



London Borough of Bromley

Housing Delivery Test Action Plan

July 2024

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1. POLICY CONTEXT

National planning policy and guidance

1.1. The National Planning Policy Framework¹ (NPPF) defines the Housing Delivery Test as follows:

“[The test] 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 annually.”

1.2. Paragraph 79 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 2023 NPPF, Glossary page 71

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

³ PPG, Paragraph ID: 68-050-20240205, <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 target of 774 units (plus a relevant buffer) is used to calculate the borough's five-year housing land

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

supply and housing trajectory⁵. The Bromley housing trajectory is currently being updated and will replace the 2021 trajectory when published.

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 2022

1.10. The Housing Delivery Test results for 2022⁶ were published in December 2023. The results for Bromley were as follows:

Table 1: 2022 Housing Delivery Test results for LB Bromley (December 2023)

	Housing completions	Housing requirement	% of requirement completed
2019/20	485	587	83%
2020/21	272	427	64%
2021/22	103	641	16%
Total	860	1,655	52%

1.11. The Borough’s housing requirement for 2019/20 and 2020/21 was based on the 641 units per annum target set out in the Bromley Local Plan; then adjusted to account for the impact of the Covid-19 pandemic. The housing requirement for 2021/22 was the unadjusted 641 units per annum figure.

⁵ <https://www.bromley.gov.uk/downloads/download/175/bromley-housing-trajectory>

⁶ <https://www.gov.uk/government/publications/housing-delivery-test-2022-measurement>

1.12. As total housing completions between 2019/20 and 2021/22 were below 75% of the total housing requirement over this period the presumption in favour of sustainable development applies to the borough in addition to the requirement for an action plan and the addition of a 20% buffer to the five year housing land supply.

2. POTENTIAL BARRIERS TO HOUSING DELIVERY

- 2.1. Taking into account paragraph 050 of the PPG⁷ and other relevant practical issues, several potential barriers to housing delivery in the borough over the past 3 years are set out below.

Impact of Covid 19 on the delivery of housing

- 2.2. 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 for the 2022 Housing Delivery Test Results (December 2023), 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.
- 2.3. However, it is possible that the uncertainties associated with the pandemic have had an impact upon delivery in the borough beyond 2020/21, for example through the impact of delayed starts.

Data collection changes

- 2.4. 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.
- 2.5. The new system has been beset by problems since its introduction, and are not yet fully resolved at the time of writing in 2024. The GLA have been 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 2022 and contributed to the lower housing completions reported for 2021/22.
- 2.6. Work is ongoing to rectify these issues, including work to ensure any missing housing schemes are uploaded into the new system. Housing starts and completions will be able to be monitored more effectively once the system operation is reliable.

⁷ Op cit, footnote 3

Planning approvals and housing trajectory

- 2.7. 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 at the time of reporting). This lack of a five-year supply, effectively a lack of approvals, may have had an impact on the housing completion figures for the borough in 2020/22.
- 2.8. An appeal decision⁸ from August 2023 (appeal ref: APP/G5180/W/23/3315293) concluded that the Council had a supply of 3,235 units or 3.38 years, which the Council acknowledges. As noted above, the Housing Delivery Test 2022 results (published in December 2023) indicate that housing delivery against Bromley's housing requirement has fallen below 85% over the HDT period; this requires the addition of a 20% buffer to the Council's housing requirement over the FYHLS period (in accordance with paragraph 77 of the NPPF). Applying this buffer to the appeal derived figure noted above (3.38 years) gives a supply of 2.96 years. The Council is in the process of preparing an updated five year housing land supply position, reflecting changes since the last publication in November 2021. It is envisaged that this updated position will be published in Autumn 2024.

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.

⁸Appeal reference: APP/G5180/W/23/3315293

3. FUTURE ACTIONS TO HELP BOOST HOUSING DELIVERY

3.1. Considering the potential measures to boost housing delivery set out in the PPG⁹, 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 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. The Council have also undertaken an Issues and Options consultation between April and June 2023. The intention of the consultation exercise was to gather views on a number of subject matters from a range of stakeholders to inform the development of the new Local Plan.

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 detailed 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 requires 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.

3.6. The timeline for the adoption of the new Local Plan is set out in the Local Development Scheme. The Council has taken the decision¹⁰ to undertake the review under the new style plan-making system which is expected to come into force in November 2024.

