

**Hertsmere Borough Council**

**Housing Delivery Test  
Action Plan**



**September 2022**

## 1. Introduction

- 1.1 A Housing Delivery Test Action Plan is a document required from a local authority when housebuilding falls below 95% of its rolling housing requirement, which are set by the government through the standard national method. The Housing Delivery Test (HDT) results were published nationally in December 2021. It showed that housebuilding rates in the borough had underperformed against the levels required through the HDT, falling below the required target for housing completions over the previous 3 years. Consequently, the Council has to prepare a Housing Delivery Test Action Plan to show how it plans to increase the number of completions across the borough.
- 1.2 This Action Plan has been prepared in line with the guidance set out in the Housing Supply and Delivery section of the national Planning Practice Guidance (PPG), which itself expands on the HDT guideline requirements in Paragraph 76 of the National Planning Policy Framework (NPPF).
- 1.3 The Action Plan identifies where there may be scope to improve our processes and relationships and puts in place a series of steps to help increase the rates of delivery of new homes. Discussions have been undertaken with relevant internal stakeholders, including lead officers in Development Management and the Infrastructure and Delivery team, to help identify potential solutions.
- 1.4 Whilst acknowledging that there is scope to change aspects of the planning process, both national and locally, in relation to housing delivery, there remain external pressures that are often difficult for the local authority to control and it is important that the Action Plan distinguishes between the two.
- 1.5 It is particularly important to emphasise that the largest single barrier to delivery is the acute lack of available land for housing within the borough with almost 80% of the borough designated as Green Belt. The targets in the HDT are based on the standard national housing method for calculating housing need, which is currently 760 per year for Hertsmere. By way of contrast, the current Local Plan, which is the starting point for determining all planning applications, is based on a considerably lower housing target of 3,990 homes between 2012 and 2027, which equates to 266 homes per year, and this was met in 2022.
- 1.6 A new Local Plan will need to allocate large strategic sites to ensure housing delivery rates can increase. The draft Local Plan issued in 2021, identified a significant number of proposed locations for growth, involving some green belt alterations. Following a public engagement undertaken last year, a decision was taken at a meeting of the full Council in April 2022<sup>1</sup> to 'set aside' that version of the plan whilst requesting that officers "continue the local plan process by carrying out additional work as necessary to inform a local plan spatial strategy, whilst awaiting clarity from the Government on changes to law or policy affecting that matter."
- 1.7 Therefore, this Action Plan also looks at a wide range of processes and steps which can be taken by the Council to help increase delivery rates in the shorter term.

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<sup>1</sup>[https://hertsmere.moderngov.co.uk/documents/s57021/20220427FC08%20Full\\_Council\\_Report\\_Local\\_Plan\\_Options\\_FIN\\_AL.pdf](https://hertsmere.moderngov.co.uk/documents/s57021/20220427FC08%20Full_Council_Report_Local_Plan_Options_FIN_AL.pdf)

Cumulatively, the actions suggested can make an important difference, pending the adoption of a new Local Plan.

## **2. Policy Context**

- 2.1 The government has continued to state its commitment to addressing the chronic shortage of new homes across England. The effect of this shortage has meant that unaffordability has become an increasingly pressing issue with a generation of people, in the south east of England in particular, who many may never own a home. Hundreds of thousands of people also remain on local authority housing lists, waiting for an affordable rented property more suited to their needs.
- 2.2 To support the aims of the government to provide 300,000 new homes a year by the mid-2020s, and targeting areas where affordability is a particular issue, a raft of new measures have been brought in over the last few years including:
- A revised NPPF (published 2012, revised 2018, 2109, 2021);
  - Updated Planning Practice Guidance (PPG);
  - The Housing White Paper (2017);
  - The HDT rulebook (2018); and
  - The HDT Measurement Technical Note (2018).

