



THE LONDON BOROUGH
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London Borough of Bromley Housing Delivery Test Action Plan

July 2022

1. POLICY CONTEXT	3
2. POTENTIAL BARRIERS TO HOUSING DELIVERY	7
3. FUTURE ACTIONS TO HELP BOOST HOUSING DELIVERY	9
4. MANAGEMENT & MONITORING ARRANGEMENTS	14

1. POLICY CONTEXT

National planning policy and guidance

1.1. The National Planning Policy Framework (NPPF)¹ defines the Housing Delivery Test as:

“Measures net homes delivered in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.”

1.2. Paragraph 76 of the NPPF sets out that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's (LPA) housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

1.3. The Housing Supply and Delivery Planning Practice Guidance (PPG)² specifies that an action plan is produced by the LPA where delivery is below 95% of their housing requirement. It will identify the reasons for under-delivery, explore ways to reduce the risk of further under-delivery and set out measures the authority intends to take to improve levels of delivery. Key stakeholders can also be involved in the production of action plan including developers, land promoters, private and public landowners, infrastructure providers and neighbouring authorities.

1.4. The PPG³ states that the following matters could be included as part of the action plan review process:

- barriers to early commencement after planning permission is granted and whether such sites are delivered within permitted timescales;
- barriers to delivery on sites identified as part of the 5-year land supply (such as land banking, scheme viability, affordable housing requirements, pre-commencement conditions, lengthy section 106 negotiations, infrastructure and utilities provision, involvement of statutory consultees etc.);
- whether sufficient planning permissions are being granted and whether they are determined within statutory time limits;
- whether the mix of sites identified is proving effective in delivering at the anticipated rate.
- whether proactive pre-planning application discussions are taking place to speed up determination periods;

¹ NPPF (July 2021), page 67, Glossary

² PPG, Paragraph: 047 Reference ID: 68-047-20190722, <https://www.gov.uk/guidance/housing-supply-and-delivery>

³ PPG, Paragraph: 050 Reference ID: 68-050-20190722, <https://www.gov.uk/guidance/housing-supply-and-delivery>

- the level of ongoing engagement with key stakeholders (for example, landowners, developers, utility providers and statutory consultees), to identify more land and encourage an increased pace of delivery;
- whether particular issues, such as infrastructure or transport, could be addressed at a strategic level - within the authority, but also with neighbouring and upper tier authorities where applicable.

1.5. The PPG⁴ sets out some actions that might help to boost housing delivery including:

- 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.

London Plan (March 2021)

1.6. The London Plan is the Spatial Development Strategy for London and forms part of the Development Plan for all London boroughs.

1.7. Policy H1: Increasing housing supply includes ten-year targets for net housing completions. The ten-year target (2019/20 – 2028/29) for Bromley Borough is 7,740 units (774 annualised). The annual

⁴ PPG, Paragraph: 051 Reference ID: 68-051-20190722, <https://www.gov.uk/guidance/housing-supply-and-delivery>

target of 774 units (plus 5% buffer) is used to calculate the borough’s five-year housing land supply and housing trajectory⁵.

Bromley Local Plan (January 2019)

1.8. Policy 1: Housing Supply specifies that the Council will make provision for a minimum average of 641 additional homes per annum (which was derived from the 2016 London Plan). As noted above, the five-year housing land supply and trajectory assesses housing supply against the updated target in the London Plan (774 homes per annum).

1.9. Policy 1 identifies various sources of housing supply to meet the identified housing target, including allocated sites and the development or redevelopment of windfall sites.

Housing Delivery Test 2021

1.10. The Housing Delivery Test results for 2021⁶ were published in February 2022. The results for Bromley were as follows:

Table 1: 2021 Housing Delivery Test results for LB Bromley

	Housing completions 2018-2021	Housing requirement 2018-21	% of requirement completed
2018/19	720	641	112%
2019/20	485	587	83%
2020/21	272	427	64%
Total	1,477	1,655	89%

1.11. The Borough’s housing requirement for 2018/19 and 2019/20 was 641 units per annum as set out in the 2016 London Plan (the extant plan during these years). The housing requirement for 2020/21 was 774 units as set out in the 2021 London Plan, which was adopted during the 2020/21 financial year.

