

## **Housing Technical Discussion Paper – East Dunbartonshire Council Response**

### **What is your view on the guiding principles set out in the Technical Paper?**

Principle 1- The Technical Paper states that the setting of national housing land figures will provide early clarity and reduce conflict and complexity in the Local Development Plan process. The principle of reducing conflict and complexity is strongly supported.

However, the Council is concerned that the process for establishing housing targets as laid out in the paper will introduce more opportunities for conflict in the process. At present there is conflict at the following stages:

1. Examination of Local Development Plan (and Strategic Development Plan in city regions). Whilst discussions in writing and in person are ongoing throughout the various stages of the LDP process, disagreements are resolved at the Examination stage.

This new process could result in conflict at the following stages depending on how each stage is defined and the final process for housing land targets:

1. At Draft NPF stage – this stage will be critical in debating the figures to be included in the final NPF and comments elsewhere in this response note work that should be included in this process.
2. At final NPF stage – subject to work carried out at draft stage this will provide a point of challenge.
3. At LDP Gatecheck stage – the procedures for this process will need consideration if the intention to remove conflict from this stage of the development plan process.
4. At LDP Examination stage - the procedures for this process will need consideration if the intention to remove conflict from this stage of the development plan process. Whilst the Gatecheck stage should have ironed out issues pertaining to the overall housing target that the plan should be working to it is very likely that parties aggrieved at the figures and sites will wish to challenge the process again. In addition the procedures for modifications or updates to the Plan mid cycle require clarification.

Managing conflicting uses for land is an inherent part of the planning system and whilst the profession should aim to remove conflict from its own processes, the conflict in use of land for communities, environmental benefit and economic gain will remain. Other steps could be taken to remove conflict for example by demonstrating to communities that new developments are of high quality – often the site is not accessible by active travel or disjointed from communities, design is poor with no relevance to the local vernacular and houses are perceived as being built for profit (e.g. 4/5 bedroom houses, choice of location) rather than meeting local needs. The preference for small sites since the 2008 financial crisis has led to a more piecemeal approach; planning should ensure that sites can collectively have appropriate infrastructure and enhance communities.

Principle 2- The Council does not agree with the setting of minimum housing figures for LDP's in the NPF. A minimum target will be open to interpretation and will increase opportunities for debate and conflict. Please see detailed comments on this below.

Principle 3- It is not clear what ‘an agreed proportion’ means in practical terms and how this would be measured and established? Additionally, the Council considers that all land to be allocated in LDP’s for housing should be ‘deliverable’ in that they are capable of being delivered within the plan period, as currently required by Scottish Planning Policy.

Principle 4- The Council considers that targets set at the city region/ functional housing market area would better reflect the way that housing demand occurs and the role of new housing in delivering spatial priorities such as brownfield land regeneration, further detailed below. Definitive targets set at Local Authority level could result in unsustainable development and the undermining of spatial and regeneration priorities. Local Authorities should be involved directly in the determination of any levels of flexibility to establish the minimum housing land figures and to work jointly with the NPF4 processes.

Within the private sector, functional housing market areas better reflect how those seeking a new home, search and meet their housing demand. For the social sector the appropriate geography is the local authority. It is particularly important to ensure that these distinctions are reflected within Scotland’s city regions and a stage must be retained within the process to ensure that this can happen.

Targets at the local authority level is being presented as the preferred option for the NPF in order to provide consistency and simplicity in the planning system and to remove uncertainty. The Council however notes that the principle also states that ‘we recognise that there is a need to allow for local flexibility that reflects local circumstances. This could still be achieved as the figures are taken forward in each local development plan.’ This seems to contradict the earlier assertions that national housing targets would provide early clarity and reduce conflict and complexity in the local development plan process and any application of ‘local flexibility’ by authorities in the LDP would likely be challenged at the Gatecheck and Examination stages.

Principle 5- The opportunity for the input of regional and local knowledge and analysis is welcomed and will be crucial in ensuring that the targets in the NPF are realistic and result in the delivery high quality homes in the right locations. For this to be successful however sufficient time must be allowed in the process for Local Authorities and other stakeholders to respond to any requests for information bearing in mind the governance and approval processes within Local Authorities. The requirement for stakeholders, such as Homes for Scotland, to agree to any changes means that this stage will require significant time and changes may be difficult/impossible to agree, resulting in difficulties in providing local input. The purpose of the setting out housing land figures in NPF4 should be in the national public interest, Homes for Scotland are primarily a private sector industry body and no other areas of planning involve such bodies to such an extent.