### **National Policy Context**

#### **The Housing White Paper**

- 2.3 In response to the national housing crisis, the current Government published the Housing White Paper 'Fixing our broken housing market' in February 2017. It set out proposals to reform the housing market and boost the supply of new homes in England, including measures to build homes faster.
- 2.4 Significantly, through the new HDT, it proposed to hold local authorities to account for the number of new homes delivered and the rate at which they were built out. The test would show whether the number of homes being built over a rolling three year period is below the required number of homes needed in that area. The test would provide a mechanism for establishing why there has been under delivery.
- 2.5 The Housing White Paper also addressed concerns associated with developers' land banking, where development on sites with planning permission is deliberately placed on hold to maximise the benefits from increases in land value. Land banking slows the rate of development, making it harder for housing demand to be met and further increases house prices. Local authorities have little power to address land-banking which ultimately requires government to introduce measures to prevent or disincentivise land-banking.
- 2.6 The third focus of the Housing White Paper was on the development of brownfield land. The Government believes this will reduce the pressure on the countryside to provide land for housing. The Council supports development on brownfield land and is currently updating its Brownfield Land Register although information relating to previously developed land in the borough is published by the Council through its Housing and Economic Land Availability Assessment and annual Five Year Land Supply position; however it is well known that opportunities for brownfield development in a borough containing small/medium sized settlements and tightly constrained by Green Belt, are limited.

## **Planning for the right homes in the right places**

- 2.7 Building on the Housing White Paper, this document set out proposals to reform the planning system to increase the supply of new homes and increase the local authority capacity to manage growth. Central to the proposals was the introduction of a standard method for calculating local authorities' housing need, identifying the minimum number of homes expected to be planned for. This proposal marked a major departure from previous government policy which required local authorities to prepare a Strategic Housing Market Assessment (SHMA) to identify their housing need figure and the types of housing needed in their area.

### **NPPF**

- 2.8 The NPPF sets out the requirements of the HDT and the measures where local authorities are unable to meet the requirements over each rolling three year period. Paragraph 76 of the NPPF sets out that where the HDT measurement indicates delivery falls under 95% over the past three years, an action plan should be prepared. The NPPF also states that (1) where delivery falls below 85% over a three year period, a 20% 'buffer' should be added to the housing requirement for the area and (2) where delivery falls below 75% over a three year period, a presumption in favour of development will apply in the determination of planning applications involving housing.

### **PPG**

- 2.10 The Housing Delivery and Supply section of the national Planning Practice Guidance provides further guidance on the preparation and aims of a HDT Action Plan. The PPG also helpfully identifies a number of actions that a local authority may want to consider in order to boost delivery. These include revisiting the HELAA in order to identify sites that could increase delivery rates, and/or carrying out a new call for sites, improving engagement with key stakeholders to identify barriers to delivery and obtain up to date information, as well as reviewing the impact of Article 4 directions for change of use from residential to non-residential uses.

### **Joint Strategic Plan**

- 2.11 The South West Herts Authorities (Hertsmere Borough Council, Dacorum Borough Council, Three Rivers District Council, St Albans City and District Council and Watford Borough Council) have agreed to produce a joint plan. This will provide a strategic planning framework for the wider area up to 2050.
- 2.12 The aim of the plan is to look at the area as a whole without internal boundaries and plan for development and associated infrastructure in a co-ordinated manner. The overall quantum of housing and economic growth will be established for the time period 2036 to 2050. An initial consultation draft is scheduled for publication in 2022.

### **Local Planning Policy**

- 2.13 The local authority is currently in the process of producing a new local plan that will replace both the 2013 Core Strategy and the 2016 Site Allocations and Development Management Plan. The current development plan also incorporates the Elstree Way Area Action Plan (published in 2016) and 2 Neighbourhood Plans for Radlett and Shenley (adopted in 2021).

2.14 The Regulation 18 draft Local Plan was issued for a period of public engagement between October and December 2021. The future growth scenario for the plan was to provide homes based on the 2014 standard method that resulted in a target of 714 homes per annum up to 2038. There was a significant response to the draft plan with almost 18,000 submissions made, with the majority of residents who responded objecting to the level of growth. As indicated above, the Council has 'set aside' that version of the plan whilst awaiting further clarity from the government in relation to further planning reforms and changes to national policy, but continues to respond to the comments made on the Plan and undertake evidence base work for the Plan. An updated Local Development Scheme, a project plan setting out the timescales for preparing the plan, will be issued in due course.

