



To: Planning and Property Policy Board
On: 12 May 2015

Report by: Director of Development and Housing Services

Heading: Renfrewshire Housing Land Supply Supplementary Guidance and Review of Adopted Renfrewshire Local Development Plan

1. Summary

- 1.1. The Scottish Government Reporter to the Examination of the Renfrewshire Local Development Plan (LDP) concluded that Renfrewshire had a shortfall in its housing land supply. To address this, the Reporter recommended that the Council prepare Supplementary Guidance (SG), within 1 year of the adoption of the LDP, which would include a detailed framework to guide the release of additional housing land.
- 1.2. Notwithstanding the above, it is considered that the approach recommended by the Scottish Government Reporter runs counter to the principles which underpin the established "plan-led system" as it exists across the country.
- 1.3. This being the case, Members are asked to agree that as opposed to a process that would effectively identify Green Belt locations for housing in an ad hoc manner, a more appropriate option would be to progress with a review of the current Local Development Plan, this allowing a suitable degree of consultation and scrutiny to be undertaken to ensure that the appropriate locations for new housing are identified in a plan led way.
- 1.4. In this context, in recognition of the Scottish Government Reporter's recommendations a Draft Renfrewshire Housing Land Supply Supplementary Guidance is provided in Appendix 1 as a means of providing a framework for assessing planning applications for new housing in Renfrewshire which together with the commitment to review the Local Development Plan is considered to meet the recommendations issued by the Scottish Government's Reporter.

2. Recommendations

2.1 It is recommended that the Board:

- (i) Authorises the Director of Development and Housing Services to progress the necessary publicity and consultation in relation to the Renfrewshire Housing Land Supply Supplementary Guidance;
- (ii) Notes that following consultation and consideration of the comments made on the draft Renfrewshire Housing Land Supply Supplementary Guidance, that a final Renfrewshire Housing Land Supply Supplementary Guidance be referred to the Board for determination;
- (iii) Agrees that the Director of Development and Housing Services is authorised to commence the formal publicity that is required to begin the review of the Adopted Renfrewshire Local Development Plan.

3. Background

- 3.1. Scottish Planning Policy requires Councils to identify a generous supply of housing land to meet the requirements set by the Strategic Development Plan and Renfrewshire Local Housing Strategy.
- 3.2. The Scottish Government Reporter to the Examination of the Renfrewshire LDP concluded that Renfrewshire had a shortfall in its housing land supply. To address this, the Reporter recommended that the Council prepare Supplementary Guidance (SG), within 1 year of the adoption of the LDP, which would lead further housing land release in the green belt.
- 3.3. The Scottish Government Reporter recommended that the Housing SG is to include a detailed framework with criteria to allow the Council to grant planning permission for planning applications that come forward for new residential developments if they are in accordance with the Housing SG framework.
- 3.4. Work commenced on the preparation of the Housing SG in autumn 2014 with an audit of all land suitable for residential development undertaken. The Housing Land Audit includes all available brownfield sites and the 13 new greenbelt sites that were identified in the Adopted LDP and indicates that at this point in time there remains a shortfall in housing land up to the end of the LDP period in 2019.
- 3.5. The following table indicates the shortfall in the private sector for the next five years, giving a total shortfall of 733 units.

YEAR	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019
HOUSING SUPPLY TARGET	745	745	632	632	632
AGREED PROGRAMMING OF CURRENT HOUSING SITES	390	613	585	544	521
SHORTFALL	355	132	47	88	111