1.12. The housing requirement for 2019/20 and 2020/21 was reduced in 2021 by the Government in light of the impact that Covid 19 regulations had on housing delivery. The guidance accompanying the results of the delivery test for 2021 stated:

“[...] The national lockdown, announced on 23 March 2020, was an unprecedented event which saw temporary disruption to local authority planning services and the construction sector. We have

⁵ <https://www.bromley.gov.uk/downloads/file/669/bromley-housing-trajectory>

⁶ <https://www.gov.uk/government/publications/housing-delivery-test-2021-measurement>

reflected this in this year's results and reduced the 'homes required' within the 2019 to 2020 year by a month and within the 2020 and 2021 year by four months in the Housing Delivery Test [...]".

- 1.13. As total housing completions between 2018/19 and 2020/21 were below 95% of the total housing requirement over this period, the local planning authority should prepare an action plan in line with the PPG, to assess the causes of under-delivery and identify actions to increase delivery in future years.

2. POTENTIAL BARRIERS TO HOUSING DELIVERY

- 2.1. In line with paragraph 050 of the PPG⁷, several potential barriers to housing delivery in the borough over the past 3 years are set out below.
- 2.2. However, it should be noted upfront that Bromley's housing completions have consistently exceeded annual targets over the period April 2011 to March 2021. Total cumulative delivery over this period exceeded the cumulative targets by approximately 534 units (or 9.5%). The Housing Delivery Test looks at a very narrow three-year window and, as a consequence, can trigger the buffer due to a single year or two of under-delivery. It is important to consider the wider context and longer-term housing delivery when considering actions to improve housing delivery; these longer-term delivery figures suggest there is no entrenched issues of housing delivery in the Borough.

Impact of Covid 19 on the delivery of housing

- 2.3. The Government acknowledged that the Covid-19 pandemic would have a significant impact on the delivery of homes across England as a result of labour shortages, supply chain issues and uncertainty. In response to this the Government reduced housing requirement targets for 2019/20 and 2020/21 as set out in section 1 above. These reductions reduced the housing requirement by a total of 5 months, reflecting a broad period when the planning and construction industry was not operating fully at the height of the pandemic.
- 2.4. However, it is possible that the uncertainties associated with the pandemic have had an even greater impact upon delivery in the borough, especially during 2020/21.

Data collection changes

- 2.5. In June 2020 the Greater London Authority (GLA) updated the London Development Database (LDD), which had been used to store data on all relevant planning permissions, starts and completions for London boroughs (including residential schemes) since 2006. The new Planning DataHub system was introduced in summer 2020 and data from the LDD was transferred to the new system.
- 2.6. The new system has been beset by problems since its introduction, and the GLA are working with boroughs to rectify some gaps in data for many boroughs that occurred during the transfer period. These gaps could have had an impact on the monitoring and reporting of housing completions during 2021 and contributed to the lower housing completions reported for 2020/21.
- 2.7. These issues will hopefully be rectified by summer 2022 and missing housing schemes uploaded into the new system. Housing starts and completions can then be monitored more effectively.

⁷ Op cit, footnote 3

Planning approvals and housing trajectory

2.8. The borough housing trajectories reported in September 2020 and November 2021 both reported a housing land supply for the borough of less than five years (3.31 and 3.99 years respectively). This lack of a five-year supply, effectively a lack of approvals, may have had an impact on the housing completion figure for the borough in 2020/21.

Other reasons

2.9. Other matters that could have impacted upon the speed of housing delivery include:

- Varying of S106 agreements or conditions prior to commencement that can take time to negotiate.
- Resubmission of alternative large housing schemes that can take time to evaluate, consult upon and decide upon. This can contribute to delays in commencement and overall delivery on site.
- Timescales for the determination of larger sites can be lengthy due to their complexity. This has knock-on effects for eventual completion dates.

3. FUTURE ACTIONS TO HELP BOOST HOUSING DELIVERY

3.1. Considering the potential measures to boost housing delivery set out in the PPG⁸, various future actions are set out below.

Local Plan review

3.2. The current Bromley Local Plan was adopted in 2019. Local Plans should be reviewed every five years to ensure they are kept up to date. Since the Local Plan was adopted, there have been changes to national and regional policy, including the adoption of the new London Plan which has higher housing targets and various other policies which have implications for Bromley's local planning policies.

3.3. As a first step in the process of updating the Local Plan, the Council undertook a 'call for sites' consultation exercise between August and November 2021. As part of this exercise, landowners, developers, and other interested parties were invited to put forward potential development sites for allocation, for development of housing, employment and retail uses or any other uses.