### 3. Local context

3.1 Hertsmere Borough lies within the Metropolitan Green Belt on the southern edge of Hertfordshire and shares borders with both Hertfordshire local authorities and Greater London boroughs. It also has the A1(M) passing through it, as well as the M1 and the M25, with several mainline train stations in the borough.

#### Constraints

3.2 Although there are several towns within the borough, the largest of these has a population of only just over 30,000. Further to this, there is no large-scale history of manufacturing or industry, or significant areas of older poor quality housing stock requiring estate renewal. This means there are limited areas of available brownfield land for redevelopment and this is likely to remain the case.

3.3 Large areas of Hertsmere are constrained by green belt, with almost 80% of the local authority area designated as such. There are also many other designations such as SSSI's, Ancient Woodland and Historic Parks and Gardens, but the majority of these areas overlap with the Green Belt. Other locations where the scope for new development is constrained include 16 Conservation Areas including in Bushey (3) Potters Bar (2) and Radlett (2). These factors mean that not only is Hertsmere a desirable place to live but that under its current planning policy framework, it has little readily available land where new homes can be delivered.

3.4 Hertsmere has seen almost all of the sites in its current Local Plan built out. Only one site in the Site Allocations and Development Management Policies Plan and three sites in the Elstree Way Corridor AAP remain to be redeveloped. The authority has seen more homes built than planned in the present plan period that runs from 2012-2027.

#### *Hertsmere's build out rate since the adoption of the present Core Strategy*

Year	Completions	Annual Requirement (Core Strategy)	Shortfall / Surplus against Core Strategy
2012/13	292	266	26
2013/14	440	266	174
2014/15	180	266	-86
2015/16	354	266	88
2016/17	309	266	43
2017/18	540	266	274
2018/19	630	266	364
2019/20	564	266	298
<b>2020/21</b>	<b>456</b>	<b>266</b>	<b>190</b>
<b>Total</b>	<b>3765</b>	<b>2394</b>	<b>1371</b>

Source: Hertsmere Borough Council monitoring

3.5 Hertsmere's target of 266 homes per annum was met in all but one of the last 10 years, and was often exceeded, with more than double the completions in 2018/19 and 2019/20. A key factor in meeting and exceeding these requirements has been the volume of prior approval' applications for development involving the conversion of employment premises under expanded national permitted development rights. In response to this, the Council has had to introduce Article 4 Directions to ensure that it is able to maintain an adequate supply of employment land within the borough.

### **Why do we have to produce an Action Plan now?**

- 3.6 At the stage when the standard method was first announced, based on the 2014 household projections (which remains the case), the local authority was wholly or partly within the 5 year period following the plan publication. During this period, the housing need requirement for Hertsmere remain derived from the Core Strategy figures, in this case 266 per year. The Council was able to exceed the HDT requirement for 95% of the required units to be delivered over a rolling three year period.
- 3.7 When the figures based on the standard methodology became the target for the entire three year average, it has not been possible to meet these targets, due to the annual housing requirement figures being almost three times higher at 760 units per year. Housing completions comprised 88% of the required housing need over the 3 monitoring years between 2018 and 2021 compared to the HDT requirement of 95%. Under the NPPF, there is now a requirement to prepare an action plan.
- 3.8 All but one local authority in Hertfordshire have failed to reach 95% of their completion targets for the year. Six out of ten authorities have fallen significantly short, to the extent that the presumption in favour of sustainable development now applies. This reflects the difficulties faced across the county and most of the wider metropolitan Green Belt authorities in relation to the competing requirements of high housing targets, limited suitable and available land, and having an up-to-date local plan.

### **Challenges and Timescales**

- 3.9 The Council is in the process of producing a new local plan which will seek to address housing (and other land use) needs. The production of a local plan clearly takes time and the identification of sites, mainly within the Green Belt, provides further challenges to timescales and the delivery of an up to date plan. There also significant infrastructure challenges which would be more straightforward to address were the growth to be accommodated within large settlements with a wide range of existing services including greater public transport connectivity.
- 3.10 The September 2021 Regulation 18 draft version of the Local Plan, which has since been 'set aside', is predicated on a sustained acceleration in delivery taking place from the 2024/2025 monitoring year onwards. At this point, the larger strategic sites enter the pipeline of delivery due to the lead-in times for such sites; the lead-in times and build out rates are based on both information provided by site promoters and published evidence<sup>2</sup>.
- 3.11 The challenges faced locally are reflected by the size of the developments which were built out in the 2020/21 monitoring year. The largest application, excluding change of use/prior approval applications, was for 39 dwellings as the remaining part of a 2014 application for 344 dwellings on a former school site. The largest 'new' site built out was for a scheme of 25 flats on a brownfield site following the demolition of an existing building.

