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# **South Somerset District Council**

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## **Accelerating Delivery of Housing in South Somerset**

Report – Draft Ver 3  
June 2020

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### **Three Dragons with Bespoke Property Consultants**



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## Executive Summary

1. South Somerset District Council, as with other councils, has a duty to achieve the housing targets set for it by central government and identified in its Local Plan. However, the Council is concerned about the barriers to delivery of housing of all tenures to meet these targets and provide for the future housing needs of South Somerset. In response to these concerns, and to inform the Council's Plan for 2020 to 2025, the Council commissioned a study<sup>1</sup> whose output is a robust set of recommendations to help accelerate housing delivery across the district.
2. The study has confirmed that the delivery of housing in South Somerset has fallen behind Local Plan targets and that current levels of housebuilding are a reflection of a general trend rather than a recent down-turn.
3. While market values in South Somerset are not as high as some nearby centres in the South West (e.g. Bristol and Exeter) values are not sufficiently low to indicate underlying development weakness. However, and this applies particularly to Yeovil itself, values are sufficiently weak that schemes cannot afford unexpected costs or dips in price. Where schemes are expected to meet major infrastructure costs, this can mean they become unviable.
4. Delivery largely relies on a relatively small number of large sites and when these slow down or stall, there can be a problem with little option for the Council to directly intervene, other than to assist in obtaining public funding to strengthen cash flow. While the Council has been successful in securing public funds (from Homes England), this is a time-consuming process which requires dedicated officer time and a particular skill set.
5. The development industry has raised a number of concerns about the planning decision-making process followed by the Council and there are various options to address these. Whilst changes in process will not, by themselves, unlock the delivery potential of South Somerset, reviewing the way the Council makes decisions and the range of planning resources it has available, would help.
6. There are a variety of ways other local authorities are tackling under-delivery of housing in their area. Some of these mechanisms are worth replicating in South Somerset and we are recommending a package of actions – some short term and some longer term. This includes direct intervention by the Council in one-off projects, working with other development organisations through joint ventures. It also includes mechanisms that tie developers to agreed delivery programmes on their sites.
7. We are not recommending the Council setting up a development company as a speculative venture, identifying a development programme to promote. We say this for two main reasons. First that the Council does not have any substantial land ownerships to bring into such a company and second, that setting up and operating development companies requires considerable investment of staff resources over a considerable period of time to achieve a reasonably sized development programme. Instead, we are recommending a more opportunist approach.
8. In terms of supporting current development schemes where there are viability concerns, we recognise that there is limited (grant or loan) funding available for this, either directly from the Council or through other public agencies – mainly Homes England. To make

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<sup>1</sup> Commissioning such a report was set out as a priority project for 2019/20 in the Council's Plan i.e. *To develop proposals to accelerate the delivery of key housing sites and associated infrastructure*

informed decisions on priorities for investment, we are recommending that the Council invests directly in its capacity to assess development viability. This is a specialist skill and the Council may want to develop this expertise in partnership with other Somerset authorities. The 'Enabling Growth' project makes recommendations for joint working across Somerset.

9. Finally, we note that the Council is currently reviewing its Local Plan and we are recommending that it takes this opportunity to review and reflect on how it specifies affordable housing requirements on qualifying schemes and trades off potentially achieving more Affordable Rented units versus social rented units at a lower cost to occupiers. It will be important that the Council has robust viability evidence available to support the plan – as recent changes to Planning Practice Guidance has strengthened the role of Local Plans in setting out policy requirements that are less easy to challenge on grounds of viability grounds when a planning application is made.
10. The recommended actions for the Council are:

***Create a better awareness and understanding of the need for housing across the Council.***

- Create a focus of planning, development and legal officer resources available to progress major housing sites in the form of housing a delivery team with a dedicated lead officer who can manage and lead the programme of interventions described here.
- Create a strong political leadership focussed on promoting the need for a pipeline of new housing schemes to meet local needs.
- Review the framework for member/ officer decision - to ensure a more fit-for-purpose system including the operation of the two-tier committee system.

***Working with the Development Industry***

- Work more closely with site developers to understand their development issues and help create better schemes. Address the specific instances where viability issues on some important sites have been raised but not resolved in order to bring forward consented applications.
- Facilitate capital funding interventions by the Council and Homes England.
- Use a range of measures including through s106 agreements to enforce bringing forward sites more rapidly

***Direct Intervention***

- Identify a flexible programme of joint venture opportunities and enter into one or more joint ventures with an organisation or organisations active in the local development market. This could be a Registered Provider or a private developer.
- Consider using Council funds to secure land alongside the Local Plan process for future joint venture development.

***Priority locations in the District***

- The larger settlements identified in the current and draft new Local Plans should be the priority locations for concerted action – particularly Yeovil and Chard.

### ***Local Plan Review***

- Ensure there are sufficient resources to achieve a more expansive adopted Local Plan;
  - Use the process of reviewing all housing policies and allocations to factor in accelerating delivery.
11. Achieving the above will greatly increase the likelihood that the Council will have a sustained five year land supply over future years. How quickly this will be the case will depend on a number of externalities, including the potential impact on the housing market of the Covid-19 pandemic. If the potential economic downturn follows, as some forecasters are predicting, the importance of the Council taking a very active role in housing delivery, becomes even more necessary.

Draft

# 1. Introduction

## Study objectives and context

- 1.1 South Somerset District Council, as with other councils, has a duty to achieve the housing targets set for it by central government and identified in its Local Plan. However, the Council is concerned about the barriers to delivery of housing of all tenures to meet these targets and provide for the future housing needs of South Somerset. In response to these concerns, and to inform the Council's Plan for 2020 to 2025, the Council commissioned a study<sup>2</sup> whose output is a robust set of recommendations to help accelerate housing delivery across the district. While the study brief did not require the production of a delivery strategy, the actions recommended in this report, together provide such a strategic approach with both short term and longer-term actions to help accelerate housing delivery.
- 1.2 The Local Plan (to 2028), which was adopted in 2015, sets an overall supply figure of 15,950 or about 725 dwellings per annum of which 69% are to be provided in Yeovil and the other market towns in South Somerset, including Chard and Wincanton. The Local Plan is currently being reviewed and in June 2019 the Council published its Preferred Options Consultation document<sup>3</sup>. This identifies a similar housing requirement for 2016 to 2036 of 14,322<sup>4</sup> or around 716 per annum<sup>5</sup>; again with the majority of the housing focused on Yeovil and the other market towns (about 62% of the future supply).
- 1.3 The adopted Local Plan and the emerging plan identify a number of strategic sites which make a significant contribution to future housing supply. In Yeovil, two sustainable urban extensions of c1,600 dwellings are identified in addition to a number of key sites, varying in size but generally around 100 to 200 dwellings. Strategic sites in the market towns are of a similar or larger scale – for example about 1,340 dwellings in Chard Eastern development Area. Many of the larger sites in the new plan are carried forward from the adopted Local Plan.
- 1.4 The Council has high aspirations for new housing schemes in the district with, for example, 40% open space in Yeovil SUEs and 29% affordable housing to be provided.
- 1.5 The Council has concerns that housing sites in general are not built out as quickly as they should be and that there is an associated and widening affordability gap with the affordable housing sector also under-performing.
- 1.6 The evidence bears out these concerns with past housing supply lagging well behind Local Plan targets – averaging only about 500 dwellings per annum compared with the 725 dwellings per annum set out in the Plan. There is evidence that completion rates may actually be slowing down with a higher average rate of completions in 2014-2017 than in 2017-2019. This is partly due to the then Homes and Communities Agency forward funding Affordable Housing.
- 1.7 While it is recognised that many of the problems faced in South Somerset are a microcosm of the national housing situation, the study has focused on the

<sup>2</sup> Commissioning such a report was set out as a priority project for 2019/20 in the Council's Plan i.e. *To develop proposals to accelerate the delivery of key housing sites and associated infrastructure*

<sup>3</sup> <https://www.southsomerset.gov.uk/your-council/your-council-plan-and-strategies/planning-policy/local-plan-review-2016-2036/>

<sup>4</sup> Policy SS2 identifies a higher total at 15,538 to allow for '...a level of flexibility as the Local Plan Review progresses'

<sup>5</sup> Based on the Government Standard Methodology - <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

characteristics of the South Somerset housing market and development industry to identify recommendations for action which are locally relevant.

### **Research undertaken**

- 1.8 The research undertaken for the study was a mix of statistical analysis, interviews and web-based research. It included:
- Analysis of past patterns of planning permissions granted and dwelling completions – for different areas of South Somerset and an associated review of affordable housing delivery;
  - Review of the Council's public-facing planning web pages;
  - Analysis of market values within and adjoining South Somerset;
  - Interviews with Council officers most closely involved with delivering the Council's plans;
  - Interviews with representatives of the local development industry, focusing on developers and land owners that control the major strategic sites in the district. 14 such interviews were undertaken, using a discussion agenda agreed with the Council. Interview lasted 1-2 hours and were undertaken in the spirit of Chatham House rules;
  - Complementary information gathering with locally active Registered Providers – through attendance at a regular partnership meeting and subsequent telecon interview;
  - Interview with Homes England and web review of the activities of the Local Enterprise Partnership;
  - Web based review of the activities undertaken by other local authorities to accelerate housing delivery. The web search built on the knowledge of the team about good practice as well as identifying new options. Those initiatives which appeared to have most relevance to South Somerset were followed up by a telephone interview with the relevant authority;
  - Review of options for local councils to establish their own development companies, the process involved for councils in doing so and outputs from the process.

## 2. National policy and influencers

### Policy context

- 2.1 New housebuilding has fallen short of housing targets in many locations across the country, and there is a widespread recognition that the UK is not delivering the quantity of housing required. Though the direct role of councils in house building is greatly diminished from its role during the 1960's and 1970's, there is a growing appetite for more public sector intervention in the delivery of housing.
- 2.2 This growing appetite can be traced through a number of changes in legislation and guidance, and through a number of influential research papers; a full list of which are shown in Annex 1, though the key changes are summarised in this section.
- 2.3 An early signifier of this key change was the **Localism Act (2011)**. In broad terms, the act granted authorities the 'general power of competence' allowing them the legal capacity to do anything that an individual may do so long as it does not break the law. This has a number of far-reaching impacts for local authorities, many of which with the intention of ensuring local authorities have the power to ensure decisions, such as around housing need, are taken locally, and allows greater scope for intervening in the market.
- 2.4 The **National Planning Policy Framework (NPPF)**, in 2012, introduced a presumption in favour of sustainable development and a clear focus on ensuring more homes are delivered via a plan-led system. The framework placed greater responsibility for delivering a sufficient supply of homes at the local authority level and, alongside planning policy guidance, introduced methods for local authorities to calculate need. The 2012 framework also gave a recognition that plans should be deliverable requiring policy makers to consider issues around viability when forming strategies.
- 2.5 The NPPF was revised in 2018 and again 2019. As part of the changes the NPPF introduced a new, standardised methodology for assessing housing need and a Housing Delivery Test. The latter triggers the presumption in favour of sustainable development where delivery is substantially below the housing requirement over the previous three years. The tests have been criticised by some as it penalises local authorities for the inaction of private developers, where the authorities have very little power to intervene<sup>6</sup>. Housing Delivery Tests are discussed in greater detail in Chapter 6 of this report.
- 2.6 Though not policy documents, it is worth also mentioning some other important reports that have also had an impact in strengthening the case for public sector intervention. The **Elphicke-House report** (2015) recommended that councils should be using assets available to them, including borrowing capacity, to ensure that they are housing their populations by investing in appropriate housing provision. It advocated that councils should act as 'housing delivery enablers' and actively use their own assets and knowledge to unlock housing opportunities and deliver more homes.
- 2.7 A second is the '**Building Our Homes, Communities and Future**' report commissioned by the Local Government Association (2016). One key recommendation, which was enacted in the October 2018 budget, was to free local councils from the restrictions to borrow to money to funds for housebuilding through removing the Housing Revenue Account (HRA) borrowing cap. This means that

<sup>6</sup> Morphet & Clifford (2019). Local Authority Direct Delivery Of Housing: Continuation Research. RTPI Research Paper July 2019.

authorities are not restricted by government controls and are instead able to borrow against expected income, in line with the Prudential Code. Importantly, this has allowed authorities without an HRA to pursue housebuilding.

- 2.8 The final document in our review is the 'Independent Review of Build Out' report by **Sir Oliver Letwin** (2018) which investigated the gap between housing completions and the amount of land allocated or permissioned in areas of high housing demand. It concluded that a key driver in the slow rate of build-out was the homogeneity of the type and tenure of the homes on offer on large sites which restricts the rate in which they are absorbed by the market. Alongside recommending that authorities get greater powers in controlling development on larger sites, it also suggests a requirement for a more diverse offer.

## Homes England

- 2.9 Homes England's Strategic Plan 2018-2023 set out six objectives for the organisation:
- Unlocking land
  - Unlocking investment
  - Increasing productivity
  - Driving market resilience
  - Supporting local areas
  - Delivering home ownership products
- 2.10 Homes England's total budget for 2018 to 2023 was net £27bn, of which £3.6bn was for the Affordable Homes programme and £13.9bn for the Help to Buy scheme. A further £5.5bn was for the Housing Infrastructure Fund (HIF). Achieving funding at the local level through the main programmes is through a bidding process – and SSDC has already benefited from this through both grants made from the Affordable Homes programme and successful HIF bids.
- 2.11 In the March 2020 budget, further funding was announced and set out in the MHCLG publication, Planning for the Future. Planning for the Future signalled a number of future reforms to the planning system (including plans to raise the Housing Delivery test threshold to 75% in November 2020) but it also set out the outline of future funding to be administered by Homes England. Important for this study, in addition to the £12bn over the next five years for affordable housing, are the following:
- £1.1 billion in local infrastructure to unlock almost 70,000 new homes – “to fund key infrastructure schemes from Surrey to Sunderland, including new roads, transport links, flood defences, leisure and healthcare facilities, digital and power networks and schools.”
  - A new £10 billion Single Housing Infrastructure Fund – “...a new long-term, flexible fund which will give confidence to communities, developers and local authorities.”
- 2.12 Details of the funding will be announced alongside the Spending Review, now delayed from the original July date. It was stated in Planning for the Future that Homes England will engage with local authorities and the wider market to build a pipeline of opportunities up and down the country. This provides an opportunity for the Council to consider its priorities for bids into the scheme and work with Homes England to identify bids that will best fit the new scheme and build up skills in the Council to prepare successful bids. We pick up this point again in our recommended actions in the final chapter of the report.

## Heart of the South West Local Enterprise Partnership

- 2.13 The **Heart of the South West Local Economic Partnership** set a strategic vision for the 16 years between 2014 and 2030 in its Strategic Economic Plan (SEP). It recognises opportunities that have potential to transform the economy including Hinkley Point C, the Plymouth and Peninsula City Deal and key clusters in aerospace and advanced manufacturing; and data & environmental analysis (particularly the MET office at Exeter Science Park).
- 2.14 The SEP includes a commitment to help unlock housing growth in the LEP area. This involves provision of a 'kick start' infrastructure programme to unlock and accelerate delivery of housing through a revolving loan fund, supplemented with infrastructure grants where necessary.
- 2.15 The LEPs 2019/20 Delivery Plan identified its key themes of the Growth Deal investment programme as: Transport £118.51m, Innovation space £40.23, Digital – broadband and mobile infrastructure - £18.07 and Skills capital projects at £27.1m with transport projects making up the bulk of the funding focus on unlocking housing and workspace. LEP funding clearly offers another route into public sector investment for the Council but this is a much smaller pot than that of Homes England and South Somerset is always competing with the LEP's priorities and more major calls on its resources e.g. J25 of the M5 at Taunton.
- 2.16 The current 'Active'<sup>7</sup> housing related projects have been identified as:
- Yeovil Western Corridor (Completed March 2019)
  - Torbay Western Corridor (Completed March 2019)
  - Tiverton Eastern Urban Extension (Completed March 2019)
  - Torquay Gateway (Planned Completion March 2020)
- 2.17 The current 'Coming Soon' housing related projects have been identified as:
- Taunton Toneway
  - A382 widening Newton Abbot
  - Houghton Barton Package
  - A39 Heywood Junction, Bideford

## Summary

- 2.18 Housebuilding across many authorities has been below what is required. Central Government, supported by a number of influential research papers, has sought to grant extra responsibilities and powers for local authorities to intervene in the delivery of housing. Similarly, the role of organisations such as Homes England and the Heart of The South West LEP has been strengthened in order to help unlock infrastructure and sites to kick-start delivery.

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<sup>7</sup> <https://heartofswlep.co.uk/projects/>

### 3. Sub National and Local Policy

#### Introduction

- 3.1 The key policies, guidance and strategies, that relate to the type and volume of housing delivery within South Somerset and across the county are considered within this section. A fuller list of these documents is summarised in Annex 1.

#### Sub-national picture

- 3.2 The **Somerset Housing Strategy (2018)** sets out the context for development in Somerset stating that Somerset does not have enough homes of all tenures and that there is a growing affordability gap with a growing private rented sector that is getting more difficult to afford. Hinkley Point C, where there are 5,600 workers on site at peak construction, is also believed to be causing an increase in demand for all forms of accommodation, one and two bed properties in particular, which is understood to have fuelled rents. The strategy also suggests that there are delays in construction at key sites due to market financial changes, and a skills shortage within the construction sector.
- 3.3 The strategy sets out five priorities linked to housing and the economy, which are relevant to housing delivery.

**Priority 1: Maximise the number of affordable homes (all tenures).** By recognising affordable housing as a priority, provide leadership at the highest level to make this happen, ensuring authorities make use of all available funding streams from Central Government such as the Housing Infrastructure Fund and to deliver the necessary infrastructure to accelerate housing.

**Priority 2: Provide more affordable homes to support rural economies and communities.** Advocates councils promote land release for rural exception sites, increase the number of Community Land Trusts and improve the percentage of affordable housing delivery tied to Local Plan allocations.

**Priority 3: Increase the supply of homes.** Suggests that councils ensure a five-year housing land supply to meet housing targets, maximise Hinkley Point C legacy benefits and work with One Public Estate and identify opportunities to reuse released land and buildings to meet housing needs.

**Priority 4: Upskill the local labour force.** Aligning activities with the Somerset Growth Plan and promote the establishment of a University, apprenticeships and a skills-based academy for the construction sector, increasing rates of custom and self-build, and introducing off site / modular construction.

**Priority 5: Creating sustainable homes and places in Somerset.** Achieved by ensuring sustainability is at the heart of decision making and providing more homes that are healthy and affordable to run, and integrating low carbon design and resilience to the predicted impacts of climate change.

## The Local Picture

### *Local Plan – adopted*

3.4 The South Somerset Local Plan, adopted March 2015, contains a number of policies to guide the delivery of housing within the district. Key policies include:

- **Policy SS1: Settlement Strategy.** Indicates that Yeovil is the prime focus of development for South Somerset. Followed by the Primary Market Towns of Chard, Crewkerne, Ilminster and Wincanton and the Local Market Towns of Ansford/Castle Cary, Langport/Huish Episcopi and Somerton. Finally, settlements such as Bruton, Ilchester, Martock/Bower Hinton, Milborne Port, South Petherton, and Stoke Sub Hamdon are categorised as rural centres, where development is expected to be much more limited.
- **Policy SS4: District-wide housing provision.** Seeks 15,950 dwellings in the plan period April 2006 – March 2028 inclusive (725 per annum)
- **Policy SS5: Delivering New Housing Growth.** Of the 15,950 dwellings, 7,441 will be located within the Urban Framework of Yeovil and via two Sustainable Urban Extensions. 1,852 homes required within Chard, 961 in Crewkerne, 496 in Ilminster and 703 in Wincanton. Ansford/Castle Cary, Langport/Huish Episcopi and Somerton are expected to each provide 374 homes.
- **Policy HG1: Strategic Housing Site.** This policy safeguards CLR Site, Crewkerne (KS/CREW/1) as a key residential site
- **Policy HG2: The Use of Previously Developed Land (PDL) for New Housing Development.** Which seeks a minimum of 40% of new development should be on previously developed land
- **Policy YV2: Yeovil Sustainable Urban Extensions.** Sets out details of two urban extensions (one south and one north-east). Both for approx. 800 dwellings, and both to include 2.58 ha of land for economic development with provision of a primary school, health and neighbourhood centre.
- **Policy PMT1: Chard Strategic Growth Area & PMT2: Chard Phasing.** Details land allocated to provide at least 2,716 dwellings, 13 ha of employment land, 2 primary schools, 4 neighbourhood centres, Highway infrastructure and improvements and sports / open space provision. PMT2: Chard Phasing indicates that 1,220 of the dwellings are expected in the plan period.
- **Policy HG3: Provision of Affordable Housing and Policy and HG4: Provision of Affordable Housing<sup>8</sup>** – Where it is viable to do so, the policy seeks 35% on sites of 6 dwellings or above (or 0.2ha and above) in all locations. For schemes of 1 to 5 dwellings 5% is sought in Yeovil, Primary Market areas and Local Market areas and 10% is sought elsewhere.

### *Local Plan – emerging*

3.5 The Council has started the process of reviewing its Local Plan and in June 2019, published its Preferred Options Consultation for a new Plan (Regulation 18), for 2016 to 2036. The draft policies in the preferred options relevant to this study are:

- A minimum of 14,322 dwellings (or c716 per annum<sup>9</sup>) – which is very similar in scale to the requirement in the current Plan

<sup>8</sup> Subject to amendments under NPPG on Planning Obligations

<sup>9</sup> Based on the Government Standard Methodology - <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

- Target for affordable housing of 206 per annum, seeking 29% affordable housing on sites of 10+ dwellings – slightly below the current requirement (of 35%) but still with a strong emphasis on affordable/social rented homes (80% with 20% as intermediate affordable)<sup>10</sup>
  - A continuing concentration of new housing in the district's main towns but to a slightly lesser extent than the current Plan (62% compared with 72%) and with Yeovil allocated around a third of the new homes as opposed to nearly a half in the current Plan
  - And a complementary increase in delivery in rural settlements/villages (27% in the emerging plan compared with 21% in the current Plan)
  - National Space Standards adopted but only for affordable housing
- 3.6 There are a number of changes in national policy that the Council may need to reflect in the new Plan as it moves forward. These will improve the quality of new housing but do have a cost implication and potential to dent the viability of new development. The key potential national changes in standards are:
- Provision of net biodiversity gain – a legal requirement through the Environment Bill
  - Zero carbon – signalled in the government's consultation document the Future Homes Standard<sup>11</sup> (although most likely with interim targets over the life of the new Plan)
  - Electric vehicle charging points – a government consultation last year<sup>12</sup>, to include these in building regs for new build developments

#### ***Other relevant local policies & strategies***

- 3.7 The **Somerset Housing Market Assessment (SHMA)** (2016) indicates that the objectively assessed housing need (OAN) per annum over the 2014-39 period is between 547 to 607 units and adjusted to take account of the affordability ratio<sup>13</sup>. The net need in South Somerset for affordable units across the same period is 206 per annum and suggests that around 10-15% of housing should be of an intermediate tenure with the remainder being social or affordable rented housing. Without housing benefit, the SHMA indicates that a 'reasonable tenure mix' is 70% to 80% social rented housing.<sup>14</sup> The SHMA goes on to point out that,

*“Depending on views about the cost of Housing Benefit and related work incentives, the proportion of affordable rent could be increased at the expense of social rents.”*

We return to the issue of the balance between social rent and Affordable Rent in the future affordable housing supply, later on in the report.