- 3.6. To comply with Scottish Planning Policy, ensuring that Renfrewshire maintains an effective five year housing land supply at all times, further housing sites are required in the short term to meet the housing shortfall.
- 3.7. In this case, the Council requires to comply with the Scottish Government Reporter's recommendation and provide a Housing Supplementary Guidance that includes a policy framework for the release of additional land.
- 3.8. As raised at the Examination Hearing into Renfrewshire's Housing Land Supply, the Council is concerned that the approach recommended by the Scottish Government Reporter runs counter to the plan-led system, particularly when the LDP has just been adopted. In this respect it is considered that this approach may encourage speculative greenfield development, with a risk of planning applications coming forward in an ad hoc manner, defeating the purpose of a plan led system or of having an Adopted LDP.
- 3.9. In the preparation of the LDP, the Council, statutory consultees and all other stakeholders could assess the overall impact of all housing sites to be included in the LDP. Should planning applications be submitted in an ad hoc manner, then it will be difficult to assess the cumulative impact on things such as infrastructure, schools and even the delivery of the existing housing sites identified in the LDP. The Housing SG framework should identify the 'best fit' sites in line with the LDP, but the Council has no control over the timeframe of housing sites that will come forward.
- 3.10. As suggested at the Examination Hearing into Renfrewshire's Housing Land Supply, the Council consider that the best option would be to review the Local Development Plan. Allowing for a collective look at all housing sites, with extensive engagement and consultation and more importantly, a collective and fair examination all housing sites.

4. Next Steps

- 4.1. The review of the current Renfrewshire Local Development Plan will commence with the monitoring of existing plan policies and proposals taking account of any changing circumstances as well as progressing Main Issues Report consultation and engagement work.
 - 4.2. The Council require to comply with the recommendation of the Scottish Government Reporter and therefore have prepared a draft Renfrewshire Housing Land Supply Supplementary Guidance with a framework.
 - 4.3. The Renfrewshire Housing Land Supply Supplementary Guidance is required to be issued for formal public consultation for a period of six weeks.
 - 4.4. Following this consultation a finalised version of the SG along with a summary of the representations made throughout the consultation period will be presented to the Board for further authorisation of the Board.
 - 4.5. The finalised SG requires to be sent to the Scottish Government along with a statement setting out the publicity measures that have been undertaken, the comments received through consultation and an explanation of how these comments were taken into account in the finalised document.
 - 4.6. The Scottish Government will then decide whether or not to allow the Council to adopt the SG. Should the Scottish Government not wish to intervene in the adoption of the SG, the Council will adopt the SG, advertising its adoption.
 - 4.7. Renfrewshire Housing Land Supply Supplementary Guidance will be 'statutory' forming part of the development plan. It will have the same status for decision making as the Renfrewshire Local Development Plan.
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Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community Planning – Jobs and Economy** – The LDP is a key document in establishing a land use framework for supporting, encouraging and delivering economic development in Renfrewshire through investment and are regeneration.
4. **Legal** - None
5. **Property/Assets** – None.
6. **Information Technology** - None

7. **Equality & Human Rights -**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety – None**

9. **Procurement – None**

10. **Risk – None**

11. **Privacy Impact – None**

List of Background Papers

(a) None

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Renfrewshire Local Development Plan

Draft Housing Land Supply Supplementary Guidance (2015)

Introduction

The Adopted Renfrewshire Local Development Plan is made up of two component parts; namely a written report known as the Local Development Plan Document (LDP), and New Development Supplementary Guidance, (SG).

Together these documents set out the overall spatial strategy for Renfrewshire and contain a range of key policies, proposals and guidance.

The LDP sets out the strategy, priorities and principles for development in Renfrewshire while the SG provides criteria against which development is assessed.

Both the Local Development Plan and Supplementary Guidance outline what developers need to do in designing, delivering and implementing development, with an emphasis on sustainable development and place making.

Purpose of the Housing Land Supply Supplementary Guidance

Scottish Planning Policy requires Councils to identify a generous supply of land to meet the housing land requirements as set out by the Strategic Development Plan (SDP) and Renfrewshire Local Housing Strategy (LHS).

The LDP is required to allocate a range of sites for housing which is in the right places which are effective or capable of becoming effective to meet the housing land requirements up to 10 years beyond the predicted year of the plan adoption, ensuring a minimum of 5 years effective land supply at all times.

Renfrewshire Council consider that the Adopted Local Development Plan provides an adequate housing land supply with a range of housing sites, across all tenures, in sustainable places.

The LDP also identifies a housing land supply that focuses on the available brownfield land to meet the majority of the housing land requirements along with a small number of Green Belt release sites to help stimulate supply in the short term.

In Examining the Adopted Renfrewshire LDP, the Scottish Government appointed Reporter concluded that there was a shortfall in housing land in Renfrewshire and that the LDP did not identify sufficient land to meet housing need and demand.