**Should NPF contain housing land figures for all areas in Scotland or focus on certain areas?**

The clearest and most consistent way for the NPF to provide targets would be at authority level. However, this would fail to recognise functional housing markets which in many cases do not follow local authority boundaries, particularly in city regions (see comments below). The Council's preference would be for the housing target to be set at a Clydeplan/ Regional Spatial Strategy wide target that would then be met across the city region taking the geography of need and demand into account and regional priorities such as the regeneration of brownfield land. In order to deliver on issues such as climate change, equality of health and reducing poverty, *where* housing is built is as or more important than *how much* housing is built. For example, for East Dunbartonshire, the Clydeplan compact city region approach is intended to promote the regeneration of brownfield land (across the 8 authorities) and prevent urban sprawl and a hollowing out of the inner city (Glasgow). East Dunbartonshire also has a series of environmental constraints which limit site opportunities, including the Antonine Wall World Heritage Site, Forth and Clyde Canal Scheduled Monument, significant flood plains for the River Kelvin (a tributary across the north of the city region for the Clyde) and the Campsie and Kilpatrick Fells.

**Are there areas in Scotland where an alternative approach may be more appropriate?**

No comment.

**What is your view on the proposed approach to setting out requirements for housing land?**

Overall, the Council supports attempts to reduce conflict regarding targets and streamline planning for housing to allow planning authorities to focus on delivery and the creation of quality places. However, the NPF timetable must ensure that the production of targets for the NPF include consideration of environmental, social and economic policy factors (as currently required by Scottish Planning Policy) and the spatial implications for communities of targets in terms of the amount of land required and the impact on policies such as the need to regenerate brownfield land. In addition, the NPF timetable must ensure adequate and comprehensive processes for engagement with communities and their representatives (including Community Councillors, Councils, MSPs) to ensure an understanding of NPF and to build trust in the planning system. This is detailed further elsewhere in our response.

**Should NPF provide a single housing land figure or a range?**

The Council would prefer to see a single housing land figure being included within NPF, provided that the relevant environmental, social and economic factors including infrastructure constraints have been taken into account in setting that figure. This work would require to be done with significant input by Local Authorities and local communities. This would result in a clearly defined housing target that would be subject to minimal debate at the development plan gatecheck and examination, thus easing the development plan preparation process. The Council would not however support the setting of a figure which has not been through such a process, or where the figure is intended as an absolute minimum (please see comments on this below). Housing targets that have not considered such matters, particularly where they have been set at the Local Authority level (rather than city region for example) are at risk of

harming the built and natural environment, the reuse of brownfield land and wider the regeneration of cross boundary areas.

In the event that the factors set out above cannot be sufficiently considered as part of the NPF process, a well-informed and realistic housing land target *range* would be more appropriate and this would allow the Local Authority to consider these matters. The implications of this however would be that there would be greater room for challenge at the gatecheck stage and thus the subsequent time and resources associated with this. However, the finalisation of the housing target at the gatecheck stage is still earlier in the process than the current system and goes some way to the front-loading of the planning system.

Figures set out in NPF4 will also need to be costed and deliverable in terms of funding for affordable housing and for required community infrastructure such as education, healthcare, play parks and open space, transport network improvements etc.

### **Is the HNDA Tool an appropriate mechanism to base housing land figures on?**

The outputs of the HNDA tool are considered to be an appropriate baseline to start the process of setting housing land supply targets. The HNDA process, albeit perceived to be cumbersome, looks at trend based projections and crucially runs a series of scenarios to try to predict how future trends and factors could alter these projections. Housing land figures based on past trends built up over long periods of time, such as housing completions or National Records of Scotland population projections, will fail to look at more complicated and up to date factors that will affect future housing need and demand (for example current house prices and housing preferences or the impact of Brexit and policies on immigration).

However, as per the response to the other questions, the HNDA figures are an Estimate and require to be considered against local environmental, social and economic factors. The HNDA outputs are therefore a useful starting point only and are not a reasonable housing supply target on their own.

The Council also notes that the Local Housing Strategy (LHS) process is not currently subject to change and that the housing targets within LHSs will continue to be underpinned by HNDAs. LHSs also have to consider a range of other housing need issues including homelessness and social care. Scottish Planning Policy requires LDP's and LHS's to be aligned as much as possible and therefore changes to the HNDA Tool outputs would be required to be considered in the context of LHS content and ensure a consistent targets being set out in LHSs and LDPs.

### **Should there be scope for local and planning authorities working together to reflect functional housing market areas that cross local authority boundaries? What approaches could be used to achieve this?**

It is imperative that local and planning authorities are able to continue working together to determine housing needs at a cross-boundary level. Demand for housing in the Glasgow City Region is extremely integrated across the area and in this regard Local Authority boundaries

are largely arbitrary. Therefore, the process for establishing housing targets in the NPF must be able to consider functional housing markets and submarkets. This is not only in terms of establishing demand but also in determining suitable locations for housing development in line with regional spatial priorities, such as for example the reuse of brownfield land. In the current Strategic Development Plan areas this work is already undertaken and the necessary relationships and processes are in place. Despite this, collaboration between 8 authorities as is the case for the Glasgow City Region takes time and the NPF process must allow sufficient time to allow cross-boundary analysis to be conducted and agreed by each authority through its governance procedures.

