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Guidance

Housing supply and delivery

Guidance on 5 year housing land supply and Housing Delivery Test.

From:

Ministry of Housing, Communities & Local Government

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This guidance includes updated sections that were previously included in the Housing and economic land availability assessment guidance – see previous version

(<https://webarchive.nationalarchives.gov.uk/20190607102654/https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>).

What policies are in place to encourage local authorities to promote a sufficient supply of land for housing and support delivery?

The standard method for calculating local housing need (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>) provides a minimum number of homes to be planned for. Authorities should use the standard method as the starting point when preparing the housing requirement in their plan, unless exceptional circumstances (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#para60>) justify an alternative approach.

The Housing Delivery Test measures whether planned requirements (or, in some cases, local housing need) have been met over the last 3 years. The 5 year housing land supply is a calculation of whether there is a deliverable supply of homes to meet the planned housing requirement (or, in

some circumstances, local housing need) over the next 5 years.

Paragraph: 001 Reference ID: 68-001-20190722

Revision date: 22 July 2019

5 year housing land supply

What is a 5 year land supply?

A 5 year land supply is a supply of specific deliverable (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#deliverable>) sites sufficient to provide 5 years' worth of housing (and appropriate buffer) against a housing requirement (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#para73>) set out in adopted strategic policies, or against a local housing need figure, using the standard method, as appropriate in accordance with paragraph 73 of the National Planning Policy Framework.

Paragraph: 002 Reference ID: 68-002-20190722

Revision date: 22 July 2019

What is the purpose of the 5 year housing land supply?

The purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next 5 years. Where strategic policies are more than 5 years old, or have been reviewed and found in need of updating, local housing need calculated using the standard method should be used in place of the housing requirement.

Paragraph: 003 Reference ID: 68-003-20190722

Revision date: 22 July 2019

Demonstrating a 5 year housing land supply

How can an authority demonstrate a 5 year supply of deliverable housing sites?

In plan-making, strategic policies should identify a 5 year housing land supply from the intended date of adoption of the plan.

For decision-taking purposes, an authority will need to be able to demonstrate a 5 year housing land supply when dealing with applications and appeals. They can do this in one of two ways:

- using the latest available evidence such as a Strategic Housing Land Availability Assessment (SHLAA), Housing and Economic Land Availability Assessment (HELAA), or an Authority Monitoring Report (AMR);
- 'confirming' the 5 year land supply using a recently adopted plan or through a subsequent annual position statement (as set out in paragraph 74 of the National Planning Policy Framework).

Paragraph: 004 Reference ID: 68-004-20190722

Revision date: 22 July 2019

What housing requirement figure should authorities use when calculating their 5 year housing land supply?

Housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year housing land supply figure where:

- the plan was adopted in the last 5 years, or
- the strategic housing policies have been reviewed within the last 5 years and found not to need updating.

In other circumstances the 5 year housing land supply will be measured against the area's local housing need calculated using the standard method.

Paragraph: 005 Reference ID: 68-005-20190722

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Which strategic housing policies are used to calculate the 5 year housing land supply where there is more than one strategic housing requirement policy for an area?

Where there is a conflict between adopted strategic housing requirement policies (for example if a new spatial development strategy supersedes an adopted local plan), the most recently adopted policies will need to be used for the purposes of calculating 5 year housing land supply, in accordance with Section 38 (5) of the Planning and Compulsory Purchase Act 2004.

Paragraph: 006 Reference ID: 68-006-20190722

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What constitutes a 'deliverable' housing site in the context of plan-making and decision-taking?

In order to demonstrate 5 years' worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex 2 of the National Planning Policy Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#deliverable>) defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;
- are allocated in a development plan;
- have a grant of permission in principle; or
- are identified on a brownfield register.

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;

- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;
- firm progress with site assessment work; or
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

Plan-makers can use the Housing and Economic Land Availability Assessment (<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>) in demonstrating the deliverability of sites.

Paragraph: 007 Reference ID: 68-007-20190722

Revision date: 22 July 2019

What happens if an authority cannot demonstrate a 5 year housing land supply?

