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**RESPONSE TO SOUTH LANARKSHIRE PROPOSED LOCAL
DEVELOPMENT PLAN 2018**

21 SEPTEMBER 2018

Homes for Scotland (HFS) is the voice of the home building industry in Scotland, representing some 200 companies and organisations which together deliver the majority of the country's new homes.

We are committed to improving the quality of living in Scotland by providing this and future generations of Scots with warm, energy-efficient, sustainable homes in places people want to live.

HFS makes submissions on national and local government policy issues affecting the industry. Its views are endorsed by committees and advisory groups utilising the skills and expertise of key representatives drawn from our member companies.

RESPONSE TO SOUTH LANARKSHIRE PROPOSED LOCAL DEVELOPMENT PLAN 2018

Introduction

1. Homes for Scotland is grateful for the opportunity to comment on the emerging South Lanarkshire Local Plan.
2. These submissions on South Lanarkshire Council's Proposed Development Plan have been reviewed and agreed by Homes for Scotland's Strathclyde Area Committee. The comments below address policies in the order in which they appear in the Proposed Plan.

Chapter 2 – Introduction

3. Overall, we consider that this section is appropriate. However, it appears that the plan does not state which period it will cover. This should be made clear given that the SPP requires the following:

“Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from the expected year of adoption.” (para. 119)

4. We would suggest that should adoption take place in 2019, a 10 year plan period would align well with the housing requirement figures set out in Clydeplan 2 ('SDP2' hereafter) which sets out targets to March 2029.
5. We welcome the proposed reduction of supplementary guidance advocated in paragraph 2.25. This will make the planning policy framework simpler and more accessible. However, we note that some substantial policy areas will still be deferred to supplementary planning guidance (as set out in para. 2.26). Chief among these is Community Infrastructure Assessment and Affordable Housing. These are important issues which will impact upon the deliverability of sites and therefore ultimately the success of the plan and should be subject to full consultation and independent examination in the Proposed Plan.

Chapter 3 Vision and Strategy

6. We support the content of the vision statement. However, we consider that it could go further in recognising the need to take advantage of the opportunities afforded by the City Deal funding and to increase housing delivery. The overall tone could therefore be more ambitious.
7. In relation to the Spatial Strategy (Policy 1) we support much of the content of the policy, in particular the promotion of the City Deal and ambitions to ensure a generous supply of housing land. While we support the Community Growth Areas and progress the council is making in housing delivery in these locations we would also suggest that a good variety of housing land in different locations will be important in ensuring that housing targets are met.

Policy 7 – Community Infrastructure Assessment

8. We consider that Policy 7 lacks clarity on what would be classified as Community Infrastructure. Given that financial contributions will be sought toward such infrastructure and potentially impact upon the deliverability of allocated sites, we consider it should be made clear specifically what contributions will be sought towards.
9. The Chief Planner's letter of 15 January 2015 is clear that to comply with Regulation 27(2) of The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 the scope of Supplementary Guidance must be clearly delineated in the Development Plan

“It is therefore essential that supplementary guidance is limited to the provision of further information or detail and that the local development plan expressly identifies the matters to be dealt with in supplementary guidance.”

10. The letter goes on to state that an overreliance on supplementary guidance *“raises questions about the transparency of the development planning process as a whole”*. A vaguely worded policy is not in the interests of transparency. The scope of contributions should therefore be set out and justified in an independently examined Local Development Plan, rather than left to Supplementary Guidance.

Chapter 5 – Housing Supply and Requirement

11. We would agree that housing is a key part of the economy and that a healthy supply of housing is essential to the economic functioning of an area providing people with choice in the housing market enabling them to stay within or move into the area. With housing delivery being a central element of the plan we consider that this section of the plan would benefit from a clearer explanation of South Lanarkshire's approach.
12. In accordance with paragraph 119 of the SPP we consider that the HLR set out in the SDP2 should be the starting point, it states that:

*“Local development plans in city regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet **the housing land requirement of the strategic development plan** up to year 10 from the expected year of adoption.”* (our emphasis)

13. We note from the Housing Technical Report that South Lanarkshire not followed this approach and that some adjustments to the Housing Land Requirement (HLR) over the period, though these are not referred to in the Plan. It appears that the Social Housing HLR has been increased in the 2012-24 period, in response to the Local Housing Strategy (according to the Local Plan para. 5.13). The increase is from 3,040 to 4,140 (Housing Technical Report, Table 3). The private housing requirement for the same period has also been marginally reduced from 10,490 to 10,460.
14. It appears the 1,058pa Housing Supply Target (HST) figure in the plan has been derived from this. It is not stated over what period this would apply, though, it seems consistent with the 2012-24 figures in the Housing Technical Report. However, it does not take into account completions to date which we consider is incorrect, as the housing supply targets are set over a period rather than a year in isolation.

