

## **EAST AYRSHIRE COUNCIL**

**DEVELOPMENT SERVICES COMMITTEE: 7 MAY 2002**

### **CONSULTATION DRAFT, NATIONAL PLANNING POLICY GUIDELINE 3: PLANNING FOR HOUSING CONSULTATION DRAFT, PLANNING ADVICE NOTE 38 HOUSING LAND**

#### **Report by Director of Development Services**

#### **1. PURPOSE OF REPORT**

- 1.1** To summarise the contents of two consultation documents issued by the Scottish Executive, comprising a Consultation Draft NPPG 3, "Planning for Housing", and an associated Consultation Draft PAN 38, "Housing Land" and to approve a recommended response for consultation purposes.

#### **2. BACKGROUND**

- 2.1** The Draft NPPG 3 represents a revision of the guidance contained in the existing NPPG 3: Land for Housing while the Draft PAN 38 represents a revision of the existing advice contained in PAN 38. The Draft Regulatory Impact Assessment evaluates the impact of the Draft NPPG on business and other interests and considers the additional costs that may require to be met as a result of the changes proposed in the document. The views of the Council's Department of Homes and Technical Services have also been sought on the Consultation Papers and these have been incorporated and integrated into the report.

#### **3. DRAFT NPPG3: PLANNING FOR HOUSING**

- 3.1** Three basic themes are developed in the Draft NPPG, these being:-

- creating quality residential environments;
- guiding new development to the right places; and,
- delivering housing land.

#### **Creating Quality Residential Environment**

- 3.2** This section of the NPPG encourages Planning Authorities to provide clear policies in Development Plans which:-

- encourage good design;
- make use of design guidance and development briefs;
- encourage more energy efficient housing; and
- encourage better siting of housing in respect of public transport and pedestrian and cycle routes.

- 3.3** The contribution of landscaping and open space provision to residential design quality is given particular mention. In addition, the role that areas of different types of housing can play in the creation of communities and the contribution that housing can make as a catalyst to regeneration is detailed in the document. It also advocates that Development Plans should be more prescriptive with respect to densities for housing sites.

### **Guiding Development to the Right Places**

- 3.4** The Draft NPPG emphasises the need for increased sustainability in the selection of housing sites and that this can be achieved through the more efficient use of brownfield land, infill sites or vacant buildings. Various constraints to the siting of residential developments continue to be recognised and, in particular, the avoidance of areas of flood risk and mineral extraction. Development Briefs are advocated as a means of setting out development principles.
- 3.5** Positive encouragement is given in the Draft NPPG to development, which will support the rural economy, such as lowland crofting and low impact housing incorporating workspace and encouragement is also given to policies permitting the sensitive conversion of redundant rural buildings.

### **Delivering Housing Land**

- 3.6** This section contains fundamental changes to the calculation of and planning for housing land requirements with the Draft NPPG 3 recommending that development plans set out a strategy for future housing land over a period of 20 years. The strategy would provide for at least a seven year supply of effective housing land, give an indication of the scale, direction and pattern of housing development between years 8 and 15, and give a broad indication of the direction of development in locational terms beyond year 15. The NPPG also states that Development Plans should also contain Action Plans, setting out how implementation will be achieved and addressing matters such as the phasing of development and infrastructure provision. The identification of housing land over a 20 year period is intended to give greater certainty and continuity to housing land supply, and to assist in the planning of major infrastructure. The NPPG also stipulates that the circumstances which will lead to the release of future phases of housing land should be identified in Development Plans and the Plans should be monitored on a regular basis.
- 3.7** The Draft NPPG 3 recognises the provisions of the recent Housing (Scotland) Act 2001 and requires Development Plans to address any particular housing needs identified by the Local Housing Strategy. It also gives strong support for Housing Market Areas being used as the basis for calculating housing requirements and recommends that an annual audit of housing land is carried out. Authorities are also requested to carry out urban capacity studies to assess the opportunities for housing development within settlement boundaries.

## **Planning Officer's Comment**

- 3.8** The consideration of design as a material consideration in the assessment of planning applications is strongly supported and the production of a future Planning Advice Note would be welcome. The Council, however, has approved a set of detailed design guidance relating to housing matters and already prepares design briefs as standard practice for important sites. The positive encouragement given in the Draft NPPG 3 to the inclusion of policies in respect of landscaping and open space is welcomed, although such policies are already included in the East Ayrshire Local Plan.
- 3.9** The encouragement given to energy efficiency in house design and layout is supported. However, there are practical management and legal issues attached to the provision of both district heating and the re-use of waste materials which will require careful consideration prior to being promoted as part of a local energy efficiency strategy.
- 3.10** Mixed tenure communities are to be encouraged, especially in response to special needs. Where such communities are proposed as part of a planned extension to a settlement, the provision of certain types of housing must also relate to the wider requirements of the Local Housing strategy.
- 3.11** Only cautious support is given to the requirement that housing densities should be specified for individual housing sites. In the past the inflexible operation of density policies has been a disincentive to investment. Although the overall aim of encouraging the most efficient use of land is endorsed, it is recommended that only general guidelines to densities are given in Plans, indicating only maximum and minimum density values. There also remains the practical difficulty of imposing density controls after outline planning permission is given.
- 3.12** Much of the direction on "guiding development to the right places", has already been incorporated in the Ayrshire Joint Structure Plan and the East Ayrshire Local Plan and is indeed a target in the Council Plan. Any new advice on improving the location of new development would be welcome. However, significant investment in rail and public transport links between the main towns in East Ayrshire as well as to the Glasgow conurbation require to be addressed to enable sustainable development options to be addressed in Development Plans.
- 3.13** The requirement for Planning Authorities to undertake Urban Capacity Studies is supported although these will undoubtedly be time consuming to produce and have substantial workload implications for planning staff. It is considered that such studies will be helpful in identifying future redevelopment and regeneration areas. It should be noted, however, that statistical information from these studies may represent only a potential addition to the housing land supply and that the studies may only be required for key settlements. Careful monitoring will be required to establish what the average take up of