In plan-making, the Inspector examining the plan will test the evidence to ensure that the 5 year housing land supply identified in strategic policies is sound. If it is not, wherever possible the Inspector will recommend main modifications to the plan to ensure that the plan identifies a 5 year housing land supply from its date of adoption. In decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/2-achieving-sustainable-development#para011>).

Paragraph: 008 Reference ID: 68-008-20190722

Revision date: 22 July 2019

Confirming 5 year housing land supply

How can authorities confirm their 5 year housing land supply?

When local planning authorities wish to confirm their 5 year housing land supply position once in a given year they can do so either through a recently adopted plan or by using a subsequent annual position statement (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#annualposition>).

Paragraph: 009 Reference ID: 68-009-20190722

Revision date: 22 July 2019

How can a 5 year housing land supply be confirmed as part of the examination of plan policies?

The examination will include consideration of the deliverability of sites to meet a 5 year supply, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant's / appellant's evidence is likely to be presented to contest an authority's position.

When confirming their supply through this process, local planning authorities will need to:

- be clear that they are seeking to confirm the existence of a 5 year supply as part of the plan-making process, and engage with developers and others with an interest in housing delivery (as set out in Paragraph 74a of the Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#para74>)), at draft plan publication (Regulation 19) stage.
- apply a minimum 10% buffer to their housing requirement to account for potential fluctuations in the market over the year and ensure their 5 year land supply is sufficiently flexible and robust. Where the Housing Delivery Test indicates that delivery has fallen below 85% of the requirement, a 20% buffer should be added instead.

Following the examination, the Inspector's report will provide recommendations in relation to the land supply and will enable the authority, where the authority accepts the recommendations, to confirm they have a 5 year land supply in a recently adopted plan (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#fnref:39>).

Paragraph: 010 Reference ID: 68-010-20190722

Revision date: 22 July 2019

Can 'recently adopted plans' adopted under the 2012 Framework be used to confirm a 5 year land supply?

Plans that have been recently adopted (as defined by footnote 38 of the Framework) can benefit from confirming their 5 year housing land supply through an annual position statement, including those adopted under the 2012 Framework.

Authorities should be aware that sites counted as part of the supply will need to be assessed under the definition of 'deliverable' (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#deliverable>) set out in the revised National Planning Policy Framework.

Paragraph: 011 Reference ID: 68-011-20190722

Revision date: 22 July 2019

How is a 5 year housing land supply confirmed through an annual position statement?

Where a local planning authority has a recently adopted plan (as set out in the the National Planning Policy Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#fn:38>)) and wishes to confirm their 5 year land supply position through an annual position statement (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#annualposition>), they will need to advise the Planning Inspectorate of their intention to do so by 1 April each year.

To ensure their assessment of the deliverability of sites is robust, the local planning authority will also need to carry out an engagement process to inform the preparation of the statement, before submitting their statement to the Planning Inspectorate for review by 31 July of the same year.

So long as the correct process has been followed, and sufficient information has been provided about any disputed sites, the Planning Inspectorate will issue their recommendation in October of the same year. The local planning authority can then confirm their housing land supply until the following October, subject to accepting the recommendations of the Planning Inspectorate.

Paragraph: 012 Reference ID: 68-012-20190722

Revision date: 22 July 2019

How will an annual position statement be assessed?

When assessing an annual position statement, the Planning Inspectorate will carry out a 2 stage assessment:

- first, they will consider whether the correct process has been followed, namely whether:
 - the authority has a 'recently adopted plan' (defined by footnote 38 of the Framework) or they are renewing a confirmed land supply following a previous annual position statement; and
 - satisfactory stakeholder engagement has been carried out.
- second, they will look at whether the evidence is sufficient to demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer), using 1st April as the base date in the relevant year. In doing so, they will consider whether the sites identified in the assessment are 'deliverable' within the next five years, in line with the definition in Annex 2 of the Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#deliverable>).

