

Appendix 4

NATIONAL PLANNING FRAMEWORK 4 HOUSING TECHNICAL DISCUSSION PAPER Issues for consideration

What is your view on the guiding principles set out above?

The guiding principles raise some significant concerns. In a development plan led system the requirement should be for clarity of both demand and supply. The guiding principles set out a process whereby the demand for land may be calculated but it provides no clarity on how the supply side would be calculated.

It is suggested that an agreed proportion of this land should be deliverable. That is accepted. However, no indication of what proportion and how that would be calculated is set out. There has been a significant gap in the existing 5 year land supply calculation process ever since the government withdrew its Draft Planning Advice Note on Housing and Infrastructure. That guidance set a process for calculating the effectiveness of the supply. However, since then, there has been no guidance which has allowed Reporters from DPEA to assess the effectiveness of the supply in different ways. That has resulted in inconsistent appeal decisions and a lack of certainty for communities. NPF4 must close this gap and provide for a definitive approach

It is not clear what evidence base will be used in establishing 'target' and how levels of flexibility should be calculated. The housing targets should be evidence based and where authorities choose to allocate a level above the minimum that should be a choice for the local authority alone. There should be no legislative or regulatory requirement to do so. Any target for the effectiveness of the land requirement should be assessed against the minimum requirement and not the actual level of allocations in a plan (including any flexibility allowance). Any allocation above the minimum level should simply add to flexibility and should not result in increased annual delivery targets for the authority.

Greater recognition should be given to the informed knowledge and information base held by local authorities who are closer to local needs and requirements.

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

Housing figures are a key component used to inform LDP preparation. The suggestion that NPF figures could focus on certain areas is at odds with paragraph 1.2 of the Technical Discussion paper which states ".....we propose to do this by working with local and planning authorities individually and in regional collaborations to define housing land targets for all local development plan areas for inclusion in NPF4."

A consistent approach to the evidence base which identifies the land requirement should be taken and if that approach is followed there should be no need for a different approach in the NPF to different parts of Scotland.

Of course where demand is high for housing it is expected that the approach in NPF will target resources at these areas and ensure that the investment plans of infrastructure providers recognise the levels of growth anticipated.

NPF should be clear that the necessary infrastructure to support housing should be provided and where that is not the case the targets both for housing land and any annual completion target should be adjusted accordingly.

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

This is a matter for Scottish Government to determine but the council cannot see any reason why a different approach would be necessary given the response to the question immediately above.

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

Any approach must firstly be evidence based and it is not clear what evidence base will be used for NPF4. While reference is made to HNDA it seems unlikely that this process could be completed prior to publication of a draft NPF in autumn of this year. Clarity on the evidence base needs to be provided.

NPF must also recognise that any target must be deliverable. This will require the target to be influenced by a number of external factors such as infrastructure delivery, market demand which can vary from year to year, particularly in volatile economic circumstances.

It also requires alignment of other strategies including national and regional transport plan and strategic transport projects. Delivering housing in the most sustainable way possible will be an increasing requirement and it is not clear how sustainability / climate change considerations will influence land targets.

It is not clear what "Local areas" means in the context of Point 2 and Page 2. It is not clear why alternative scenarios and assumptions would be required if the targets are evidence based and the approach is consistent across the whole of Scotland.

The Scottish Government has targets for the delivery of affordable housing and against this background it is not clear why the NPF would not set specific tenure targets. If the evidence base is through a HNDA that will provide evidence of demand in each tenure and that should be adopted in any targets incorporated in the NPF.

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

The NPF should provide a single, evidence based, minimum figure. It will then be for authorities to decide if that minimum figure should be exceeded. A single figure removes debate about what target should be met. Of greater concern is how this figure is worked out by tenure and what happens where the figure cannot be agreed.

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

The HNDA provides a good framework but is in need of revision. HNDA needs to be more flexible; not enough tenure types are covered (e.g. specialist needs) and the tool is not refined enough to take account of need; local areas are neglected.

Achieving “robust and credible” should mean that there is no debate on housing numbers once the HNDA is signed off as such. HNDA is resource intensive, too lengthy a process and expensive. The tool is not dynamic and provides no opportunity for updating mid cycle.

Irrespective of what tool is chosen to assess demand it should be treated as a material planning consideration at the point it is agreed as “robust and credible”.

Under current arrangements for assessing the effectiveness of the land supply, the supply side of the equation is updated annually through the housing land audit processes. However, the demand side is only updated every five or so years through the incorporation of the updated HNDA within the development plan. That means that supply is never being compared to an up to date assessment of demand. Both elements of the equation should be updated on the same cycle.

□ 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?

Of more importance is that sufficient infrastructure is available or capable of being made available to support housing development and its deliver. A joined-up approach is required to infrastructure delivery and meeting expectations. Reference in the Planning (Scotland) Act 2019 to an infrastructure levy is considerably weakened by the inclusion of a ‘sunset’ clause which removes the regulation making power if no regulations are made within seven years of the Act.

□ 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?

Such an approach would defeat the purpose of having prepared a HNDA and introduce the prospect of challenge and remove certainty for communities.

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

Figures should reflect local circumstances and those set out in the Local Housing Strategy; figures once published should not be open to debate.

□ 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?

Clarity is required from Scottish Government on whether or not there will be a requirement going forward to maintain a five year effective supply. If an effective supply is required Scottish Government should provide the methodology for this taking account of all of the matters raised in preceding questions. Clarity is required on the approach to housing shortfall. There is a risk that the emphasis will again focus on housing numbers when it should instead be focussed on delivery and sufficient infrastructure and funding being made available to deliver housing.

Should the Scottish Government play a role in the housing land audit process?

The only role for Scottish Government should be the publication of a standard methodology and format for housing land audits to provide for consistency across the country.

General Comment

The Discussion Paper fails to reference housing delivery and funding/delivery of infrastructure to support development. The approaches set out by Scottish Government suggest a watering down of top down approach and lack clarity/direction for both local authorities and housing providers.