- 3.8 The SHMA also suggests that over the 2014-39 period that there may be a need for 395 specialist units of accommodation for older people per annum. This equates to about 17%-19% of all housing. Additionally, the analysis highlights a potential need for an additional 186 registered care bedspaces across the same period. This

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<sup>10</sup> Please note that all Affordable housing for rent products (Social and Affordable Rent) are treated in the same category in Annex 2 of the NPPF and this is replicated in draft policy HG2 of the South Somerset Local Plan Review 2016-2036

<sup>11</sup> Consultation document published October 2019 - <https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings>

<sup>12</sup> Consultation document published July 2019 -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/818810/electric-vehicle-charging-in-residential-and-non-residential-buildings.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818810/electric-vehicle-charging-in-residential-and-non-residential-buildings.pdf)

<sup>13</sup> This is explained in the Preferred Option Consultation at para 5.34

<sup>14</sup> See 7.74 of the SHMA

evidence is now being updated to inform the Local Plan Review via a joint Housing Needs Assessment with Somerset West and Taunton.

- 3.9 The **South Somerset Housing and Economic Land Supply** (2018) identified 133 housing sites in South Somerset that were suitable, available and achievable. This process is in the process of being updated with a call for sites taking place February/March 2020. Currently 133 housing sites have potential to provide 9,271 dwellings. By settlement area these are
- Yeovil: 18 sites, 3,396 dwellings (37% of total dwellings in South Somerset)
  - Primary Market Towns: 31 sites, 2,433 dwellings (26%)
  - Local Market Towns: 15 sites, 973 dwellings (11%)
  - Rural Centres: 17 sites, 855 dwellings (9%)
  - Rural Settlements: 52 sites, 1,614 dwellings (17%)
- 3.10 Though the current Local Plan states a delivery rate of 725 dwellings per annum, in July 2018 the Government published guidance on a new Standardised Methodology for Assessing Housing Need, so the new calculation for SSDC is actually 684 per annum. This will now be used to update the figure of 716 used in the recent consultation on the Local Plan Review following the Review and Adoption of the new Local Plan. The recently updated HELAA Methodology 2020 provides a range of densities to be applied across different site typologies. SSDC HELAA confirms that the yield is based on 30 dwellings per hectare as this broadly reflects the average net density across the district of 28 dwelling per hectare (as indicated in the Local Plan para 10.23).
- 3.11 Finally, the **South Somerset ‘Our Vision for South Somerset’ Council Plan**<sup>15</sup> (2020-2024) sets out 8 priority projects for 2019/20, one of which being “*to develop proposals to accelerate the delivery of key housing sites and associated infrastructure*”. The outcome of this is: to provide sufficient housing of all tenures available to those who need it; allow stalled sites to be brought forward and improve connectivity with associated infrastructure. The plan provides the following milestones for 2020/21:
- **Q1:** Consider the findings of the report “Accelerating housing delivery in South Somerset” and develop an action plan based on the set of recommendations
  - **Q2:** Begin to implement the prioritised actions from the report

(Milestones will be refined following the receipt of the options report)

## Summary

- 3.12 The Somerset Housing Strategy (2018) and the Council Plan (2019/20) both recognise the need for a key change in order to deliver the housing required in South Somerset. The adopted and emerging Local Plan are the key policy documents to guide both the amount and location of new delivery in the district. The plans set out a similar number of housing required over the period they cover, at just over 700 homes per annum.
- 3.13 The adopted and emerging plan both concentrate delivery in urban locations, with the majority of development focussed in Yeovil although to a lesser extent in the emerging plan (47% in the adopted plan; 33% in the emerging plan). The emerging

<sup>15</sup> <https://www.southsomerset.gov.uk/media/3213/council-plan-20-21.pdf>

Local Plan contains, or is likely to contain a number of new policies that, with all other things being equal, are will likely to weaken the viability of development.

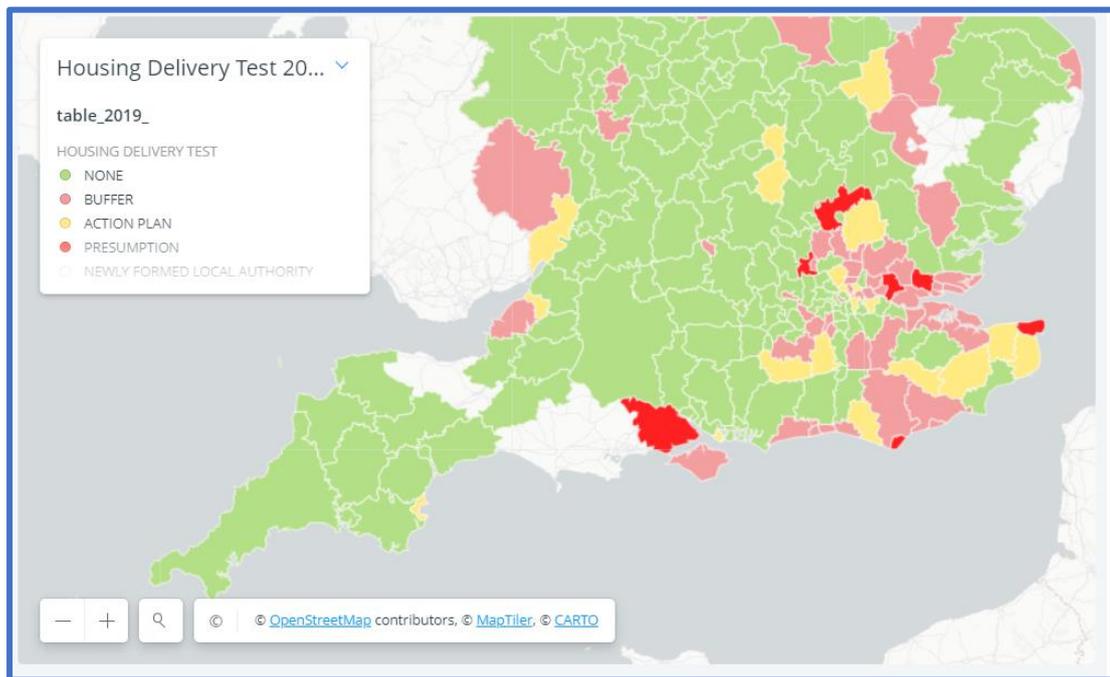
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## 4. Delivery

### Five-Year land supply

- 4.1 South Somerset District Council published its Five-Year Housing Land Supply in October 2019.<sup>16</sup> In the Housing Delivery Test results published February 2019, SSDC achieved 104% and therefore has applied a 5% buffer in accordance with the requirements of the NPPF and NPPG. The Housing Delivery Test 2019 measurement results were updated in February 2020<sup>17</sup> and SSDC achieved 97%. The following map provides the latest analysis of the Five-Year Housing Land Supply by Local Authority:

**Figure 4.1 Housing Delivery Test Results 2019**



- 4.2 The following table sets out the current position as published:

**Table 4.1 Five-year housing requirement**

Component of Five-year Housing Requirement	Method	Total
<b>Basic Housing Requirement (annualised)</b>	(15,950 / 22)	725
<b>Basic Housing Requirement over a five-year period</b>	(725 x 5)	3625
<b>Completions Since 2006</b>		8081
<b>Current Identified Shortfall</b>	(9425 – 8081)	1344
<b>Basic Requirement Plus Shortfall</b>	(3625 + 1344)	4969
<b>Basic Requirement Plus Shortfall with 5% Buffer Added</b>	(4969 x 1.05)	5217
<b>Five-year annual completion rate (shortfall + 5% buffer)</b>	(5217 / 5)	1043

<sup>16</sup> <https://www.southsomerset.gov.uk/media/2666/2019-5-year-report-and-schedule.pdf>

<sup>17</sup> <https://www.gov.uk/government/publications/housing-delivery-test-2019-measurement>

- 4.3 Based upon the 2019 assessment of future housing land supply the Council has published a deliverable land supply of **4,711** dwellings which equates to just over 4.5 years housing supply.
- 4.4 The absence of a five-year supply of housing land is not necessary conclusive in favour of the grant of planning permission for proposals considered not in accordance with the Local Plan housing spatial planning policies and SSDC confirm that *“Paragraph 11 of the NPPF is not irrefutable, and the analysis of material considerations may ‘on balance’ move the decision-maker away from the presumption in favour of the grant of planning permission”*.
- 4.5 Analysis of the 5-year land supply confirms that 960 of these units are located in the ‘rest of the district’ whilst 1,187 are in Yeovil.
- 4.6 In addition to the years 1-5 supply, SSDC considers that 1,941 units in Yeovil are in the years 6-10 which would indicate that there is a ready supply of units that are considered to be ‘developable’ over the next 10 years.
- 4.7 This figure is consistent with the recent number of approvals in Yeovil but in order to maintain a 5-year land supply there will be a need to convert outline approvals into delivery.
- 4.8 The adopted Local Plan is more than 5 years old (Adopted March 2015). SSDC will use the government’s standard methodology to calculate the annual housing need. Based on recent calculations this will be 685 dwellings per annum as opposed to the current 725.
- 4.9 The standard methodology includes provision for any past under delivery. On that basis there is a much greater chance of SSDC having a 5 yr HLS when it is next calculated.
- 4.10 However, due to the amendment of the definition of ‘deliverable’<sup>18</sup> additional data gathering (including the effects of the current Corona virus) will have to be carried out.
- 4.11 The Council should not be complacent however as the supply is likely to be challenged at appeal on the grounds of anticipated delivery and the status of Policy.
- 4.12 It should be stressed that the Council still needs to be approving policy compliant planning applications.

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<sup>18</sup> <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

**Table 4.2 Residential completions and commitments<sup>19</sup>**

Settlement	Current Local Plan Requirement	Difference against Target 2019	Performance against Local Plan Target
Yeovil	7441	-1531	-3013
Chard	1852	-367	-678
Crewkerne	961	-205	175
Ilminster	496	-12	-110
Wincanton	703	262	201
Ansford/Castle Cary	374	-121	291
Langport/Huish Episcopi	374	96	109
Somerton	374	18	116
Bruton	203	-3	-10
Ilchster	141	-79	21
Martock	230	-14	-16
Milborne Port	279	67	26
South Petherton	229	114	92
Stoke Sub Hamdon	51	8	32
Rural Settlements	2242	418	834
<b>Total</b>	<b>15950</b>	<b>-1349</b>	<b>-1930</b>

### Delivery against Local Plan policies

4.13 We have carried out an analysis of approvals, completions and what was stated in the historic 5-year land supply reports to assess the strength of the relationship between permissions granted and completions. The following table (4.3a) shows approvals each year, the 5-year land supply position published each year and the output in terms of completions. Table 4.3b provides details of approvals by settlement.

**Table 4.3a Annual approvals and delivery**

What did 5yrs say would take place	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
2015/16				865	929	783	1059	838				
2016/17					630	908	916	1127	973			
2017/18						660	1099	894	952	1008		
2018/19							681	1155	1010	783	772	
2019/2020								1049	1228	1009	610	558
<b>Completions</b>	<b>528</b>	<b>511</b>	<b>770</b>	<b>606</b>	<b>616</b>	<b>563</b>	<b>650</b>					
<b>Approvals</b>			<b>500</b>	<b>331</b>	<b>1730</b>	<b>792</b>	<b>2389</b>					

<sup>19</sup> Data taken from SSDC Annual Monitoring Table 22 'Residential completions and commitments against Local Plan Requirements',

**Table 4.3b Approvals by year by settlement**

<b>Settlement</b>	<b>Number of dwellings approved 1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2015</b>	<b>Number of dwellings approved 1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016</b>	<b>Number of dwellings approved 1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2017</b>	<b>Number of dwellings approved 1<sup>st</sup> April 2017 – 31<sup>st</sup> March 2018</b>	<b>Number of dwellings approved 1<sup>st</sup> April 2018 – 31<sup>st</sup> March 2019</b>
Yeovil	76	65	470	78	882
Chard	54	12	135	92	260
Crewkerne	66	0	127	1	45
Ilminster	10	4	20	0	93
Wincanton	10	5	21	6	65
Ansford/ Castle Cary	3	6	278	104	127
Langport/ Huish Episcopi	10	9	19	5	104
Somerton	14	17	76	31	185
Bruton	3	1	71	2	3
Ilchester	0	6	5	0	0
Martock/ Bower Hinton	36	1	8	59	30
Milborne Port	34	8	11	5	47
South Petherton	9	6	15	20	42
Stoke-sub- Hamdon	19	0	30	0	28
Rural Settlements (includes Villages)	156	191	444	389	478
<b>Total</b>	<b>500</b>	<b>331</b>	<b>1730</b>	<b>792</b>	<b>2389</b>

4.14 It can be seen that from 2012/13 to 2018/19 completions have averaged 606 units per annum. Our review of the historic 5-year land supply reports indicates that the Council's predicted delivery would be at 899 units per annum and therefore the Council are overestimating the supply of homes.

- 4.15 In addition, over the last 5 years, approvals were at an average rate of 1,148 units per annum.
- 4.16 This information indicates that:
- Around 78% of predicted approvals over a 5-year period translate into actual completions;
  - Completions each year are averaging about 52% of approvals each year.
- 4.17 This would imply one of two things:
- To meet a requirement of 725 units per annum, approvals need to be at a level of about 1,394 units per annum (to allow for a drop-out rate of c.48%)
  - There are sufficient permissions being granted but they are not being turned into completions within a 5-year period – an increased ‘translation’ rate is required.
- 4.18 In practise it is going to be a combination of the two that will lead to increased delivery. More approvals are needed, and those units permitted need to be brought to market quicker.
- 4.19 This more pessimistic assessment of deliverability might lead to a short term drop in the 5-year land supply figures and SSDC should use the amendment to the housing number as an opportunity to test this approach.

## **Local Delivery**

### **Overview**

- 4.20 Our analysis confirms that the market has not been delivering in Yeovil, Chard, Crewkerne, Ansford & Castle Cary, Somerton or Ilchester as much as the targets require (set out in Table 4.2). However significant numbers of approvals have been granted in Ansford and Castle Cary which would indicate that in this area they have not been built out.
- 4.21 Sufficient planning permissions (set out in Table 4.4) have been granted to “meet the target” in Crewkerne, Ansford & Castle Cary, Somerton and Ilchester, but the dwellings have not been built. It is expected that during the 2019/20 financial year additional completions in the Ansford and Castle Cary area will be reported.
- 4.22 In some settlements the market is buoyant and houses have been built at a “greater than target” rate. This is true for Wincanton, Langport & Huish Episcopi, Milborne Port and South Petherton.
- 4.23 The Council’s monitoring team do carry out proactive research with developers who are on site by asking them to complete a ‘large site survey’ report each year. We have not carried out a full analysis of this information but a brief review suggests that developers are sometimes more optimistic than the actual outcome. To aid the effectiveness of future monitoring, we are proposing that a track-back is carried out each year that compares what developers said would happen versus what actually happened. This would help to provide more accurate forecasts of delivery going forward, confirm whether it is the ‘forecast sites’ that are actually delivering rather than unforeseen windfall sites and to highlight where particular schemes or types of scheme under-perform against developer expectations. We have included this in the recommendations as an action.

**Yeovil**

- 4.24 In the 12 years from 2006 to 2018 completions took place at an average rate of 220 per annum. This compares with a notional requirement of 338 (2006 to 2028).
- 4.25 Over the last 5 years approvals in Yeovil have been at an average of 314 dwellings per annum but with significant peaks in 2016/17 and 2018/19. There are also major planning applications which, at the time of writing, have a 'resolution to grant' but no formal decision issued. These are 15/01000/OUT (Land at Keyford Dorchester Road Yeovil) and 14/02554/OUT (Upper Mudford Primrose Lane Yeovil) which may add up to an additional 1,500 units but only in outline. The number of existing commitments now stands at c2,500 units (and could rise to over 4,000 units were the above applications approved) which would indicate (on the basis of previous completion rates) over 11 years of delivery "banked".
- 4.26 This represents a significant amount of the overall housing requirement and in terms of increasing the rate of delivery, actions that accelerate delivery of these permissions would have a major impact on the overall delivery rate across the district.

**Other main towns, market towns and rural areas**

- 4.27 The following table provides details of approvals in the other main towns and average completions over the period 2006 to 2018. In the right-hand column we indicate the number of years 'worth' of approvals, assuming that current build-out rates are sustained.

**Table 4.4 Annual approvals and delivery in the main towns, market towns and rural areas**

Town	Average approvals over 5 years to 2018/19	Peak year and no.s of approvals	Completions Average 2006-2018	Number of years delivery at this rate could be maintained
Chard	110	260 in 2018/19	55	13
Crewkerne	47	127 in 2016/17	29	25
Ilminster	25	93 in 2018/19	23	8
Wincanton	21	65 in 2018/19	54	6
Local Market Towns and Rural Centres	629	1,044 in 2018/19	235	27

- 4.28 The table indicates considerable variation across the towns and rural areas in terms of the number of years 'worth' of approvals. In Ilminster and Wincanton, the limited supply levels indicate that, to promote diversity and continuation of housing delivery, additional allocations should be made over the longer term. However in Chard, Crewkerne and the smaller settlements average consents have exceeded recent delivery by 100% or more, suggesting that these locations should be added to the list of locations where accelerated delivery of outstanding consents would assist with the district's overall delivery rate.

**Small Sites (under 10 dwellings)**

- 4.29 Our analysis of small sites does not indicate that there is a supply issue. The 5-year land supply relies on an average of 206 units being delivered on smaller sites (28% of total). This could represent a small risk to the 5-year supply and is hard to control

without significant resources. 36% of these sites are permissions for 1 unit which equates to 10% of the overall housing requirement.

- 4.30 We would recommend that a more cautious approach is taken to the inclusion of small sites within the 5-year land supply in areas where values and costs are more constrained such as Yeovil, Crewkerne, Langport, Martock and Wincanton.
- 4.31 We also recommend that further work is done in data cleansing sites (subject to resources) where permission was granted (in some cases as far back as 1990) where completions have either not occurred, or monitoring has not caught up with site progress.

### Affordable housing delivery

- 4.32 The current Local Plan policy seeks 35% on sites of 6 dwellings or above (or 0.2ha and above) and 5% in schemes of 1 to 5 dwellings in Yeovil, Primary Market areas and Local Market areas and 10% elsewhere. The amount of affordable housing delivered over recent years is significantly below this level as set out in the following table. However, it should be noted that, since adoption of the Local Plan, the NPPF/NPPG requirements for planning obligations has been updated so that they should only be sought for residential developments of 10 or more dwellings.<sup>20</sup> This change will have had an impact on overall delivery levels.

**Table 4.5 Affordable Housing Completions**

Year	Net	Replacements	Gross
<b>Completed</b>			
2006/07	n/a	n/a	227
2007/08	n/a	n/a	157
2008/09	172	48	220
2009/10	123	18	141
2010/11	357	97	454
2011/12	272	78	350
2012/13	90	44	134
2013/14	102	59	161
2014/15	181	0	181
2015/16	128	0	128
2016/17	48	0	48
2017/18	86	0	86
2018/19	122	0	122
<b>Programmed</b>			
2019/20	209	0	209
<b>TOTAL</b>	<b>1890</b>	<b>344</b>	<b>2618</b>

Source: SSDC Strategic Housing Monitoring Database

- 4.33 Over the seven years 2012/13 to 2018/19, affordable housing completions represented 17.9% of total completions which reflects the fact that a significant amount of delivery has been from smaller sites that are not required to provide Affordable Housing. Although there have been variations in the contribution of affordable housing to overall housing delivery year on year, the rate of completions has only exceeded 20% in two years and in one year (2016/17) was below 10%.

<sup>20</sup> <https://www.gov.uk/guidance/planning-obligations>

**Table 4.6 Affordable housing delivered as a % of overall delivery<sup>21</sup>**

	Total completions	Affordable housing completions (net)	Affordable housing as % total
2012/13	525	90	17.1%
2013/14	511	102	20.0%
2014/15	770	181	23.5%
2015/16	606	128	21.1%
2016/17	616	48	7.8%
2017/18	563	86	15.3%
2018/19	650	126	19.4%
			<b>17.9%</b>

4.34 The Council makes use of a broad range of affordable tenures. The next table sets out the affordable housing programme for 2014/15 to 2020/21. This includes historic 'actual' delivery and two years (2019/20 and 2020/21) which are programme estimates.

**Table 4.7 Affordable housing by tenure**

	Social rent	Affordable rent	Shared ownership/ Intermediate	Affordable Rent to Buy	Total
2014/15	26	116	41		183
2015/16	48	38	42		128
2016/17	9	26	13		48
2017/18	10	32	27		69
2018/19	43	24	55	4	126
2019/20	81	46	47	87	261
2020/21	59	115	74	7	255
Total	276	397	299	98	1070
% by tenure	26%	37%	28%	9%	

4.35 Very approximately, two thirds of the recent affordable housing supply is for rent (below the level of the local housing allowance) and a third is intermediate (sale) housing. Social rent units have been contributing about a quarter of all affordable housing supply with 37% as Affordable Rent. The important difference between social and Affordable Rent being the higher rent typical of the latter (but not above 80% of open market rents).

4.36 The mix of rented units achieved differs from the high level assessment set out in the 2016 Strategic Housing Market Assessment (SHMA) which indicates that a reasonable tenure mix for affordable housing across the County is<sup>22</sup>:

- 10-15% - intermediate housing
- 10-15% - affordable rented housing
- 70-80% - social rented housing

<sup>21</sup> Source SSDC

<sup>22</sup> Mendip, Sedgemoor, South Somerset and Taunton Deane, Strategic Housing Market Assessment, JG Consulting, October 2016, page

- 4.37 The SHMA goes on to note that, “*Depending on views about the cost of Housing Benefit and related work incentives, the proportion of affordable rent could be increased at the expense of social rents.*”<sup>23</sup>
- 4.38 The SHMA is hinting that the Council could take the view that the additional cost for the occupier of Affordable Rent could be accommodated by Universal Credit. Given that many occupiers of rented affordable housing rely on housing benefit/universal credit, the choice between social rent and Affordable Rent makes little impact on affordability. To provide some context, and as a very broad guide, somewhere around 56% of tenants in the social rented stock are housing benefit claimants<sup>24</sup>. This is not the same as the proportion of tenants taking up new properties who will be claiming housing benefits. The high level of need to gain priority to secure a new home suggests that a much higher proportion will be claiming benefit. In addition, RPs already have considerable amounts of social rent existing stock for tenants that may need this type of housing.
- 4.39 Against this view of the role of social rent is the concern that households in Affordable Rent (with its higher rental levels) can get ‘trapped’ through the Universal Credit system as benefit is withdrawn if household income increases (for example, when taking up employment).
- 4.40 For funding purposes, social rent housing is not supported by Homes England grants in South Somerset because the area does not meet the requirements (based on relative incomes and property values as set out in the Capital funding guide<sup>25</sup>) and its inclusion in mixed tenure development tends to reduce scheme viability. We undertook a very high-level analysis of the difference in the value of social rent and Affordable Rent housing to a development i.e. the difference in the amount that a RP can afford to pay a developer for a similar unit. Using a 2 bed house as the example, the difference in rents (of about £25 per week) leads to a difference of c£20,000 per unit in what can be ‘paid’ by an RP for a social rent and an affordable rent unit. This will have quite a considerable impact on scheme viability.
- 4.41 Drawing these differing factors together, it is important that the Council is fully aware of the trade-off between potentially higher levels of delivery of Affordable Rent homes versus fewer social rent units but with lower rents paid by occupiers (for those who do not rely on Universal Credit to meet all or part of their rent). This is a policy choice for the Council but does impact on the potential to increase housing delivery rates. The choice will be important for policies in the updated Local Plan and should be tested as part of the viability evidence base for the plan.
- 4.42 The choice between social and Affordable Rent should not be considered only on a district-wide basis. The SHMA itself, which provides high-level evidence at one point in time, highlights that, “*In determining policies for affordable housing provision on individual sites, the analysis should be brought together with other local evidence such as from the Housing Register.*” Alongside information about the availability of social rented housing in a locality, the housing associations themselves have valuable intelligence about localised need for different tenures and can play an important role in advising on scheme specific affordable housing requirements. This point also applies to the size of affordable dwellings in a scheme.
- 4.43 As part of flexibility about tenures, there may be instances where affordable housing could be delivered through developers providing serviced parcels of land through

<sup>23</sup> Ibid para 7.75

<sup>24</sup> Data source, - total number of HB claimants as at May 2018 from DWP data and Census 2011 number of households in social rent. We recognise that the two data sources are from different years and the Census data is now somewhat aged – hence the comment in the text that this percentage is a high-level estimate/

<sup>25</sup> <https://www.gov.uk/guidance/capital-funding-guide>.

s106 instead of completed units, and this can be combined with grant and/or commuted sums to deliver the units. In addition to the s106 affordable housing, it is likely that there will need to be an increase in direct delivery through affordable-led schemes and this will require funding support and/or intervention by the Council.