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<sup>2</sup> Start to Finish, How Quickly do Large-Scale Housing Sites Deliver? Nathaniel Lichfield and Partners (November 2016). Independent Review of Build Out Rates, Draft Analysis, Rt Hon Sir Oliver Letwin MP (June 2018)



## 4. Review of Present Practices and Suggested Actions

- 4.1 The national PPG sets out a number of actions which it considers could be deployed to boost housing delivery. These are neither mandatory nor exhaustive and are appended to this report but provide a useful starting point in identifying actions which could form the basis of a local action plan. A number of these are already existing practice and/or in progress at Hertsmere but the recommended actions are informed by the guidance set out in the PPG.

### a) Review of key planning policy documents

#### Local Plan

- 4.2 Accelerating production of an emerging plan is identified in the PPG as an action for increasing housing delivery; this provides an opportunity to review existing policies and allocate new land for development. Addressing the significant gap between the amount of developable land in the borough and the housing requirement generated by the standard national method, will ultimately require the allocation of new strategic sites in a revised Local Plan. The preparation and progression of the Local Plan is a complex undertaking and it is not considered appropriate to set out the component tasks for the Local Plan, which has its own work programme, in this Action Plan.

**Action: Continue work on Local Plan in line with Council Resolution of April 2022**

#### HELAA

- 4.3 A number of technical reports are being produced or updated in order to support the preparation of the local plan which should ultimately transform the availability of land and delivery rates. The scheduled update of the HELAA, previously issued in 2019, together with an updated Call for Sites will include a particular focus on any previously unidentified brownfield land and other sites within settlement boundaries. This will also respond to residents' concerns over the scope and scale of proposed green belt development within the draft plan with many submissions considering that the focus of development should be on brownfield sites.

**Action: Update Hertsmere HELAA including new Call for Sites**

#### Brownfield land register

- 4.4 To this end, the Council is also updating its record of previously developed sites by updating the brownfield land register. However, it is not considered necessary to create a Part 2 to the register to enable sites to be granted 'permission in principle'. The strength of the local housing market is such that private sector land owners/developers will continue to submit planning applications on available previously developed sites. The four sites in the current Local Plan which have not yet come forward for development are all within public sector ownership; their allocation in an adopted Local Plan provides a similar level of certainty for development as 'permission in principle'. Approaches to bringing forward other public sector-owned sites are considered later in this action plan.

**Action: Update brownfield land register**

### **Other technical work**

- 4.5 Other work being undertaken and updated either by the Council will support the delivery of sites through the Local Plan. These include the Infrastructure Delivery Plan, Strategic Flood Risk Assessment and the Sustainable Transport Strategy.

**Action: Continue to progress relevant technical studies for the Local Plan**

### **Article 4 Directions**

- 4.6 Article 4 Directions have recently been reviewed by the local authority due to the changes in both the Use Class Order and General Permitted Development Order. However, Article 4 Directions only cover designated employment areas which leaves other sites, particularly offices, smaller clusters within town centres or other standalone locations which are potentially capable of conversion of or development to residential use.
- 4.7 The 13 designated employment areas comprise industrial estates and business parks and these are considered to be incompatible with the introduction of residential land uses; many comprise either 'noisy' commercial activities arising from operational activities and/or vehicle movements. Protecting both the operational integrity of these industrial estates and business parks, as well as the standard of residential accommodation available to our residents, remains a priority for the Council. When first introduced in 2019, no objections were received and presently, there is considered to be no justification for removing existing Article 4 Directions. However, the Council will keep under review the demand for office accommodation to establish whether this has changed due to the introduction of hybrid working patterns following the Covid-19.

