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HOUSING DELIVERY AND SUPPLY REPORT 2021

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This document sets out the housing position for each local authority in Kent using the indicators of supply (5YHLS) and delivery (Housing Delivery Test) as set out in the National Planning Policy Framework (NPPF). Taking account of delivery and supply, this document provides an outlook for housebuilders and developers.

SUPPLY:

Local Planning Authorities (LPA) are required to maintain a 5-year housing land supply (enough land to deliver their annualised housing requirement for a 5-year period).

The sites should be deliverable within that period. Where a LPA cannot demonstrate a 5YHLS, as per paragraph 11d of the NPPF, the presumption in favour of sustainable development applies, i.e. planning permission for housing (in sustainable locations) should be granted unless there are significant or demonstrable adverse impacts.

Information is obtained from LPA’s most recent publication either Authority Monitoring Report, Housing Delivery Test Action Plan or even SHLAA – this is hyper-linked in the figure with the date of the document’s publication (which is not necessarily the point in time when figure was calculated).

DELIVERY:

The Housing Delivery Test (HDT) is a how many homes were delivered in the last 3 years against the homes required in that same period.

From 2020, LPAs are penalised for not delivering housing by either Action Plan (<95%), Buffer (<85%) or Presumption (<75%).

In short, Action Plan requires a plan from LPA to boost housing delivery, Buffer requires 20% added to 5YHLS requirement, Presumption means presumption in favour of sustainable development applies.

For the 2020 measurement, there is a reduction in the period for measuring total homes required – usually this would be measured over a three-year period but an 11-month period has been used for the 2019/20 monitoring year. This is to account for disruption to housing delivery and monitoring caused by restrictions announced on 23 March 2020, in response to the COVID-19 pandemic.

LOCAL PLANS:

Local Plans play a fundamental role in maintaining housing land supply.

A new Local Plan will ensure that sufficient land is allocated to meet the housing requirement over the plan period (for a short while at least).

Older Local Plans / Core Strategy’s tend to be based on out-dated housing requirement figures (i.e. not standard methodology), as such contain less allocations to meet up-to-date requirements (any plan which is over 5 year’s old must use standard method number).

FORECAST:

The forecast is a quick assessment of the situation with regards to the figures. The better the outlook, the better it is for developer looking to bring forward housing proposals:

-  Sunny
-  Sunny spells
-  Cloudy
-  Rain

PI have experience in nearly all of the LPA, a few, we do not. The commentary is indicative to best of our knowledge and experience.