Having identified a shortfall in housing land the Scottish Government Reporter recommended that the Council prepare supplementary guidance. This would be used to set out a framework for the release of additional housing land which in turn could enable further sites in the green belt to be released.

The role of Supplementary Guidance, however is to provide further information or detail in respect of policies or proposals that are already set out in the LDP.

In this respect it is considered that the allocation of additional housing sites in this SG would be inappropriate due to the lack of scrutiny of an Examination and it is proposed that this will be brought forward through a full review of the Renfrewshire Local Development Plan.

Scottish Government Reporter's Recommendation

To address the potential shortfall in housing land supply, the Reporter recommended that the Council prepare Supplementary Guidance (SG), within 1 year of the adoption of the LDP. The SG is to include a detailed framework to guide the release of additional housing land where a 5-year supply of effective housing land is not being maintained. The Council is required to monitor and review that guidance annually in light of changing circumstances. The Council are then to grant planning permission in accordance with the detailed guidance, provided that:

- The site is shown to be effective and can be delivered to address the identified shortfall;
- It will not undermine the spatial strategy of the plan; and,
- Its design would comply with the criteria for implementing the spatial strategy in the local development plan and the Council's New Development SG.

Renfrewshire Housing Land Supply SG

In line with the Scottish Government Reporter's recommendation, the Renfrewshire Housing Land Supply SG sets out a framework to enable the delivery of sites with the established housing land supply.

The SG also sets out how the Council will assess planning applications for housing on sites not allocated for residential development in the adopted Renfrewshire LDP, in circumstances where the 5 year effective land supply is not being maintained.

Renfrewshire's 5 year effective land supply is monitored and reviewed on an annual basis through the preparation of the Housing Land Audit (HLA), this is the established means for monitoring housing land and is recognised as an important indicator in demonstrating the housing land requirement given it reflects the changing nature of housing markets and market conditions.

How to use the Supplementary Guidance

All residential developments must be assessed against the policies set out in the LDP and the guidance / criteria within the New Development Supplementary Guidance as well as the framework set out in this Housing Land Supply Supplementary Guidance.

The LDP and New Development SG is also supplemented by a series of non statutory Planning Advice Notes which provide good practice examples in relation to design and place, in particular reference must be made to Renfrewshire's Places Residential Design Guide.

Consultation

The Renfrewshire Housing Land Supply Supplementary Guidance will be published for consultation on the **26 May 2015** for a period of 6 weeks.

Delivery of existing sites in the Established Land Supply / Housing Action Programme Sites

Renfrewshire Council is committed to utilising a variety of enabling mechanisms and innovative approaches to support the delivery of housing on stalled and more complex or challenging sites.

Almost all of these housing sites, which are in the established housing land supply, are previously developed sites in existing residential areas. Many of these sites are vacant and/or derelict and are only challenging due to the nature of the economy and not due to significant constraints.

This SG therefore includes the methods that the Council will use to make the sites in the established housing land supply and the identified housing action programme sites effective and deliverable.

Regeneration of Previously Developed Land

The Renfrewshire LDP Spatial Strategy supports investment which helps to regenerate, create and enhance communities and places, providing high quality new developments in the right locations.

The regeneration of previously developed land, in line with Scottish Planning Policy, the National Planning Framework, the SDP as well as all of Renfrewshire Council's plans, policies and strategies, has made a significant contribution to the number of residential units built over the last 20 years in Renfrewshire.

Renfrewshire Council expect to see a continuation of this trend, particularly given the amount of brownfield land available for development within Renfrewshire.

The Council's however recognise that despite the strong commitment and priority given to brownfield sites a process is required that would allow Greenfield sites to be identified within the context of

the Council's strategic regeneration priorities.

Current Progress

In monitoring house building activity over the last two years, the Council have seen progress on stalled sites, good progress on sites where house building has already commenced and an increase in build rates overall.

Partnership Working

If this positive trend continues in both market conditions and partnership working then there is a real possibility that many of the sites in the established land supply status will become effective in the plan period.

As such the Council see an opportunity to proactively work with others with a flexible and enabling approach to remove constraints/barriers. As such the Council will actively engage with Homes for Scotland and house builders on a site by site basis, to find appropriate solutions to development constraints.

