the land supply assessment. • Maintain collaborative working with the development industry and delivery stakeholders. 	Delivery Group engagement ongoing as discussed in Chapter 4.
Actions related to Policy and Local Plan review - Typologies of Sites			
Diversify typologies and sizes of sites in the supply of allocations through the LP review	Medium / Long	<ul style="list-style-type: none"> • Diversify typologies and sizes of sites through the LP review. 	Ongoing through the Local Plan review.
Identify CCC small sites and self build plots available through corporate programmes.	Medium	<ul style="list-style-type: none"> • Make the most effective use of the corporate land holdings. 	Project ongoing
Maintain and monitor supply of small and windfalls sites	Ongoing	<ul style="list-style-type: none"> • Improve monitoring processes. • Continue to monitor small and windfall sites. 	Monitoring processes have been improved, but will be kept under review to ensure the best practices are used.
			Monitoring ongoing
Encourage appropriate small sites identified in Call for Sites to come forward for development.	Medium	<ul style="list-style-type: none"> • Improve SME presence in the district. • Increase Rural housing schemes and specialist developers. 	Ongoing through the Local Plan review.
Consider the role rural housing in diversifying the typologies of allocations plays in meeting needs and ensure the Local Plan meets the requirements for rural housing in the NPPF.	Medium / Long	<ul style="list-style-type: none"> • Improve SME presence in the district. • Increase Rural housing schemes and specialist developers. • Encourage sustainable development 	Ongoing through the Local Plan review.

Identify sufficient allocated sites to meet the district's housing need through the new Local Plan to 2040	Medium	<ul style="list-style-type: none"> ● Increase sustainable development to meet the increased housing need to 2040 	Ongoing through the Local Plan review.
Actively encourage developers and housebuilders not currently delivering in the district to engage with the Council.	Medium / Long	<ul style="list-style-type: none"> ● Increase delivery from additional developers and housebuilders. 	Engagement ongoing.
Use the existing agents forum to increase engagement with SME and identify specific SME barriers to resolve.	Short	<ul style="list-style-type: none"> ● Improve SME presence in the district. ● Increase rural housing schemes and specialist developers. 	Engagement ongoing. Kent SME Network invited to join the Delivery Group
Improve transparency on land values expected and assumptions on viability and make them publicly available.	Medium / Long	<ul style="list-style-type: none"> ● LP viability work will create transparency over what is expected in terms of obligations and development cost assumptions. 	Some already occurred through CIL examination. Further ongoing through Call for Sites and Local Plan viability work..
Local Plan review evidence base on viability of development in-line with the updated national guidance which will create transparency over what is expected in terms of obligations and development cost assumptions.	Medium / Long	<ul style="list-style-type: none"> ● LP viability work will create transparency over what is expected in terms of obligations and development cost assumptions. 	Ongoing through the Local Plan review
Assess changes in market demand for employment land and review LP allocations for employment land including any	Medium / Long	<ul style="list-style-type: none"> ● Reflect limited market demand and make effective use of allocated sites. 	Economic Development and Tourism Study 2020 complete.

outcome of employment land review			Further work ongoing through the Local Plan review.
Actions related to direct delivery by the Council			
Monitor and review the Housing Strategy and the Action Plan	Medium	<ul style="list-style-type: none"> • Maintain an up to date Housing Strategy. 	Project ongoing
Development of an asset management strategy for managing land holdings and disposal of land	Ongoing	<ul style="list-style-type: none"> • Make the most effective use of the corporate land holdings. 	Project ongoing
Maintain the Housing Working Group and continue to hold monthly meetings	Ongoing	<ul style="list-style-type: none"> • Maintain effective communication between internal departments focussed on delivery. 	Project ongoing
Maintain the Councillor Housing Working Group	Ongoing	<ul style="list-style-type: none"> • Maintain effective communication between internal departments and councillors focussed on delivery. 	Project ongoing
Continue with the small sites project to inform the future corporate building programme	Ongoing	<ul style="list-style-type: none"> • Make the most effective use of the corporate land holdings. 	Project ongoing
Continue with corporate building programme including Kingsmead Field, Parham Court.	Ongoing	<ul style="list-style-type: none"> • Make the most effective use of the corporate land holdings. 	Certain projects were delayed due to restrictions caused by COVID-19. However, most projects are now back building.
Ensure internal coordinated approach to facilitate a smooth	Medium / Long	<ul style="list-style-type: none"> • Maintain effective communication between internal departments focussed on delivery 	Ongoing