**Action: None required**

### **Design Guidance**

- 4.8 The Hertsmere Design Guide comprises a series of different parts some of which have been produced or updated at different times. Two parts, in particular, are considered to be out of date and which it is recognised can cause day to day challenges for officers. Part D (Guidelines for Development) covers new-build development, including for new housing, and has been in draft form since 2016 following a public consultation on updates to the previous iteration (2013). Part E, which was adopted in 2006, provides guidelines for residential extensions and alterations, but is not directly relevant to the supply of new homes.
- 4.9 The draft revisions to Part D will need to be further revisited in light of updated government policy on design including the emphasis in the NPPF on building 'beautiful' places and the establishment of a national design guide in 2019. Achieving a consensus on what constitutes beauty within the built environment, given that design is an inherently subjective matter, will be challenging but it is important that the update of Part D is now expedited. The appointment of an in-house design officer will greatly assist in enabling that work to be undertaken given the need for timely, accurate and location-specific design input into the decision-making process.

**Action: Expedite updating Part D of the Design Guide**

## **b) Development Management**

### **Statutory Consultees**

- 4.10 Whilst many planning decisions are made within statutory time limits or agreed time extensions (in over 90% of cases), barriers to timely decisions still exist. The need to agree time limit extensions with applicants essentially adds to the length of time it takes to deliver new homes although delays can often be down the shortcomings in the schemes submitted which require addressing.
- 4.11 There are acknowledged to be some issues with some internal and external consultees having difficulty providing responses to planning applications within the requested time limits and this can be down to resourcing issues within those teams and organisations, outside of the control of the Local Planning Authority. For example, Hertfordshire County Council, as the Lead Local Flood Authority (LLFA), have highlighted a critical shortage of staff in discharging their responsibilities as LLFA. Internally, the Council employs a single arboriculture officer who is also responsible for non-planning arboriculture matters in relation to the Council's own parks.
- 4.12 In the case of external consultees, improving timeliness can be outside of the Council's control. Internally, the urban design function which has been contracted-out for many years is now delivered through an in-house urban designer. However, it is important that the reasons for delays in receiving responses on planning applications from within the Council are identified and steps taken to address this.

**Action: Identify and where possible address factors behind consultee delays in responding to planning applications**

#### **Householder/Minor Applications**

- 4.13 A considerable amount of officer time continues to be spent on householder and other minor applications. This is due to the volume of these type of applications being made despite (or in some instances, because of) national changes to permitted development rights for householders. However, many of the delegated reports for these applications are recognised to be disproportionately long despite previous efforts to address this; this is, in part, due to the need to provide an increasingly detailed analysis of how neighbourhood plan policies have been taken into consideration. However, the focus on householder and minor applications reduces the amount of time spent on larger, more complex applications. This ultimately can lead to delays in how long it takes for those applications to be determined which, in the case of approved schemes for new housing, impacts on the housing delivery rate.
- 4.14 While the decisions being made within time limits are consistently over 90%, this doesn't account for extensions of time being issued. Over the past 5 years applications that have had an extension of time have accounted for between 19 and 27% of all applications, but this rose to 43% in 2021/22. Due to the very high numbers of these type of applications (major applications only make up around 2 to 3% of applications annually) they account for nearly all extensions of time. Although proportionately minor applications have led to extensions of time in over 40% of cases on average and over 60% in 2021/22, the very high number of householder applications accounting for over 70% of all applications, means that they lead to the highest numbers requiring an extension, so both of these categories should be reviewed. This is particularly important due to the likelihood of larger strategic size applications being submitted and the extra time needed to spend on reviewing these.
- 4.15 The amount of time taken to make a decision on a householder application has fluctuated between 8 and 9.7 weeks over the past 5 years, with 9.7 weeks being in

the 21/22 monitoring year. This would suggest that there is an opportunity for efficiencies to be made, something that will become increasingly important if there is an influx of speculative strategic planning applications in the next 12 months or so.