The Planning Inspector's assessment will be made on the basis of the written material provided by the authority, and the Inspector will not refer back to the local planning authority or other stakeholders to seek further information or to discuss particular sites. It is therefore important that the authority has carried out a robust stakeholder engagement process and that adequate information is provided about disputed sites.

Paragraph: 013 Reference ID: 68-013-20190722

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What information will annual position statements need to include?

Assessments need to be realistic and made publicly available in an accessible format as soon as they have been completed. Assessments will be expected to include:

- for sites with detailed planning permission, details of numbers of homes under construction and completed each year; and where delivery has either exceeded or not progressed as expected, a commentary indicating the reasons for acceleration or delays to commencement on site or effects on build out rates;
- for small sites, details of their current planning status and record of completions and homes under construction by site;
- for sites with outline consent or allocated in adopted plans (or with permission in principle identified on Part 2 of brownfield land registers, and where included in the 5 year housing land supply), information and clear evidence that there will be housing completions on site within 5 years, including current planning status, timescales and progress towards detailed permission;
- permissions granted for windfall development by year and how this compares with the windfall allowance;
- details of demolitions and planned demolitions which will have an impact on net completions;

- total net completions from the plan base date by year (broken down into types of development e.g. affordable housing); and
- the 5 year housing land supply calculation clearly indicating buffers and shortfalls and the number of years of supply.

Paragraph: 014 Reference ID: 68-014-20190722

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What engagement will an authority need to undertake to prepare an annual position statement?

Authorities will need to engage with stakeholders who have an impact on the delivery of sites. The aim is to provide robust challenge and ultimately seek as much agreement as possible, so that the authority can reach a reasoned conclusion on the potential deliverability of sites which may contribute to the 5 year housing land supply. Those authorities who are seeking to confirm a 5 year housing land supply through an annual position statement can produce an engagement statement and submit this to the Planning Inspectorate, including:

- an overview of the process of engagement with site owners / applicants, developers and other stakeholders and a schedule of site-based data resulting from this;
- specific identification of any disputed sites where consensus on likely delivery has not been reached, including sufficient evidence in support of and opposition to the disputed site(s) to allow a Planning Inspector to reach a reasoned conclusion; as well as an indication of the impact of any disputed sites on the number of years of supply;
- the conclusions which have been reached on each site by the local planning authority in the light of stakeholder engagement;
- the conclusions which have been reached about the overall 5 year housing land supply position.

Paragraph: 015 Reference ID: 68-015-20190722

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Who can the authority engage with?

Local planning authorities will need to engage with developers and others who have an impact on delivery. This will include:

- small and large developers;
- land promoters;
- private and public land owners;
- infrastructure providers (such as utility providers, highways, etc) and other public bodies (such as Homes England);
- upper tier authorities (county councils) in two-tier areas;
- neighbouring authorities with adjoining or cross-boundary sites; and
- any other bodies with an interest in particular sites identified.

Beyond this, it is for the local planning authority to decide which stakeholders to involve. This may include any general consultation bodies the authority considers are appropriate.

Local planning authorities may wish to set up an assessment and delivery group which could contribute towards Housing and Economic Land Availability Assessments (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>), annual 5 year housing land supply assessments and Housing Delivery Test action plans for the delivery of housing. Delivery groups can assist authorities to not only identify any delivery issues but also help to find solutions to address them. They may also set out policies in their Statement of Community Involvement setting out who will be consulted when applying to confirm their 5 year housing land supply.

The Planning Inspectorate will publish on their website a list of local authorities who have notified them of their intention to seek confirmation of their 5 year housing land supply. However, interested parties who wish to be involved in the process should contact the local planning authority directly.

Paragraph: 016 Reference ID: 68-016-20190722

Revision date: 22 July 2019

What happens where there is disagreement about sites?

Where agreement on delivery prospects for a particular site has not been reached through the engagement process, the Planning Inspectorate will consider the evidence provided by both the local authority and stakeholders and make recommendations about likely site delivery in relation to those sites in dispute.

Paragraph: 017 Reference ID: 68-017-20190722

Revision date: 22 July 2019

What can an authority do once the Planning Inspectorate has reached a conclusion and provided recommendations?

