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## **DRAFT SUPPLEMENTARY GUIDANCE: HOUSING**

**Report by Service Director Regulatory Services**

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### **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report seeks Council approval of the draft Supplementary Guidance on Housing (in Appendix A) as a basis for public consultation.**
- 1.2 Scottish Borders Council Local Development Plan (LDP) was adopted on 12 May 2016. As recommended by the Directorate for Planning and Environmental Appeals following the Examination of the LDP, the LDP required the Council to identify a further 916 housing units within the Scottish Borders in order to address a housing shortfall. The process for identifying sites to accommodate the shortfall was via the production of Supplementary Guidance (SG). A draft SG has now been produced identifying proposed sites following consideration and analysis of a number of options.
- 1.3 The Council is therefore recommended to accept the proposed sites within the draft SG with a view to carrying out a public consultation. It is proposed that the draft SG is subject to public consultation for a period of 8 weeks.
- 1.4 Following public consultation, it is intended that a report will be brought back to a future meeting of the Scottish Borders Council to seek final agreement. Once the Council agree the SG it will be referred to Scottish Ministers and on approval it will become part of the adopted LDP.

#### **2 RECOMMENDATIONS**

##### **2.1 I recommend that the Council:**

- a) approves the Draft Supplementary Guidance: Housing and its appendices as a basis for public consultation.**
- b) notes the Environmental Report as set out in Appendix B.**
- c) agrees to receive a further report following consultation for formal agreement of the Guidance.**

### **3 BACKGROUND**

- 3.1 Scottish Planning Policy (SPP) requires Council's to identify a generous supply of land for housing within all housing market areas, across a range of tenures, maintaining a 5 year supply of effective housing land at all times. SPP sets out that Planning Authorities should prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions. A site is only considered effective, where it can be demonstrated that within 5 years it will be free of constraints, and can be developed for housing.
- 3.2 The Strategic Development Plan (SDP) 2013 provides high level strategic guidance and the context for the LDP, setting an overall housing requirement for the SESplan area derived from the Housing Need and Demand Assessment (HNDA) output. The LDP should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. Policy 5: Housing Land, sets out the housing land requirement for each Local Authority for the plan period.
- 3.3 The Scottish Borders LDP sets out the vision, aims and spatial strategy for the Scottish Borders and contains detailed policy, proposals and guidance for future development. One of the aims is to provide a generous supply of land for mainstream and affordable housing. Policy HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding, intends to assist the Council to maintain the 5 year effective housing land supply at all times. The housing land audit process is used to monitor the need for any additional land release.
- 3.4 Following the Examination of the LDP Reporters from the Directorate for Planning and Environmental Appeals stated that there was a shortfall in housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SDP. The Reporter recommended that the Council, within 12 months of adoption of the LDP, should prepare and submit to Scottish Ministers Supplementary Guidance in order to identify additional sites to provide for a further 916 housing units.
- 3.5 At its meeting on 17 December 2015 the Council considered the Reporters' decision letter. Members ultimately agreed to accept the recommendations and the Plan was consequently referred to Scottish Ministers as part of the formal adoption process. Following formal adoption of the LDP in May 2016 work commenced on the production of the SG as required. As also agreed by Members on 17 December 2015 the Council wrote to the Chief Planner, Chief Reporter and the Chairman of the Planning Review Committee expressing serious concerns on the approach taken by the Reporter on Renewable Energy policy and Housing Land provision, and on the time taken to deliver the Examination Report.

## 4 THE SUPPLEMENTARY GUIDANCE

- 4.1 In order to produce the SG an update of the housing shortfall was considered. This took cognisance of, for example, planning approvals since the Examination where housing numbers had been approved on allocated sites which exceeded the indicative number stated in the LDP. Taking this into consideration, the adjusted housing land requirement is now 811 housing units. This is the housing requirement the SG must address. Further details of this calculation are included within part 4 of the SG.
- 4.2 In terms of the location of site options to meet the required 811 units, the Reporters did not state where these units should be located within the Scottish Borders. It was therefore considered that taking into account matters such as housing land take-up, development interest and population projections the split should roughly be within the identified LDP Housing Market Areas (HMA) as follows: Central - 60%, Berwickshire - 20% and Northern - 20%. Although consideration was given to the Southern HMA no suitable sites were identified.
- 4.3 The Reporters did state that in order to help identify these sites consideration should initially be given to potential housing numbers from mixed use, redevelopment, longer term housing and longer term mixed use sites within the LDP 2016.
- 4.4 A call for sites was then carried out on 28<sup>th</sup> January until 31<sup>st</sup> March 2016. Specific criteria requirements for any submitted sites were laid down in a pro forma and guidance note (see Appendix 1 of the SG). These included for example, that the site capacity should be no less than 5no houses, the site should be effective, any infrastructure issues should be addressed and the identification of any interested developer.
- 4.5 In total 165no sites were considered for inclusion in the SG. This included those submitted as part of the call for sites and those considered as identified in para 4.3. A RAG (red, green, amber) process was then carried out. This involved carrying out detailed site assessments for each proposal against criteria within a matrix (see Appendix 4 of SG).
- 4.6 The RAG process ultimately confirmed the following classifications :
- Green: It was considered that the site met the criteria satisfactorily;
  - Amber: The site requires further investigation/consultation or mitigation and/or potential constraints were identified within/adjacent to the site;
  - Red: The site was not considered to meet the criteria.