3.4. The Council will assess all sites submitted as part of the Local Plan preparation process. Where sites are considered to warrant allocation, these will be included in a future consultation exercise. This exercise will assist in identifying potential sites for draft residential or mixed-use allocations and will form part of the draft Local Plan. This will set out how housing will be delivered in the borough over the new Plan period (10-15 years).

3.5. Reviewing the Local Plan will require new evidence on various subject matters including housing, employment, retail and community uses. The production of new housing evidence will assist in identifying the types, tenure and sizes of houses needed in the future in Bromley and guide the drafting of future planning policies. Overall, this will assist in guiding new housing to particular sites or areas and help to deliver the size and type of housing needed in the borough.

Supplementary Planning Documents (SPDs)

3.6. The Council is preparing several SPDs to provide further guidance on Development Plan policies to assist with their implementation:

- Orpington Town Centre SPD – the Council is in the process of preparing an SPD for Orpington Town Centre. The SPD provides design principles to support well-designed places, considers Character Areas and notes development opportunities that could accommodate additional residential and mixed-use proposals. The draft SPD was consulted on between March and July

⁸ Op cit, footnote 4

2022. The Council is currently considering responses received during the consultation, before proceeding to adoption. Any future decision to adopt will be a matter for the council's Executive.

- Bromley Town Centre SPD – the Council is in the process of preparing an SPD for Bromley Town Centre. The SPD will set out guidance for development in the town centre, including design parameters for several development sites in the area. Initial consultation took place in Summer 2020, to inform the preparation of the document. Consultation on the draft SPD is envisaged in Autumn 2022.
- Urban Design Guide SPD – this SPD is being prepared to provide guidance on urban design, to inform and engage developers, applicants, planning officers, residents and all other interested parties in bringing forward proposals for development in Bromley. The aim is to promote good quality design for buildings, landscape, and public realm, establishing the desired characteristics for successful places and providing a quality benchmark for how new development should look and feel. Consultation on the draft SPD is envisaged by the end of 2022.
- Planning Obligations SPD – this SPD provides guidance on the council's general approach to planning obligations, and where relevant, sets out the requirements and mechanisms for securing contributions. The SPD was adopted in June 2022.

Authority monitoring report

- 3.7. The Council produces an Authority Monitoring Report (AMR) on a regular basis that sets out key information about the implementation of planning policies in the borough. Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the Regulations") sets out what the AMR should report on.
- 3.8. Consistent with the Regulations, the AMR assesses whether development, both approved and implemented, contributes to achieving the spatial strategy of the Council, and targets set out within the Local Plan and London Plan. The AMR also reports on the progress of the Local Plan and SPDs and the Council's duty to cooperate activities.
- 3.9. The AMR, in addition to the housing trajectory, helps to monitor past delivery of market and affordable housing completions in the borough and is a useful tool to assist in planning for future housing delivery. It also provides useful evidence for planning appeals and development management.

Pre-application discussions

- 3.10. The Council offers a pre-application advice service for planning applications. This can help to prepare a proposal for the best chance of success, and it also advises on revisions following the determination of planning applications.
- 3.11. For major developments the advice service includes one meeting and a written response. This applies to residential developments (including conversions) of 10 or more units or on sites of 0.5 ha or more.

As part of the pre-application service, advice can be sought from various Council service areas including planning policy, urban design, highways, housing and environmental health.

- 3.12. The Council also offers an 'in principle' pre-application service for major development proposals for larger sites to advise on appropriate land uses, which includes a meeting and advice in writing. Officers would normally expect an 'in principle' request to be followed up with a full pre-application advice request prior to submission of an application.
- 3.13. The Council will continue to offer the valuable pre-application service to assist in guiding future residential and mixed-use developments prior to the submission of full or outline planning applications. This will assist in the delivery of additional housing in the borough.

Planning performance agreements

- 3.14. The Development Management team is investigating the introduction of Planning Performance Agreements (PPA) for major applications.
- 3.15. The PPG defines PPAs as follows: explains⁹ what PPAs are as follows:

“A planning performance agreement is a project management tool which the local planning authorities and applicants can use to agree timescales, actions and resources for handling particular applications. It should cover the pre-application and application stages but may also extend through to the post-application stage. Planning performance agreements can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and local planning authority and can also help to bring together other parties such as statutory consultees. A planning performance agreement is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted, and can be a useful focus of pre-application discussions about the issues that will need to be addressed.”