## Housing Supply

- 4.44 It is understood that the Council regularly surveys developers as to likely development rates and uses this information to inform statements on land supply and Local Plan policy. However, an annual survey or similar does not necessarily provide a complete picture as is evidenced by the disconnect in the numbers of dwellings predicted to be completed and achieved as explained earlier in this report. Housebuilders and LPA's will often 'talk-up' delivery as it is in their interest to present a favourable picture to investors and often the Council. The Council need to recognise that the market can only absorb so much development and the key to maintaining supply is not necessarily the number of permissions but also the type and the range. A specialist delivery team has been proven elsewhere<sup>26</sup> to help councils understand their local market and be able to scrutinise the evidence being provided by developers, with a knowledge of the sites (e.g. infrastructure constraints) and whether the targets are achievable. The interaction and regular contact with developers will help build this knowledge and consequently assist in a more robust approach to predicting build out rates and removing or moving sites further forward in the trajectory as set out in paragraph 4.1 onwards.

## Covid-19

- 4.45 In terms of Covid-19 and potential impacts a recent appeal (APP/X0360/W/19/3238048<sup>27</sup>) has reviewed the potential impact in terms of land supply and delivery of development. The appellant concluded that the effects would be felt for a 3 to 6 month period, which the Inspector considered was not unreasonable. The Inspector, whilst acknowledging that the delay to delivery may be optimistic, also put forward that it was possible a bounce back will occur as it would be in the interest of any housebuilder to rectify as soon as possible. Therefore it would seem that the Inspector is accepting that there will be an impact and that this should be taken into account but that should be cautioned with potential for the impacts to be overcome, so perhaps a minimal allowance (in this appeal 3% of the supply was taken out to calculate the 5yr land supply to account for Covid19) for delay is appropriate at the current time.

## Summary

- 4.46 Latest figures published regarding land supply reveals that the Council has a land supply equal to just over 4.5 years. Larger settlements such as Yeovil and Chard, where a considerable amount of the delivery of new homes is being guided, show lower than expected completion rates.
- 4.47 Our analysis of completions and approvals suggest that just over half of the amount of approvals being granted are being translated into completions. This is particularly true of in Crewkerne, Ansford & Castle Cary, Somerton and Ilchester, where permissions are being granted but not yet built out. To meet the delivery targets, the chapter recommends either increasing the amount of permissions or ensuring more permissions are translated to completions, or a combination of the two.

<sup>26</sup> See section 6

<sup>27</sup> APP/X0360/W/19/3238048 Land north of Nine Mile Ride, Finchampstead, Berkshire, 9 April 2020

- 4.48 The Council has ambitious targets for the delivery of affordable housing but actual levels of delivery remain at about half the Local Plan target. The Council continues to plan for a proportion of affordable housing as social rented units that reduce the value of affordable housing in mixed tenure schemes. While this form of housing provides the lowest housing costs for those on the lowest incomes, it is suggested that more flexibility in tenures is considered especially where there may be viability issues and that this is tested as part of the viability evidence base for the new Local Plan.
- 4.49 The potential impact of Covid-19 on housing supply is recognised and a recent appeal has concluded that there will be short term impact but that housebuilders would seek to regain delivery rates as soon as possible and that there would be a minimal impact on long-term supply.

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## 5. Issues affecting delivery rates

### Introduction

- 5.1 In addition to discussions with Council officers the study process has included a set of fourteen face to face and telephone interviews with the development industry active in South Somerset. These have been used to explore issues identified by the housing delivery data and the Council officers. The interviews included:
- Land developers
  - Regional and national housebuilders
  - Other development industry organisations
  - Registered providers (mix of workshop and individual discussion)
  - Homes England
- 5.2 While the discussions were tailored to the activities for individual organisations, the discussions typically covered issues with delivery on South Somerset sites where the organisation was involved as well as views on the broader issues affecting development in the district and ways in which delivery may be accelerated. This included the organisation's interest in further developments in South Somerset.
- 5.3 A tabular summary of the issues raised in the consultations can be seen at Appendix 4, and these discussions are reflected in the discussion in this section of the report.

### Market and viability limitations

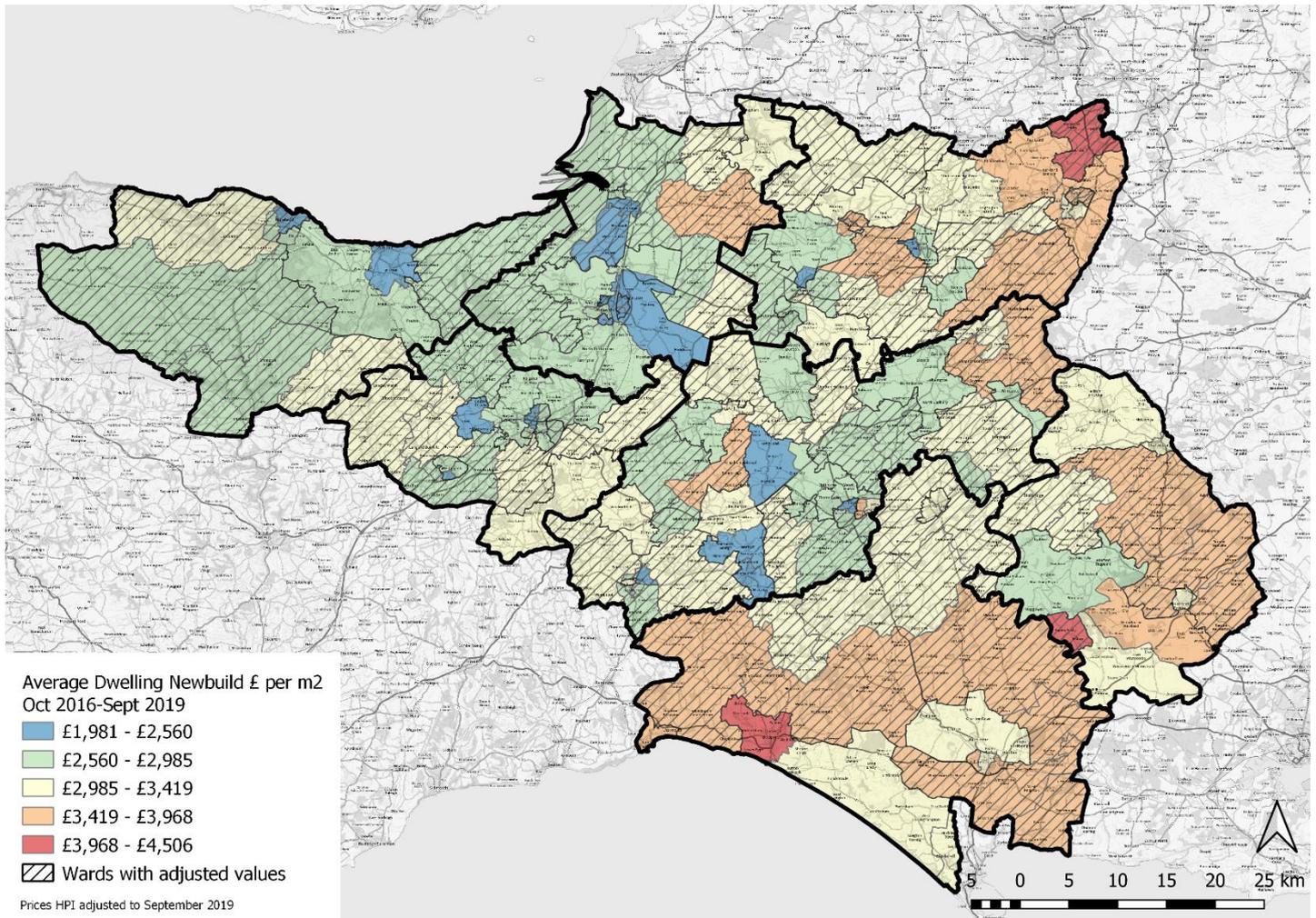
#### *Market Values*

- 5.4 Price paid data from Land Registry was analysed to explore the relationship of house prices in South Somerset to those of the other Somerset districts and adjacent Dorset districts<sup>28</sup>. Values were assessed at ward level. Where there are less than 5 records of new build sales, we have based the ward values by adjusting the median market value for second-hand sales by the percentage uplift to newbuild values at the district level. These 'interpreted' values are indicated by overlain stripes.
- 5.5 The house price data shows that while values in Yeovil are relatively low (only Minehead had similarly low values within the comparison areas), most of the district has comparable or higher values than the comparator areas. There is a general trend for values to increase north to south and to be higher to the east than the west—with Yeovil itself bucking this trend.

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<sup>28</sup> Sales values were matched with floor areas from EPCs. Not all locations had new build sales.

Figure 5.1 Newbuild house prices



### Planning Obligations

- 5.6 The level of planning obligations may have an impact on delivery if the cumulative effect renders development unviable. The current Local Plan has relatively few policies that may have an impact on viability, although 35% affordable housing is required in all locations irrespective of value area<sup>29</sup>. However, the CIL rate does vary, and there is a £0 rate for the urban extensions for Yeovil and Chard, with all other residential development at £40/sq m.
- 5.7 Affordable housing is typically the largest component of planning obligations, although recent guidance on Education contributions has increased the policy requirements nationally and locally. South Somerset has a headline target of 35% across the district although this is not always achieved as was described in detail in the previous chapter.
- 5.8 National policy changes affecting viability within revisions to NPPF in 2018 and to PPG (2018 and 2019) include:

<sup>29</sup> We note that c.15% is delivered on many negotiated sites

- Reducing the opportunity for landowners and developers to exploit viability arguments to maximise land value and drive profits at the expense of planning obligations, with the removal of the 'willing landowner and willing developer' and the focus on viability at the plan making stage.
- Standardised set of viability testing inputs
- Existing use value plus a premium to establish benchmark land values
- Increased emphasis given to education infrastructure funding

5.9 These national policy changes will have an impact on how viability is considered in South Somerset, and the increased emphasis on education contributions may increase the costs to development. Other proposed changes include:

- Net biodiversity gain - not national policy yet but will increase the cost to development if implemented.
- Zero carbon the government has been consulting on changes to Building Regulations which will reduce carbon emissions – again these changes will increase the cost to development if implemented.
- The installation of Electric Vehicle charging points (as a component of Building Regulations) - also a draft Local Plan Review policy

5.10 We have also carried out a review of the South Somerset Infrastructure Delivery Plan. The latest available online document is from 2016<sup>30</sup>. In addition to this the Council have provided us with a working document dated 2019 which confirms the spending priorities in categories 1-3. The following table shows the Priority 1 items listed within the 2019 table and the total infrastructure requirement per unit based on the number of units planned for.

**Table 5.1 Infrastructure requirements per dwelling – 2019 IDP - Working Document**

Location	Total	Dwellings planned	Total requirement per dwelling
Ansford/Castle Cary	£855,000	727	£1,176
Chard	£18,918,919	1995	£9,483
Crewkerne	£7,500,000	1194	£6,281
Ilminster	£1,390,000	839	£1,656
Lanport/Huish Episcopi	£100,000	351	£284
Somerton	£0	574	£0
Yeovil	£35,163,000	5091	£6,906
<b>Total Priority 1</b>	<b>£63,926,919</b>	<b>10771</b>	<b>£5,935</b>

5.11 The locations where the most development is planned under the current Local Plan are Yeovil, Chard and Crewkerne. These have the highest infrastructure cost per dwelling (approximately £6,300-£9,500/dwelling). As noted above, values in Yeovil are generally low, and table 5.1 shows that Crewkerne is also relatively low value. Chard values are in or above the middle of the spread of values. If some or all of these infrastructure costs are to be funded through developer contributions, then viability will be affected.

<sup>30</sup> [https://www.southsomerset.gov.uk/media/1219/i-plan\\_pol-web-site-2018-cil-cil\\_regulation\\_123\\_list\\_november\\_2016.docx](https://www.southsomerset.gov.uk/media/1219/i-plan_pol-web-site-2018-cil-cil_regulation_123_list_november_2016.docx)

- 5.12 We have been provided with details of recent planning obligations sought on major applications over the past two years. It is clear that the contributions sought are much higher than originally anticipated with Chard, Crewkerne and Yeovil being the three highest. This has been due, partly, to the increased education requirements requested by Somerset County Council.
- 5.13 SSDC's CIL rate was based on an assumed s106 contribution figure of approximately £4,800 per dwellings. Our analysis of the contributions sought indicates that recent applications have been asked to provide up to £15,000 per unit in contributions. This level of increase will need to be reflected in the next plan viability assessment.
- 5.14 We do highlight that some of the recent approvals have been outline applications sitting outside the policy framework where developers are adhering to the policy requirements in order to secure permissions (set against a land price that will be lower due to sites not being allocated). We also consider that as these applications move through the process of reserve matters further negotiations (when the costs of development are fully known) will take place.
- 5.15 In the specific case of affordable housing, where there is a proven viability issue with a site and a policy compliant scheme cannot be achieved, it is open to the provider to approach Homes England for funding for additional affordable housing. This source of funding can prove very useful in securing higher levels of affordable housing in new developments but Homes England will be assured that their funding is not effectively being used to cross subsidise other planning obligations e.g. education provision. But funding can only be applied for after a s106 agreement is signed and it is important that the wording of the agreement will ensure that the developer uses 'reasonable endeavours' to use the HE grant to secure the additional affordable housing. This highlights the importance for the Council of maintaining effective working relationships with both HE and locally active housing associations.

### ***Industry views on Market and Viability Limitations***

- 5.16 Discussions with the development industry about the issues of values and viability suggests that:
- Lower values will reduce margins (either landowner and/or housebuilder) and this can leave development vulnerable to the impacts of additional constraints e.g. site constraints or planning obligations.
  - Lower house prices are not necessarily a problem so long as the landowner expectations reflect this differential; and that there is an appropriate process for negotiating planning obligations with the local authority when sites have specific additional constraints.
  - The rates of delivery by housebuilders on sites in Yeovil vary although they include reported individual delivery of 80-90 dwellings pa (market and affordable housing combined) – showing that despite lower values, the market is able to absorb new dwellings and that it is broadly viable for housebuilders to operate.
  - Housing associations continue to be interested in s106 housing and in some cases, taking forward mixed tenure development schemes in South Somerset.
  - There are specific instances where there are viability issues that are seemingly not addressed and that these may delay or halt delivery once thresholds for infrastructure provision have been reached.
- 5.17 The consultations have indicated that the availability of third-party funding (grant or loan) is able to reduce peak borrowing and risk to development, which can speed

up/maintain delivery rates. Funding can also avoid stalled delivery as development hits thresholds for infrastructure provision.

**Viability evidence base and capability**

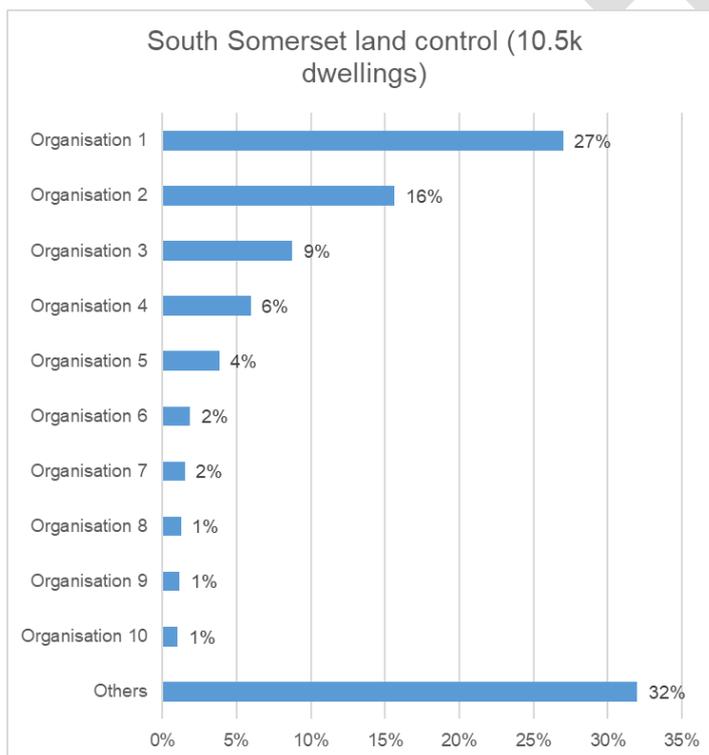
5.18 The most recent area-wide viability assessment was in 2015, as part of the CIL evidence base, with no recent area-wide viability study that could be used as a guide for the factors affecting viability in different parts of the district, the impact of different levels of s106 or site infrastructure, or the proposed changes to building regulations and for biodiversity net gain. In addition, there is no in-house viability capacity. A plan-wide viability assessment of the Local Plan requirements is going to be commissioned. This will include a review of CIL.

**Control of land**

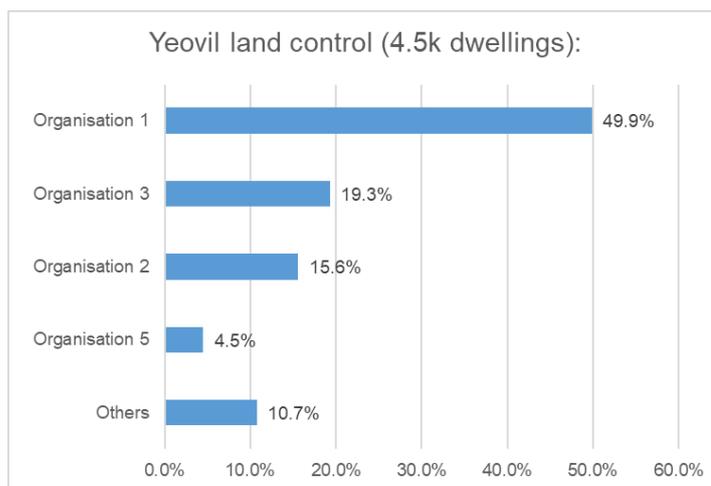
5.19 Information on the current Local Plan and the new Local Plan review sites indicates that control is within a limited set of organisations<sup>31</sup>:

- Across South Somerset, approximately 50% of the 10.5k dwellings supply is with three organisations
- In Yeovil almost two-thirds of the 4.5k dwellings supply is effectively controlled by two organisations

**Figure 5.2 South Somerset Land Control**



<sup>31</sup> Based on discussions with officers and where possible, confirmed with interviewees

**Figure 5.3 Yeovil Land Control**

- 5.20 While the key organisations include businesses that are well-rooted in the District and who have a stake in local prosperity, the concentration of land control leaves housing delivery vulnerable to the business models of a limited number of organisations. There may be benefits from negotiating the split of key large sites in order to allow more players in the market (especially in Yeovil) although it is understood that in order to make progress there may also need to be viability and/or infrastructure funding discussions, as noted in discussion above. We recommend that a regular review of land ownership/control is carried out as part of the 'deliverable' assessment element of the 5 year land supply.
- 5.21 Outside the main settlements in the district, there have been a number of outline consents given to sites that are promoted by landowners without any obvious development partner. Whilst obtaining consent will increase the value of the land asset it may not necessarily add to housing delivery in the short term and this is picked up later.

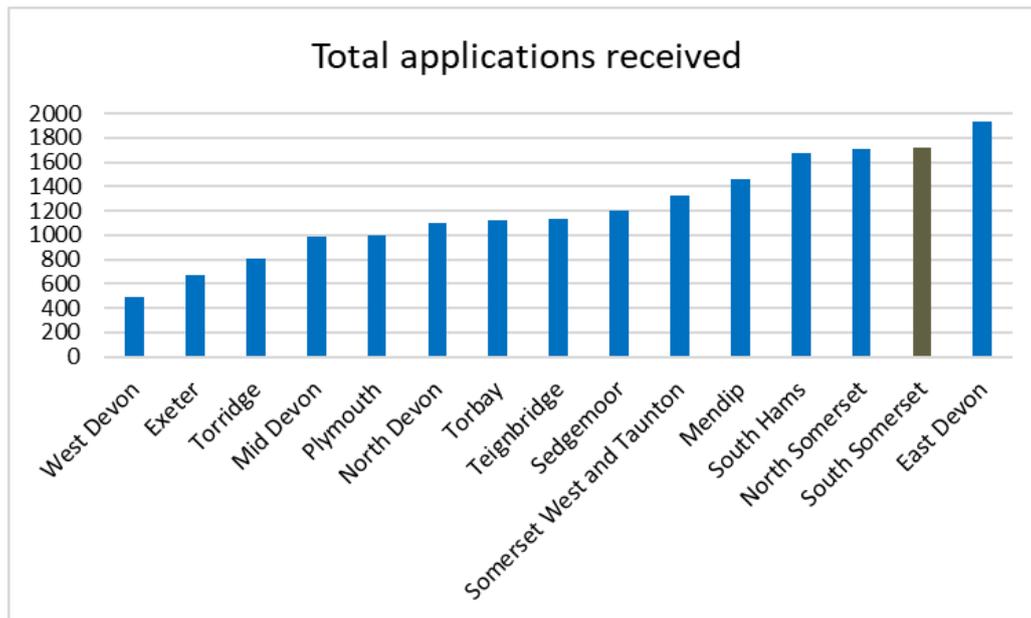
## Development management process

### *Process*

- 5.22 Consultations with the development industry indicate improvements they would wish to see in the development management process and which included:
- Applicants have stated that the officer resources are insufficient to deal with applications quickly and in some cases, effectively. Officers are generally regarded as realistic and flexible, but tight on resources – and seen as overly reliant on agency staff. As a result, it was suggested that applications can be delayed and that officers are not able to effectively 'police' statutory and other consultees.
  - If resources were available there are some sites where proactive contact with developers by planning officers may be able to maintain or speed up delivery rates.
  - Applicants expect that officers will have the time to chase consultees and other organisations involved in the process in order to prepare a timely submission to planning committees, and to challenge consultees views in order to strive towards a full understanding of the planning balance.
  - A number of interviews considered that where officers were under pressure, they were obliged to function as 'post boxes' for consultees, with some misunderstandings included in officer reports as a result and that this leads to further delays.