planning decision making process such as undertaking internal pre-app processes			
Promote the key role planning plays in delivery and the resources it provides to other departments	Medium / Long	<ul style="list-style-type: none"> • Maintain effective communication between internal departments focussed on delivery 	Ongoing
Additional considerations			
Continue to look for solutions to the nutrient concerns raised by Natural England in relation to Stodmarsh European site	Short	<ul style="list-style-type: none"> • Consider solutions and strategy to allow development to resume in the Stodmarsh catchment area 	Project ongoing
Continue to assess the impacts of Covid-19 and associated restrictions as and when information becomes available	Short / Medium	<ul style="list-style-type: none"> • Monitor the impacts on housing delivery • Support recovery 	Project ongoing

Appendix B: Delivery Root Cause Analysis

Categories affecting housing delivery	Evidence analysis
Allocations vs Windfall	<ul style="list-style-type: none"> • Allocated - The Local Plan allocated sites for 80% of the housing need requirement • Delivering - Allocated sites are not making up 71% of supply, but they are increasing yearly. • Completions formed by a high percentage of windfall and other sites. • Determination period for strategic site is varied meaning some are progressing slower than anticipated • 9 of the 12 Local Plan Strategic sites now have an initial consent.
Small Sites	<ul style="list-style-type: none"> • Determination periods remain generally quick and consistent • Permission to completions remains speedy and consistent • Very small number of stalled or lapsed sites
Strategic / Large Sites	<ul style="list-style-type: none"> • Determination periods are varied meaning some are progressing slower than anticipated • 'Slow burn' sites - delay in getting off the ground • Judicial review, appeals and legal processes are a major cause of delays • Some strategic sites have not come forward yet
Current housing supply situation	<ul style="list-style-type: none"> • 87% on the HDT showing completions for the last 3yrs are below the required amount • Problems with data gathering in 2019/20 due to Covid-19 restrictions on site visits. • Windfall/small site contribution has been steady and predictable. • Shortfall mainly created by longer than anticipated start to Strategic Sites.
Housebuilders	<ul style="list-style-type: none"> • A range of national and regional housebuilders. • Multiple sites progressed by the same builder. • Some national/regional housebuilders are not in the district at all. • Lack of varied SME presence in the district
Conditions	<ul style="list-style-type: none"> • Number of conditions varies. • Some consents have numerous pre-commencement or trigger point conditions.

<p>Land costs and viability</p>	<ul style="list-style-type: none"> ● Potentially high land values negotiated. ● Landowners have potentially high ‘hope value’ expectations. ● Public view that developers prioritise profits over community benefits and infrastructure obligations. ● There are challenges and limitations to gathering information - pre-app and viability evidence, transfer and land value paid are all market sensitive
<p>Other (informed by stakeholder and developer engagement)</p>	<ul style="list-style-type: none"> ● Exact impacts of Covid-19 still uncertain ● Delays due to Natural England’s concerns in relation to water quality and nutrients at Stodmarsh European site. ● Long determination periods due to complex viability discussions and interlinked infrastructure projects. These complex matters are dealt with at application stage rather than during development of a Local Plan. ● There are judicial reviews, appeals and legal risks associated with bringing sites forward and can extend determination times ● Supply and availability of materials is becoming a greater issue