When considering an annual position statement, the Planning Inspectorate will assess whether the evidence provided by the local authority is sufficient to demonstrate that there is a 5 year housing land supply, including the appropriate buffer. If this is the case, the Planning Inspectorate will then recommend that the authority can confirm that they have a 5 year housing land supply for one year. This will be a material consideration in the determination of planning applications and appeals.

The local planning authority will need to publish their annual position statement incorporating the recommendations of the Planning Inspectorate in order to confirm their 5 year housing land supply position for a one year period.

Paragraph: 018 Reference ID: 68-018-20190722

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Demonstrating a housing land supply beyond 5 years

Is it essential to identify specific developable sites or broad locations for housing growth, beyond 5 years?

As set out in the National Planning Policy Framework, local planning authorities should identify a supply of specific, developable sites or broad locations for growth for years 6-10 and, where possible, for years 11-15. Local plans and spatial development strategies may be able to satisfy the tests of soundness where they have not been able to identify specific sites or broad locations for growth in

years 11-15. However, if longer-term sites are to be included, for example as part of a stepped requirement, then plan-makers will need to demonstrate that there is a reasonable prospect that they are likely to come forward within the timescale envisaged.

Paragraph: 019 Reference ID: 68-019-20190722

Revision date: 22 July 2019

How can plan-making authorities demonstrate there is a reasonable prospect that housing sites are ‘developable’?

Annex 2 of the National Planning Policy Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#developable>) defines what constitutes a developable site. In demonstrating that there is a ‘reasonable prospect’ plan-makers can use evidence such as (but not exclusively):

- written commitment or agreement that relevant funding is likely to come forward within the timescale indicated, such as an award of grant funding;
- written evidence of agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;
- likely buildout rates based on sites with similar characteristics; and
- current planning status - for example, a larger scale site with only outline permission where there is supporting evidence that the site is suitable and available (<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>), may indicate development could be completed within the next 6-10 years.

A pragmatic approach is appropriate when demonstrating the intended phasing of sites. For example, for sites which are considered developable within 6-10 years, the authority may need to provide a greater degree of certainty than those in years 11-15 or beyond. When producing annual updates of the housing land supply trajectory, authorities can use these to provide greater certainty about the delivery of sites initially considered to be developable, and those identified over a longer time span.

Further guidance is provided in the plan-making chapter (<https://www.gov.uk/guidance/plan-making#delivery-of-strategic-matters>) about how authorities can demonstrate that strategic matters can be delivered within a particular timescale. Plan-makers can use the Housing and Economic Land Availability Assessment (<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>) in demonstrating the developability of sites.

Paragraph: 020 Reference ID: 68-020-20190722

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When is a stepped housing requirement appropriate for plan-making?

A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.

Where there is evidence to support a prioritisation of sites, local authorities may wish to identify priority sites which can be delivered earlier in the plan period, such as those on brownfield land and where there is supporting infrastructure in place e.g. transport hubs. These sites will provide additional flexibility and more certainty that authorities will be able to demonstrate a sufficient supply of deliverable (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary#deliverable>) sites against the housing requirement.

Paragraph: 021 Reference ID: 68-021-20190722

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Calculating 5 year housing land supply

How should buffers be added to the 5 year housing land supply requirement?

To ensure that there is a realistic prospect of achieving the planned level of housing supply, the local planning authority should always add an appropriate buffer, applied to the requirement in the first 5 years (including any shortfall), bringing forward additional sites from later in the plan period. This will result in a requirement over and above the level indicated by the strategic policy requirement or the local housing need figure.

Buffers are not cumulative, meaning that an authority should add one of the following, depending on circumstances:

- 5% - the minimum buffer for all authorities, necessary to ensure choice and competition in the market, where they are not seeking to demonstrate a 5 year housing land supply;
- 10% - the buffer for authorities seeking to 'confirm' 5 year housing land supply for a year, through a recently adopted plan or subsequent annual position statement (as set out in paragraph 74 of the National Planning Policy Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/5-delivering-a-sufficient-supply-of-homes#para74>)), unless they have to apply a 20% buffer (as below); and
- 20% - the buffer for authorities where delivery of housing taken as a whole over the previous 3 years, has fallen below 85% of the requirement, as set out in the last published Housing Delivery Test results.