- 5.23 A review of the number of applications received by the Council shows that in comparison with a number of other planning authorities in south west England, a relatively high number of applications are received. It is appreciated that the real workload comparison is more nuanced with application type and staffing being important considerations in providing a robust comparison but this information is not readily available. The simple picture of application numbers therefore should be treated as no more than illustrative of workload at SSDC but does imply a relatively high level of planning application activity for the Council.

**Figure 5.4 Planning applications – Year ending September 2019**



- 5.24 Consultees also noted that the two-tier committee structure meant that the number of committee meetings requiring officers to attend was relatively high, and that this put further strain on the resources available.
- 5.25 Overall, the comments about resources have been widespread across most of the interviews undertaken, with applicants seeking a comprehensive timely service and they have linked this with housing delivery. While further resources have been suggested by interviewees as a solution, there may be other responses in terms of Council systems and processes that may achieve the same outcomes. We are aware that the Council has been undergoing a transformation process and from the narrow perspective of housing delivery we suggest that it is important that this transformation addresses the issue of resources and service to applicants.

### **Committees**

- 5.26 The two-tier committee structure as operated in South Somerset was considered by many of the consultees to delay housing delivery through the quality and speed of decision making. Specific issues raised by consultees included<sup>32</sup>:
- Local political issues having an undue influence within area committees.
  - A lack of appropriate planning awareness within some committee members meaning that decisions on applications are not made on a planning basis.
  - Examples of a lack of respect for planning officers' advice by some committee members.

<sup>32</sup> See Annex 4

- Training requirements and inclusion of substitutions.

5.27 A brief analysis of the planning decisions taken by committees shows that overall, the numbers of applications recommended for approval is the same as the number of applications approved by the committees. However, within this headline there are some clear indications that committee members are determining applications against officer recommendation for larger sites, which would appear to confirm the industry consultation views that the committee system operation may not be optimal. This situation is more pronounced when reserved matters applications are excluded and only outline applications are considered:

- For all applications both officers and committees recommended/approved 78% of applications – but officers recommended 99% of dwellings for approval whilst committees approved 68% of dwellings
- Excluding reserved matters, both officers and committees recommended/approved 76% of applications – but officers recommended 98% of dwellings for approval whilst committees approved 55% of dwellings

5.28 We have not tracked the committee decisions back to whether the applications were within or outside the development plan, but the main issue here is that the committees have shown they were regularly taking decisions against officer recommendations (which would apply to either type of application).

**Table 5.2 Application officer recommendations and committee approvals 2019**

	Count (new dwellings applications)	Count (new dwellings applications) %	Proposed number of dwellings	Proposed number of dwellings %
<b>Totals</b>				
<i>Planning applications - committee decision</i>	46		1313	
Permitted	36	78%	888	68%
Refused	10	22%	425	32%
<i>Officers recommendations</i>				
Permitted	36	78%	1298	99%
Refused	10	22%	15	1%
<b>Totals excluding Reserved Matters</b>				
<i>Planning applications (exc RM) - committee decision</i>	42		952	
Permitted	32	76%	527	55%
Refused	10	24%	425	45%
<i>Officers recommendations (exc RM)</i>				
Permitted	32	76%	937	98%
Refused	10	24%	15	2%

5.29 Consultation with the development industry and with Council officers has shown that the committee decision making has resulted in undefended and lost appeals, and that the Council has been contacted by PAS in 2017 about approaching the 'quality

decisions' threshold<sup>33</sup>. The process of losing appeals also serves to delay the development concerned and has the risk of reputational damage to the Council.

- 5.30 Many of the comments have focussed on the area committees. It is apparent that in addition to acting as the first committee for most planning applications these committees play a wider role in the decision taking for Council services at a local level, and this work has not revealed issues with the way the wider role has been executed. Some of the views expressed include the suggestion that the area committees should be tasked with dealing with minor planning applications and developments below the major development threshold (10 dwellings). We agree that this suggestion is worth considering as major applications can then be determined by the regulation committee, which is less influenced by localised political pressure. Alternatively, the current system could be reformed to ensure that it operates as intended although the feedback received through this work suggests that the area committee structure may be intrinsically vulnerable to local political issues.
- 5.31 The issues faced by original applications making progress through the district's planning process is replicated by any renegotiation or other amendments. It is reported by those we spoke to that difficulties experienced have meant that in some cases applicants have elected to slow delivery rather than take the time to resolve issues.
- 5.32 The Local Plan review is currently behind the original published timetable (LDS) and its production is holding up the implementation of sustainable policies to guide development over the forthcoming years. The function sits within the Strategy and Commissioning Directorate, where there is limited resource to carry out this work.

### ***Other process issues***

- 5.33 In addition to the resource and committee issues discussed above, the consultation has identified other issues that delay development through the planning process.
- The interviews noted that the lack of in-house legal resource and the lack of a basic standardised s106 agreement means that once there is a resolution to grant consent, there is often further delay. It is understood that SSDC is having problems recruiting in-house lawyers which means planning staff can find it difficult to access expertise. It is our experience that being physically able to access staff accelerates the legal process.
  - Some consultees are clearly looking for a speedier service in progressing planning applications and are willing to pay more to achieve it. Examples raised in interviews include PPAs, better access to statutory consultees, allowing heads of terms to be progressed alongside applications etc.
- 5.34 Overall, there are a set of process issues that could streamline some parts of the application process and in the light of the links made by interviewees between process and housing delivery, these would be worth considering by the Council. The ability to cover costs through additional charges to applicants would also be worth exploring, particularly in the light of the resources issue discussed above.

### **Open for business**

- 5.35 The process of consultation with the development industry active in South Somerset has shown that the different businesses remain interested in their current and future development opportunities in the district. While there are different business models,

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<sup>33</sup> Under the special measures regime introduced in 2013, authorities that have ten per cent or more of either major or non-major planning decisions overturned at appeal over a two-year period face special measures designation, which includes the prospect of applicants being able to submit plans directly to the Planning Inspectorate.

in general the organisations contacted sought to maintain or increase the rate of housing delivery. However, there are some issues of varying importance to different organisations that are in addition to the points discussed earlier in this section that could add to the attractiveness of development in the district and demonstrate that it is 'open for business':

- Site prospectus – an easy to access portfolio of sites that are available for development may be of use to some housebuilders and potentially may increase the pool of developers active in the district, thereby increasing delivery. This could be drawn from the SHLAA and sent to developers outside the local area.
- Clear communication about the extent of planning obligations on sites will provide clarity to developers/housebuilders as well as managing landowner expectations. This would need to include county as well as district obligations.
- A listing of RPs active in the district would enable developers and housebuilders new to the area easy access to discussion about affordable tenures and transfer values, and speed discussions with landowners about site value. Currently, this is not listed on the Council website and there is not any clear mechanism for any other provider to be involved (i.e. community land trusts or non-registered providers who can deliver small shared ownership schemes).

5.36 In addition to these potential short-term measures, the medium-term process of generating a new Local Plan will allow better testing of infrastructure delivery to support allocations within the Local Plan based on actual housing figures. This will then allow sites to be brought forward under the next plan on the basis of the need to deliver the infrastructure – i.e. the land value for strategic sites can be set at a reasonable level and then if land owners do not want to release their land for development it can be removed from the Local Plan allocations with a contingency site replacing it that gives more certainty over 'deliverability' and inclusion in the 5 year land supply.

### **Area specific issues**

5.37 Many of the issues discussed above are generally applicable across the district. However, there are some specific issues affecting delivery that affect development in the three key settlements in South Somerset.

#### *Yeovil*

- It is reported by consultees that the Yeovil town centre development and regeneration have been subject to delay, with part of the issue resulting from a lack of detailed delivery planning. We are aware that this development includes over 300 dwellings as part of a potentially complicated set of mixed-use sites in a high profile location and it is reasonable that further work may be necessary to help secure delivery.
- While some of the large urban extension sites are being built out at a reasonable pace, some have seen slow progress and are reported to have unresolved viability issues that have delayed delivery.
- There have been reports about a strategic lack of power supply to support new development around the town, although verifying this is out with the scope of this study. However, these types of infrastructure issues have the potential to delay housing delivery and would need to be part of the infrastructure delivery planning for the next Local Plan, and depending on the urgency, may need to be addressed beforehand. However, it is not clear that delays to housing delivery have resulted yet, although if there is a genuine issue then it could stall future

delivery. Given the volume of housing still to be delivered under the current Local Plan in Yeovil, this could cause a significant issue.

#### *Chard*

- The consultation process has confirmed that Chard is regarded as well-placed to deliver housing growth. However, a lack of certainty about the long-discussed Eastern Road has meant that landowners and developers have no clarity about whether there is a transport requirement for the road, its alignment or its funding strategy. This lack of clarity is likely to delay development and make it more difficult for committees to determine consents around the east of Chard. In addition, where consents have been granted, there have been missed opportunities to deliver sections from consented development both to the south of the town and also in relation to the recent consents in the north of the town..

#### *Crewkerne*

- There is also a lack of clarity about a road serving development to the east of Crewkerne. While the scale of development is less than Chard, the same broad issues about alignment and funding strategy apply.

### **Summary**

- 5.38 The consultations and supporting analysis indicate that there is no clear evidence that market values or viability are affecting delivery overall in South Somerset although some of the highest infrastructure requirements are in locations where values are lower (Yeovil, Chard and Crewkerne). There may be benefits from external funding to support development in these locations.
- 5.39 However, there are some specific instances where viability issues have been raised but not resolved. This seems likely to reduce or halt delivery on some important sites in the district and resolving these will go some way towards addressing the five-year housing land supply issues.
- 5.40 The concentration of housing supply within a limited number of organisations means that housing delivery is vulnerable to individual business models. Delivery may be accelerated if the largest sites can be split. Splitting sites will have to be undertaken through negotiation and this will require appropriate skills and time resources. CPO may be a response if negotiation fails and delivery remains stalled.
- 5.41 There are some sites in the district where consents have been granted but there has been little or no delivery. This could be addressed through the use of completion notices and/or delivery secured through the s106 agreement. However, this approach would need to include some form of review to take account of changes in the macroeconomic environment. We note that completion notices are a blunt tool of last resort and it is better to discuss the matter with the site owner before any action of this nature is considered<sup>34</sup>. Again, CPO may be a response if other measures fail and delivery remains stalled.
- 5.42 The development management process will benefit from focused staff resources on housing applications order to reduce delays dealing with applications and corresponding delays delivering housing, as well as setting up standardised s106 agreements, PPAs and LDOs etc. In addition, delivery on key sites could be improved through establishing development delivery teams for major sites. Part of the lack of resources identified relates to legal expertise. It is understood that SSDC

<sup>34</sup> <https://simonicity.com/category/completion-notice/>

is appointing a legal firm to provide draw down support and it is suggested that a legal expert is nominated who will be based one/two days per week within the Council offices.

- 5.43 The development industry has indicated that it may be willing to pay more (i.e. through PPAs) for a better service with less uncertainty and more speed.
- 5.44 Issues with the two-tier committee structure have been reported, giving rise to uncertainty and delay to applications (and delivery). Splitting responsibilities, so that major developments go straight to the regulation committee, could overcome these issues and speed up the process. In addition, there is concern about the training and briefings given to committee members.
- 5.45 LDOs can be used to speed development on allocated sites<sup>35</sup>, subject to design guides etc<sup>36</sup>. This will remove a set of reserved matter applications and allow speedier delivery, although setting up the LDOs with the supporting design guides etc. and monitoring the results will take staff resources. There are limited examples of where LDO's have been successful on residential sites in the past<sup>37</sup> but we consider that their use for specific sites (in the same manner as an SPD) may speed up the decision-making process<sup>38</sup>. However this is achieved there will need to be additional resource given to the Local Plan Team and the extent will depend on what skills are available in house and what may need to be brought in. Assuming that there will need to be some external studies (site constraints, design guides etc.) as well as the drafting, consultation and taking it through committee it is likely that a budget of c.£100,000 all in may be appropriate as a rough guide.
- 5.46 There are location specific issues that affect delivery, in particular the delivery and funding strategy for the Yeovil town centre regeneration, the Chard eastern road and the Crewkerne eastern road. The development of plans for housing and infrastructure development on key sites will enable the Council to take advantage of funding opportunities when they arise, noting that here is often a short window to respond. However, this will require up-front investment in resources to develop these plans although the discussion with the development industry active in the district shows that adding this type of funding will accelerate delivery.
- 5.47 There is a set of short-term actions that can demonstrate that South Somerset is open for business and that can make it clear to landowners what the terms of bringing forward land for development are. These include clarity about the infrastructure and other planning obligations for sites, a prospectus of sites that are available for development, a list of active registered providers and the use of delivery clauses in s106 and completion notices.

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<sup>35</sup> <https://www.local.gov.uk/sites/default/files/documents/ldos-housing-developments-9ec.pdf>

<sup>36</sup> <https://www.cotswoldtransportplanning.co.uk/project/local-development-order-ldo-for-gloucesters-quayside-and-blackfriars-areas/>

<sup>37</sup> <https://www.local.gov.uk/sites/default/files/documents/report-use-value-money-an-c1c%20%281%29.pdf>

<sup>38</sup> <https://www.local.gov.uk/sites/default/files/documents/2018%20Case%20Study%20Research%20on%20Local%20Development%20Orders.pdf>

And [https://www.swindon.gov.uk/info/20113/local\\_plan\\_and\\_planning\\_policy/648/local\\_development\\_orders/2](https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/648/local_development_orders/2)

## 6. Potential solutions – experience from elsewhere

### Scope of the review

- 6.1 The brief for the study includes a requirement to:
- (scope) a full range of potential interventions that would accelerate housing delivery in the short medium and long term making full use of the government's current HIF and Forward Funding grant regime;
  - (provide) an understanding of the roles that the Council can adopt including the planning process, influencing, financial engagement, affordable housing grant, direct building and use of compulsory purchase powers.
- 6.2 To address these requirements, and to complement the locally based research described in the previous chapter, we undertook an analysis of the issues faced and actions to address these, of other local authorities. The review included:
- An analysis of approach taken by other authorities to the preparation of housing delivery action plans;
  - A rapid literature review of earlier research studies – providing a background understanding of the good practice identified;
  - A web based analysis of good practice from elsewhere, supported by a limited number of interviews with authorities where we considered that the good practice could have particular relevance for South Somerset;
  - A review of background legislation and progress in the set up and operation of joint ventures and local authority development companies.
- 6.3 The remainder of this chapter sets out the findings of the research and begins to draw conclusions about the scope of potential interventions and the roles adopted by councils in accelerating housing delivery. The next chapter deals in detail with the role and potential of local authority development companies and use of joint ventures.

### Housing Delivery Action Plans

- 6.4 Chapter 2 examined a number of key changes in legislation, guidance and strategies that have signified local authorities having both a greater responsibility for, and indeed participation in, housebuilding in their local area. One of the changes saw the introduction of a Housing Delivery Test (HDT). The test is an annual measurement of delivery which considers the total net new homes delivered over the past three years against the total number of homes required over the same period to give a percentage figure. Where this percentage of delivery falls:
- Below 45%: a presumption in favour of sustainable development applies, even where authorities have more than their five year housing land supply;
  - Below 85%: the five year land supply has a 20% buffer added to the standard housing requirement;
  - Below 95%: the authority must publish a Housing Delivery Action Plan (HDAP) to recommend how delivery will be remedied.
- 6.5 The latest results, issued in February 2020 but relating to the three-year period 2016-19 suggest that two thirds of authorities meet the test. Of the remaining one third

(108 authorities in total), it has been reported that 8 authorities scored under 45%; 82 authorities fell below the 85% figure and 108 fell below 95%<sup>39</sup>.

6.6 Analysis of the Housing Delivery Plans produced, gives an indication of the reasons underlying low delivery and measures authorities are taking to address this. Analysis in October 2019 by Planning Magazine<sup>40</sup> of 67 HDAP's (required from the results of the previous year's test covering 2015-18) indicates a number of commonly cited causes to under delivery. These include:

- **Limited availability of sites, or certain sizes of site:** Some suggest complexities involving boundaries, and a reliance on brownfield rather than greenfield.
- **Stalled or delayed sites:** This includes issues around complex legal or land ownership but also concerns of site preparation i.e. decontamination
- **Macroeconomic factors:** Difficulty gaining developer finance; some suggestions of land-banking by site promoters.
- **Planning issues:** Such as the time taken to discharge of conditions or sign-off of s106 agreements

6.7 Each HDAP sets out measures to be taken in order to tackle delivery. The same analysis conducted by Planning Magazine found that the most commonly cited actions include:

- **Progressing Local Plans and/or commitments to specific site allocations:** The vast majority of actions included some form of commitment to progressing the Local Planning policy. As indicated in the Planning Magazine analysis, it is suggested that progressing Local Plans is what should be happening regardless of the HDT, though it is conceded that the preparation of site specific documents, such as development briefs, may assist in other regards.
- **Brownfield Land Registers:** Specifically, some are stating that they shall consider granting permission in principle to certain sites in their register.
- **Greater engagement with developers:** This is a commonly cited action. Some have proposed greater use, or introduction of, a developer workshop to assist in identifying certain obstacles. Others measures include better pre app discussions, the use of Planning Performance Agreements (PPA), or standardising certain templates such as s106.
- **Corporate actions / direct delivery of homes:** Finally, a number of authorities expressed an interest in direct delivery in the local housing market. We explore the issue of local authority development companies later in this chapter.

6.8 The problems faced by authorities and the proposed actions to address these are, to some extent, much as we would expect as 'getting the basics right'. Nonetheless, the importance attached to effective progress of Local Plans and engagement with the development industry are important building blocks in accelerating delivery and are reflected in our recommendations for action.

## Review of pro-active local authorities

6.9 Beyond the specific requirements of preparing a housing delivery action plan, there are examples of local authorities that have been particularly proactive in helping to accelerate housing delivery in their area. We have undertaken a website review to identify examples of local authority actions that may be relevant to South Somerset. We have supplemented the review with examples from our own experience and

<sup>39</sup> <https://www.savills.co.uk/insight-and-opinion/savills-news/296020/housing-delivery-test--worst-performing-authorities-named>

<sup>40</sup> Planning Magazine (2019). 'Councils' housing delivery test action plans: The opportunities and strategies in 67 key plans'

undertaken a small number of interviews with authorities (three in total) where we felt that that authority may have experience particularly useful to the Council.

- 6.10 Annex 2 provides a summary of the local authority activities to boost housebuilding we have reviewed. Our analysis of these activities, show that they, broadly speaking, fall into the following categories:
- Publicising the development opportunities in an area – to attract a wider range of developers
  - Improving the dialogue with the development industry
  - Helping to de-risk sites or improve cashflow
  - Mechanisms for maintaining delivery timetables
  - Direct delivery
- 6.11 In the remainder of this chapter, we highlight the good practice examples under each heading that we consider offer options that South Somerset should consider adopting.

### **Publicising development opportunities**

- 6.12 **Denbighshire County Council** - In 2016 Denbighshire County Council released their 'Housing Prospectus'<sup>41</sup>; its purpose is to provide developers and investors a list of the development opportunities in the area. The 2016 prospectus contains 60 sites consisting of both sites allocated within the Denbighshire Local Development Plan or sites of 10+ units that have outline planning permission.

Along with key site details, for instance, the area and potential capacity, the document provides other important details such as what would be sought through affordable housing/s106 and details of any constraints that would need to be considered such as contamination or details of habitats and biodiversity. For each site, the prospectus sets out the main documents required to accompany the application (i.e. details of habitat surveys required, Tree assessments and so on).

### **Improving dialogue with the development industry**

- 6.13 **Leeds City Council** - Leeds's Housing Growth Team set up an 'Acceleration Programme' which was established to find ways of unlocking stalled sites. Working alongside the Planning team, they carried out a systematic trawl through the SHLAA contacting landowners or applicants to identify how sites could be brought forward.

By contacting landowners and applicants directly the Council are able to gain an understanding as to the reason as to why the site has stalled and offer bespoke support to remedy this. Support provided to landowners and developers varies; but can include brokering finance discussions with Homes England or the LEP; to marrying up landowners with RPs or other SME developers; and for less experienced landowners it can be simply providing confidence and signposting.

Brokering dialogue between developers and Homes England, through the Accelerated Construction programme (which provides recoverable funding for a programme of sites) and through the Housing Infrastructure Fund - Marginal Viability Fund has been cited as particularly effective for stimulating delivery. According to a committee paper in March 2018 the 'Acceleration Programme' has supported 28 sites equating to almost 1,900 units.

<sup>41</sup> <https://www.denbighshire.gov.uk/en/resident/planning-and-building-regulations/local-development-plan/ldp-evidence-monitoring-information/housing-land-prospectus-2016.pdf>

- 6.14 **East Devon District/Exeter City/Teignbridge District councils-** The three authorities have a Growth Point Delivery Team which is hosted by East Devon District Council and supported by the other funding partners. The function of the Delivery Team is to be a dedicated group of specialists who help to coordinate the delivery of the strategic developments and providing a point of information for all projects; this includes facilitating meetings and enabling partnership working.

The team report directly to the Exeter and Heart of Devon Growth Board, which comprises of key representatives from all the partner organisations and accountable Government bodies. The Board meets quarterly.

### **Helping to de-risk sites or improve cashflow**

- 6.15 **Southampton City Council**, as part of s106 negotiations agree a position on viability with the applicant. The Council sets out in the s106 agreement a viability review process. This is a two-stage process that commits the applicant to submitting further viability review information if commencement has not taken place before a certain date and also commits the applicant to a viability review if completion has not taken place by a certain date.

An example of this approach is set out in the completed legal agreement for planning reference 16/01214/FUL which can be found at <http://www.southampton.gov.uk/planning/planning-applications/>

- 6.16 **Eastleigh Borough Council** – in a cabinet report of June 2019 the Council<sup>42</sup> explained that, “.....*the Council is a housing delivery enabler and taking responsibility for making development happen in the area, with an emphasis on actively using its own assets and capabilities to unlock housing opportunities.*” The Council has an established housing programme with the planned delivery of over 2000 dwellings across 10 sites with one strategic site at that 1200+ dwellings but a portfolio of smaller sites – ranging from c16 to 250 dwellings. At the time of the report, 144 new homes to be held on behalf of the Council had been completed, delivered through a variety of mechanisms – through the Council’s own housing company or in individual projects working with its partners – providing affordable housing or PRS (using tenancy terms specified by the Council and managed by an RP). The on-going programme of delivery of new homes reflects an over-arching objective of the Council to maintain a pipeline of development sites and so the same Cabinet report referenced new sites to be brought into the programme – subject to committee agreement. The programme includes different mechanisms by which the Council engages in the development process. These include financial investment by the Council to secure the type of affordable housing it requires, JV with a developer partner with the Council purchasing the site in return for a number of PRS units it then controls, a JV with a developer with the Council making a grant to the development in return for a number of PRS/affordable units.