- 3.16. PPAs will be useful in improving the process of assessing larger development proposals in the borough. Consequently, this could assist in the delivery of more housing.

Other Council strategies

- 3.17. The Council has introduced a number of strategies to guide activities across different Council departments and services. These strategies set out a vision and objectives that link to the aim of boosting housing delivery.

⁹ Paragraph 016, <https://www.gov.uk/guidance/before-submitting-an-application>

- **Making Bromley Even Better: Bromley Corporate Strategy 2021-2031**¹⁰ - one of the underlying ambitions of the strategy is: *“We want to enable Bromley residents to thrive in the borough by having access to high quality and affordable homes in supportive communities as described in our Housing Strategy. We want our town centres to be vibrant and attractive and we want business and enterprise to flourish and bring opportunities to the borough. We want to continue to support and attract qualified and skilled people who can make their livelihoods in Bromley and contribute to our success.”* The Strategy aims to implement the Housing strategy to meet the needs of the growing population including delivering 1,000 new affordable quality homes.
- **Bromley Housing Strategy 2019-2029**¹¹ - the strategy sets out the context for increasing market and affordable housing in the borough and outlines the need for social-rented and affordable-rented housing in the borough. Goals within the Strategy to increase market and affordable housing in the borough include the building of a minimum of 10,645 new homes in Bromley between 2015 and 2030, including 1,000 new homes on Council-owned land or acquired sites. To help achieve the established goals, the strategy sets out a number of actions, including setting up a dedicated Housing Development group within the Council, comprising officers with skills and experience in planning, regeneration and housing to drive forward the agenda to build more homes in Bromley; and reviewing Council buildings to explore where there is potential for refurbishment or adding to existing floor space to provide additional residential units and bring forward proposals for schemes to do this. The Housing Strategy also highlights that the Council will utilise funding from the Growth Fund and Development Grants to further increase the delivery of affordable housing.
- **Bromley Regeneration Strategy 2020-2030**¹² - the Strategy aims to bring forward new housing delivery through a variety of means, including through identifying the most appropriate housing use for freed up Council owned sites, e.g., extra care/supported living, and, where sites are not suitable for housing or other Council services, disposing of them on the open market. The strategy sets out the aim to directly deliver small site housing schemes across the borough for the purposes of temporary accommodation in the first instance. To date, a number of residential schemes have been granted planning permission on Council-owned sites that will involve the construction and delivery of modular homes. The sites include:
 - Planning application ref: 20/00300/FULL1 - Car Park, Brindley Way, Bromley – 25 dwellings granted permission on 31/07/2020.
 - Planning application ref: 20/02903/FULL1 – Banbury House, Bushell Way, Chislehurst – 25 units granted permission on 26/01/2021.
 - Planning application ref: 20/02944/FULL1 - Anerley Town Hall Car Park, William Booth Road, Penge – 10 units granted permission on 26/01/2021.

¹⁰ <https://www.bromley.gov.uk/downloads/file/572/making-bromley-even-better-corporate-strategy->

¹¹ <https://www.bromley.gov.uk/downloads/file/1286/bromley-council-housing-strategy-2019-2029>

¹² <https://cde.bromley.gov.uk/documents/s50083012/RegenerationStrategy.pdf>

- Planning application ref: 21/02861/FULL1 - Crofton Halls, York Rise, Orpington - 35 units granted permission on 22/12/2021.

Ongoing engagement with key stakeholders

3.18. The housing trajectory is updated annually and includes engaging with applicants, agents and landowners. This helps to establish predicted commencement dates and current progress on site in terms of housing completions. Engagement also assists in determining the deliverability of sites that have outline planning permission and helps to establish what progress has been made in relation to the submission of reserved matters. The work helps to determine how many years of deliverable housing sites the Council has and will continue to inform the housing trajectory and draft local plan review in terms of future housing delivery.

4. MANAGEMENT & MONITORING ARRANGEMENTS

- 4.1. This action plan sets out a range of measures which are intended to improve the delivery of housing in the Borough. Progress against these measures will be monitored by various means, including the monitoring of the Local Plan and various Council strategies; and through future iterations of the action plan where required.