The "red" sites were removed from further consideration within the process and of those remaining, internal and external consultations were carried out. This resulted in a number of matters being raised which in essence concluded collectively as to whether sites could be considered appropriate for inclusion within the SG.

- 4.7 The sites ultimately identified are contained within the SG. For each site included is a site plan, a site code, a site area, whether the proposal is a preferred or alternative proposal and a list of relevant site requirements. The site requirements were identified following responses from the internal and external consultees. In total the SG identifies 931 preferred units and 629 alternative units. These totals allow a healthy flexibility to meet the 811no required units when the SG is finalised following the public consultation. In summary the SG proposes the following sites :

#### BERWICKSHIRE HOUSING MARKET AREA

##### Preferred Sites

- AAYTO004, Land North of High Street, Ayton (6 units)
- ACOLD011, Hillview North 1 (Phase 1), Coldstream (100 units).
- AREST004, Reston Long Term 2, Reston (38 units)

##### Alternative Sites

- MDUNS005, South of Earlsmeadow (Phase 1), Duns (100 units).
- AGREE008, Haliburton Road, Greenlaw (65 units)
- AREST003, Reston Long Term 1, Reston (78 units)

#### CENTRAL HOUSING MARKET AREA

##### Preferred Sites

- AGALA032, Lintburn Street, Galashiels (8 units)
- AGALA036, Rose Court, Galashiels (12 units)
- AGALA037, Former Castle Warehouse Site, Galashiels (30 units)
- AHAWI025, Leishman Place, Hawick (5 units)
- AHAWI026, Henderson Road, Hawick (6 units)
- RHAWI011, Factory – Fairhurst Drive, Hawick (10 units)
- AKELS025, Tweed Court, Kelso (20 units)
- AKELS026, Nethershot (Phase 2), Kelso (100 units)
- RKELS002, Former High School Site, Kelso (50 units)
- ANEWS005, The Orchard, Newstead (6 units)
- ASELK033, Angles Field, Selkirk (30 units)
- MSELK002, Heather Mill, Selkirk (75 units)
- MTWEE002, Lowood, Tweedbank (300 units)

##### Alternative Sites

- AANCR002, Dick's Croft 2, Ancrum (60 units)
- AGALA033, Huddersfield Street, Galashiels (26 units)
- AHAWI027, Burnfoot (Phase 1), Hawick (60 units)
- AKELS028, Hendersyde, Kelso (190 units)
- ANEWS006, Newstead North, Newstead (23 units)
- ASELK040, Philiphaugh Mill, Selkirk (19 units)
- ASELK041, Philiphaugh 2, Selkirk (8 units)

#### NORTHERN HOUSING MARKET AREA

##### Preferred Sites

- MINNE001, Caerlee Mill, Innerleithen (35 units)
- MPEEB006, Rosetta Road Mixed Use, Peebles (30 units)
- MPEEB007, March Street Mill, Peebles (70 units)

##### Alternative Sites

No alternative sites were identified

- 4.8 An Environmental Report (Appendix B) has been prepared alongside the Draft SG, a copy of which has been placed in the Members Library. Furthermore, an Equalities Impact Assessment and Rural Proofing has also been undertaken.

- 4.9 It is proposed that the Draft SG is subject to public consultation for a period of 8 weeks. This will include the requirement to carry out neighbour notifications of the proposed sites to all land and property owners around the site boundaries. Following consultation, the SG will be referred back to the Scottish Borders Council.

## **5 IMPLICATIONS**

### **5.1 Financial**

There are no substantive cost implications arising for the Council. There is budget to cover the necessary consultation elements.

### **5.2 Risk and Mitigations**

The key risks are considered to be:

#### Risk of not providing guidance

Failure to produce the SG would mean the Council would not have the statutorily required 5 year effective land supply.

#### Risk of providing guidance

There are no perceived risks related to the adoption of the guidance by the Council.

### **5.3 Equalities**

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

### **5.4 Acting Sustainably**

The SG has been subject to environmental appraisal under the terms of the Environmental Assessment (Scotland) Act 2005. An Environmental Report (ER) has been prepared alongside the SG. The Environmental Report sets out a detailed assessment of the potential impacts of the proposals within the SG, and puts forward any necessary mitigation requirements.

### **5.5 Carbon Management**

There are no known effects on carbon emissions directly affecting the Council.

### **5.6 Rural Proofing**

The proposals within the SG have been subject to assessment, including rural impact.

### **5.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

## **6 CONSULTATION**

- 6.1 In developing the Draft Supplementary Guidance Housing to date, a considerable number of relevant internal and external parties have been consulted as set out in paragraph 4.1 to 4.6 of this report. The next phase will include public consultation as set out in paragraph 4.9.

- 6.2 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy & Policy, the Chief Officer Audit and Risk, the Chief Officer Human Resources and the Clerk to the Council are being consulted and any comments received will be incorporated in the final report.

**Approved by**

**Brian Frater**

**Service Director Regulatory Services**

**Signature .....**

**Author(s)**

| Name             | Designation and Contact Number           |
|------------------|--|
| Charles Johnston | Lead Planning Officer (Forward Planning) |

**Background Papers:** None

**Previous Minute Reference:** Scottish Borders Council, 17 December 2015

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email [eittranslationrequest@scotborders.gov.uk](mailto:eittranslationrequest@scotborders.gov.uk)