**Action: Review processes within the Planning and Economic Development department for issuing householder/minor application decisions, including template formats for delegated reports.**

### **S106 agreements**

- 4.16 One of the most significant barriers to development coming forward in a timely manner is the time taken to negotiate and secure S106 agreements through discussions with third parties. In some cases, these discussions are taking 12-18 months to complete and there are presently nine such cases in the process of being signed off. This is a considerable proportion of the larger sites given there are so few in the pipeline at the moment; conversely, in 2016/17, there were only two such legal agreements remained unsigned at the end of the financial year.
- 4.17 S106 agreements are legal documents requiring the involvement of different organisations' legal teams, including typically both Hertsmere Borough Council and Hertfordshire County Council, as well as the developer's own legal representatives. The challenge of ensuring the timely negotiation and signing of s106 notices is one faced across the County and the protracted nature of this process has caused delays in the issuing of planning permissions; subsequently this is an issue that has been identified by both parties and the Hertfordshire Planning Group have proposed monthly monitoring of the S106 process. So far, three main learning points have been identified; (1) the need for better communication between all parties (2) for HCC's legal department to have sight of draft agreements at an early stage, prior to detailed drafting with the applicant and (3) the need to provide an undertaking for costs to the legal team earlier in the process.

**Action: The scope for closer joint working and associated capacity building on s106 agreements should be identified by planning and legal departments across the County. The proposed monthly monitoring of s106 between should be actively pursued and implemented, which should go a long way to improving the process.**

### **Pre-application service**

- 4.18 The planning department already takes a pro-active in its approach towards pre-application advice. However, with many external services or consultees now having their own pre-application service, the value and timeliness of this process has been affected as it is no longer a centralised process. This is one of the reasons why the Council has recently introduced an inception service in order to improve early engagement, lessen the risk of refusal and provide value for money. The cost of this service would be less than for a full pre-application for larger sites, so it encourages early engagement in some cases where cost could be seen as a prohibitive barrier.
- 4.19 The benefits of this inception service do not stretch to the smaller sites as the type of advice surrounding high level principles and policy sign-posting is less useful or applicable on these sites. However, due to the disproportionate amount of time spent on the smaller applications as discussed above, a review of process on smaller

applications could include a more accessible pre-application service for these applications. There are often problems on these sites created by a lack of awareness, particularly if a planning agent has not been employed, that could be resolved in a timely way prior to any applications being submitted.

**Action: Consider whether the pre-application service can be expanded to householder and other minor applications**

### **Planning Performance Agreements (PPAs)**

- 4.20 PPAs allow for complex development proposals to be effectively project managed and resourced, through what is essentially a service level agreement between the applicant/developer and the Council. PPAs have been deployed in both Development Management and Planning Policy functions and should continue to be utilised as an effective way of resourcing the progression of major schemes which typically require the submission and assessment of a raft of technical reports. The process is now well established at Hertsmere and no specific actions are considered necessary in relation to PPAs.

**Action: No further actions required**

### **c) External and other factors**

#### **Land Banking**

- 4.21 Land banking is not considered to be a particular issue in this borough in terms of delivery rates. The lapse rate on planning applications is very low with typically around 95% of approved units being built out. This reflects the high value of return on most sites and the scarcity of developable land available.

**Action: No further actions required**

#### **Stalled sites**

- 4.22 The very low lapse rate for planning applications indicates that there are few genuinely 'stalled' development sites. However, the identification of any sites which have planning permission but which have not commenced construction whilst the permission remains extant (i.e., three years) provides an opportunity to reach out to the development/landowner, identify reasons for delay and consider any remedies within the control of the Council. Delays may be due to delays in discharging planning conditions or for reasons relating to other regulatory regimes. Ultimately, delays may be down to external factors such as the financial circumstances of the developer, beyond the control of the Council. However, where there is a risk that the permission will lapse, applicants can be reminded that they may wish to reapply for planning permission.