land will be over a period of time in order for this to be built into calculations of future land supply.

- 3.14** The adjustments to planning horizons is strongly supported as a means of assisting the long-term planning of infrastructure provision. However the guidance is most applicable to major growth areas such as the Lothians or Aberdeen, rather than East Ayrshire where only a few settlements are likely to be under significant development pressure. It is recommended that the NPPG should be amended to make specific reference to the fact that the requirement for the preparation of Action Plans applies only to those settlements where major growth is expected. The NPPG should also be amended to stipulate that development plans must clearly indicate those areas where housing development would be expected in the 8-15 year period. Any earlier release of land on these sites would require to be justified against the demand and supply conditions at the time. The phasing of development should therefore become a material consideration. These measures will help to promote the orderly release of housing land in line with demand requirements.
- 3.15** The Draft NPPG recommends that where an up-to-date housing needs assessment identifies a requirement for affordable housing, this will be a material consideration in planning processes and should be stated in the Plan. This provision is supported.

#### **4. DRAFT PAN 38: HOUSING LAND**

- 4.1** The Draft PAN 38 is a supporting document to the Draft NPPG 3 and gives greater detail to the technical aspects of the NPPG, encouraging the private and public sectors to develop a more consensual long-term view of housing development. In terms of housing land supply, the Draft PAN advocates the use of Audits of housing land and Urban Capacity Studies and recommends that an annually updated Strategic Housing Land Assessment, bringing all sources of housing land together, is carried out to assist in the programming of housing land. Supporting Action Plans should accompany development plans, setting out requirements in respect of the phasing of development and infrastructure provision.

#### **Planning Officer's Comment**

- 4.2** A significant number of the elements of good practice detailed in the draft PAN, such as Housing Land Audits, the use of Housing Market Areas and method of calculating demand are already adopted by the Council. However, the preparation of Strategic Housing Land Assessments as proposed in the draft PAN is a new requirement and is welcomed as a means of managing land supply. However, its full benefit will take some years to be realised and will require a considerable amount of data collection and interdepartmental working within the local authority.

- 4.3** In acknowledging the contributions of participants to the formulation of the development plan, as well as those agencies listed, the local Health Authority should also be included, in response to the Community Care agenda.
- 4.4** It should be noted that the Draft PAN is similar to and repetitive of the Draft NPPG and consideration should possibly be given by the Scottish Executive to assimilating the two documents into a single document.

## **5. CONCLUSIONS**

- 5.1** The Draft NPPG 3 is a clear and concisely written document which updates policy guidance in line with current good practice in Scotland. Many of the guidelines are already incorporated within policies of the Ayrshire Joint Structure Plan and the East Ayrshire Local Plan.
- 5.2** The guidance contained in the Draft PAN 38 modifies and streamlines the advice given in its 1996 predecessor. Much of the advice on good practice is already followed by the Council and will not compromise the existing Structure and East Ayrshire Local Plans. The major proposal to seek a 20 year time horizon in the allocation of housing land can be incorporated in any future reviews of both the AJSP and the EALP. General support is recommended to the contents of both documents.

## **6. LEGAL IMPLICATIONS**

- 6.1** There are no legal implications for the Council.

## **7. FINANCIAL/PERSONNEL IMPLICATIONS**

- 7.1** There are financial implications on the Council derived from the proposed NPPG 3 and PAN 38 as some of the new studies required will have implications on staff workload and work programming.

## **8. RECOMMENDATIONS**

- 8.1** It is recommended that the Committee:

- (i)** notes the contents of this Report
- (ii)** authorises the Director of Development Services to forward the detailed comments contained in Sections 3, 4, and 5 of this Report to the Scottish Executive Development Department as the Council's formal views on the Draft Productions; and
- (iii)** recognises that much of the useful advice contained in these documents have already been incorporated in East Ayrshire Council's finalised Local Plan.

**Stephen Chorley**  
**Director of Development Services**

(CT/MMM)  
FV-AN  
16 April 2002

### **LIST OF BACKGROUND PAPERS**

- 1. NPPG3: Land for Housing. Revised 1996.**
- 2. PAN38: Structural Plans Housing Land Requirements. Revised 1996.**
- 3. NPPG3 : Planning for Housing, Consultative Draft 2002.**
- 4. PAN38 : Housing Land, Consultation Draft 2002.**

Anyone wishing to inspect the above papers should contact Chris Trevor on 01563 576758.

**Implementation Officer: Alan Neish**

**AGENDA**