Paragraph: 022 Reference ID: 68-022-20190722

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How is 5 year housing land supply calculated in National Parks and the Broads Authority?

Within National Parks and the Broads Authority, and those local planning authorities where local authority boundaries overlap with these areas, housing requirements identified in strategic policies that are less than 5 years old are used. Where plans are more than 5 years old (unless those policies have been reviewed and found not to require updating), a locally derived (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#para014>) housing requirement figure may be used.

Paragraph: 023 Reference ID: 68-023-20190722

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How is 5 year housing land supply calculated in Development Corporation areas?

In areas covered by Development Corporations with plan-making powers, housing requirements identified in strategic policies that are less than 5 years old, or older and found not to require updating will be used (this can be in local plan(s) or a spatial development strategy). For Development Corporations which do not have, or do not exercise, plan-making powers the requirement will be set in the relevant strategic policies and monitored by the strategic policy-making authority.

Paragraph: 024 Reference ID: 68-024-20190722

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How is 5 year housing land supply calculated in new local planning authorities which result from a local government reorganisation?

Planning policies adopted by predecessor authorities will remain part of the development plan for their area upon reorganisation, until they are replaced by adopted successor authority policies or until the fifth anniversary of reorganisation.

Where a newly formed local planning authority is covered by strategic housing requirement policies adopted by predecessor authorities, these policies can continue to be used as the housing requirement for calculating the 5 year housing land supply in the areas they apply where these are less than 5 years old, or they are older but have been reviewed within the last 5 years and found not to need updating.

Where strategic housing requirement policies, covering the predecessor authority area, are older than 5 years and require updating, local housing need should be used, where this is available. Where the data required to calculate local housing need is not available an alternative approach (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#para014>) will have to be used.

Paragraph: 025 Reference ID: 68-025-20190722

Revision date: 22 July 2019

How is 5 year housing land supply measured where authorities have stepped rather than annual average requirements?

Five year land supply is measured across the plan period against the specific stepped requirements for the particular 5 year period.

Paragraph: 026 Reference ID: 68-026-20190722

Revision date: 22 July 2019

How is 5 year housing land supply measured where authorities set out their housing requirements as a range?

Where strategic policy-makers have successfully argued through plan-making and examination for a requirement set out as a range, the 5 year land supply will be measured against the lower end of the range.

Paragraph: 027 Reference ID: 68-027-20190722

Revision date: 22 July 2019

How will areas with joint plans be monitored for the purposes of a 5 year land supply?

Areas which have a joint plan have the option to monitor their 5 year housing land supply and have the Housing Delivery Test applied over the whole of the joint planning area or on a single authority basis. The approach to using individual or combined housing requirement figures will be established through the plan-making process and will need to be set out in the strategic policies.

Where the 5 year housing land supply is to be measured on a single authority basis, annual housing requirement figures for the joint planning area will need to be apportioned to each area in the plan. If the area is monitored jointly, any policy consequences of under-delivery or lack of 5 year housing land supply will also apply jointly.

Paragraph: 028 Reference ID: 68-028-20190722

Revision date: 22 July 2019

Counting completions when calculating 5 year housing land supply

What counts as a completion?

For the purposes of calculating 5 year land supply, housing completions include new build dwellings, conversions, changes of use and demolitions and redevelopments. Completions should be net figures (<https://www.gov.uk/government/collections/net-supply-of-housing>), so should offset any demolitions.

Paragraph: 029 Reference ID: 68-029-20190722

Revision date: 22 July 2019

How should authorities count bringing empty homes back into use?

To be included as a contribution to completions it would be for the authority to ensure that empty homes had not already been counted as part of the existing stock of dwellings to avoid double counting.

Paragraph: 030 Reference ID: 68-030-20190722

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How can past shortfalls in housing completions against planned requirements be addressed?