⁹ Op cit, footnote 4

¹⁰ 'UPDATE ON THE BROMLEY LOCAL PLAN REVIEW', report to the Bromley Renewal, Recreation and Housing Policy Development and Scrutiny committee, 19 June 2024, available from:
<https://cde.bromley.gov.uk/documents/s50115677/Update%20on%20the%20Bromley%20Local%20Plan%20Review.pdf>

London Plan review

3.7. The process for reviewing the London Plan is now underway¹¹, although details of expected timelines for the production of evidence and future consultations has not been published. Similar to the Local Plan review, the London Plan may enable the delivery of additional housing through new policy approaches. The Council will be a key stakeholder (alongside other London Boroughs) in the preparation of the new London Plan and will seek to ensure that any new policy approaches are considered holistically and balance the general need for new housing against other considerations such as providing affordable housing and requiring high design standards.

Supplementary Planning Documents (SPDs)

3.8. The Council has prepared several SPDs to provide further guidance on Development Plan policies to assist with their implementation:

- Orpington Town Centre SPD – the Council adopted the SPD in July 2023. 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.
- Bromley Town Centre SPD – the Council adopted the SPD in October 2023. The SPD sets out guidance for development in the town centre, including design parameters for several development sites in the area.
- Urban Design Guide SPD – the Council adopted the SPD was in July 2023. The SPD provides 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. It aims 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.
- Planning Obligations SPD – the Council adopted the SPD in June 2022. The SPD provides guidance on the Council’s general approach to planning obligations, and where relevant, sets out the requirements and mechanisms for securing contributions.

Authority monitoring report

3.9. The Council produces an Authority Monitoring Report (AMR) 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.

¹¹ <https://www.london.gov.uk/programmes-strategies/planning/planning-london-programme>

- 3.10. 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.
- 3.11. 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

- 3.12. 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.
- 3.13. 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.
- 3.14. The Council introduced a bespoke, staged pre-application service for significant/larger scale majors in June 2024. The first stage of this service can also be used to obtain 'in principle' advice 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 progressed through the full pre-application advice service prior to submission of an application.
- 3.15. 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.
- 3.16. Further changes to the pre-application service will be made where appropriate, to ensure the process is efficient and reflect the level of input required for different sized schemes.

Planning performance agreements

- 3.17. The Development Management team is investigating the introduction of Planning Performance Agreements (PPA) for major applications in the future.
- 3.18. The PPG defines PPAs as follows: explains¹² 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

¹² PPG, Paragraph 16, ID: 20-016-20150326 <https://www.gov.uk/guidance/before-submitting-an-application>

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.”

3.19. PPAs can 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

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

- **Making Bromley Even Better: Bromley Corporate Strategy 2021-2031**¹³ - 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**¹⁴ - 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

¹³ <https://www.bromley.gov.uk/downloads/download/142/making-bromley-even-better-corporate-strategy-london-borough-of-bromley>

¹⁴ <https://www.bromley.gov.uk/downloads/file/1286/bromley-council-housing-strategy-2019-2029>

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 2020-2030¹⁵** - 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.

3.21. In line with the Council's Housing and Regeneration strategies, a number of residential schemes totalling nearly 200 residential units have been granted planning permission on Council-owned sites:

- Planning application ref: 20/00300/FULL1 - Car Park, Brindley Way, Bromley – 25 units 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.
- Planning application ref: 21/02861/FULL1 - Crofton Halls, York Rise, Orpington - 35 units granted permission on 22/12/2021.
- Planning application ref: 21/04851/FULL1 - West Wickham Library, Glebe Way, West Wickham – 26 units granted permission on 26/05/2022.
- Planning application ref: 23/1547/FULL1 – Station Road, Bromley – 75 units granted permission on 21/12/2023.

Ongoing engagement with key stakeholders

3.22. The Council engages with applicants, agents and landowners when preparing the housing trajectory. 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 also helps to inform the local plan review in terms of future housing delivery.

Design Review Panel (DRP)

3.23. The Council have set up a DRP to provide independent expert advice at pre-application stage to support the delivery of high quality developments, including housing developments. The panel

¹⁵ <https://cde.bromley.gov.uk/documents/s50083012/RegenerationStrategy.pdf>

consists of 22 members that provide expert advice relating to architecture, urban design, landscape architecture, sustainable development, heritage and transport.

3.24. For major developments applicants are encouraged to undergo at least one design review. For developments referable to the Mayor applicants need to have undertaken at least one design review before a planning application is made. The DRP will assist in ensuring housing schemes are of a high quality design and will also assist in their timely progression through the planning process.

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.