15. Further adjustments have also been made to the 2024-29 HLRs. The Social Housing HLR has been reduced from 1,270 to 877 and the Private HLR has been reduced from 3,840 to 3,143. The private HLR has therefore been reduced by 727 over the 2012-29 period with an increase in the Social HLR of 707. Or an all tenure reduction of 20 between 2012-29. The reasons for doing this are not explained nor are revised sub-housing market area HLRs provided.
16. We do not object to South Lanarkshire pursuing increased Social Housing delivery than is required in the SDP2, this is a positive approach. However, we would object to the reduction in the private HLR and all tenure 2012-29 target as this is inconsistent with the approach taken in SDP2 and therefore in para. 119 of the SPP and Part 2, Schedule 16(6) of the 2006 Act. For the same reason we also do not consider that the prefixing of the HLRs in the Housing Technical Report with the word 'indicative' is appropriate. Indicative is not used in the SDP2 and it is clear the targets need to be met over the periods set out.
17. It is also not clear in either the Plan or Housing Technical Report what approach is proposed to be taken to the sub-housing market areas. The SDP2 clearly states that Local Authorities should:

“make provisions in Local Development Plans for the all tenure Housing Land Requirement by Local Authority set out in Schedule 8, for the Private Housing Land Requirement by Housing Sub-Market Area set out in Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in Schedule 10”

18. It is clear from the national policy and legal context that the approach to sub-market areas should be consistent with the approach and targets set out in the SDP2. The HLRs should be consistent with the SDP2 and we set out how this should be calculated in the sections below.

All Tenure Local Authority Target and Requirement

19. SDP2 sets an all tenure Housing Land Requirement (HLR) of 13,530 for South Lanarkshire for the 12 year period between 2012 and 2024 and a further 5,110 between 2024 and 2029. As the LDP is being prepared midway through the period set out it is necessary to deduct completions to date. Taking this approach, the remaining housing land requirement for the 2012-24 period is 9,367.

Table 1 Remaining Housing Land Requirement

A 2012-24 HLR	13530
B Completions 2012 - 2017	4163
C 2017-24 HLR (A-B)	9367

20. We consider it is important to use the split period set out in SDP2 as otherwise a delay in housing provision could arise as it is not acceptable for need arising in the 2012-24 period to instead be met at a later date, up to 2029. This would mean households currently enduring substandard conditions would have to wait longer with the associated negative economic and social outcomes this would create.

21. To obtain the total requirement over the plan period the figure for 2012-24 (9,367) should be added to the 2024-29 requirement (5,110) giving a total of 14,477 dwellings.
22. While HfS would not object to South Lanarkshire allocating additional land to help realise the increased social housing completions they are pursuing, the above figure should be the starting point with any additional allocations made in addition to this HLR.

Private Housing Land Requirement by Sub-Market Area

23. Policy 8 of SDP2 requires provision to be made for the private housing land requirement by submarket area. There are four sub-market areas in South Lanarkshire: Clydesdale, Hamilton, East Kilbride and part of Greater Glasgow South. Accordingly, the plan should set out these targets and how they shall be met.
24. We would ask that South Lanarkshire makes clear how these requirements will be met and make available additional land as required.

Private Housing Land Requirement in South Lanarkshire

25. Policy 8 of SDP2 requires provision to be made for the private housing land requirement by Local Authority. This should be calculated on the same basis as the all tenure requirement above, subtracting private completions from the 2012-24 requirement.

The Need for Further Housing Allocations

26. Paragraphs 5.7 and 5.8 of the LDP state that because South Lanarkshire can demonstrate five years' supply of private housing that no further housing allocations are required despite the deficit in public sector supply.
27. This focus on the five year period is incorrect as the SPP is clear (para. 119) that allocations should be made on a 10 year period following anticipated adoption. The 2017 HLA identifies 8,720 dwellings of all-tenure supply in the 2017-24 period. This is less than the housing land requirement of 9,367. Therefore, additional sites should be allocated for housing to make up this 647 dwelling deficit. It should also be noted that the assumptions behind the five year housing calculation are not explained and the target used does not appear to take into account completions to date.
28. Whilst it is acknowledged and welcomed that additional sites are proposed for allocations, details of the timescales for their delivery are unclear at this stage. In the case of the Almada Street site in particular, it is unlikely to be completely developed by 2024 and so additional allocations capable of being delivered by 2024 should be considered.
29. Consideration should also be given to whether additional allocations could help to address the shortfall in public sector housing through Section 75 agreements. Private sector development is responsible for a substantial amount of social housing secured through legal agreements and we would support additional allocations to make up the current shortfall in affordable supply.

30. Having regard to the later years, the sites expected to deliver new housing in the period between 2024 and 2029 are unclear as the Housing Land Audit does not provide detailed breakdown of delivery beyond 2023/24. Given that many of the currently non-effective sites currently scheduled to deliver beyond 2024 have been allocated for some time it is unclear what will be done to ensure that they will be in a position to provide new housing by 2029.
31. Further details should be provided on what supply for the 2024-29 period is composed of. Substantially less new land is being allocated than will be required for housing over the plan period, with new allocations accounting for less than one year's HLR. This will therefore lead to a depletion in the housing supply as existing sites are built out. It is important that the longer term supply of available, developable, sites is maintained otherwise the development pipeline will dry up reducing the delivery of new homes.
32. Finally, we would note that while the 2017 Audit currently provides the most up to date data, this is likely to change as the plan progresses. In accordance with para. 6.66 of the SDP2 we would suggest that further opportunity should be provided at the appropriate time for representors to comment on the updated evidence and any impact it has upon the plan.