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LOCATION	HDT 2018	HDT 2019	HDT 2020	HDT MEASURE	5YHLS	ADOPTED LOCAL PLAN	FORECAST
Ashford BC	110%	88%	90% (+3%)	Action Plan	4.8 years - July 2020 (5% Buffer) - Five Year Housing Land Supply 2020 - 2025 update	Local Plan (2019) 2 year old	<p>Last time we noted that Ashford were on the brink of the 'presumption' with 5.1 years supply in November 2019, six months later they published their 'Five Year Housing Land Supply 2020 - 2025 Update', declaring 4.8 years supply - no 5YHLS.</p> <p>Due to under-delivery of around 2,500 units in the previous plan period, Ashford were destined to struggle when seeking to clawback these units in addition to their 5-year requirement.</p> <p>Given that the Local Plan is relatively new, and there is no requirement for an early review, as it stands, there is no mechanism for Ashford to redress their 5YHLS shortfall through the allocation of additional sites. The only means to increase supply in lieu of further LP allocations is via Neighbourhood Plan allocations and through other mechanisms such as an up-to-date Brownfield Register, granting PP in principle.</p> <p>Ashford may be in the 'presumption' for some time, the situation could worsen if their housing delivery drops below 85%, they would then have a 20% buffer (rather than the current 5% buffer) added to their housing supply requirement. This is a real possibility given their delivery was 90% in 2020.</p>
Canterbury CC	117%	87%	87%	Action Plan	6.62 years (5% buffer) - Housing Land Supply Statement 2019/2020 - December 2020	Local Plan (2017) 4 years old	<p>Canterbury have maintained a healthy 5YHLS which is almost the same as last year's figure (6.79 years). This consistency is perhaps attributable to the fact that a very large component of their supply (about two-thirds) comes from strategic allocations which are now 'deliverable'. Interestingly, the Council have a comprehensive Statement of Common Ground with developers which provides commitments to the delivery of strategic allocations.</p> <p>There is a risk that delivery slips below 85% in the 2021 HDT, however, Canterbury would still maintain a 5YHLS with a 20% buffer added to their housing target.</p> <p>Canterbury are currently preparing a new Local Plan - Local Plan 2040. The Local Development Scheme was adopted in May 2021 and states that the Regulation 18 Local Plan will be published for consultation in September 2021.</p> <p>Overall, Canterbury are in a healthy position and this is likely to be continued through to the adoption of their emerging Local Plan.</p>
Dartford BC	181%	161%	121% (-40%)	None	5.63 years (5% Buffer) - Dartford Five Year Deliverable Housing Land Supply 2020 - November 2020	Core Strategy (2011) 10 years old	<p>In recent years Dartford has benefitted from the supply and delivery of large strategic sites. Large sites such as Ebbsfleet continue to provide a robust source of supply along with windfalls and smaller sites.</p> <p>Delivery remains high, although declined slightly last year. Dartford claim that delivery will remain high for at least the next 5 years.</p> <p>Dartford's new Local Plan is relatively advanced, although not yet submitted. The Pre-submission Local Plan was published for consultation in February 2021 and representations are now being reviewed prior to submission to the Secretary of State. Adoption is expected in 2022.</p> <p>Given the current supply and delivery position - and the impending new Local Plan for 2022 - we do not expect Dartford to enter the presumption any time soon.</p>



LOCATION	HDT 2018	HDT 2019	HDT 2020	HDT MEASURE	5YHLS	ADOPTED LOCAL PLAN	FORECAST
Dover DC	131%	92%	80% (-12%)	Action Plan	6.16 years (5% buffer) - Housing Supply Technical Paper - October 2020	Core Strategy (2010) 11 years old	<p>Dover's 5YHLS increased from last year following a robust assessment of supply as set out in the Housing Supply Technical Paper 2020. The 5YHLS does not however account for the decrease in delivery below 85% which means that a 20% buffer should be added to their housing requirement, rather than a 5% buffer.</p> <p>With the 20% buffer, the requirement increases from 3,129 to 3,486 - against an identified supply of 3,857 this equates to a 5YHLS of 5.5 years.</p> <p>Dover are in the early stages of preparing a new Local Plan with the Regulation 18 consultation taking place earlier this year. Adoption is expected in early 2023.</p> <p>Dover are just about keeping their head above water in terms of housing delivery, in 2020 their delivery score 80% (presumption being less than 75%).</p> <p>It appears likely that Dover will slip into the 'presumption' next year as a consequence of either a lack of 5YHLS or under-delivery; it's also likely that they will stay in the 'presumption' until a new Local Plan is adopted in 2023.</p>
Folkestone and Hythe DC	n/a	n/a	91%	Action Plan	5 years (5% buffer) - Authority Monitoring Report 2020 - June 2021	Core Strategy (2013) 8 years old	<p>Folkestone have exactly 5 years housing land supply according to their AMR for 2020. The stated position is down considerably from last year (7.2 years) however last year's figure was not calculated using the 'standard number' (as is required where the Local Plan is over 5 years old).</p> <p>Being pedantic you might suggest that they do not have a 5YHLS given that their requirement is 3,875 and their supply is 3,872 (4.996 years).</p> <p>Notwithstanding, we expect there may be scope to delve deeper into the assumptions about deliverability in the 5YHLS calculation and come to a different conclusion on their housing land supply. It is noted that 1,500 units are identified as being deliverable yet do not have any planning permissions and are 'expected' to be delivered in 5 years. It might be construed that these '1,500 units' conveniently brings the supply to 5 years.</p> <p>As is most often the case, supply will dwindle further without a means to allocate more sites. The Council are very far advanced in their Core Strategy Review with Examination currently taking place and adoption pencilled in for this year. The Core Strategy includes a new Garden Settlement, this will be a large component of future supply and therefore its delivery will be key to them maintain a 5YHLS in the future. We expect it will take more than 5 years for a Garden Settlement to be 'deliverable' therefore some gaps in supply may appear in the interim.</p>
Gravesham BC	64%	75%	70% (-5%)	Presumption	3.27 years (20% buffer) - Five Year Housing Land Supply Statement 2020-25 January 2021	Core Strategy (2014) 7 years old	<p>Gravesham are failing on both housing supply and delivery and, therefore, are very much in the 'presumption'. Despite their Core Strategy being over 7 years old, four large strategic allocations in the Core Strategy still do not have planning permission and therefore are not 'deliverable'.</p> <p>Given that there are limited sources of additional housing land, Gravesham will no doubt be unable to demonstrate a 5YHLS until a new plan is prepared.</p> <p>Gravesham are undertaking a Local Plan Core Strategy Partial Review and preparing a Site Allocations and Development Management Policies Document. Neither of these documents have reached the pre-submission publication stage. These documents will seek to resolve housing land supply shortages; however, both are still a few years off.</p> <p>Delivery has been poor for the last 3 years, attributed to delays in delivering strategic sites within the Ebbsfleet Development Corporation Area.</p>