Where shortfalls in housing completions have been identified against planned requirements, strategic policy-making authorities may consider what factors might have led to this and whether there are any measures that the authority can take, either alone or jointly with other authorities, which may counter the trend. Where the standard method for assessing local housing need is used as the starting point in forming the planned requirement for housing, Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure. Under-delivery may need to be considered where the plan being prepared is part way through its proposed plan period, and delivery falls below the housing requirement level set out in the emerging relevant strategic policies for housing.

Where relevant, strategic policy-makers will need to consider the recommendations from the local authority's action plan prepared as a result of past under-delivery, as confirmed by the Housing Delivery Test.

The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach), then the appropriate buffer should be applied. If a strategic policy-making authority wishes to deal with past under delivery over a longer period, then a case may be made as part of the plan-making and examination process rather than on a case by case basis on appeal.

Where strategic policy-making authorities are unable to address past shortfalls over a 5 year period due to their scale, they may need to reconsider their approach to bringing land forward and the assumptions which they make. For example, by considering developers' past performance on delivery; reducing the length of time a permission is valid; re-prioritising reserve sites which are 'ready to go'; delivering development directly or through arms' length organisations; or sub-dividing major sites where appropriate, and where it can be demonstrated that this would not be detrimental to the quality or deliverability of a scheme.

Paragraph: 031 Reference ID: 68-031-20190722

Revision date: 22 July 2019

How can past over-supply of housing completions against planned requirements be addressed?

Where areas deliver more completions than required, the additional supply can be used to offset any shortfalls against requirements from previous years.

Paragraph: 032 Reference ID: 68-032-20190722

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Does the 5 year housing land supply calculation affect a Housing Delivery Test result?

No. The 5 year housing land supply calculation is not used to determine future Housing Delivery Test results. Adopted strategic housing policies or local housing need calculated using the standard method are used, subject to the rules set out in the Housing Delivery Test rule book (<https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>).

Paragraph: 033 Reference ID: 68-033-20190722

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Counting other forms of accommodation

How can authorities count student housing in the housing land supply?

All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can in principle count towards contributing to an authority's housing land supply based on:

- the amount of accommodation that new student housing releases in the wider housing market (by allowing existing properties to return to general residential use); and / or

- the extent to which it allows general market housing to remain in such use, rather than being converted for use as student accommodation.

This will need to be applied to both communal establishments and to multi bedroom self-contained student flats. Several units of purpose-built student accommodation may be needed to replace a house which may have accommodated several students.

Authorities will need to base their calculations on the average number of students living in student only accommodation, using the published census data (<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/adhocs/008207ct07732011censusnumberofstudentsinstudentonlyhouseholdnationaltoauthoritylevel>), and take steps to avoid double-counting. The exception to this approach is studio flats designed for students, graduates or young professionals, which can be counted on a one for one basis. A studio flat is a one-room apartment with kitchen facilities and a separate bathroom that fully functions as an independent dwelling.

Paragraph: 034 Reference ID: 68-034-20190722

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How can authorities count older people's housing in the housing land supply?

Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply. This contribution is based on the amount of accommodation released in the housing market. Further guidance is set out in Housing for Older and Disabled People (<https://www.gov.uk/guidance/housing-for-older-and-disabled-people#para016a>).

Paragraph: 035 Reference ID: 68-035-20190722

Revision date: 22 July 2019

Housing Delivery Test

How is the Housing Delivery Test calculated?

The method for calculating the Housing Delivery Test measurement is set out in the Housing Delivery Test measurement rule book (<https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>).

The rule book needs to be read in conjunction with this guidance on the Housing Delivery Test.

Paragraph: 036 Reference ID: 68-036-20190722

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Which organisations does the Housing Delivery Test apply to?

It applies to local planning authorities in a plan-making authority area: non-metropolitan districts, development corporations with plan-making and decision-making powers, metropolitan boroughs and London boroughs. The Housing Delivery Test does not apply to National Park Authorities, the Broads Authority and development corporations without (or not exercising) both plan-making and decision-making functions.