**Action: Maintain a register of 'stalled' sites, where development has not commenced within two years of permission being granted, identifying reasons for delay and potential remedies.**

#### **Public sector-owned land**

- 4.23 In reviewing other aspects of delivery, it has been established that the only currently allocated Local Plan sites still to be built out are owned by public sector bodies:

<b>Local Plan</b>	<b>Site</b>	<b>Site Owner(s)</b>	<b>Estimate site capacity</b>
Elstree Way Corridor Area Action Plan (2015)	Opportunity Sites 3, 4, 5 (part), 6 and 9	Hertsmere BC, Hertfordshire CC, NHS, Hertfordshire Constabulary	685
Site Allocations and DM Policies Plan (2016)	Site of former Directors Arms pub, Ripon Way, Borehamwood	Hertsmere BC	25 homes

- 4.24 Bringing forward these sites should remain a priority for all of the landowners concerned. In the first instance, it is important to understand what has contributed to the delays in development taking place since the adoption of the relevant parts of the Hertsmere Local Plan in 2015 and 2016. Around 50% of the estimated capacity of the Elstree Way Corridor has now been built out.
- 4.25 Although the Regulation 18 draft Local Plan has been 'set aside', it included a significant number of sites owner by public sector bodies. Four of these sites are on fully or partly previously developed land where the principle of development may already be acceptable and it is not necessary to wait until the Local Plan is adopted. It is recommended that a pro-active approach is taken by the relevant landowners to engaging with the Local Planning Authority on the scope to bring forward suitable residential schemes on part or all of the sites.

<b>Site</b>	<b>Site Owner(s)</b>	<b>Estimate site capacity</b>
The Point	Hertsmere BC (freehold), AEW (leasehold)	150 homes
Former Sunny Bank Primary School	Hertfordshire CC	80 homes
Former Bushey Golf and Country Club	Hertsmere BC	200 homes (previously developed part of site)
Green Street, Borehamwood	Hertsmere BC	5 units

- 4.26 A number of public sector owned sites were not included in the draft Regulation 18 Local Plan. In some instances, this was because detailed proposals had not been submitted, such as garage blocks. It is recommended that a pro-active approach is taken to engaging with the Local Planning Authority on the scope to accommodate some residential development on part or all of the sites.
- 4.27 Accelerating the delivery of public sector-owned sites is dependent on ensuring there are effective internal arrangements between departments and between

organisations. In circumstances where Hertsmere Borough Council is both landowner and Local Planning Authority, it must be emphasised that the Council or Hertsmere Development Limited must be treated by the Local Planning Authority in the same way as any other developer or site promoter. The role of Hertfordshire County Council as both a landowner and an infrastructure provider/statutory body is also critical to bringing forward sites in its ownership; other public sector bodies with landholdings in the borough include the NHS and Police.

**Action: Review options and arrangements, including through future updates of the Corporate Plan, for progressing public sector-owned sites with development potential including where jointly owned with other public sector landowners.**

### **Development industry**

- 4.28 Ultimately, the delivery of most new homes is the responsibility of the housebuilding industry or Registered Providers. However, maintaining and improving working relationships with developers is an important aspect of improving and co-ordinating housing delivery. To this end, the Hertfordshire Growth Board has established the Hertfordshire Infrastructure and Development Board (HIDB), a Hertfordshire-wide developer forum attended by Hertsmere BC and other local planning authorities and representatives from the housebuilding and wider development industry. It has been established to create a meaningful link between the Growth Board's constituent local authorities and the private sector, with the primary aim of furthering partnership working to deliver sustainable economic growth and high quality place-making. The Council should continue to play an active role as a member of the HIDB.

**Action: Hertsmere Borough Council should maintain and use its membership of the HIDB to help identify and address barriers to housing delivery rates.**

### **ITS Systems**

- 4.29 The operation of the planning system, at a local level, has shifted from being paper based to a largely digital process. There has been considerable investment over the past decade to update the systems used by the Council for both its Development Management and Planning Policy functions; much of this was undertaken through the Planning Improvement Programme which was rolled out in 2012 and 2013 and saw replacement case management software alongside a programme of data cleansing and correction. However, IT requirements can evolve rapidly and the relatively limited number of software providers means that the timing and extent of upgrades for Local Planning Authorities lags behind when problems are first identified.
- 4.30 This can cause delays, for example, in registering applications and uploading the required information, slowing down the general decision-making process. Moreover, the current case management software is not fully cloud-based meaning that it must still be accessed via desktop devices, despite changes in agile and remote working processes. A review of IT systems across the service will enable delays in the planning process which can be attributed to IT to be identified and addressed, as well as ensuring that existing and emerging government requirements for online planning services to be delivered. The new Head of IT has already met with the PERD team

and has started identifying the issues and creating a programme for addressing them, and this liaison will continue.