LOCATION	HDT 2018	HDT 2019	HDT 2020	HDT MEASURE	5YHLS	ADOPTED LOCAL PLAN	FORECAST
Maidstone BC	112%	135%	146% (+11%)	None	6.1 years (5% buffer) - Five Year Housing Land Supply Position at April 2020	Local Plan (2017) 4 years old	<p>Maidstone are performing well on both measures. The high levels of housing delivery and supply are a result of allocated sites in the 2017 Local Plan gaining planning permission - two thirds of allocated sites are complete or have commenced.</p> <p>Maidstone are in the early stages of their Local Plan Review, a draft document is expected to be published for consultation in the coming months.</p>
Medway Council	47%	46%	55% (+9%)	Presumption	3 years (20% buffer) - February 2020 (via appeal)	Local Plan (2019) 18 years old	<p>Medway are a classic example of how having an out-of-date plan results in an inability to deliver required housing and have over control development in the authority area.</p> <p>It seems the Council have given up publishing their 5YHLS position; an appeal decision from 2020 indicated that the supply was around 3 years, we expect that this figure has now diminished even further.</p> <p>Medway also have had very poor delivery in the last 3 years, although we expect to see a marked improvement in the coming years given the number of applications which have been granted as a consequence of their time spent in the 'presumption'. There have been a number of outline permissions granted and we expect to see detailed approvals, commencements and completions in the coming years. Medway have suggested in their Housing Delivery Action Plan that they will be delivering 103% in the 2022 HDT for this reason.</p> <p>Medway are working on a new Local Plan, the Regulation 19 Draft Local Plan is expected sometime later in 2021 - there have however been inevitable delays.</p> <p>Until the new Local Plan is adopted, it will be hard for Medway to resist applications for housing in sustainable locations.</p>
Sevenoaks DC	94%	71%	70% (-1%)	Presumption	5 years (5% buffer) - Sevenoaks Five Year Housing Land Supply- April 2019	Core Strategy (2011) years old	<p>Sevenoaks Local Plan was rejected by the Planning Inspectorate as a result of legal compliance failures under the 'Duty to Co-operate' (with Tonbridge). Sevenoaks were unable to plan sufficient land to meet their housing need, however they did not work cooperatively with Tonbridge to resolve issues of unmet housing need.</p> <p>Sevenoaks have challenged the decision in the High Court however this challenge was dismissed in April 2021. Sevenoaks are reluctant to abandon their plan and awaiting further guidance from the Ministry for Housing, Communities and Local Government; they hope to have a new plan in place by 2023. However, as it currently stands, they do not have an up-to-date Local Plan and have a lot of work to do to get there.</p> <p>Unsurprisingly they do not appear to have published a 5YHLS position update since April 2019 when they declared 5 years. This is now likely to be significantly less than 5 years. Notwithstanding the lack of a 5YHLS, Sevenoaks are in the presumption due to under-delivery.</p>