Examples of projects include;

- Council provided a fully secured loan for upfront infrastructure secured against the land for a private development. The Council’s housing Eastleigh Borough Council company had a purchase agreement for 146 properties ‘off plan’ to ensure the provision of Private Rented Sector homes on the site and improve the development cashflow;

<sup>42</sup> <https://meetings.eastleigh.gov.uk/documents/s50025066/Item%205%20-%20Report.pdf>

- Direct grant from the Council to achieve a new development of c100 dwellings (a mix of bungalows and houses) which was not viable in the open market due to site constraints and the commitment to providing new community facilities;
- The Council, via its subsidiary, entered into a joint venture with a developer to bring forward c 250 new homes on a brownfield development site. The Council negotiated the option to purchase up to 85 completed dwellings to hold as Private Sector Rented. Later, the Council allocated grant to increase the number of affordable dwellings to achieve 40% affordable dwellings on-site overall.

The Council has also made a significant step towards achieving its own development (through a development company) by purchasing a c310 ac site and then undertaking its master planning and delivery of services, prior to selling “*fully serviced’ parcels to commercial & residential developers.*”. The Council has secured a £20.8 million grant funding from Homes England that will accelerate the delivery of c 1,400 dwellings on the site and achieve a minimum of 30% of the new homes to be affordable housing. The Council has passed responsibility for project management to a private organisation.

The range and scale of Eastleigh Borough Council’s housing delivery programme leads us to recommend that SSDC takes a closer look at how the Housing Programme is being scaled up and taken forward in Eastleigh. An exchange ‘visit’ would be a first step in achieving this.

## Mechanisms for maintaining delivery timetables

- 6.17 **Central Bedfordshire Council** - In January 2019 Central Bedfordshire Council published their ‘Housing Delivery Clause Technical Note’. The note sets out the Council’s approach to securing the delivery of new homes on consented sites within the first five years, through the use of section 106 agreements.<sup>43</sup> It states that “*the Council will seek a delivery timetable to be put forward by the site promoter which will then form part of the accompanying section 106 agreement*”. This means that the Council works with site promoters and developers to arrive at a delivery statement which is appended to the S106 agreement. The statement sets out the number of completions to be achieved each year. The delivery timetable is intended to be used as a material consideration in decision making.

The Technical Note states that it applies to all deliverable housing development that are capable of delivery in the first 1 to 5 years of the rolling plan period, and states that the timetable should “*be submitted as early in the process as possible at pre-application stage or planning application stage*” and by using “*reasonable assumptions*” factoring in such things as the presence of competing sites, the likely commencement, and any enabling works required.

This approach is more about certainty of delivery rather than accelerating delivery. Having an agreed timescale for delivery on sites can provide greater confidence in land supply assessments.

- 6.18 **Great Yarmouth Borough Council** – ‘step in’ rights – the Council recognise that they have a significant number of sites with outline permission, but where there is little activity “*to either sell the site to a developer or make a reserved matters application*”<sup>44</sup> and also for “*sites with full consent which remain unstarted years after*

<sup>43</sup> [https://www.local.gov.uk/sites/default/files/documents/5.36%20Speeding%20up%20delivery\\_v03.1.pdf](https://www.local.gov.uk/sites/default/files/documents/5.36%20Speeding%20up%20delivery_v03.1.pdf)

<sup>44</sup> GYBC (2019). ‘Housing Delivery Action Plan Great Yarmouth Borough Council August 2019’

*consent*<sup>45</sup>. The council is exploring ways to grant ‘step-in’ rights if a developer is not making timely steps to build out sites either to enable them to develop the site themselves; through a joint venture company or to parcel the site to other local developers.

### Direct delivery

- 6.19 **Plymouth City Council** – Plymouth City Council’s Plan for Homes 2016-2021<sup>46</sup> sets out a proactive and collaborative approach to delivering 5,000 in the city in 5 years.

The plan uses local authority and Homes England resources to support various housing projects and is doing so without setting up a development company but has the advantage of significant land-holdings it can use to take the plan forward. The Council’s aims are to ensure existing sites are developed by reducing risks for developers, help lever in funds from Homes England and other investors, improve the affordability of new homes, and increase housing choices for different groups in the community.

The 2016 plan set out a number of key interventions:

- The creation of a Land Acquisition Fund of £30 million with Homes England. This is used to buy up stalled and lapsed sites to stimulate delivery.
- £3 million Housing infrastructure Fund to support housing delivery prioritising opportunities in the 3 Growth Areas set out in the Plymouth Plan
- Establish Homes for Plymouth, a new housing company to deliver more homes directly in Plymouth. This includes pledging 10 new council sites and a £10 million loan facility to enable 500 new homes by 2021
- A Plymouth Housing Prospectus listing all potential sites, including all those with planning permission, stalled and lapsed sites, along with their potential for housing and to attract private sector investment.
- Support more flexible land and s106 payments aimed at improving developers cashflow and enabling the earliest possible start
- Launch an Empty Homes initiative to bring back homes into use with a fund of £1 million

- 6.20 **Harrogate Borough Council** - Harrogate has a long-standing commitment to develop homes through the HRA and the Council has built up in-house capacity, including a design team and a viability assessment unit. It currently has plans to develop up to 8 sites through this process, but this will only release the potential for up to 26 Affordable Housing units.

- 6.21 **North Kesteven District Council** – the Council has an ambitious programme of council house building. In 2012 the Council set up a pilot to deliver affordable homes, and by 2016 it had completed its 200<sup>th</sup> property<sup>47</sup>. The scheme focusses on sites not attractive to other public and private housing developers, for example infill sites on council estates. It uses a number of funds namely HRA reserves, commuted sums through Section 106 agreements and Homes England (HCA) grants.<sup>48</sup>

<sup>45</sup> IBID

<sup>46</sup> <https://www.rtpi.org.uk/media/3426186/lahousing2019.pdf>

<sup>47</sup> <https://www.local.gov.uk/topics/housing-and-planning/innovation-council-housebuilding/innovation-council-housebuilding-12>

<sup>48</sup> <https://www.n-kesteven.gov.uk/residents/homes-and-property/information-about-housing-in-north-kesteven/building-new-houses/>

6.22 The Council is now involved with the direct purchase of land for development, including 37 acres of land at Sleaford in 2018<sup>49</sup>, as the Council have built up an expertise to explore other approaches to deliver homes. This, they believe, is quicker than going through the development process.

### **Characteristics of successful council interventions**

6.23 Our experience, the local authority interviews and our literature review indicate that there are some important characteristics underpinning successful local authority interventions to accelerate housing delivery. With Covid-19 having an impact on the economy going forward, these characteristics could be instrumental in any economic recovery plan. We highlight three common themes:

- Clear leadership for the interventions (with cross party support);
- Clear objectives for the intervention(s) and continuity in those objectives – especially to be clear about the balance between social and financial objectives;
- Suitably resourced delivery teams to take projects forward – with commercial expertise to achieve marketable and viable developments.

6.24 An option that is little used by local authorities is that of compulsory purchase. The option is regarded as being extremely complex, time consuming and expensive and negotiated agreement is almost invariably the preferred route. However, authorities retain the option to use as a last resort.

### **Summary**

6.25 The 2019 Housing Delivery Test indicates that one-third of authorities had a delivery rate that failed to meet the requirements set out in the test. Analysis of the plans put in place to tackle delivery reveal a number of measures being explored by authorities to meet delivery in the future. The chapter considers some of these measures, along with a range of other proactive initiatives. Broadly speaking, we find these fall into the following categories:

- Publicising the development opportunities in an area
- Improving the dialogue with the development industry
- Helping to de-risk sites or improve cashflow
- Mechanisms for maintaining delivery timetables
- Direct delivery

6.26 Strong political leadership and support and proper resourcing of dedicated delivery teams to support the Council's objectives are important attributes of successful council interventions.

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<sup>49</sup> <https://lincolnshirereporter.co.uk/2018/02/north-kesteven-district-council-buys-37-acres-land-private-developers/>

## 7. Local authority joint ventures and development companies

### Background to joint ventures and development companies

- 7.1 Joint ventures and local development companies are becoming increasingly popular mechanisms for councils to help boost housebuilding in their area – without directly undertaking the development<sup>50</sup>. In this chapter we briefly summarise these two broad options, noting that this study cannot provide a comprehensive assessment of the two and the Council will need to consider these options in much more detail if either is to be pursued.

### Joint ventures

- 7.2 The basic principle of a joint venture was summarised by HM Treasury as follows:

*“The term joint venture can describe a range of different commercial arrangements between two or more separate entities. Each party contributes resources to the venture and a new business is created in which the parties collaborate together and share the risks and benefits associated with the venture. A party may provide land, capital, intellectual property, experienced staff, equipment or any other form of asset. Each generally has an expertise or need which is central to the development and success of the new business which they decide to create together. It is also vital that the parties have a ‘shared vision’ about the objectives for the JV.”<sup>51</sup>*

- 7.3 Typically, for housing schemes, local authorities set up joint ventures with a delivery partner (such as a developer or housing association) and the parties share the risks and rewards. There are various types of JV structures but usually local authorities set up a subsidiary company with their partner – with a new company for each venture. Research undertaken by Room151 suggested that set up costs for a JV company range from £20,000 to £30,000<sup>52</sup> along with significant staff and member time input.
- 7.4 Anecdotal information from the research undertaken for this study and direct team experience, suggests that a JV for a modest scheme (say around 50-100 dwellings) needs the support of about half a FTE senior officer over the life of a scheme – say two years. This would indicate a total cost of something around £60,000 for a successful JV. Good commercial skills are needed to run a JV and these may or may not already be held in the Council.

<sup>50</sup> Though there appears to be no official count, a study by Janice Morphet for the RTPI<sup>50</sup>, carried out a desktop search in January and February 2019 finding that 78% of local authorities had some form of housing company, many of which were set up in the past couple of years. The study acknowledges that this sample could also include dormant companies as well as active ones

<sup>51</sup> Joint Ventures: a guidance note for public sector bodies forming joint ventures with the private sector, HM Treasury, 2010 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/225321/06\\_joint\\_venture\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/225321/06_joint_venture_guidance.pdf)

<sup>52</sup> <https://www.room151.co.uk/funding/leveraging-council-land-value-the-joint-venture-approach/>

## Local development companies

- 7.5 The following definition of a wholly owned local development company comes from a 2018 report prepared for the Centre for London<sup>53</sup>

*The Local Government Act 2003 allowed local authorities to set up companies to make a profit, and the Localism Act 2011 further eased restrictions, allowing councils to do what any other company or individual can do, unless explicitly prohibited.<sup>29</sup> Local authority companies can be wholly or partly owned by the Council; this report focuses on the former. In terms of housing, this means that these companies can develop, buy and manage properties within and outside a local authority area.*

- 7.6 The Centre for London report goes on to explain that housing companies are capitalised in different ways. The principal sources are loans from the, “..... *Public Works Loan Board (PWLB), which can be drawn down by councils through prudential borrowing and then lent on to a subsidiary company with an interest rate margin providing a revenue stream to the Council; and council equity investment, which is mostly land at market value. Other sources of funding, in addition to councils’ own land and finance, have included commercial borrowing and developer contributions.*”
- 7.7 There has been a growing momentum for local authorities to set up companies to take forward the direct provision of delivery of housing in their area. An Inside Housing report dated February 2018 found that since 2012, over a 6-year period, councils in England had invested £130m in setting up 58 new housebuilding companies.<sup>54</sup>
- 7.8 Various research reports<sup>55</sup> have explored the reasons why local authorities set up development companies. Income generation, particularly given the past decades pressure on local authorities’ funds, is a common reason put forward by councils, alongside boosting delivery and tackling homelessness<sup>56</sup>.
- 7.9 However, despite the number of companies established, delivery to date has been limited. Inside Housing, in their research, concluded that the 58 companies had delivered a combined total of 528 units over that period which is an average of 1.5 units of housing per Council per annum. Annex 3 provides more details of the research findings.

## Process to set up

- 7.10 In deciding whether to set up a company or not, there are key issues to be addressed - of which three are pre-eminent:
- **Strategic Purpose** (i.e. whether this is housing delivery, income generation, delivery of affordable housing, delivery of infrastructure or delivery of some other socio/economic factor such as Eco Housing). Our experience, and learning from the other research we have reviewed, suggests that local authorities that narrow down their purpose are more likely to succeed as those with multiple ambitions tend to slow down development due to protracted internal negotiations.
  - **Ownership** – Whether the Council is to deliver on its own, how it is controlled and who makes the decisions. A study carried out in July 2019 by Janet Morphet and colleagues included a survey of local authorities which found that 83% of the local authorities that had set up a development company had set up a wholly owned

<sup>53</sup> Borough Builders: Delivering More Housing Across London, *Victoria Pinoncelly And Mario Washington-Ihieme*

<sup>54</sup> <https://www.insidehousing.co.uk/news/news/councils-set-up-58-housing-companies-since-2012-54634>

<sup>55</sup> For example, *How to Set Up a Housing Company: A Practical Guide*, 2016, Baigent, M.

<sup>56</sup> Morphet, J. Clifford, B. (2019) *Local Authority Direct Delivery of Housing: Continuation Research* published by the RTPI July 2019

housing company whilst 34% of authorities had a joint venture company; 7% of authorities had both.

- **The Scale of the Ambition** – What assets the local authority can contribute (land, cash, property etc). Again referring to the study undertaken by Janet Morpeth et al the authors found that, “for those authorities directly delivering housing, 95% are building on their own land, 44% are purchasing sites to develop, 42% are purchasing existing residential buildings, 17% are using land from the One Public Estate initiative and 13% are using other public land”

- 7.11 Having decided to set up a company, there are a number of stages to go through to achieve new housing delivery. The process can be helped by the number of ‘how to’ guides available, such as “**How to Set Up a Housing Company: A Practical Guide, 2016, Baigent, M.**<sup>57</sup><sup>58</sup>.”
- 7.12 Securing political approval to progress is key to the success and members need to be involved in this process from the outset so that they can steer decision making but have an awareness of what can and cannot be delivered. Early decisions on governance arrangements are required which address the undoubted tension there can be between the interests of the Council and those of the new company. Leaving these to chance could hold back an emerging development company.
- 7.13 A detailed business case will need to be developed and this will need to focus on whether the approach taken, and the resources needed can be matched in terms of land ownership. The business case will need to:
- Identify sites / potential acquisitions
  - Research rental / sale values, build costs, acquisition costs, management and maintenance costs
  - Explore financial resourcing including debt, equity and grant/subsidy
  - Build a business model using cost/value assumptions, test out commercial viability (profitability)
  - Carry out sensitivity testing to consider risk of variability in key assumptions (e.g. inflation)
  - Evaluate and recommend a suitable corporate legal form
  - Evaluate and recommend a suitable governance structure
- 7.14 Whatever the approach taken there will be a need for resources (both financial and time) to establish the new company. It is our experience, coupled with findings from the research we have carried out, that this process can take 18 months to 2 years to complete. Once established, a development company will need dedicated staffing with a commercial skill set not usually found in local government. To achieve a substantial annual delivery programme – it would not be unrealistic to require a team of some 10 to 12 people with a salary cost alone in the order of £0.5m. To attract staff from a commercial background, competitive remuneration packages will be needed e.g. introducing bonus payments etc.

<sup>57</sup> [http://www.markbaigentconsulting.co.uk/uploads/7/8/5/3/78535060/how\\_to\\_set\\_up\\_a\\_local\\_housing\\_company\\_3\\_.pdf](http://www.markbaigentconsulting.co.uk/uploads/7/8/5/3/78535060/how_to_set_up_a_local_housing_company_3_.pdf)

<sup>58</sup> A further useful source of information is found in the publication “Local authority direct provision of housing, 2017 and continuation research, 2019, Morphet, J. and Clifford, B.”<sup>58</sup> which considers the various ways, and reasons why, local authorities are intervening to provide housing

## Comparison of delivery options

- 7.15 In comparing the pros and cons of the main delivery options open to the Council, we draw on a table from another publication<sup>59</sup> that provides a neat summary of the key points with some additional comments from our team – in italics.

	<b>Pros</b>	<b>Cons</b>
<b>Direct delivery</b>	In-house Doesn't rely on new structure More accountable and flexible	Funding restrictions and susceptible to RTB Organisational barriers within councils Risk of political micromanagement
<b>Wholly owned company</b>	Access to finance outside HRA Can generate return for General Fund Separate brand	Difficult to set up Less accountable <i>(and we would add – early injection of council land is important if possible)</i>
<b>Joint ventures</b>	Works for large sites which council hasn't got capacity to deliver <i>But we also have examples of successful JVs on small sites</i> Shares risks	Complex Harder to get a good deal for council and communities Shares reward

## Summary

- 7.16 Joint ventures and development companies are both becoming increasingly popular vehicles in delivering house building across the UK. Though increasingly ubiquitous there is, at present, little evidence to determine how successful they have been in accelerating delivery. There are a number of questions that should be considered by authorities before committing to these methods including matters of strategy, ownership and scale. In addition, a consideration of resources, both in terms of financial and existing skillsets, at the Council's disposal should also feature as a key factor in the Council's decision.

<sup>59</sup> Borough Builders: Delivering More Housing Across London, Victoria Pinoncelly and Mario Washington-Ihieme, Centre for London, July 2018

## 8. Conclusions and delivery programme

### Programme of actions

- 8.1 Drawing on the findings of the research set out in earlier chapters of the report and to meet the study requirement to provide, “.....a *robust set of recommendations to help accelerate housing delivery across the district*” we have brought together the options for action for the Council to consider.
- 8.2 The table below lists these under three headings – process, direct intervention and policy. We then go on to evaluate the options across a number of different criteria and finally recommend a package of actions along with key milestones for the Council to consider. Please note that the numerical system applied in Table 8.1 does not denote prioritisation of the actions listed.

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**Table 8.1 Potential actions**

	<b>Action</b>	<b>Relevant organisations</b>
<b>Process</b>		
<b>1</b>	<p>Set up a developers' forum as standing 'committee' which facilitates information flows to and from development industry.</p> <p>Alternative is to facilitate regular individual meetings with key organisations/individuals.</p> <p>Consult with key landowners/developers to identify most cost effective 'consultation' mechanism</p>	SSDC/developers/site promoters etc
<b>2</b>	<p>A 'housing delivery programme team' is formed to assist developers to bring their schemes to the market, and for those who are on site to increase delivery rates and to identify ways to diversify housing types. Team to bring together a group of officers with relevant skills (including viability assessments) and a wider range of skills that can be drawn on (including other public bodies e.g. the County Highways team). To establish strong working relationships with site promoters and with RP partners. To include a programme manager with overall responsibility for the work of the team.</p> <p>SSDC to approach HE for potential funding</p>	SSDC/Developers Forum/RP partners
<b>3</b>	<p>Focus planning skills and resources on housing delivery to get things done quicker, less reliance on agency staff. This will include skills such as negotiating with developers/landowners to agree site specific solutions, delivery planning for large/complex sites and infrastructure, completion notices, developing funding bids etc. In a competitive job market, the Council will need to consider how it can attract and retain the best staff.</p>	SSDC
<b>4</b>	<p>Increase legal planning capacity – locate legal advisors within SSDC offices (suggest 2 days a week) – attend committees when required.</p>	SSDC
<b>5</b>	<p>Additional training is provided to planning committee members on their responsibilities within planning committees, in order to reduce the chances of poor decision taking and resulting delays in delivery – especially on large sites.</p>	SSDC

	<b>Action</b>	<b>Relevant organisations</b>
	Members are provided with regular (e.g. 3 monthly) updates on progress with major applications	
6	Review working of two-tier committee structure – and allow more delegation especially around s106 review	SSDC
7	Council website to clearly signpost relevant planning application forms and other advice including a list of preferred Affordable Housing providers (but noting that developing RPs not limited to those on preferred list)	SSDC
8	When viability is a proven issue, SSDC to review options for increasing AH % including seeking grant from HE to achieve additionality. But also to consider opting for a reduced % of affordable housing early in a development, but with a viability review at later dates to review % AH asked for. Reviews to be achieved through s106 agreements.	SSDC
9	Develop and publish a model s106 agreement on the website	SSDC
10	Include viability reviews in s106 agreements if completion has not taken place by an agreed milestone	SSDC
11	Include provision in s106 agreements for RP's to be sold serviced land instead of completed units but with care taken that this does not undermine pepper-potting of AH	SSDC/RP partners
12	Involve RPs in discussions about details of site-specific affordable housing requirements	SSDC/RP partners
13	Encourage applicants to work with RP's to determine affordable housing requirements for each site	SSDC
14	Only approve non-allocated sites if applicant signs up to annual delivery in s106 agreement	SSDC/Developers forum
15	Work with landowners to split up sites and promote diversity in product, including custom and self-build	SSDC/Developers forum
16	Update IDP to ensure provides appropriate information to inform future scheme and area-wide viability testing	SSDC
17	Strengthen in-house capacity re scheme viability – so the authority is better able to interpret viability information from applicants and external advisers. Can be achieved through appointment of in-house 'expert' (potentially as a shared resource with neighbouring authorities) and with additional officer (and member) training	SSDC/shared resource with neighbours

	<b>Action</b>	<b>Relevant organisations</b>
18	Improve capacity to secure public sector funding through bidding process – key funders include HE and HoSWLEP – work with neighbouring authorities to expand capacity	SSDC/shared resource with neighbours
19	Publish a Housing Prospectus including signposting to relevant sources of funding	SSDC/Developers forum
20	Progress delivery and funding plans for development on key sites in Yeovil, Chard and Crewkerne, working with SCC and other agencies.	SSDC/Developers forum
21	Consider masterplanning on new sites to create different products that can compete in the marketplace at the same time in the same town.	SSDC/Developers forum
22	Carry out research into whether developer completion returns are consistent with delivery in order to complete realistic assessment of 'deliverable' sites for inclusion in 5YLS.	SSDC
23	Take a more cautious approach to inclusion of small sites in 5YLS in areas where values are constrained to draw attention to delivery issues	SSDC
24	Make use of PPAs for major developments, with appropriate charges for fast track service	SSDC/Developers forum
25	Investigate the use of completion notices	SSDC

<b>Policy/Local Plan</b>		
26	Introduce LDOs for larger strategic sites	SSDC
27 (Local Plan)	<p>Rigorous testing of deliverability of sites to meet policy requirements – including town specific affordable housing targets</p> <p>Establish policies to diversify the market – e.g. promoting custom and self-build, breaking up sites</p> <p>Review trade-off between different affordable housing options – more overall numbers versus lower cost for tenants</p> <p>Consider potential de-allocation if no clear timetable for delivery (noting this will require contingency of available sites)</p>	SSDC
28 (Local Plan)	Investigate additional allocations in Ilminster and Wincanton as part of Local Plan process	SSDC
29 (Local Plan)	Carry out individual viability testing per main town taking into consideration IDP requirements specific to location in each town as part of the Local Plan process	SSDC
30 (Local Plan)	Carry out review of resourcing of Local Plan team	SSDC
<b>Direct intervention</b>		
31	Align public support for infrastructure spending to critical infrastructure that maximises delivery from strategic sites – work with HE and HoSWLEP to develop a funding strategy with defined targets	SSDC/Developers Forum/RP partners, HE/ LEP
32	Align public support for affordable housing spending to areas of most need and where investment maximises outputs – work with HE to develop an affordable housing funding strategy with defined targets	SSDC/Developers Forum/RP partners, HE
33	Plan for and invest in a programme of joint ventures	SSDC
34	Review potential for and benefits of establishing a Housing Delivery Company	SSDC
35	Consider use of CPO – but recognise complexity and action of last resort	SSDC/Developers Forum

8.3 We recognise that the Council will need to review the above actions and consider which ones it wishes to follow to develop a delivery strategy. To assist in this process, we have assessed each option against five key criteria, reflecting the requirements of the study brief. The criteria are:

- Lead in time (to set up)
- Length of time to implement
- Resource required - (additional) staff resources
- Resource required - capital and revenue
- Outcome - impact on housing delivery.