Paragraph: 037 Reference ID: 68-037-20190722

Revision date: 22 July 2019

Which delivery years does the Housing Delivery Test apply to?

The Housing Delivery Test, published in the November of any given year, provides a measure based on the preceding 3 financial years.

Paragraph: 038 Reference ID: 68-038-20190722

Revision date: 22 July 2019

What happens in areas with stepped requirements?

Where the adopted housing requirement is stepped, these stepped requirements will be used in the Housing Delivery Test in place of annual average requirement figures. A stepped requirement allows authorities to reflect step changes in the level of housing expected to be delivered across the plan period. The buffer applied to the 5 year housing land supply does not constitute a stepped requirement.

Paragraph: 039 Reference ID: 68-039-20190722

Revision date: 22 July 2019

What happens in areas with requirements set out as a range?

Where plan makers have successfully argued through plan-making and examination for a requirement set out as a range, the Housing Delivery Test will measure authorities against the lower end of the range.

Paragraph: 040 Reference ID: 68-040-20190722

Revision date: 22 July 2019

How does the Housing Delivery Test account for delivering communal accommodation?

Communal accommodation, including student accommodation and other communal accommodation, can count towards the Housing Delivery Test. Self-contained dwellings are included in the National Statistic for net additional dwellings. Communal accommodation will be accounted for in the Housing Delivery Test by applying adjustments in the form of two nationally set ratios. These are based on England Census data. The ratios for both net student and net other communal accommodation are found in the Housing Delivery Test measurement rule book (<https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>).

Paragraph: 041 Reference ID: 68-041-20190722

Revision date: 22 July 2019

What happens if the identified housing requirement is not delivered?

From the day following publication of the Housing Delivery Test measurement, where delivery of housing has fallen below the housing requirement, certain policies set out in the National Planning Policy Framework will apply. Depending on the level of delivery, these are:

- the authority should publish an action plan if housing delivery falls below 95%;

- a 20% buffer on the local planning authority's 5 year land supply if housing delivery falls below 85%; and
- application of the presumption in favour of sustainable development if housing delivery falls below 75%, subject to the transitional arrangements set out in paragraph 215 of the Framework (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-1-implementation#para214>).

These consequences apply concurrently, for example those who fall below 85% should produce an action plan as well as the 20% buffer. The consequences will continue to apply until the subsequent Housing Delivery Test measurement is published. The relevant consequence for any under-delivery will then be applied. Should delivery meet or exceed 95%, no consequences will apply.

Where a new housing requirement is adopted after the publication of the measurement, the Housing Delivery Test calculation will be re-run using the new requirement as set out in paragraphs 17 to 18 of the Housing Delivery Test rule book (<https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>). Any consequences for under-delivery will be applied from the day after the publication of the re-run measurement.

Paragraph: 042 Reference ID: 68-042-20190722

Revision date: 22 July 2019

How will areas with joint plans be monitored for the purposes of the Housing Delivery Test?

For the purposes of the Housing Delivery Test, joint plans are joint local development documents as defined under Section 28 of the Planning and Compulsory Purchase Act 2004 (<https://www.legislation.gov.uk/ukpga/2004/5/section/28>).

Areas which have adopted joint plans will have the option to monitor their Housing Delivery Test over the whole of the joint planning area or on a single authority basis. This will be established through the plan-making process.

Where an adopted joint plan has a joint housing requirement and trajectory that is not demarcated by local planning authority boundaries, the authorities will be treated as one authority for the purposes of the Housing Delivery Test, with the consequences of their result applied to both authorities.

Where an adopted joint plan has a housing requirement and trajectory that is demarcated by local planning authorities, they will be treated separately for the purposes of the Housing Delivery Test, according to the apportionment outlined in the adopted plan. The consequences for each authority will be separate, according to their demarcated Housing Delivery Test results.

Paragraph: 043 Reference ID: 68-043-20190722

Revision date: 22 July 2019

How will Housing Delivery Test consequences apply to areas with a joint plan?