Housing Action Programme Sites

The Housing Action Programme Sites were identified in the LDP as being an integral part of the housing land supply.

The Council is aiming to enable the implementation of development on these sites by assessing the infrastructure that would be required as part of site implementation works, as well as looking at staggering capital receipts on land owned by the Council on the basis of a licence agreement or an agreed payment structure and disposal of sites at nil value. Each site will require a different method of support or facilitation.

Development Briefs

The Council is also committed to enabling and supporting many of the housing development sites that have not been successfully delivered over the years.

The Council have started this process by identifying areas where there have been a number of smaller vacant and derelict sites within or on the edge of our town centres, where planning consent for

housing has been given and the sites have stalled.

Development briefs are being prepared outlining a vision of how collectively regenerating an area together with various parties and landowners, that that this could make sites more viable, available and therefore more effective. The Council is to develop, implement and roll out this approach in various locations throughout Renfrewshire.

Planning Obligations

The adopted LDP does not set out any policies on developer contributions. The Council consider this is a proactive approach to encouraging development in the right places where the delivery of development is not reliant on large infrastructure investment.

The Council encourage early discussions with developers and key agencies with an aim of implementing suitable development which will have minimal impact on existing infrastructure, timescales or budgets. Developers still

require to make good any infrastructure deficits associated with any new development.

In considering the implementation of planning obligations associated with existing residential consents, consideration will be given to the use of staged or deferred payments to assist development at a site and generate revenue before paying the full costs of related infrastructure.

Framework for the release of further housing land

Each planning application for residential development will be assessed on its merits and in accordance with the following criteria:

Main Considerations

- Compliance with the Glasgow and the Clyde Valley Strategic Development Plan – Spatial Development Strategy and indicative compatible development (Diagram 3), Sustainable location assessment (Diagram 4) and Strategy Support Measure 10 – Housing development and local flexibility;
- Renfrewshire Local Development Plan – Spatial Strategy (Implementing the spatial Strategy – page 4), Policy P1 – Renfrewshire’s Places, Policy P2 – Housing Land Supply, Policy P7 – Green Network, Policy P8 – Open Space, Policy ENV1 – Green Belt;
- Renfrewshire Local Development Plan New Development Supplementary Guidance;
- Renfrewshire’s Places Residential Design Guide;

Other Considerations

- Information must be submitted with any planning application to demonstrate the effectiveness of the site and guarantee delivery in the short term (up to 2019);
- Details of the phasing of the development will required to be submitted with any planning application;
- The site must be capable of being substantially built out by 2019. Should development not commence by 2019 the sites will revert back to its original Green Belt designation;
- Compliance with The Scottish Government Planning Advice Note 2/2010 in relation to the assessment of effectiveness including:
 - Ownership – the site is in the ownership or control of a party which can be expected to develop it or to release it for development;
 - Physical – the site is free from constraints related to slope aspect, flood risk, ground stability or vehicular access which would preclude its development. Where there is solid commitment to removing the constraints in time to allow development by 2019, the site will be considered;

- Contamination – previous use has not resulted in contamination of the site or, if it has, commitments have been made which would allow it to be developed;
- Deficit funding – any public funding required to make residential development economically viable is committed by the public bodies concerned;
- Marketability – the site can be developed in the period up to 2019;
- Infrastructure – the site is free of infrastructure constraints, or any required infrastructure can be provided by the developer or another party to allow development to proceed;
- Land use – Housing is the sole preferred use of the land in planning terms;
- Scale of the site – This SG does not apply to planning applications for single or small groups of houses in the green belt. The scale should also be such that it can contribute to the short term needs of the housing land supply;
- Proposed housing sites must be contained within robust defensible boundaries and must not set a precedent for subsequent future expansion;
- It must be demonstrated that there is sufficient infrastructure is available or can be made available within a timescale that allows for early house completions;
- Proposed developments must not take infrastructure capacity from, or compromise the ability to provide infrastructure to, existing housing land allocations that do not yet have planning permission or are committed but not yet started;
- Proposals for residential development must not be dependent on the prior provision of infrastructure required by existing housing land allocations that do not yet have planning permission or are committed but have not started;