

Issue 12	Policy 24 Maintaining an Effective Housing Land Supply	
Development plan reference:	Policy 24: Maintaining an Effective Housing Land Supply, page 39	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Errol Estate (0472) Homes for Scotland (0562) Gladman Developments Ltd (0577)		The Pilkington Trust (0608) Scone Estate (0614) A&J Stephen Limited (0622)
Provision of the development plan to which the issue relates:	Policy 24: Maintaining an Effective Housing Land Supply	
Planning authority's summary of the representation(s):		
<u>Emphasis on Windfall Sites</u>  Gladman Developments Ltd (0577/01/005): Support the overall intention of Policy 24 but have concerns at the mechanisms for delivering housing when there is a shortfall. The Council should add flexibility to their land supply by supporting and allowing additional housing sites to come through the planning system.  Windfall sites have contributed considerably to the supply since 2013 and the Council should look to utilise windfall sites alongside other mechanisms instead of prioritising compulsory purchase. The fact that the Council has to rely on compulsory purchase for some sites raises concerns with the overall effectiveness of the land supply. Windfall sites should therefore be given more onus; if the Council fails to maintain a five year effective supply there should be an emphasis on allowing additional windfall sites, on top of the 10% already stated.  <u>Sites for Longer Term Development</u>  Errol Estate (0472/01/002); The Pilkington Trust (0608/01/003); Scone Estate (0614/01/014): Support the introduction of a long term sites policy.  Errol Estate (0472/01/002); Scone Estate (0614/01/014): Policy 24 should be expanded to allow for additional land to be allocated for 'Longer Term Development' in the event of the existing allocated sites failing to deliver the required numbers of housing units in a certain timescale. The LDP should contain a policy similar to Moray Council's LONG policy (RD024, page 25). Such an approach will provide greater scope for a planned and managed approach to development than relying on a 10% windfall allowance.  Such allocations provide long term certainty for communities and applicants alike giving a clear indication of where development is expected to happen beyond the current plan period or in the case of a shortfall. It also enables land owners or developers to invest in masterplanning and site surveys to take proposals forward with the reassurance that their land has a positive status in the Development Plan.		

The Pilkington Trust (0608/01/003): The strategy for Perth West includes a 'pause and review' clause at 1,500 houses to 'reassess impact'. There is no clear justification for this figure. The Council recognises that the expanded Perth West site is overprovision (Housing Background Paper, CD018) but also accords it the status of a 'safety margin'. The expanded Perth West site should instead be designated as long-term, controlled by a related policy and only allowed to come forward as it is needed for the Greater Perth housing land supply. An additional policy is therefore needed such as that in Moray (RD024, page 25) and the Borders (RD025, page 75) to ensure that land anticipated to be required in the longer term is identified as embargoed and will only be released onto the market under certain specified conditions.

#### Other comments

Gladman Developments Ltd (0577/01/006): The sentence 'only where it has been demonstrated...' adds nothing to the policy as it is the housing land audit itself which demonstrates that a shortfall in the five-year effective supply of housing land has occurred. Leaving this sentence in this policy could create a situation in which this sentence is treated as a test in itself; that is, an applicant for an unallocated site, brought forward to address the five-year housing-land shortfall, is forced into a sequential/comparative exercise examining all of the other sites in the audit/plan. This is inconsistent with the stated aim of the policy to maintain the level of supply.

Homes for Scotland (0562/01/001); A&J Stephen Limited (0622/01/017): The Housing Supply Target and Housing Land Requirement that the LDP is expected to deliver are not explicitly stated within the Proposed Plan. Their omission from the LDP is unhelpful.

#### **Modifications sought by those submitting representations:**

##### Emphasis on Windfall Sites

Gladman Developments Ltd (0577/01/005): Where a shortfall in the five year effective supply arises there should be an emphasis on allowing additional windfall sites, on top of the 10% already stated.

##### Sites for Longer Term Development

Errol Estate (0472/01/002); Scone Estate (0614/01/014): Policy 24 should be expanded to allow for additional land to be allocated for 'Longer Term Development' similar to Moray Council's LONG policy (RD024).

The Pilkington Trust (0608/01/003): The extended Perth West site should be designated as a potential long-term development site.

A new policy should be included in the Plan which will prevent long-term sites coming forward until the following criteria are met:

- A shortage of housing land is identified through the annual Housing Land Audit;
- No windfall or constrained sites within the Greater Perth HMA can be brought forward to meet the shortfall;
- Consultation with stakeholders prior to inclusion in the Housing Land Audit;
- The area to be brought forward in the context of the Master Plan for the whole of Perth West, and the Master Plan approved as Supplementary Guidance for the LDP2.

### Other comments

Gladman Developments Ltd (0577/01/006): The sentence 'only where it has been demonstrated...' should be deleted from the policy.