Housing Delivery Test consequences will apply to all local planning authorities with a joint plan collectively if the housing figure used to measure against the delivery test is the joint housing requirement. The consequences will apply individually if the housing figure used is the apportioned one.

Paragraph: 044 Reference ID: 68-044-20190722

Revision date: 22 July 2019

How do Housing Delivery Test consequences apply to areas covered by a Spatial Development Strategy (SDS)?

Local planning authorities covered by a Spatial Development Strategy will be monitored against their requirement as set out in the individual borough or district plan for the purposes of the Housing Delivery Test, where this requirement is less than 5 years old (or is older and a review has found this does not require updating). Housing Delivery Test consequences will therefore apply to local planning authorities covered by a spatial development strategy individually. The Housing Delivery Test measurement rule book (<https://www.gov.uk/government/publications/housing-delivery-test-measurement-rule-book>) sets out the circumstances for the calculation where the requirement is over 5 years old, or there is no individual borough or district plan.

Paragraph: 045 Reference ID: 68-045-20190722

Revision date: 22 July 2019

How is the Housing Delivery Test calculated in new local planning authorities formed as a result of recent reorganisation?

For those authorities who have recently undergone re-organisation, their Housing Delivery Test result, and any relevant consequences, will be based on predecessor authority boundaries in the first year following reorganisation.

Paragraph: 046 Reference ID: 68-046-20190722

Revision date: 22 July 2019

Housing Delivery Test – Action Plans

What is the Housing Delivery Test action plan?

The action plan is produced by the local planning authority 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.

Paragraph: 047 Reference ID: 68-047-20190722

Revision date: 22 July 2019

Who can produce an action plan?

Local planning authorities, in collaboration with key stakeholders, are expected to produce the action plan. This will apply for each year of under-delivery where the Housing Delivery Test score is below 95%.

Apart from where an action plan is required as a consequence of the Housing Delivery Test, any authority may produce an action plan as a matter of good practice to identify ways to support delivery. In areas not measured by the Housing Delivery Test, such as National Park Authorities, the Broads Authority and development corporations without (or which do not exercise) both plan-making and decision-making functions, the use of an action plan is encouraged where appropriate to help identify any causes of under-delivery and actions to address these.

Paragraph: 048 Reference ID: 68-048-20190722

Revision date: 22 July 2019

Who can be involved in the creation of the action plan?

The local planning authority is responsible for producing the action plan, involving relevant stakeholders in the process. It is for the local planning authority to decide which stakeholders to involve, although representatives of those with an impact on the rate of delivery should be included, such as:

- small and large developers;
- land promoters;
- private and public land owners;
- infrastructure providers (such as utility providers, highways, etc) and other public bodies (such as Homes England);;
- upper tier authorities (county councils) in two-tier areas;
- neighbouring authorities with adjoining or cross-boundary sites.

Paragraph: 049 Reference ID: 68-049-20190722

Revision date: 22 July 2019

What could local planning authorities review as part of the action plan?

The local planning authority may wish to include an analysis of under-delivery considering:

- 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;
- 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.

Paragraph: 050 Reference ID: 68-050-20190722

Revision date: 22 July 2019

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) (<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>) 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.

Paragraph: 051 Reference ID: 68-051-20190722

Revision date: 22 July 2019

When can the action plan be published?

To ensure the document is as useful as possible, local planning authorities will need to publish an action plan within 6 months of publication of the Housing Delivery Test measurement.

Paragraph: 052 Reference ID: 68-052-20190722

Revision date: 22 July 2019

Will an action plan require formal public consultation?

The action plan will work best as a transparent, publicly accessible document. The decision about whether to consult on an action plan is for the local planning authority. Local planning authorities should be mindful of the need to both produce and implement the document's proposals in a timely fashion.

Paragraph: 053 Reference ID: 68-053-20190722

Revision date: 22 July 2019

How could the action plan be monitored?

Responsibility for creating the action plan lies with the local planning authority, as does monitoring of the action plan. However, the action plan is a collaborative process between various stakeholders, and all stakeholders have a responsibility to deliver the action plan.

Paragraph: 054 Reference ID: 68-054-20190722

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