**Should NPF apply a level of flexibility to the HNDA tool results to ensure a proactive approach to managing the supply of land for housing in a positive way? Should the level of flexibility be informed by recent housing completions?**

As detailed above the tool results are only a starting point and that other factors need to be taken into account in setting a housing land target. Whether the NPF sets a single minimum target or a target range both of these should be informed by what it is actually deliverable on the ground in that area and an arbitrary percentage of flexibility should not be added.

Recent housing completions data are a useful indicator of what *can* be delivered but should be treated in the same way as the HNDA tool outputs if they are to have a bearing on the targets within the NPF and therefore must be subject to considerations on environmental, social and economic factors. The number of houses completed in the last 5 years for example will not necessarily be a realistic assumption of what can or will be built in the future. In a number of Local Authorities housing delivery remains sluggish and has not returned to pre-2007 levels but that there are signs of increasing confidence in the local market and therefore recent completions would underestimate what could be delivered. However, East Dunbartonshire has bucked the national trend where completions in the 2010's have far exceeded completions in the 2000's. This is however in part due to the release of a significant brownfield site before the financial crisis which was to be developed by a consortium of developers and would provide a substantial investment in local infrastructure. Whilst this particular site was still successfully developed, because of the time and resources that had been invested before the financial crisis, developers are now favouring smaller sites requiring less infrastructure. Now that the site in question has been completed, the number of new housing completions in East Dunbartonshire has begun to fall recently.

**Should NPF housing land figures be met in LDPs as a minimum?**

As above, the Council would not support the setting of minimum housing land targets in the NPF. The Council's preference is that a well-rounded and achievable figure that takes environmental, social and economic factors into account is set out for LDP's by the NPF. The setting of a minimum target implies that it can or should be increased and is therefore likely to be challenged at the gatecheck stage (see above comments regarding the setting of a range for the LDP housing target in the event that the government is not able to robustly take the aforementioned factors into account).

A key tenet set out at the start of the reforms to the planning system was to improve the participation of communities and subsequently increase public trust in the system. The imposition of minimum targets that must be met within the NPF without accessible and rigorous consultation with communities is likely to further degrade their trust in the planning process.

**LDPs are moving to a ten year timeframe. Housing land audits generally programme land supply for a five year period. For LDPs to have a ten year land supply available upon adoption what mechanisms could be used to ensure land is brought forward in accordance with the LDPs spatial strategy?**

Even though LDP's are reviewed every 5 years in the current system, they are required to allocate sufficient housing land for a 10-year period. Moreover, although the preparation of LDP's will move to a ten year cycle, authorities will be able to produce an update to the adopted LDP, and in many cases this would likely be to update the housing land supply. Currently, Housing Land Audits generally programme in detail for a 5-year period (the Clydeplan area programmes 7 years) however HLA's already include more long-term sites within the non-effective supply. The non-effective supply should be capable of becoming effective within the 10-year plan period and where there are constraints that require action to be overcome these should be set out, monitored and updated in the LDP Action Programme. Therefore, the current monitoring process which includes Housing Land Audits is generally already equipped to ensure that land will be brought forward to maintain sufficient housing land supply.

Whilst programming in Years 1 & 2 of the audit tends to be accurate when measured against actual year of completion, Years 3 and beyond become less and less accurate in terms of when new units are built and occupied. Ultimately however, in an area of high market demand such as East Dunbartonshire the vast majority of sites in the Housing Land Audit do go on to be developed. In the rare event that a site has to be removed from the supply the number of units lost is compensated for by the increases to supply as a result of windfall development.

**Should the Scottish Government play a role in the Housing Land Audit process?**

The Government plays an important role in setting out the remit and requirements of the Housing Land Audit and additional guidance on the Housing Land Audit process would be welcomed. Particularly regarding making audits across Scotland more consistent, which will be required for the government to pull together a national Housing Land Audit to monitor the performance of the targets in the NPF. Any attempts to streamline the audit or align it with other processes however must be mindful of the differing purposes and practicalities of each process, for example the use and limitations of Building Standards completions data.

Ultimately, when it comes to the producing Housing Land Audits it is Local Authorities that are best placed to manage this process and the role of government should be limited. One area however that the Scottish Government could consider to become involved would be where there are disputes in the audit between the Local Authority and the development

industry. Currently, these disputes are left to be resolved by Reporters at Development Plan examinations and/ or relevant planning application appeals. However, resolving problems earlier would remove some of the time and heat from examinations and planning appeals.