LOCATION	HDT 2018	HDT 2019	HDT 2020	HDT MEASURE	5YHLS	ADOPTED LOCAL PLAN	FORECAST
Swale BC	74%	77%	89% (+12%)	Action Plan	4.4 years (5% buffer) - Swale Five Year Housing Land Supply - Spring 2021	Local Plan (2017) 4 years old	<p>Swale declared 4.4 years earlier in 2021, this did however exclude the South-west Sittingbourne Appeal which recovered by the Secretary of State and allowed at the end of April 2021. Adding the additional 675 units to the supply would give a 5YHLS of 5.2 years.</p> <p>The 5YHLS calculation includes a small number from allocations in the emerging Local Plan Review which is at a relatively early stage of preparation (and also subject of legal challenges). It is highly debateable as to whether these allocations are 'deliverable' in 5 years. If those allocations (321 units) are removed from the supply then the 5YHLS is 4.98 years.</p> <p>In terms of delivery, Swale delivered 89% in the 2020 Housing Delivery Test (HDT). Had they delivered less than 85%, they would have had a 20% buffer added to their housing land supply requirement (rather 5% buffer). The imposition of a 20% buffer would make it clear that Swale do not have a 5YHLS.</p>
Thanet DC	44%	35%	54% (+19%)	Presumption	5.77 years (20% buffer) - Note for Inspector on Updated 5 year Land Supply - June 2019	Local Plan (2020) 1 years old	<p>Thanet adopted their new Local Plan in July 2020. The most recent published position on 5YHLS was published in June 2019, confirming 5.77 year. The most recent AMR states that the deliverable supply is 6,033 units. The Local Plan requires a stepped, phased housing requirement. For 2021 - 2026, 1,200 units a year are required (6,000 over the five-year period). If the 20% buffer for under-delivery is added, this equates to 7,200 units. Therefore, a requirement for 7,200 and a supply of 6,033 equates to a 5YHLS of 4.18 years. Accordingly, we believe there is scope to challenge the 5YHLS position.</p>
Tonbridge BC	155%	117%	91% (-26%)	Action Plan	2.93 years (5% buffer) - Tonbridge & Malling Borough Council Housing Land Supply Position - March 2020	Core Strategy (2007) 14 years old	<p>As with their counterparts, Tonbridge's Local Plan has failed at the final hurdle because of failures under the Duty to Co-operate with Sevenoaks. The Planning Inspector's Report on the Local Plan was issued in June 2021.</p> <p>Tonbridge and Malling were failing to demonstrate a 5YHLS in the preceding years and without a new Local Plan to allocate sites, it looks like they will be within the 'presumption' for at least a few years.</p> <p>Like Sevenoaks, it appears that Tonbridge are awaiting guidance from central Government in relation to Local Plan before committing to any specific course of action.</p>
Tunbridge Wells BC	88%	86%	85% (-1%)	Action Plan	4.93 year (5% buffer) - Five-Year Housing Land Supply Statement 2020/2021 - July 2021	Core Strategy (2011) 10 years old	<p>Like last year, Tunbridge Wells are just short of a 5YHLS. This situation should be resolved relatively soon with the new Local Plan expected to be submitted to the Secretary of State later in the summer and Examination to take place in winter 2021.</p> <p>In terms of delivery, Tunbridge Wells delivered 85% of their requirement, had this been less than 85% then the 20% buffer would have been imposed.</p> <p>Tunbridge Wells will remain in the 'presumption' because of a lack of 5YHLS, although this should be resolved by next year with the adoption of a new Local Plan.</p>