8.4 For each of the criteria we have devised a 'traffic light' system used to assess each option. The 'traffic lights' are set out in the table below recognising that these are high level estimates, intended to aid the Council in developing its strategy but should not be taken as absolute measures. The shorthand used in the table is as follows:

- VS - Very Small
- S - Small
- M - Medium
- H - High
- VH - Very High
- VVH - Very Very High

**Table 8.2 Evaluation criteria – explanation of 'traffic lights'**

	Very Small	Small	Medium	High	Very High	Very Very High
<b>Lead in Time</b>	Less than one month	1-3 months	6-12 months	12-24 months	over 24 months	n/a
<b>Length of time to implement</b>	Less than one month	1-12 months	12-24 months	24-36 months	over 36 months	n/a
<b>Resource required - staff</b>	Less than £1000	£1000-£20,000	£20,000-£40,000	£40,000-£100,000	over £100,000	over £500,000
<b>Resource required - capital/revenue</b>	Less than £1000	£1,000-£50,000	£50,000-£200,000	£200,000-£1,000,000	over £1M	n/a
<b>Impact on housing delivery</b>	Less than 10 dw p/a	10 dw p/a	25 dw p/a	40 dw p/a	100 dw p/a	n/a

8.5 Using the above criteria, our high level evaluation of each of the proposed actions is set out in the table on the following page. The actions have been listed in order of impact on housing delivery (number of dwellings per annum) - with most impact first, descending to those with least impact.

Table 8.3 Evaluation of the proposed actions

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
2	Process	Establish 'housing delivery programme team'	S	M	M	M	H
32	Direct Intervention	Align public support for infrastructure spending to critical infrastructure that maximises delivery from strategic sites – work with HE and HoSWLEP to develop a funding strategy with defined targets	M	M	S	S	H
3	Process	Focus planning skills and resources on housing delivery – get things done quicker, less reliance on agency staff	M	M	S	S	M
8	Policy/Local Plan	When viability is a proven issue, SSDC to review options for increasing AH % including seeking grant from HE to achieve additionality. But also to consider opting for a reduced % of affordable housing early in a development, but	M	M	M	VS	M

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
		with a viability review at later dates to review % AH asked for. Reviews to be achieved through s106 agreements.					
14	Process	Only approve non-allocated sites if applicant signs up to annual delivery in s106 agreement	S	S	S	S	M
15	Process	Work with landowners to split up sites and promote diversity in product, including custom and self-build	M	M	M	M	M
16	Process	Update IDP to ensure provides appropriate information to inform future scheme and area-wide viability testing	S	S	S	S	M
17	Process	Strengthen in-house capacity re scheme viability as shared resource with neighbours	S	S	S	S	M
18	Process	Improve capacity to secure public sector funding through bidding process – key funders include HE and HoSWLEP – work with	S	S	M	S	M

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
		neighbouring authorities to expand capacity					
20	Process	Progress delivery and funding plans for development on key sites in Yeovil, Chard and Crewkerne, working with SCC and other agencies.	S	M	M	M	M
21	Process	Consider masterplanning to create different products that can compete in the marketplace at the same time in the same Town.	M	M	M	S	M
28	Policy/Local Plan	Investigate additional allocations in Ilminster and Wincanton	M	M	S	S	M
30	Policy/Local Plan	Carry out review of resourcing of Local Plan Team	S	S	S	S	M
33	Direct Intervention	Plan for and invest in a programme of joint ventures	M	S	H	H	M
34	Direct Intervention	Review potential for and benefits of establishing a Housing Delivery Company	H	H	H	VVH	M

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
35	Direct Intervention	Consider use of CPO – but recognise complexity and action of last resort	M	M	S	M	M
1	Process	Set up a developers' forum as standing 'committee' which facilitates information flows to and from development industry	S	S	S	S	S
4	Process	Increase legal planning capacity – site lawyers within SSDC offices 2 days a week	VS	S	VS	S	S
5	Process	Additional training is provided to planning committee members	S	S	S	S	S
6	Process	Review working of two tier committee structure and allow more delegation around s106 reviews	M	H	S	S	S
7	Process	Council website to clearly signpost relevant planning application forms and other advice including a list of local Affordable Housing providers	VS	S	VS	VS	S
9	Process	Develop and publish a model s106 agreement on the web	S	S	VS	VS	S

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
10	Process	Include viability reviews in s106 agreements if completion has not taken place by an agreed milestone	S	S	VS	VS	S
11	Process	Include provision in s106 agreements for RP's to be sold serviced land instead of completed units but with care taken that this does not undermine pepper-potting of AH	S	S	S	S	S
19	Process	Publish a Housing Prospectus including signposting to relevant sources of funding	S	S	VS	VS	S
24	Process	Make more use of PPAs for major developments, with appropriate charges for fast track service	S	S	S	S	S
26	Policy/Local Plan	Introduce LDOs for larger strategic sites to speed up decision making process	S	M	S	S	S

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
27	Policy/Local Plan	Rigorous testing of deliverability of sites to meet policy requirements Establish policies to diversify the market – e.g. promoting custom and self-build, breaking up sites Consider potential de-allocation if no clear timetable for delivery	M	M	S	S	S
29	Policy/Local Plan	Carry out individual viability testing per main town taking into consideration IDP requirements specific to location in each town	S	S	S	S	S
31	Direct Intervention	Align public support for affordable housing spending to areas of most need and where investment maximises outputs – work with HE to develop an affordable housing funding strategy with defined targets	M	M	S	S	S
12	Process	Involve RPs in discussions about details of site specific affordable housing requirements	S	S	S	S	VS

No.	Type	Recommendation	Lead in Time (Time to Set up)	How long is it going to take to implement	Resource Required (Staff)	Project Resource Required (Capital and Revenue)	Impact on Housing Delivery (Outcome)
13	Process	Encourage applicants to work with RP's to determine Affordable Housing requirements for each site	M	S	S	S	VS
22	Process	Carry out research into whether developer completion returns are consistent with delivery in order to complete realistic assessment of 'deliverable' sites for inclusion in 5YLS.	VS	VS	VS	VS	VS
23	Process	Take a more cautious approach to inclusion of small sites in 5YLS in areas where values are constrained	VS	VS	VS	VS	VS
25	Process	Investigate the use of completion notices	S	S	S	S	VS

## **Programme of interventions**

- 8.6 Based on the analysis of the range of actions above, there is a set of recommended interventions by the Council which have been analysed on their ability to make most difference to the delivery of housing.
- 8.7 The combination of measures will assist the Council in demonstrating a 5YHLS, particularly in combination with the changes in the housing need. However there will inevitably be a range of external factors that will also affect delivery, which at the time of writing include the effect of the restrictions associated with C-19 as well as other changes in the housing market.
- 8.8 As a result it is not possible to make any meaningful prediction about being able to demonstrate a 5YHLS although as discussion earlier in this document shows, the suite of recommendations should have the potential to accelerate delivery across a range of sites, many of which are allocated or have consent for a large number of dwellings.

### ***Process***

- 8.9 The recommended planning process interventions are to:
- Increase the focus of planning officer resources available to progress applications – including legal skills;
  - Create delivery teams to accelerate delivery on the major sites;
  - Review and reform the two-tier committee system, including structural and operational aspects in order to optimise the decision-making progress and expedite applications that are compatible with the development plan.
- 8.10 These interventions can be assisted by signals of clear support from the highest levels of the Council for the role of planning officers and for housing delivery as a priority for the authority.
- 8.11 They can also be supported by the introduction of a developer's forum (or equivalent mechanisms) to help establish a strong two way dialogue with the development industry.

### ***Viability and funding***

- 8.12 Action is needed to address the specific instances where viability issues on some important sites have been raised but not resolved. Resolving these issues will go some way towards addressing the five-year housing land supply. These interventions will take staff resources and potentially some relatively minor expenses. Setting up a multi skilled housing delivery programme team (with a dedicated lead officer who can manage and lead the programme) to tackle the issues involved would be a useful step that helps set longer term priorities.
- 8.13 In addition, capital funding interventions have the potential to accelerate delivery of housing and can be part of the measures undertaken to address viability issues. Securing funding for development will:
- Enable infrastructure to be brought forward more quickly and this will remove constraints and reduce development risks, thereby accelerating delivery;

- Allow direct delivery of affordable housing which will increase delivery rates overall as well as meeting the stepped-up targets in the new draft Local Plan.
- 8.14 Our view is that the Council is not in a position to identify its spending priorities with the information it has to hand at the moment. We strongly recommend that the Council undertakes its own rapid review of the viability ‘gaps’ for the key sites and identifies the amount of additional housing that would be generated for each £1 of infrastructure investment made.
- 8.15 Capital funding can be secured through applications to Homes England using one of the regular funding programmes, CIL funds and prudential borrowing. Support can be provided as grant or by loans repayable in line with delivery.
- 8.16 It is recognised that the skills and time needed to present successful bids (for example to HE) can be daunting – a dedicated resource (potentially shared with South Somerset’s neighbours) would seem a justifiable and a proportionate investment.
- 8.17 The impact of the amount and type of affordable housing on scheme viability is well understood but there will often be a trade off between the number of units achieved and the tenure type (especially around the priority given to social rented housing). In arriving at a view on the preferred mix for individual schemes there is a range of factors to take into account, including the type of affordable stock available in the locality as well as the viability implications of different options.
- 8.18 Housing associations operating locally can provide a more nuanced and up to date picture of local need than the headline figures of the SHMA and can work with the Council to help arrive at a rounded judgement about the requirements for individual schemes.

### ***Direct intervention***

- 8.19 Our recommendation on direct intervention, given the scale of local authority ambition but current gap in capacity is for the Council to identify a loose programme of joint venture opportunities and enter into one or more joint ventures with an organisation or organisations active in the local development market. This could be a Registered Provider or a private developer.
- 8.20 In considering which options to take forward the Council needs to be clear about the governance and priorities for the JV, i.e. does the Council wish to maximise the income from any JV it enters, to become a housing provider again or simply to accelerate housing delivery? It is considered that in order to minimise risk there is a clear distinction made between these two issues as it has been found in some local authorities that if the vision is not clear then decisions are not commercially focussed leading to long delays on outcomes. JVs could be carried out on a ‘project by project’ basis with one or more partners depending on the projects promoted. For each JV, the Council will own a share of a company with the JV partner taking the risk of planning and sale with the Council providing finance as an investment with a return to each partner being provided on the basis of investment and risk taken on each scheme.
- 8.21 If the Council is able to identify attractive land parcels already in its ownership, these would be an excellent place to start using JVs. If no land is available, the Council can consider using its own money to buy a suitable site and/or approach landowners of sites slow to get to market to offer to buy a part of the land-holding.

- 8.22 For smaller sites, a JV arrangement could be that the Council provides the land (from existing assets or through prudential borrowing) and the JV partner takes forward the development, ‘gifting’ a number of homes back to the Council – which could pass these onto a suitable managing organisation.
- 8.23 A larger JV could be set up that used the purchase power to buy larger sites, take them through the planning process, provide the infrastructure needed to provide serviced plots and then sell the serviced plots to other developers on the basis of a joined up masterplan and vision. This could be done either with an RP or a local developer.
- 8.24 Therefore, if the Council’s ambition is to deliver social benefits as well as commercial return then we would recommend entering into JV(s) with one or more RP – provided that they (the RP) had the commercial team to support both organisations objectives.
- 8.25 If, however, the ambition is more connected to delivering housing outcomes and a commercial return to the Council we would consider a phased approach to entering into a JV with a private sector organisation.
- 8.26 The JV approach can include the option of SSDC purchasing existing privately owned stock but this activity will not accelerate the overall level of delivery.”
- 8.27 Local authorities who have ambitions for purchasing stock, either for private rent or affordable housing need to ensure that they do not breach the cap for holding rented stock within the General Fund. If this cap is breached then there will be a requirement for the local authority to set up a Housing Revenue Account and resolve who is going to manage the units on a daily basis, either in house or through a JV partner.
- 8.28 As a start, we recommend the Council considers entering a couple of relatively modest JVs with a trusted partner and establish suitable governance and accountability mechanisms. To do this successfully – the Council will need to put aside a budget to provide the necessary officer skills – of the order of say, £50,000 to £100,000 (if the Council is to buy land – a capital fund will be needed)

### ***Priority locations for SSDC action***

- 8.29 Both the current and the draft new Local Plan identify the main settlements in the district as the most sustainable locations for new development, with housing delivery focussed in Yeovil and Chard. Generally, these locations also have the largest individual sites and within these settlements these large sites should be the priority locations for intervention. These settlements are also where specific development issues have been identified (infrastructure, land control, viability etc.), providing a clear set of constraints to be overcome. By contrast, other locations in the district have fewer constraints and there is some evidence to suggest that development in these locations will generally proceed with less intervention required.

### ***Local Plan Review options***

- 8.30 The Local Plan review is an opportunity to set out a clear framework to assist in increasing speed of delivery across the district. In considering an appropriate policy response the following should be considered:
- New allocations should only be included when there is a clear delivery strategy that can demonstrate how the site could come forward including infrastructure, affordable housing and land release. As part of the plan viability study, strategic sites should be reviewed individually to help inform the delivery strategy;

- Infrastructure needs should only be included within the plan where there is a key rationale and supporting evidence on costs, timescales and clarity on whether it is supporting new development or overcoming existing deficiencies;
- Policies should be carefully assessed both in terms of what needs they are meeting and any cost implications they may have and the relative impacts on delivery. This is within a context of both location and type of need. For example whilst an assessment of housing need may suggest a particular requirement for a specific type of affordable housing, this needs to be considered within the context of whether it needs to be addressed through a mixed tenure scheme, direct delivery or an alternative approach. This potentially could vary across the district, so may require for example a policy that seeks 15% affordable rent tenure from mixed tenure schemes over 10 dwellings in Yeovil but 30% shared ownership tenure on sites over 10 in Chard. The viability evidence should assist in this process. Also, to consider policies that allow a lower percentage of affordable housing at Day 1 but seeks reviews as development progresses;<sup>60</sup><sup>61</sup>
- For affordable housing, the Council can review the priority it gives to different tenures and the trade off between achieving a higher proportion of Affordable rent versus less social rent but at a lower rent for the occupier;
- Policies that help to diversify the housing market should be evaluated. This could include, for instance, a requirement to provide the opportunity for custom and self-build plots as a percentage of larger schemes;
- Whilst there may be a temptation to include wide ranging policy on design, decarbonising, mitigating habitat loss etc, these will all need to be costed and considered in conjunction with emerging government policy, which may be proposing similar solutions and the wider impact on viability and potential to harm delivery;
- Alongside Local Plan preparation SSDC should also consider preparation of a delivery SPD<sup>62</sup>, which includes further detail around investment priorities for S106 and CIL, affordable housing requirements, expectation from developers submitting viability evidence and the Council's decision-making process regarding considering viability.

### **Other actions**

8.31 The study has identified a range of other actions – mostly relating to process which, on their own, will not radically speed up delivery but as a package of measures, would make a useful contribution. These measures are taken from Table 8.1 and summarised below.

<sup>60</sup> <https://www.bristol.gov.uk/documents/20182/34560/Affordable+Housing+Practice+Note+2018/31012544-f558-ee5a-79fd-0ee560191537>

<sup>61</sup> <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/planning-guidance/affordable-housing-and-viability-supplementary-planning-guidance-spg>

<sup>62</sup> <https://www.runnymede.gov.uk/article/19094/Infrastructure-Delivery-Prioritisation-Supplementary-Planning-Document-SPD->

**Table 8.4 Other Potential actions**

	<b>Action</b>	<b>Relevant organisations</b>
7	Council website to clearly signpost relevant planning application forms and other advice including a list of local Affordable Housing providers	SSDC
8	Reduce the % of affordable housing required early on development sites, but with a viability review to seek further AH later <sup>63</sup>	SSDC/RP partners
9	Develop and publish a model s106 agreement on the website	SSDC
10	Include viability reviews in s106 agreements if completion has not taken place by an agreed milestone	SSDC
11	Include provision in s106 agreements for RP's to be sold serviced land instead of completed units	SSDC/RP partners
12	Involve RPs in discussions about details of site specific affordable housing requirements	SSDC/RP partners
13	Encourage applicants to work with RP's to determine affordable housing requirements for each site	SSDC
14	Only approve non-allocated sites if applicant signs up to annual delivery in s106 agreement	SSDC/Developers forum
19	Publish a Housing Prospectus including signposting to relevant sources of funding	SSDC/Developers forum
22	Carry out research into whether developer completion returns are consistent with delivery in order to complete realistic assessment of 'deliverable' sites for inclusion in 5YLS.	SSDC
23	Take a more cautious approach to inclusion of small sites in 5YLS in areas where values are constrained	SSDC
24	Make use of PPAs for major developments, with appropriate charges for fast track service	SSDC/Developers forum

**Milestones**

8.32 Setting milestones for the introduction of the actions put forward in this chapter, will depend to a large extent on the measures the Council wishes to take forward. The first stage in preparing a delivery strategy will be to review this report and make a number of choices. Key decisions for the Council will be:

- To accept (or not) the recommendation to directly intervene in delivery through the use of JVs rather than set up a single development company and to start the process of seeking out JV opportunities;
- To identify the scale of additional resources required to implement the various 'process' recommendations and to support the programme of JVs;
- How the authority reacts to the issues raised in this report about the decision-making process;
- How the Council chooses to work with neighbour authorities to resource its capabilities for viability testing and for 'bid making' to the key public funders (HE and the LEP);

<sup>63</sup> <https://www.bristol.gov.uk/documents/20182/34560/Affordable+Housing+Practice+Note+2018/31012544-f558-ee5a-79fd-0ee560191537>

- In terms of delivering affordable housing, balancing the perceived benefits for tenants of social rented housing with the potential to achieve greater numbers of Affordable Rent units.
- 8.33 With these key decisions in mind, we set out some general milestones for the Council to consider:
- Within 3 months – agree the portfolio of measures the Council wishes to adopt and finalise its delivery strategy;
  - Within 6 months – put in place the process measures that are agreed;
  - Within 6 months – identify objectives for any JVs, set up necessary governance and finance arrangements for taking forward 2 JVs a year (if suitable opportunities arise) and begin the process of identifying relevant opportunities to achieve a forward programme of JVs;
  - Within 12 months – put in place the additional resourcing required to deliver the strategy – both to support the process measures, to improve bidding and viability capacity and to support delivery of the programme of JVs;
  - Within 2 years – have the key measures of the delivery strategy in place;
  - Within 2 years (or other timetable depending on the Local Plan process) have all the necessary measures taken forward into the new Local Plan.
- 8.34 Achieving the above will greatly increase the likelihood that the Council will have a sustained five year land supply over future years. How quickly this will be the case will depend on a number of externalities, including the potential impact on the housing market of the Covid-19 pandemic. If the potential economic downturn follows as some forecasters are predicting, the importance of the Council taking a very active role in housing delivery, becomes even more necessary.

## **Annex 1 Policy and strategy literature review**

Draft

National legislation, guidance & Strategies	
Housing Act (2004)	Key changes included replacing the Housing Fitness standard with the Housing Health and Safety Rating System; new requirements for Housing in Multiple Ownership; provision for the tenancy deposit scheme; and a requirement that local housing authorities adequately assess the accommodation needs of Gypsies and Travellers in their area.
Localism Act (2011)	The act added to the powers of local authorities for creating fully or partly owned housing companies, which enabled local authorities to build outside the restrictions imposed on the Housing Revenue Account (HRA).
Housing and Planning Act (2016)	Key changes include the extension of the Right to Buy programme for Housing Association tenants; phasing out of life-time tenancies; promoting the delivery of Starter Homes; placed a duty on authorities to provide enough serviced plots to meet demand for Custom and Self build housing; the introduction of 'permission in principle' (PIP) aimed at providing developers more certainty.  It, along with the Cities and Devolutions Act 2016 both set out arrangements for Combined Authorities, and gave greater powers for devolved decision making.
Homelessness Reduction Act (2017)	Key changes include duties for authorities to intervene earlier to prevent homelessness
National Planning Policy Framework (NPPF) (2018 and 2019)	Amongst other things, the NPPF sets out the importance of housing delivery, with the requirement that plan makers should maintain a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements.
Homes England Strategic Plan (2018/19 to 2022/23)	This sets out its aim of accelerating the delivery of homes across the country. In the next five years it aims to have invested £27 billion across its programmes. Their objectives include 'Unlocking land'; Homes England has a Land Assembly fund of £1.03 billion which it uses to acquire "challenging sites that the private sector cannot progress without public sector intervention" and sites that "are not progressing into production on a commercial basis" and assist in bringing these forward to the market. In addition, Homes England have a Small Sites Fund available to public land owners or local authorities which provides grant funding to speed up getting the right infrastructure in place to support home building on stalled small sites. Homes England also note the Local Authority Accelerated Construction programme which is designed to help to increase the speed of construction and build out rates, and encourage the use of modern methods of construction. It also includes 'Unlocking investment'; the plan sets out a number of funds available to deliver houses including: £4.5 billion Home Building Fund which provides development and/or infrastructure finance to developers. The approach is described as flexible, for instance, loans of £250,000 to £250 million are generally available (with smaller loans considered for innovative housing solutions and serviced plots for custom builders). Grant funding through the Shared Ownership and Affordable Homes Programme, which delivered 116,000 new affordable homes outside of London between April 2011 and March 2015. It consists of £4.7 billion

	<p>of grant funding between 2016 and 2021, and open annually for bids, with the aim of increasing delivery of affordable units.</p> <p>£5.5 billion Housing Infrastructure Fund which provides grant funding to local authorities to bring forward land they could otherwise not develop. It's split into two streams, the 'Marginal Viability Funding' available to all single and lower tier local authorities in England "to provide the final or missing piece of infrastructure funding to get additional sites allocated or existing sites unblocked quickly" and the 'Forward funding' stream which is available to "the uppermost tier of local authorities in England – for a small number of strategic and high-impact infrastructure projects".</p> <p>A third priority of the plan is to drive resilience. The plan recognises the falling role of SME's in the UK housebuilding market. It reaffirms commitment to provide finance to this sector to assist its development with the £4.5 billion Home Building Fund. It also notes two partnerships with Barclays Bank (Housing Delivery Fund) and Lloyds (Housing Growth Partnership). The Housing Delivery Fund with Barclays Bank is a £1 billion fund that aims to provide loan funding, of between £5 million and £100 million, to support small and medium sized developers to speed up the delivery. The Housing Growth Partnership, with Lloyds Bank, is an initiative of £100 million aimed at small housebuilders, typically with schemes ranging between £4 million to £35 million in Gross Development Value.</p> <p>The plan acknowledges current skill shortages, and an expectation that the industry will see a "20% to 25% decline in the workforce within a decade". The plan supports the uptake of modern methods of construction and the sets ambitions to align itself with Government Industrial Strategy and relevant departments in ensuring the future skills of the construction workforce.</p> <p>Finally, there are key measures for supporting local areas; which involves providing support to local authorities, local enterprise partnerships and other bodies to deliver plans and for delivering home ownership products; which involves continuing the Help to Buy Equity loans and investment in the Shared Ownership and Affordable Homes Programme 2016-21.</p>
Relevant research at the national level	
Elphicke-House report (2015)	They recommended that Councils should be using assets available to them, including borrowing capacity, to ensure that they are housing their populations by investing in appropriate housing provision. It advocated Councils should act as 'Housing Delivery Enablers', and actively use their own assets and knowledge to unlock housing opportunities and deliver more homes
Building More Homes (2016)	<p>Linked directly to the topic of building more homes, the papers recommendations include:</p> <p>Freeing local authorities from restrictions on borrowing to build, such as the HRA.</p> <p>Enabling councils to rapidly replace homes sold through Right to Buy</p> <p>Refocussing the Housing and Planning act to build a mix of different housing that meets need</p> <p>Develop routes for councils to directly deliver new homes of all tenures through innovative delivery vehicles, including joint delivery vehicles across areas.</p> <p>Assist authorities with certainty over funding</p> <p>Assist with land release through building capability, issue guidance.</p>