Chapter 5 – Policy 11

33. We welcome that provision has been included for rectifying any shortfall in five-year effective supply. We would also like to take the opportunity to thank South Lanarkshire Council for their continued cooperation with HfS in the preparation of the HLA and are pleased that the 2017 Audit could be agreed.
34. We consider the policy could benefit from some changes, to make clearer and consistent with Policy 8 of the SDP2. It is unclear why the requirement to be “immediately effective” and capable of contributing to meeting the identified shortfall only applies to greenfield sites. It’s unclear what “immediately” effective means. However, we would suggest that to be considered for release in the event of a shortfall in 5 years’ supply, the site (or part of it) being effective should be a pre-requisite. By definition (PAN 2/2010, para. 55 and 56) effective sites should deliver completions within five years.
35. We would suggest the policy is re-worded as follows (proposed **additions**, **deletions**):

“The Council will provide a minimum of five years effective land supply at all times for both the Housing Sub-Market Areas and for the Local Authority Area to ensure that the Housing Supply Target is met in full over the development plan period as set out in Policy 8 of the SDP. ~~There will be a minimum five year effective supply of housing land at all times during the lifetime of the plan. This will be monitored annually~~ using housing completions to date and the effective housing land supply set out in the Housing Land Audit. The Council will support development on the sites included in the Housing Land Audit and identified on the proposals map. Developers must provide a range of house size and Page 31 Local Development Plan 2 Proposed Plan (1) Chapter 5 People and places types to give greater choice in meeting the needs of the local community whilst recognising the demands of the wider housing market area.”

36. If, during the period of the plan, **it is demonstrated that a shortfall in the five year supply of effective land emerges** ~~annual housing land audit identifies a potential shortfall in effective land then~~ **additional land will be made available for housing development** ~~consideration will be given to identifying potential additions to the land supply from~~ **sites which can robustly be demonstrated to be effective, in order of preference:**

~~1. Non-effective sites~~

~~2 1. Urban Capacity sites~~

~~3 2. Additional brownfield sites~~

~~3. Sustainable greenfield sites”~~

37. Non-effective sites by definition would not contribute to making up a shortfall in five-year housing land supply. Sites previously programmed for later in the period and initially considered non-effective, which became effective due to a change of circumstance would not require any action from the council as they are already allocated and could be programmed as effective in the housing land audit.

38. These changes would make the subsequent paragraph unnecessary.

Chapter 6 – Policy 14

39. Overall, we support the approach that adverse impacts should be balanced against economic benefits. However, it is unclear why the policy relating to Category 3 areas is worded differently from the policy tests for Category 1 or 2 sites in stating that

*“In Category 3 areas, development which would have a significant adverse impact following the implementation of mitigation measures will only be permitted where, **in the Council's opinion**, the effects are outweighed by significant social or economic benefits.”* (our emphasis)

40. Given that the planning application would be determined by the Council it goes without saying that the balancing of the benefits and any impacts would be undertaken by the Council, informed by experts, in order to reach a *judgement*. However, this would be the case for any policy in the plan. We suggest the reference to the ‘Councils Opinion’ is removed as it is unnecessary and would be inaccurate should the application be decided at appeal or by the Scottish Ministers.

Volume 2, Chapter 3 -Policy GBRA1 Rural Design Development

41. We consider that consideration of the green belt and rural areas together is not necessarily the correct approach. Green belt is a land use designation used normally around settlements. It's not a landscape designation and also areas of green belt are often, unlike rural areas, adjacent to existing urban areas. For this reason we don't consider it appropriate to prevent suburban style development, should the land use case have been successfully made for developing such a site in the first place. Indeed, to make efficient use of the site a density of development beyond that which would be found in a rural area could be appropriate. We would also suggest that parts 9 – 11 can be deleted as these requirements are covered by other policies.

Conclusion

42. Homes for Scotland is grateful for the opportunity to comment on the proposed plan. We welcome the attempt to simplify the planning framework by including more policy content within the plan rather than in supplementary guidance. However, we would suggest that this could go further particularly in relation to the planning obligations.
43. In relation to the housing supply target and housing land requirement we consider that the approach taken is unclear. We have set out a methodology which we consider is consistent with the SDP2 and national policy and should instead be used. This shows a shortfall in housing allocations for the period to 2024. In addition more information needs to be provided on the land expected to come forward for development between 2024 and 2029 and the programming for new allocations.
44. Homes for Scotland would welcome the opportunity to remain involved in the plan making process as it progresses.

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