**Action: PERD and IT to review IT systems used across the Planning and Economic Development department to improve speed and reliability and reduce the risk of IT-related delays**

#### **Implementation and Monitoring**

- 4.31 Monitoring of the HDT actions will be undertaken. The type of monitoring arrangement will depend on the action in question. For example, measures concerned with the planning and pre-planning process can continue to be monitored although it may be prudent to include additional on the extent to which extensions of time are being agreed and impacting on the decision-making process. Quarterly monitoring of decisions, already undertaking in relation to appeals, might usefully be expanded to cover Councillor call-ins and committee overturns.

**Action: Monitor implementation of Housing Delivery Test Action Plan**



## Summary of actions set out in HDT Action Plan

Action	Lead Department	Intended Outcome of Action/Reason for no action
Continue work on Local Plan in line with Council Resolution of April 2022	Planning and Economic Development	To produce an up-to-date Local Plan and reduce the risk of the Local Plan failing at examination and subsequently delaying further the release of the necessary land to provide sufficient homes
Update Hertsmere HELAA including new Call for Sites	Planning and Economic Development (Planning Strategy)	To gain an up to date understanding of site capacity suitability/deliverability in light of draft plan comments, changes in local circumstances and planning policy. To establish whether there are any new sites to be put forward, with a particular focus on redeveloping brownfield land, if any can be found.
Update brownfield land register	Planning and Economic Development (Planning Strategy)	To establish whether there are any new brownfield sites to come forward, including when they might be de
Continue to progress relevant technical studies for the Local Plan	Planning and Economic Development (Planning Strategy)	To ensure that the most up to date and relevant information is used as a basis for housing policies and residential allocations.
Review/removal of Article 4 Directions	Planning and Economic Development (Planning Strategy)	Already taken place and we are not able to reduce Article 4 areas further
Expedite updating Part D of the Design Guide	Planning and Economic Development	To ensure that there is robust and up to date guidance to allow more efficient decision making on design matters, particularly given the governments renewed focus on good design
Identify and where possible address factors behind consultee delays in responding to planning applications	Planning and Economic Development (Development Management)	To make the process of consulting stakeholders as useful and as efficient as possible
Revisiting site allocation policies in the development plan	Planning and Economic Development (Planning Strategy)	To ensure that policies will be fit for future purpose in order to deliver the required number of homes and associated infrastructure
The scope for closer joint working and associated capacity building on s106 agreements should be identified by planning and legal departments across the County.	Planning and Economic Development (Development Management and	To expedite the presently lengthy process of signing off s106agreements

	Infrastructure and Delivery teams, Legal Services)	
Streamlining the decision-making process for smaller sites: Consider whether the pre-application service can be expanded to householder and other minor applications	Planning and Economic Development (Development Management)	To improve quality of applications being submitted, increase likelihood of approval and speed up decision making
Maintain a register of 'stalled' sites, where development has not commenced within two years of permission being granted, identifying reasons for delay and potential remedies.	Planning and Economic Development (Planning Strategy)	To establish whether there is an issue in Hertsmere with the stalling of sites
Review options and arrangements, including through future updates of the Corporate Plan, for progressing HBC-owned sites with development potential including where jointly owned with other public sector landowners	Planning and Economic Development, Asset Management	To expedite the delivery of sites within local authority ownership
Hertsmere Borough Council should maintain and use its membership of the HADB	Planning and Economic Development	To help identify and address barriers to housing delivery rates.
PERD and IT to review IT systems used across the Planning and Economic Development department to improve speed and reduce the risk of IT-related delays	Planning and Economic Development, IDS	To increase efficiency within the registering and decision-making process
Monitor implementation of Housing Delivery Test Action Plan	Planning and Economic Development	To ensure measures identified in the action plan are implemented in a joined-up manner with a strategic overview of the process

## Extract from PPG in relation to HDT Action Plans

### **What actions could local planning authorities consider as part of the action plan?**

Actions to boost delivery could include:

- 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;
- 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.

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