Homes for Scotland (0562/01/001); A&J Stephen Limited (0622/01/017): A comment should be added to Policy 24 that clarifies what the Housing Supply Target and Housing Land Requirement are that the LDP is seeking to deliver.

### **Summary of responses (including reasons) by planning authority:**

#### Emphasis on Windfall Sites

Gladman Developments Ltd (0577/01/005): Allowing additional unallocated – or windfall – sites to come forward is exactly what Policy 24 proposes should a shortfall in supply arise that cannot be met by progressing allocated sites. Various adopted LDP policies already deliver windfall sites such as Policy RD1: Residential Areas (CD014, page 30), and RD3: Housing in the Countryside (CD014, page 31). It is acknowledged that in the past windfall sites have contributed more than 10% of the land supply but, as is discussed under Issue 1: A Successful Sustainable Place, the adoption of a conservative windfall allowance strikes an appropriate balance between maintaining the plan-led approach whilst taking into account what actually happens on the ground.

Policy 24 does not suggest that the Council will have to rely on compulsory purchase but rather it is an option which may be explored if agreement cannot be reached with a landowner / developer on the bringing forward of an allocated site.

No modification is proposed to the Plan.

#### Sites for Longer Term Development

Errol Estate (0472/01/002); The Pilkington Trust (0608/01/003); Scone Estate (0614/01/014): The respondents seek the introduction of a new 'longer term sites' policy approach either to allow additional land to be allocated in the Plan, or to prevent part of an allocated site from coming forward in the short term.

The LDP identifies sufficient land within each HMA to meet the housing land requirement set out in TAYplan Policy 4A (CD022, page 22). This is discussed under Issue 1: A Successful Sustainable Place. The inclusion within the housing land requirement of a contribution from windfall sites is also discussed under Issue 1: A Successful Sustainable Place.

The Council does, in a number of strategic locations, recognise the value of long term sites for example in Perth Core Area, Blairgowrie, Crieff and Aberfeldy and it is considered especially important that these long term sites continue to come forward through the LDP process. The identification of longer term sites adopted by Moray Council is an interesting approach and is something which the Council will monitor. For the LDP which is the subject of this Examination there is no requirement in Scottish Planning Policy or in TAYplan to identify longer term sites in this way. Scottish Government in their comments at Main Issues Report (MIR) stage suggested the inclusion of a policy to set out how proposals will be considered should a shortfall in housing land supply emerge (Scottish

Government's response to the MIR, CD162, page 4, first paragraph) and Policy 24 is the Council's response to this suggestion.

Policy 24 is a new policy approach and is about topping up the housing land supply if required, rather than an alternative to the proper plan-making process. The policy sets out the circumstances under which it will be triggered, and the criteria against which sites will be assessed. The policy will need monitoring closely to see how well it works, however, the long term sites approach adopted by some other Council areas is also relatively new.

At Perth West, Issue 25: Perth Strategic Development Area sets out the reasons why it is not considered appropriate to embargo the development of this site in the short term.

The introduction of a long term sites policy, either as a stand-alone policy or by inclusion within Policy 24, is a significant new policy approach. This is not something which has been consulted upon for Proposed LDP2 and it is not therefore considered appropriate to introduce it at this late stage in the process.

No modification is proposed to the Plan.

#### Other comments

Gladman Developments Ltd (0577/01/006): It is the Council who would identify any shortfall in supply through the annual housing land audit. If the Council is satisfied that sites within the audit cannot come forward then consideration will be given to proposals on unallocated sites. It is not the intention of Policy 24 that developers would be 'forced' into examining other sites in the Plan.

No modification is proposed to the Plan. However if the Reporter considered it would make the Policy clearer the Council would not object to changing the wording of the third sentence to 'Only where the Council is satisfied that sites within the housing land audit cannot come forward....' as this would not have any implications for any other aspect of the plan.

Homes for Scotland (0562/01/001); A&J Stephen Limited (0622/01/017): The housing supply target and housing land requirement that the LDP is expected to deliver are set out in TAYplan Policy 4 (CD022, page 22). The housing land requirement for each Housing Market Area is set out in the Spatial Strategy for A Successful, Sustainable Place on page 17 of the Proposed LDP2. This is considered the appropriate place to refer to the housing land requirement and it is not considered necessary to repeat this in Policy 24.

As is explained under Issue 1: A Successful Sustainable Place, the LDP is required to identify sites to meet the housing land requirement and this is therefore the appropriate figure to reference in the Proposed LDP2. It is not considered necessary or appropriate to include the Housing Supply Target figure within Policy 24 as this is likely to cause confusion for readers.

No modification is proposed to the Plan.

#### **Reporter's conclusions:**

#### **Reporter's recommendations:**

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