	Work with developers to deliver a strategy for supporting the diversification of private housebuilding
Small is Beautiful Delivering more homes through small sites (2016)	<p>In 2016 a research report prepared by the think-tank Local Government Information Unit (LGUI) and the trade association the Federation of Master builders (FMB) analysed the barriers to enabling small scale development. It builds on consultation with local authorities and Small Medium Enterprise (SME) builders and recommends four key areas where improvement could lead to new ways of unlocking smaller sites for delivery.</p> <p>These include: <b>Land</b> - SME's want more sites identified by local authority plan's that are appropriate for SME builders and advocate greater promotion of small sites by authorities; <b>Resources</b> – Advocates establishing a pilot 'Small sites expert task force' to develop best practice and act as a source of expert advice on how to enable small scale development; <b>Planning application process</b> - Indicates councils have a responsibility to reduce complexity, particularly on issues like conditions and s106, and to help establish a best practice for developers so that poor quality and/or inadequate proposals are minimised; and <b>Engagement</b> – the report suggests there is insufficient dialogue between local authorities and small locally-based builders. This can be improved through ongoing strategic communication such as developer forums, online portals or workshops for smaller builders.</p>
Housing White Paper (2017)	<p>It introduced aims to diversify the housebuilder market including support for SME's and custom and self build including allowing £1 billion of the £3 billion Home Building Fund to be targeted at SME's; encouraging institutional investors; supporting Housing Associations to build more; and supporting local authorities to come up with delivery models where the market is not providing enough homes. The paper also launched the Housing Infrastructure Fund, which allows local authorities to bid for funds to unlock housing (discussed in further detail in a subsequent section).</p> <p>Other measures to speed up delivery including reducing the time allowed between planning permission and start of development from three to two years; allowing the Secretary of State to prohibit certain conditions to allow developers to build-out more quickly; and a commitment to encouraging modern methods of construction.</p> <p>Other key ambitions include encouragement for authorities to ensure Local Plans are in place; allowing authorities power to charge higher fees; measure to give more weight to brownfield development; and maintaining protection for the green belt.</p>
Letwin Review (2018)	<p>Review investigated the gap between housing completions and the amount of land allocated or permissioned in areas of high housing demand. The conclusion of the review is that the broader the appeal of housing on large sites is to more of the separate sub-markets, the greater the sales and therefore delivery of housing.</p> <p>The review suggests that overall delivery constraints on large sites are limited by market absorption rates, and that in turn this limited the delivery of the affordable housing cross-subsidised by these market sales. Furthermore, the absorption rates on large sites are constrained by the homogeneous products typically being constructed by the major house builders on the largest sites, as well as limited tenures. The Letwin review suggested that the market had multiple tenure tiers (market and affordable) and that delivery of one tenure would not affect</p>

	<p>the market for other tenures, and this also applied to specialist housing (older persons, custom and self-build, key worker) where this demand is also separate from other parts of the market.</p> <p>The review also reported that the choice of a newly built home is much influenced not only by location, size, price and tenure-type, but also by architecture, interior design, garden, setting and surrounding landscape or streetscape; and that more variety in these characteristics would create more, separate markets than can be created within the uniformity of many large sites.</p>
Sub-national legislation, guidance and strategies	
Heart of the South West LEP Strategic Economic Plan (2014)	<p>The Heart of the South West Local Economic Partnership (HotSW LEP) sets a strategic vision for the 16 years between 2014 and 2030 in its Strategic Economic Plan (SEP). It recognises opportunities that have potential to transform the economy including Hinkley Point C, the Plymouth and Peninsula City Deal and key clusters in aerospace and advanced manufacturing; and data &amp; environmental analysis (particularly the MET office at Exeter Science park).</p> <p>The SEP includes a commitment to help unlock housing growth in the LEP area. This involves provision of a 'kick start' infrastructure programme to unlock and accelerate delivery of housing through a revolving loan fund, supplemented with infrastructure grants where necessary.</p>
Somerset Housing Strategy (2018)	<p>The strategy sets out the context for development in Somerset and again highlights that Somerset does not have enough homes of all tenures and that there is a growing affordability gap with a growing private rented sector that is getting more difficult to afford. Hinkley Point C, where there are 5,600 workers on site at peak construction, is also causing an increase in demand for all forms of accommodation, one and two bed properties in particular, which is understood to have fuelled rents. The strategy also suggests that there are delays in construction at key sites due to market financial changes, and a skills shortage within the construction sector.</p> <p>The strategy sets out five priorities linked to housing and the economy, which are relevant to housing delivery.</p> <ul style="list-style-type: none"> <li>• Priority 1: Maximise the number of affordable homes (all tenures). By recognising affordable housing as a priority, provide leadership at the highest level to make this happen, ensuring authorities make use of all available funding streams from Central Government such as the Housing Infrastructure Fund and to deliver the necessary infrastructure to accelerate housing.</li> <li>• Priority 2: Provide more affordable homes to support rural economies and communities. Advocates councils to promote land release for rural exception sites, increase the number of Community Land Trusts and improve the percentage of affordable housing delivery tied to Local Plan allocations.</li> <li>• Priority 3: Increase the supply of homes. Suggests that councils ensure a five-year housing land supply to meet housing targets, maximise Hinkley Point C legacy benefits and work with One Public Estate and identify opportunities to reuse released land and buildings to meet housing needs.</li> </ul>

	<ul style="list-style-type: none"> <li>• Priority 4: Upskill the local labour force. Aligning activities with the Somerset Growth Plan and promote the establishment of a University, apprenticeships and a skills based academy for the construction sector, increasing rates of custom and self build, and introducing off site / modular construction.</li> <li>• Priority 5: Creating sustainable homes and places in Somerset. Achieved by ensuring sustainability is at the heart of decision making and providing more homes that are healthy and affordable to run, and integrating low carbon design and resilience to the predicted impacts of climate change.</li> </ul>
Local legislation, guidance and strategies	
<p>South Somerset Local Plan (2006 -2028)</p>	<p>The South Somerset Local Plan, adopted March 2015, contains a number of policies to guide the delivery of housing within the district. Key policies include:</p> <ul style="list-style-type: none"> <li>• Policy SS1: Settlement Strategy. Indicates that Yeovil is the prime focus of development for South Somerset. Followed by the Primary Market Towns of Chard, Crewkerne, Ilminster and Wincanton and the Local Market Towns of Ansford/Castle Cary, Langport/Huish Episcopi and Somerton. Finally, settlements such as Bruton, Ilchester, Martock/Bower Hinton, Milborne Port, South Petherton, and Stoke Sub Hamdon are categorised as rural centres, where development is expected to be much more limited.</li> <li>• Policy SS4: District-wide housing provision. Seeks 15,950 dwellings in the plan period April 2006 – March 2028 inclusive (725 per annum)</li> <li>• Policy SS5: Delivering New Housing Growth. Of the 15,950 dwellings, 7,441 will be located within the Urban Framework of Yeovil and via two Sustainable Urban Extensions. 1,852 homes required within Chard, 961 in Crewkerne, 496 in Ilminster and 703 in Wincanton. Ansford/Castle Cary, Langport/Huish Episcopi and Somerton are expected to each provide 374 homes.</li> <li>• Policy HG2: The Use of Previously Developed Land (PDL) for New Housing Development. Which seeks a minimum of 40% of new development should be on previously developed land</li> <li>• Policy YV2: Yeovil Sustainable Urban Extensions. Sets out details of two urban extensions (one south and one north-east). Both for approx. 800 dwellings, and both to include 2.58 ha of land for economic development with provision of a primary school, health and neighbourhood centre.</li> <li>• Policy PMT1: Chard Strategic Growth Area &amp; PMT2: Chard Phasing. Details land allocated to provide at least 2,716 dwellings, 13 ha of employment land, 2 primary schools, 4 neighbourhood centres, Highway infrastructure and improvements and sports / open space provision. PMT2: Chard Phasing indicates that 1,220 of the dwellings are expected in the plan period.</li> <li>• Policy HG3: Provision of Affordable Housing and Policy and HG4: Provision of Affordable Housing – Sites of 1-5 Dwellings. Where it is viable to do so, the policy seeks 35% on sites of 6 dwellings or above (or 0.2ha and above) in all locations. For schemes of 1 to 5 dwellings 5% is sought in Yeovil, Primary Market areas and Local Market areas and 10% is sought elsewhere.</li> </ul>

<p>South Somerset Local Plan Review (2016 -2036)</p>	<p>The Council has started the process of reviewing its Local Plan and in June 2019, published its Preferred Options Consultation for a new Plan (Regulation 18), for 2016 to 2036. The draft policies in the preferred options relevant are</p> <ul style="list-style-type: none"> <li>• A minimum of 14,322 dwellings (or c716 per annum)</li> <li>• Target for affordable housing of 206 per annum, seeking 29% affordable housing on sites of 10+ dwellings – slightly below the current requirement (of 35%) but still with a strong emphasis on affordable/social rented homes (80% with 20% as intermediate affordable)</li> <li>• A continuing concentration of new housing in the district’s main towns but to a slightly lesser extent than the current Plan (62% compared with 72%) and with Yeovil allocated around a third of the new homes as opposed to nearly a half in the current Plan</li> <li>• And a complementary increase in delivery in rural settlements/villages (27% in the emerging plan compared with 21% in the current Plan)</li> <li>• National Space Standards adopted but only for affordable housing</li> </ul>
<p>Somerset Housing Market Assessment (2016)</p>	<p>The Somerset Housing Market Assessment (SHMA) indicates that the objectively assessed housing need (OAN) per annum over the 2014-39 period is between 547 to 607 units. The net need in South Somerset for affordable units across the same period is 206 per annum, and suggests that around 10-15% of housing should be of an intermediate tenure with the remainder being social or affordable rented housing.</p> <p>It also suggests finds that over the 2014-39 period that there may be a need for 395 specialist units of accommodation for older people per annum. This equates to about 17%-19% of all housing. Additionally, the analysis highlights a potential need for an additional 186 registered care bedspaces across the same period.</p>
<p>South Somerset Housing and Economic Land Supply (2018)</p>	<p>The HELAA identified 133 housing sites in South Somerset that were suitable, available and achievable. The 133 housing sites have potential to provide 9,271 dwellings. By settlement area these are:</p> <ul style="list-style-type: none"> <li>• Yeovil: 18 sites, 3,396 dwellings (37% of total dwellings in South Somerset)</li> <li>• Primary Market Towns: 31 sites, 2,433 dwellings (26%)</li> <li>• Local Market Towns: 15 sites, 973 dwellings (11%)</li> <li>• Rural Centres: 17 sites, 855 dwellings (9%)</li> <li>• Rural Settlements: 52 sites, 1,614 dwellings (17%)</li> </ul> <p>Though the current Local Plan states a 725 per annum, in July 2018 the Government published guidance on a new Standardised Methodology for Assessing Housing Need, so the new calculation for SSDC is actually 726 per annum. This will now be used following the Review and Adoption of the new Local Plan. The HELAA confirms that the yield is based on 30 dwellings per hectare as this broadly reflects the average net density across the district of 28 dwelling per hectare (as indicated in the Local Plan para 10.23).</p>
<p>South Somerset ‘Tackling the Challenges’</p>	<p>The plan sets out 6 priority projects for 2019/20, one of which being “to develop proposals to accelerate the delivery of key housing sites and associated infrastructure”. The outcome of this is: to provide sufficient housing of all tenures available to those who need it; allow stalled sites to</p>

Council Plan (2019/20)	be brought forward and improve connectivity with associated infrastructure. The plan provides the following milestones for 2019/20: <ul style="list-style-type: none"><li>• Q1: To set up of a community of practice (expert working group), agree governance arrangements, scope and agree project objectives and expected outcomes and establish criteria for selecting sites</li><li>• Q2: Review best practice to understand effective approaches and practices; and agree selected sites and associated infrastructure requirements</li><li>• Q3: Scope options for accelerating delivery of selected sites</li><li>• Q4: Share proposals for identified sites</li></ul>
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## Annex 2 Proactive Local Authority Actions

This Annex is set out as follows:

- Creating better dialogue with the development industry
- Helping to de-risk sites or improve cashflow
- Requiring developers to provide more info on delivery timetables
- Directly or indirectly involved in delivering housing

### A. Creating better dialogue with the development industry

#### ***Denbighshire - Housing prospectus***

In 2016 Denbighshire released their 'Housing Prospectus'; its purpose is to provide developers and investors a list of the development opportunities in the area. The 2016 prospectus contains 60 sites consisting of both sites allocated within the Denbighshire Local Development Plan or sites of 10+ units that have outline planning permission.

Along with key site details, for instance, the area and potential capacity, the document provides other important details such as what would be sought through affordable housing/s106 and details of any constraints that would need to be considered such as contamination or details of habitats and biodiversity. For each site, the prospectus sets out the main documents required to accompany the application (i.e. details of habitat surveys required, Tree assessments and so on).

It is considered that compiling this data into one prospectus, and highlighting potential constraints and requirements at the outset, could help speed up delivery and provide further clarity and consistency through the application and development process.

#### ***Birmingham City Council - SME Contractor Procurement***

Birmingham City Council plays a large and important role in the delivery of new homes in the City. It set up the Birmingham Municipal Housing Trust (BMHT)<sup>64</sup> in 2009, with the aim of helping develop authority-owned sites (often small, brownfield i.e. former garage sites). Though the initial programme was quite small (129 properties) it has grown to 872 in 2016/17.

In 2017 it set up a 'Dynamic Purchasing System' that packaged BMHT sites of 15 units or less into a procurement portal specifically aimed at SME builders (as opposed to volume builders that had been more prevalent). After the Birmingham Council team assesses the viability of each of the sites, they are mapped and added to the portal. Sites are combined or divided into lots up to a maximum of 15 units per site, which is considered as important for very small sites, which otherwise would be costly to develop given the low unit numbers.

The procurement system allows SME builders to join or re-join freely over a four-year period, with a key aim to promote dialogue with developers, where opportunities or challenges can be discussed easily.

#### ***Ipswich***

Challenges to delivery include; very limited number of developable sites, many of which are brownfield and/or highly constrained; a high number of unbuilt permissions; and relatively low house prices.

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<sup>64</sup> <https://www.local.gov.uk/topics/housing-and-planning/innovation-council-housebuilding/innovation-council-housebuilding-8>

To promote delivery the Council is seeking to:

- Establish better working groups with the development industry, focussed on both improving the standards of applications and improving knowledge of site constraints.
- Work with neighbouring authorities to explore development opportunities
- Use CPO powers
- Review of all Local Plan housing allocations with a view to increasing densities

Adopting a more proactive approach where applications lapse, or are about to lapse, to understand the reasoning. Ipswich have been successful in working with developers and external advisors to obtain Housing Infrastructure Funding from Homes England to unlock the large-scale delivery of Ipswich Garden Suburb.<sup>65</sup>

### ***East Devon/Exeter/Teignbridge***

The Growth Point Delivery Team is hosted by East Devon District Council and supported by the other funding partners.

The function of the Delivery Team is to be a dedicated group of specialists who help to coordinate the delivery of the strategic developments and providing a point of information for all projects; this includes facilitating meetings and enabling partnership working.

Working with the local authority partners, the Delivery Team are running a studies programme to provide an evidence base which will help to inform development across the whole of Exeter and East Devon.

The team report directly to the Exeter and Heart of Devon Growth Board, which comprises of key representatives from all the partner organisations and accountable Government bodies. The Board meets quarterly.

All planning and development decisions are subject to local and regional planning policy and all growth projects will be subject to comprehensive testing and public consultation, by way of the Local Planning process to ensure that individual proposals are suitable and acceptable.

## **B. Helping to de-risk sites or improve cashflow**

### ***Leeds City Council - Acceleration Programme***

Leeds's Housing Growth Team set up an 'Acceleration Programme' which was established to find ways of unlocking stalled sites. Working alongside the Planning team, it entails a systematic trawl through the SHLAA and, in 50 site batches at a time, contacting land owners or applicants to identify how sites can be brought forward.

By contacting landowners and applicants directly the Council are able to gain an understanding as to the reason as to why the site has stalled, and offer bespoke support to remedy this. Support provided to landowners and developers varies; but can include brokering finance discussions with Homes England or the LEP; to marrying up land owners with RPs or other SME developers; and for less experienced landowners it can be simply providing confidence and signposting.

Brokering dialogue between developers and Homes England, through the Accelerated Construction programme (which provides recoverable funding for a programme of sites) and through the Housing Infrastructure Fund - Marginal Viability Fund has been cited as

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<sup>65</sup> <https://democracy.ipswich.gov.uk/mglIssueHistoryHome.aspx?IId=17088&PlanId=174&RPID=0>

particularly effective for stimulating delivery. According to a committee paper in March 2018 the 'Acceleration Programme' has supported 28 sites equating to almost 1,900 units.

### **Oldham - Housing Fund & improving cashflow and certainty**

Oldham needs to build twice as many homes than its current rate. It is understood to have a limited land supply and one that is made up of many unviable brownfield sites that the market are not bringing forward. The Council, in their 2019 Housing Strategy<sup>66</sup>, are currently looking at measures such as establishing a Housing Fund where developers can take loans to assist viability. The Council is also looking at ways it can help cashflow by deferring payments (for example deferring land payments until house sales take place) and providing more certainty to developers.

### **Brighton Land Release Fund**

Brighton & Hove is benefiting from over £800k from the Ministry of Housing, Communities and Local Government (MHCLG) Land Release Fund (LRF), which is managed by the One Public Estate (OPE) programme, to support delivery of affordable housing and regeneration on council owned land

The Land Release Fund is a government funded programme administered through the One Public Estate programme which provides Councils and their public sector partners access to £8.7 million of funding, as well as practical support and expertise, to help them develop and deliver ambitious property programmes to benefit their communities.<sup>67</sup>

OPE provides councils with funding and access to practical support and expertise to deliver property-based projects with wider public sector partners, including central government departments.

The joint initiative enables publicly-owned land and buildings to be used more efficiently and deliver real benefits to communities across the country, including new jobs and better services.

## **C. Mechanisms for maintaining delivery timetables**

### **Central Bedfordshire Council – Delivery Clauses**

In January 2019 Central Bedfordshire Council published their 'Housing Delivery Clause Technical Note'. The note sets out the Council's approach to securing the delivery of new homes on consented sites within the first five years, through the use of section 106 agreements.<sup>68</sup> It states that *"the Council will seek a delivery timetable to be put forward by the site promoter which will then form part of the accompanying section 106 agreement"*. This means that the Council works with site promoters and developers to arrive at a delivery statement which is appended to the S106 agreement. The statement sets out the number of completions to be achieved each year. The delivery timetable is intended to be used as a material consideration in decision making.

The Technical Note states that it applies to all deliverable housing development that are capable of delivery in the first 1 to 5 years of the rolling plan period, and states that the timetable should *"be submitted as early in the process as possible at pre-application stage or*

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<sup>66</sup> Oldham BC (2019), 'Housing strategy 2019'

<sup>67</sup> <https://www.local.gov.uk/topics/housing-planning-and-homelessness/one-public-estate>

<sup>68</sup> [https://www.local.gov.uk/sites/default/files/documents/5.36%20Speeding%20up%20delivery\\_v03.1.pdf](https://www.local.gov.uk/sites/default/files/documents/5.36%20Speeding%20up%20delivery_v03.1.pdf)

*planning application stage*” and by using “*reasonable assumptions*” factoring in such things as the presence of competing sites, the likely commencement, and any enabling works

### **Great Yarmouth Borough Council – ‘step in’ rights**

The Council recognises that they have a significant number of sites with outline permission, but where there is little activity “*to either sell the site to a developer or make a reserved matters application*”<sup>69</sup> and also for “*sites with full consent which remain unstarted years after consent*”<sup>70</sup>. The Council is exploring ways to grant ‘step-in’ rights if a developer is not making timely steps to build out sites either to enable them to develop the site themselves; through a joint venture company or to parcel the site to other local developers.

## **D. Direct delivery**

### **Bolton Metropolitan Borough Council – City Analytics platform & Delivery Statements**

Bolton have a heavy reliance on brownfield land, which are small to medium sized and therefore have increased risk for developers. They have over 100 mill sites that range from vacant to small-scale low value employment sites.

The Council are developing a ‘City Analytics’ platform with Arcadis. Its aim is to potentially improve the data required on sites, including viability assessment, land values, and forecasted delivery rates. This should also help the Council’s understanding of various ‘risks’ on brownfield sites. Through this work they have been able to identify 30 small sites which they are looking to develop through a portfolio approach with support requested from Homes England.

The Council are also proposing requiring delivery statements from applicants including a history of the delivery rates for the developer and timescale for delivery. The Council hope that this will lead to improved scrutiny of potential developers.

### **Spelthorne Borough Council – use of conditions**

The Council set up a housing company, Knowle Green Estates (KGE) in 2016 with the ambitions of delivering more affordable housing and regenerating the town centres of the Borough. KGE has a number of projects and is expected to deliver some 20% of the Borough’s assessed 5-year land supply requirement in the Local Plan.

One action in their HDAP that demonstrates a ‘new’ approach is to “*consider imposing a condition providing that development must begin within a shorter timescale than the relevant default period, where this would expedite the development without threatening its deliverability or viability*”.

### **Great Yarmouth Borough Council – ‘step in’ rights**

The HDAP cites a number of reasons for under delivery, including: low land-values and non-viability; difficulty accessing finance; lack of competition amongst housebuilders; developer caution; and lengthy s106 negotiations.

Great Yarmouth Borough Council note that they have a significant number of sites with outline permission, but where there is little activity “*to either sell the site to a developer or make a reserved matters application*”<sup>71</sup> and also for “*sites with full consent which remain*

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<sup>69</sup> GYBC (2019). ‘Housing Delivery Action Plan Great Yarmouth Borough Council August 2019’

<sup>70</sup> IBID

<sup>71</sup> GYBC (2019). ‘Housing Delivery Action Plan Great Yarmouth Borough Council August 2019’

*unstarted years after consent*<sup>72</sup>. The Council are exploring ways to grant ‘step-in’ rights if a developer is not making timely steps to build out sites either to enable them to develop the site themselves; through a joint venture company or to parcel the site to other local developers.

## **E. Directly or indirectly involved in delivering homes**

### **Eastleigh Borough Council – JV and development company**

In a cabinet report of June 2019 the Council<sup>73</sup> explained that, “.....the Council is a housing delivery enabler and taking responsibility for making development happen in the area, with an emphasis on actively using its own assets and capabilities to unlock housing opportunities.” The Council has an established housing programme with the planned delivery of over 2000 dwellings across 10 sites with one strategic site at that 1200+ dwellings but a portfolio of smaller sites – ranging from c16 to 250 dwellings. At the time of the report, 144 new homes to be held on behalf of the Council had been completed, delivered through a variety of mechanisms – through the Council’s own housing company or in individual projects working with its partners – providing affordable housing or PRS (using tenancy terms specified by the Council and managed by an RP).

The on-going programme of delivery of new homes reflects an over-arching objective of the Council to maintain a pipeline of development sites and so the same Cabinet report referenced new sites to be brought into the programme – subject to committee agreement. The programme includes different mechanisms by which the Council engages in the development process. These include financial investment by the Council to secure the type of affordable housing it requires, JV with a developer partner with the Council purchasing the site in return for a number of PRS units it then controls, a JV with a developer with the Council making a grant to the development in return for a number of PRS/affordable units. The Council has also made a significant step towards achieving its own development (through a development company) by purchasing a 317 ac site and then undertaking its master planning and delivery of services, prior to prior to selling “*fully serviced’ parcels to commercial & residential developers.*”

### **South Cambridgeshire District Council - Ermine Street Housing Company**

To meet the challenge of delivering more affordable homes in the district, the Council invested £7m in setting up the local authority housing company ‘Ermine Street Housing’ in 2013<sup>74</sup>. Ermine Street Housing is an independent company, though is wholly owned by the Council. The portfolio originally included 160 homes purchased by the Council and rented at market rents with longer term tenancy rents, however in 2015 a decision was made to purchase 500 more properties.<sup>75</sup> The company now owns properties in neighbouring districts.

This has been considered successful in not only helping the housing needs of the district but also in generating additional revenue streams for the Council. In April 2017 the company had generated £100,000 of income for the Council, which has been invested back into Council services.

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<sup>72</sup> IBID

<sup>73</sup> <https://www.eastleigh.gov.uk/media/5488/ed19a-update-15-housing-programme-update-appendix-1.pdf>

<sup>74</sup> <https://www.local.gov.uk/building-homes-together-south-cambridgeshire-district-council>

<sup>75</sup> <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=9b61c3d5-5424-4826-abf8-f6cccacf7975>

## ***Plymouth - Plan for Homes***

Plymouth City Council's Plan for Homes 2016-2021<sup>76</sup> sets out a proactive and collaborative approach to delivering 5,000 in the city in 5 years.

The plan uses local authority and Homes England resources to support various housing projects and is doing so without setting up a development company but has the advantage of significant land-holdings it can use to take the plan forward. The Council's aims are to ensure existing sites are developed by reducing risks for developers, help lever in funds from Homes England and other investors, improve the affordability of new homes, and increase housing choices for different groups in the community.

The 2016 plan set out a number of key interventions:

- The creation of a Land Acquisition Fund of £30 million with Homes England. This is used to buy up stalled and lapsed sites to stimulate delivery.
- £3 million Housing infrastructure Fund to support housing delivery prioritising opportunities in the 3 Growth Areas set out in the Plymouth Plan
- Establish Homes for Plymouth, a new housing company to deliver more homes directly in Plymouth. This includes pledging 10 new council sites and a £10 million loan facility to enable 500 new homes by 2021
- A Plymouth Housing Prospectus listing all potential sites, including all those with planning permission, stalled and lapsed sites, along with their potential for housing and to attract private sector investment.
- Support more flexible land and s106 payments aimed at improving developers cashflow and enabling the earliest possible start
- Launch an Empty Homes initiative to bring back homes into use with a fund of £1 million

## ***Nuneaton - Ongoing programme of new council housebuilding***

Nuneaton has a large need for affordable housing, with a requirement for over 500 per annum. As of October 2018, the Council was the largest affordable housing provider with a stock of 5,800. For comparison, housing associations have 2,400.

In 2014 the Council set up a two year pilot to deliver small scale developments, which led to the completion of 47 properties<sup>77</sup>. The pilot "*provided essential learning for the Council for future projects in terms of understanding (i) the development process and (ii) the importance of necessary skills. An in-house development team now exists to lead on the Council housebuilding programme*". The projects are funded through a number of sources including HRA headroom funding, Affordable housing rental schemes, Homes England grants and Right to Buy receipts.

## ***North Kesteven – Ambitious programme of council house building***

In 2012 the Council set up a pilot to deliver affordable homes, and by 2016 it had completed its 200<sup>th</sup> property<sup>78</sup>. The scheme focusses on sites not attractive to other public and private housing developers, for example infill sites on council estates. It uses a number of funds namely HRA reserves, commuted sums through Section 106 agreements and Homes England (HCA) grants.<sup>79</sup>

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<sup>76</sup> <https://www.rtpi.org.uk/media/3426186/lahousing2019.pdf>

<sup>77</sup> <https://www.local.gov.uk/topics/housing-and-planning/innovation-council-housebuilding/innovation-council-housebuilding-14>

<sup>78</sup> <https://www.local.gov.uk/topics/housing-and-planning/innovation-council-housebuilding/innovation-council-housebuilding-12>

<sup>79</sup> <https://www.n-kesteven.gov.uk/residents/homes-and-property/information-about-housing-in-north-kesteven/building-new-houses/>

The Council is now involved with the direct purchase of land for development, including 37 acres of land at Sleaford in 2018<sup>80</sup>, as the Council have built up an expertise to explore other approaches to deliver homes. This, they believe, is quicker than going through the development process.

### ***Sunderland – Intervention to deliver the ‘right type’ of homes***

While housing values are considered to be weak within Sunderland, particularly compared to other areas in the North East, housing delivery rates have been relatively high. The Sunderland Homes Ltd<sup>81</sup>, a council owned company set up in 2017, targeted the delivery of housing types that housebuilders were tending not to build. Family homes, bungalows and smaller scale developments (of between 10 and 40 units) were being overlooked by the volume builders and often difficult for SME's. The company intends to reinvest the profits in future projects.

### ***Salford City Council – Derive Housing Company***

Salford City Council has a housing company, Derive which has been established so that Salford can improve its delivery of Affordable Housing. There is a recognition by the Council that the market through the planning system will not provide the range and type of housing needed and, in the locations, required. The Council is using the ways open to it to provide more housing directly and expects that these approaches will be increased as their capacity increases. The Council's company was established in 2017 with the aim of delivering their first homes in 2019.

The Council has 6,000 households registered on their waiting list for housing and they have no ability to provide social rent homes through grant. Therefore, the Council are required to provide social rent homes through cross subsidy. This involves the Council purchasing housing to add to its stock and also to utilise s106 agreements as a supplement to this.

### ***Harrogate – Building capacity***

Harrogate has a long-standing commitment to develop homes through the HRA and the Council has built up in-house capacity, including a design team and a viability assessment unit. It currently has plans to develop up to 8 sites through this process but this will only release the potential for up to 26 Affordable Housing units.

### ***Cheltenham – ALMO Cheltenham Borough Homes***

Through its ALMO, Cheltenham Borough Homes (CBH), a private company limited by guarantee without share capital, registered with Homes England Cheltenham Borough Council (CBC) has an agreement that CBH will deliver the actions (such as new housing)

### ***Camden - Community Investment Programme (CIP)***

Camden Council reviews its land and property portfolio on estates identified for regeneration. It has set up Camden Living, a wholly council controlled company, so we can retain more of the new homes we're building through the CIP and offer affordable rents to residents. This is a private company 10484863. It was established in 2016 and they have developed and let 65 homes to date. The homes have been developed with the support of the Community Investment Programme.

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<sup>80</sup> <https://lincolnshirereporter.co.uk/2018/02/north-kesteven-district-council-buys-37-acres-land-private-developers/>

<sup>81</sup> [https://www.local.gov.uk/sites/default/files/documents/5.36%20Speeding%20up%20delivery\\_v03.1.pdf](https://www.local.gov.uk/sites/default/files/documents/5.36%20Speeding%20up%20delivery_v03.1.pdf)

### ***Isle of Wight – PSP Facilitating***

The Council has established a Regeneration Directorate to help regenerate the Island's economy and transform the financial position of the Council. Using Council assets and working in partnership with the private sector, the initial programme has identified sites which, if delivered to their full potential, could bring in increased council tax, business rates and new homes bonus, as well as create up to 12,000 new jobs over a 10 year period.

The Council has entered into a strategic partnership with PSP Facilitating Ltd to bring forward Council owned stock. However, progress has been slow with no units being brought to the market in the first 30 months of establishment.

The Isle of Wight Council has also carried out a review into whether there is a need to revoke planning permissions on stalled sites.<sup>82</sup>

### ***Derbyshire – Buy in expertise***

Derbyshire Development Limited is a company wholly owned by Derbyshire County Council. Its prime objective is around income generation. The company is small and will primarily buy in the expertise it needs from external consultants. It is their intention to work with district councils in the future and may be a model that could pool local authority resources to deliver a cost effective service.

### ***Watford Borough Council - Watford Housing Supply Joint Venture***

Watford Community Housing and Watford Borough Council have formed a joint venture called Hart Homes and are aiming to deliver more than 500 homes over six years. Following a meeting with both the Council and Watford Community Homes a decision was made to pursue a joint venture, with a key focus on encouraging housing supply. The process to establish Hart Homes took 12 months. According to research by the LGA<sup>83</sup> benefits of this method include “the ability to access funds, assets, skills and experience” and the biggest challenge “was early buy-in to the concepts of the JV and this was largely overcome by clear direction from Board and Council Members”.

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<sup>82</sup> <https://www.iow.gov.uk/Meetings/committees/cabinet/10-1-19/PAPER%20B%20-%20Revocation%20of%20Planning%20Permissions.pdf>

<sup>83</sup> LGA (2019) Watford Borough Council: housing supply joint venture accessed via <https://www.local.gov.uk/watford-borough-council-housing-supply-joint-venture>

## Annex 3 Council Housing Companies Research

(undertaken by Inside Housing 2018)

Local authority	Number of companies	Name of companies	Date register	Investment	Completions	Affordable
Basildon	1	Semprea Homes Ltd	19-Dec-14	£10,600,000	21	16
Bedford	1	Benedict Bedford Ltd	29-Dec-16	0	0	0
Bexley	1	BexleyCo Ltd	28-Jun-17	£2,000,000	0	0
Blackpool	1	Blackpool Housing Company	26-Jan-15	£1,600,000	51	0
Bracknell Forest	1	Downshire Homes Ltd	29-Oct-15	£6,332,100	40	40
Broxbourne	1	Badger BC Investments Ltd	08-Nov-13	£25,000	28	0
Cambridge	1	Cambridge City Housing Company	15-Feb-16	£7,500,000	23	23
Canterbury	1		13-Feb-17	0	0	0
Colchester	1	Colchester Amphora Homes Ltd	01-Jun-17	unspecified"start up costs"	0	0
County Durham	1	Chapter Homes	Aug-15	£12,500,000	63	12
Daventry	1	Daventry Estate Company Ltd	19-Nov-12	£1,000	0	0
East Devon	1	East Devon Homes	Oct-17	0	0	0
East Hertfordshire	1	Millstream Property Investments Ltd	02-Feb-18	0	0	0
Eastbourne	2	Eastbourne Housing Investment Company Ltd; Aspiration Homes	01-May-15	0	67	0
Eastleigh	2	Woodside Avenue Developments; Stoneham Park Developments		6 Jul 17; 15 Jun 16		0
Fareham	1	Aspect Building Communities	10-Dec-14	£5,000	0	0
Forest Heath	1	Barley Homes Ltd	15-Mar-16	£140,622	0	0
Great Yarmouth	1	Equinox Enterprises	28-Sep-17	0	0	0
Greenwich	1	Meridian Home Start	23-Jun-16	0	0	0
Guildford	2	Guildford Borough Council Holdings Ltd; North Downs Housing Ltd	Apr-16	£2,400,000	6	0
Hammersmith & Fulham	2	HFS Developments LLP; HFS Developments 2 Ltd	27 Mar 14; 19 Jul 16	£101	0	0
Hastings	1	Hastings Housing Company	01-Sep-17	£15,000,000	0	0
Hinckley and Bosworth	1	Hinckley & Bosworth Development Ltd	13-May-15	£15,000	0	0
Ipswich	1	Handford Homes Ltd	12-Jul-17	£10	0	0
King's Lynn and West Norfolk	1	West Norfolk Housing Co Ltd	09-Sep-16	0	0	0
Lewes	2	Lewes Housing Investment Co Ltd; Aspiration Homes	4 Jul 17 - 30 Jun 17	0	0	0
Luton	1	Foxhall Homes Ltd	16-Feb-17	£130,000	0	0
Mansfield	1	Mansfield Homes Ltd	19-Aug-14	£46,000	23	0
Merton	1	Merantun Development Ltd	09-Aug-17	£160,000	0	0
North Tyneside	4	Various	11 Dec 12 - 1 Mar 17	£4	18	18
Oadby and Wigston	1	Bushloe Developments Ltd	21-Dec-16	£100,000	0	0
Peterborough	1	Medesham Homes	25-Nov-16	£100,000	0	0
Reading	1	Homes for Reading Ltd	06-Apr-16	£151,000	7	0

Richmondshire	1	Mercury Housing Co Ltd	09-Jan-15	£1	0	0
Slough	2	Herschel Homes; James Elliman Homes	06-Feb-17	£100,000	53	42
South Bucks	1	Consilio Property Ltd	15-Sep-17		no	no
South Holland	1	Welland Homes	22-Jun-15	£100	15	0
South Kesteven	1	Gravitas Housing Ltd	30-Jan-17	£2,800,000	0	0
South Norfolk	1	Big Sky Developments Ltd	14-Aug-13	£8,960,000	77	19
South Tyneside	1	Centuarea Homes Ltd	30-Mar-17		0	0
Southend-on-Sea	1	Southend Housing Ltd	16-May-15	0	0	0
Southwark	1	Southwark Housing Company	May-15	0	0	0
Spelthorne	1	Knowle Green Estates Ltd	09-May-16	£1	0	0
Stockport	1	Viaduct Partnerships Ltd	15-Aug-16	0	0	0
Stoke-on-Trent	1	Fortior Homes	Oct-16	£55,000,000	0	0
Swindon	1	Swindon Housing Company	Jun-17	1,500,000	0	0
Test Valley	1	Valley Housing Ltd	30-Apr-16	£10,000	6	3
Three Rivers	1	Three Rivers Homes Ltd	24-Mar-17	£510,000	0	0
Wakefield	1	Bridge Homes (Yorkshire)	Jul-14	3,000,000	30	9
Wealden	1	Sussex Weald Homes Ltd	15-Dec-16	£100,000	0	0

Source: Inside Housing (2018) accessed via <https://www.insidehousing.co.uk/news/news/councils-set-up-58-housing-companies-since-2012-54634>

## Annex 4 Consultation Issues

Interviewee Organisation	Interviewee Comment	Study Implications
<b>Area specific</b>		
Developer	Lack of clarity and planning for Chard Eastern Road has slowed down delivery in Chard for years. Chard seen as well placed to deliver housing growth.	Case for established need for Chard road (or not) and alignment plus funding strategy.
Housebuilder	Lack of clarity for Eastern Road has meant that there have been missed opportunities to deliver sections from consented development.	Case for established need for Chard road (or not) and alignment plus funding strategy.
Other	Crewkerne development also linked to eastern access road. Suffers the same lack of planning as Chard although less housing is dependent on the road.	Case for established need for Crewkerne road (or not) and alignment plus funding strategy.
Developer	Yeovil town centre development and regeneration plans delayed. Lacking delivery strategy, and insufficient LPA action.	Case for further planning of scheme with delivery and funding strategy.
Developer	Suggestion that there is a strategic power supply issue for Yeovil which will delay development.	Issue to be addressed through LPA infrastructure delivery planning?
<b>Planning Process</b>		
Developer	Strategic planning needs to start identifying sites for the next Development Plan and the one after that in order to increase acceptability of development.	
Developer Housebuilder Other	Local interests on area planning committees perceived to be destructive.	Committee system slowing decision making
Housebuilder Other	Committee members lack appropriate planning skills and will make non planning related decisions – often against officer and consultee recommendations. Some suggestion of lack of respect for planning officers. Member decision making has resulted in undefended/lost appeals.	Case for more explicit briefing and training for committee members. May require overt role of senior council staff in support for planning officers.
Housebuilder Other	Area committees know that in many cases the Regulation committee will sort out the poor decisions taken locally. But this adds delay and uncertainty. There is some suggestion that the Regulation committee decisions are also losing quality.	Implication that area committee members seek to prioritise local political support. If correct, suggests area-based planning decision system may be flawed. Case for more explicit briefing and training for committee members.
Housebuilder Developer	Committee operation flawed by substitutions, loss of faith on impartiality in the system. Management of objector verbal representations is poor, with repetitious points made with little management.	Case for committee operation guidelines to be reviewed?
Housebuilder	Renegotiation on planning applications and in particular s106 is a long-winded process going through all the two-tier committees again, In some instances applicants have elected to slow development rather than take the time to resolve the issue.	Committee system slowing decision making.

<b>Interviewee Organisation</b>	<b>Interviewee Comment</b>	<b>Study Implications</b>
Housebuilder Other	Planning officers are under resourced. Results in cases where role becomes post boxes for statutory consultees without having the time or support for taking individual judgements on the planning balance. Redundancy reviews are considered to exacerbate this situation. Lack of resource also has higher risk of delays. Contrasts were drawn with experience elsewhere, where officers have the time to 'police' the process more effectively.	Planning officer numbers and spread of experience could be increased. Need to apply existing resource more efficiently through development/delivery team approach, rather than area based.
Housebuilder	Officer time taken to resource two-tier committee structure is onerous – 5-6 committee appearances per month? Exacerbates resource issue. Compared to other locations where there are two tier systems, but the lower tier only handles smaller scheme applications.	Review of two-tier system may be warranted to balance local responsiveness with effective planning process.
Housebuilder	Standardised s106 template would be useful. One consultee offered to contribute time to assist.	Consider developing standardised s106 template.
Housebuilder	Heads of terms need to be run alongside the application in order to avoid the delay. Generally, applicants would be willing to pay for this. Other locations charge for a speedier process and effective PPAs, which are considered to be good value for money in reducing delays and uncertainty.	Suggestion that paying for faster process could be attractive for applicants. Linked to delivery team approach.
Housebuilder	PPAs not always a silver bullet. But applicants would like to have a speedier and more certain system, with milestones and meetings timetabled in. Some of the time delays result from slow responses from statutory consultees. Considers that where statutory consultees have issues, they should attend scheduled meetings.	Speeding up third party consultees will require establishing 'rules of engagement' within their statutory obligations. May benefit SSDC as well as applicants.
Housebuilder	Reluctance to take LPA to appeal on non-determination as prefer to negotiate.	
Other	LDOs may speed delivery on allocated sites.	LDO process (with associated design guides etc.) to be considered.
Housebuilder	Lack of in-house legal expertise is a weakness	Role for LPA/pan-LPA resource?
<b>Open for business</b>		
Other	Perceived lack of clarity around priorities for CIL funding.	
Housebuilder	Happy to continue development in South Somerset.	
Developer Housebuilder	The availability of third-party funding (grant or loan) is able to reduce peak borrowing and risk. Can also avoid stalled delivery as development hits thresholds for infrastructure provision. Requires work in advance of opportunities (which often have short term window) in order to take advantage, which in turn requires early dialogue and council resources.	Funding bids can help secure continued delivery. Requires resources.
Housebuilder	Council communicating available sites could be useful although many housebuilders prefer their involvement to start pre outline consent.	May have some positive benefits – for landowner-led application sites?

<b>Interviewee Organisation</b>	<b>Interviewee Comment</b>	<b>Study Implications</b>
Housebuilder	Clear communication about the extent of planning obligations on sites will provide clarity to developers/housebuilders as well as managing landowner expectations. Would need to include county as well as district obligations.	May need to make requirements clear on website as well as in discussion with landowners. May require work with SCC to capture full range of requirements as well as other consultees for strategic sites (part of IDP process?)
<b>Viability</b>		
Developer	LPA process of assessing site viability concerns is flawed and has led to viability issues stalling delivery on some major sites with significant infrastructure costs. Viability discussions can also cause significant delays in delivery.	Suggests need for in-house or framework viability expertise.  May be useful to formally set out viability process requirements (SPD?) in tandem with updated area wide viability.
Housebuilder	No objection in principle in providing infrastructure (e.g. transport, education) so long as viability impact recognised, and appropriate trade-offs made. Recognises Council's role in trying to maximise affordable housing provision but negotiations can delay delivery.	
Housebuilder Other	Lower values in parts of South Somerset can make development more 'fragile' in viability terms but not necessarily a problem so long as land prices flex to accommodate this. Problems can arise when landowners are unrealistic, particularly when infrastructure or planning obligation costs are high. Different housebuilders have various profit thresholds which means their ability to pay for land will vary.	Role for clear expression of planning requirements, especially when landowners bring forward sites for outline consent without housebuilder partners.
<b>Attitude to delivery</b>		
Developer Housebuilder	In principle desire to deliver at fastest rate possible. Housebuilders expressed interest in further sites in South Somerset. National volume housebuilders report delivery of 80-90 dwellings per annum in Yeovil. However, site specific issues (e.g. contamination) can slow delivery in some cases.	Suggests that there is no intrinsic problem with the house buying market in Yeovil.
Housebuilder	LPA insistence on a particular market dwelling mix can disconnect with housebuilders' business model and reduce returns. Renegotiation delay causes delivery to stall.	
Developer	In some cases, developer capacity can slow process, especially if there are additional complications in getting sites consented.	May require LPA intervention if site delivery is important to Local Plan/5YHLS
<b>Landownership</b>		
Housebuilder Developer	Development landownership is concentrated in a limited number of organisations. Splitting ownership will increase delivery, partly by increasing the pool of local/regional housebuilders able to take on smaller sites.	Splitting larger sites may be part of negotiations with site owners but requires officers to have the resource to enable knowledge and relationship building – delivery team approach may help.

<b>Interviewee Organisation</b>	<b>Interviewee Comment</b>	<b>Study Implications</b>
Housebuilder Other	Some landowners are seeking outline consents to increase the value of their portfolio rather than planning to deliver dwellings in the short term. Some landowners will promise policy compliance in order to get consents but maintain unrealistic land price expectations.	Clarity about planning obligation requirements an important part of process. May be a case for time limited consents.
<b>SSDC Intervention</b>		
Other	SSDC not currently staffed to undertake interventions in the housing market (staff numbers and expertise). Staffing up would require significant expenditure on salaries (potentially at CEO levels) as well as investment capital.	Needs development of business case for any proposals for SSDC intervention in housing delivery, to include appraisal of options for different types of intervention.
Other	Even where councils have made an effort to intervene, this has often been a relatively small proportion of supply so may not be the most cost-effective way to guarantee a step change in delivery.	Needs development of business case for any proposals for SSDC intervention in housing delivery, to include appraisal of options for different types of intervention.
Housebuilder	Council led investment to deliver infrastructure serving sites will reduce risk and speed up delivery.	Business case for Council borrowing for infrastructure provision (rolling repayable fund?) and generation of infrastructure funding bids.