

For Decision	✓
For Information	

ITEM 10 – HOUSING UPDATE 2015

Report by: Ian Angus, SDP Manager

Purpose

This report presents the SESplan Housing Update 2015 to the SESplan Joint Committee for consideration and noting.

Recommendations

It is recommended that the Joint Committee notes the SESplan Annual Housing Update 2015, attached as Appendix 1 to this report.

Resource Implications

As set out below.

Legal and Risk Implications

All risks are detailed in the SESplan Risk Register and reported to Joint Committee on an annual basis.

Policy and Impact Assessment

No separate impact assessment is required.

1. Background

- 1.1 On 18 May 2015, the SESplan Joint Committee approved non statutory guidance on maintaining a five year effective supply of housing land. The guidance indicates that an Annual Housing Update will be prepared for consideration by SESplan by no later than December each year. The updates are to consider the effective land supply and performance against the approved SDP and comment on other factors such as completions and significant appeal decisions. The updates will assist in monitoring the development plan, inform future plans and add to the context for the consideration of proposals within the SESplan area.
- 1.2 The first update, which covers the period 1 April 2014 to 31 March 2015, is based on the member authorities' 2015 Housing Land Audits and on the Planning and Environmental Appeals Division's records.

2. The Housing Update 2015

- 2.1 The main findings of the Update relate to the calculation of the five year effective land supply, the application of SESplan Policy 7 Maintaining a Five Year Housing Land Supply and the approach of Reporters at appeals relating to housing proposals.
- 2.2 Calculating the five year effective land supply as programmed output over the next five years results in a shortfall against the five year requirement of 42%. On this basis, completions would need to be programmed at almost triple the current rate to meet the requirement. Scottish Government have published draft planning delivery advice, however, that removes marketability as a necessary criterion in a site being classed as effective and bases the effective land supply on capacity of unconstrained land rather than programmed output. There is more than sufficient land with planning support for housing across the SESplan area that is free of constraints to meet the five year housing land requirement in full.
- 2.3 Land supply policies in local plans were considered to be out of date under Scottish Planning Policy paragraph 125 where there was found to be a shortfall in the 5 year effective housing land supply. Although intended as a policy to be used in exceptional circumstances when a shortfall did occur, the levels of the SESplan requirement have meant that SESplan policy 7 has become the defacto policy used in many housing related applications and appeals, often being used to override other policies in the Local Plans and LDPs.
- 2.4 In planning appeals, Reporters are giving significant weight to the Scottish Planning Policy presumption in favour of development that contributes to sustainable development. There is not a consistent approach by reporters to the issue of prematurity.

3. Future Annual Housing Updates

- 3.1 The Housing Update 2016 will be presented to the Joint Committee in November 2016, subject to the completion of member authorities' housing land audits 2016. In accord with the SDP2 Action Programme, Homes for Scotland and other housing interests will be consulted in the preparation of future updates.

Appendices

Appendix 1 Housing Update 2015

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APPENDIX 1 – SESplan ANNUAL HOUSING UPDATE 2015



**The Strategic Development Planning Authority
for Edinburgh and South East Scotland**

SESplan Annual Housing Update 2015

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Executive Summary

At 31st March 2015

Established Housing Land Supply:



5 year effective land supply:



Housing Land Requirement

The number of housing units programmed for the next five years(***) is insufficient to meet the five year requirement for SESplan as a whole and for each of the individual LDP areas:

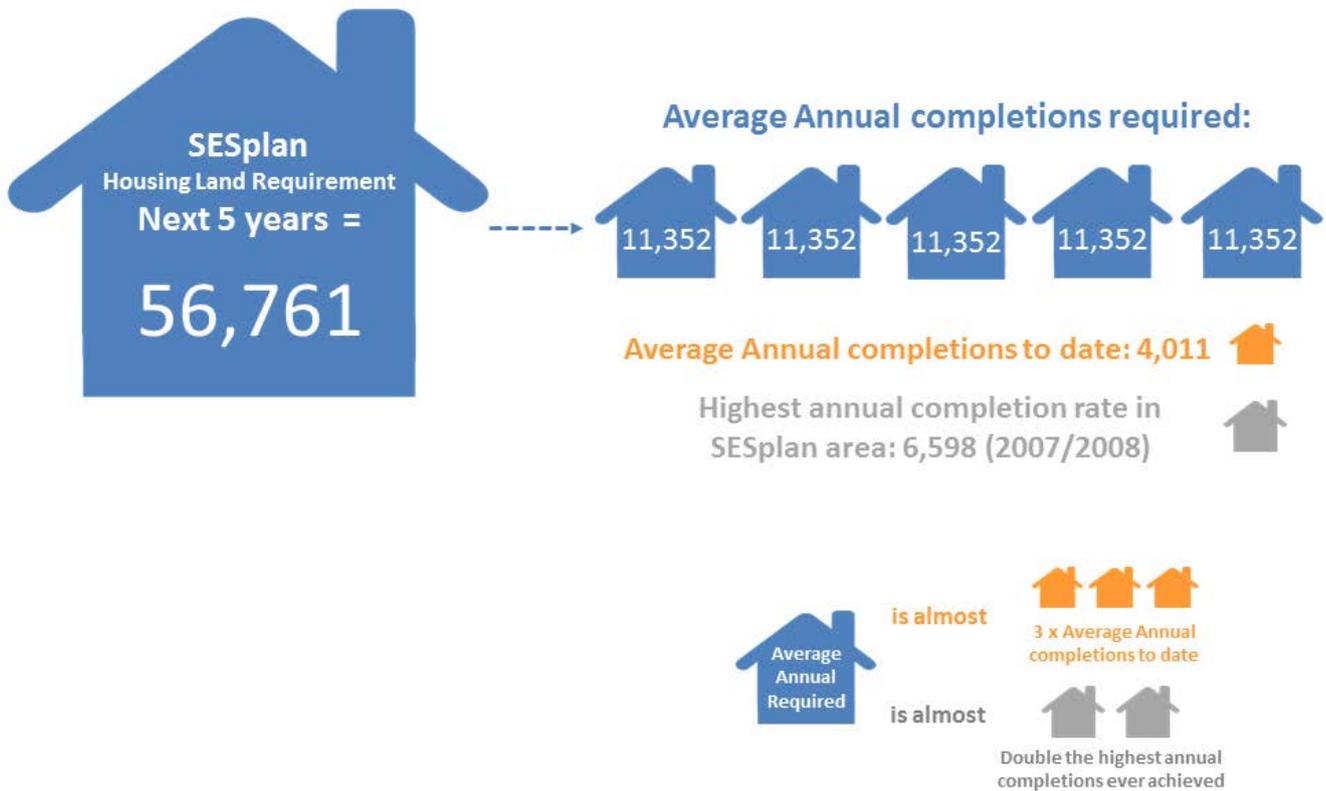
Five year programme against requirement

	Requirement	Programmed	%
City of Edinburgh	14,474	9,753	67%
East Lothian	4,972	3,307	67%
Fife (SESPLAN)	14,221	6,821	48%
Midlothian*	5,918	5,205	88%
Scottish Borders	8,196	3,042	37%
West Lothian**	8,980	4,637	52%
SESplan	56,761***	32,765	58%

* Draft HLA2015 data / ** HLA2014 data

***Total 5 year requirement for SESplan is for the period 2015 to 2020 for all council areas apart from West Lothian which uses the period 2014 to 2019.

The SESplan housing requirements for the majority of the SESplan Local Authorities was set at a level higher than the completion levels achieved prior to the recession. The housing land requirement for the remainder of the first period of the SDP to 2019 is now at unachievable levels.



Scottish Government's Draft Planning Delivery Advice: Housing and Infrastructure

Scottish Government's Draft Planning Delivery Advice on Housing and Infrastructure has removed marketability as a necessary criterion in assessing housing land as effective, and no longer defines the five year effective land supply in terms of the programme of expected future completions.

It defines the effective land supply as **'the part of the established housing land supply which is free of development constraints in the period under consideration and will therefore be available for the construction of housing'**.

Using this definition of the effective land supply there is more than enough effective land across the SESplan area to meet the 5 year requirement (see the table below). This is true for SESplan as a whole and each individual LDP area with the exception of Scottish Borders.



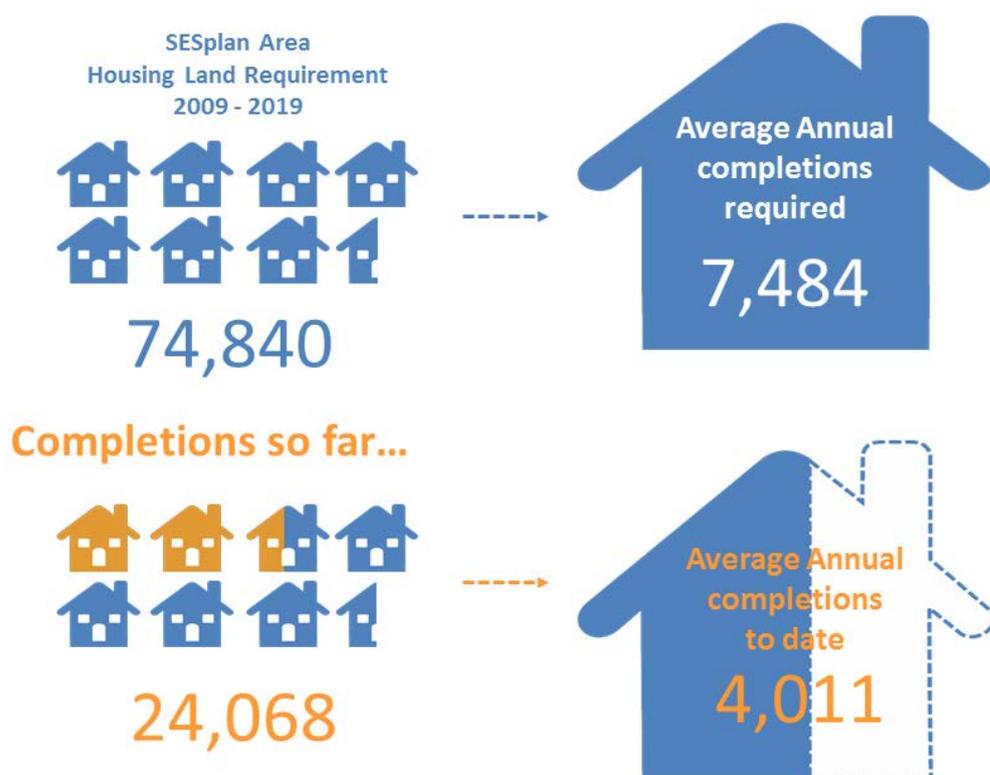
Effective capacity against requirement

	Requirement	Effective Capacity	%
City of Edinburgh	14,474	21,183	146%
East Lothian	4,972	6,413	129%
Fife (SESPLAN)	14,221	26,491	186%
Midlothian*	5,918	9,883	167%
Scottish Borders***	8,196	6,177	75%
West Lothian**	8,980	12,621	141%
SESplan	56,761	82,768	146%

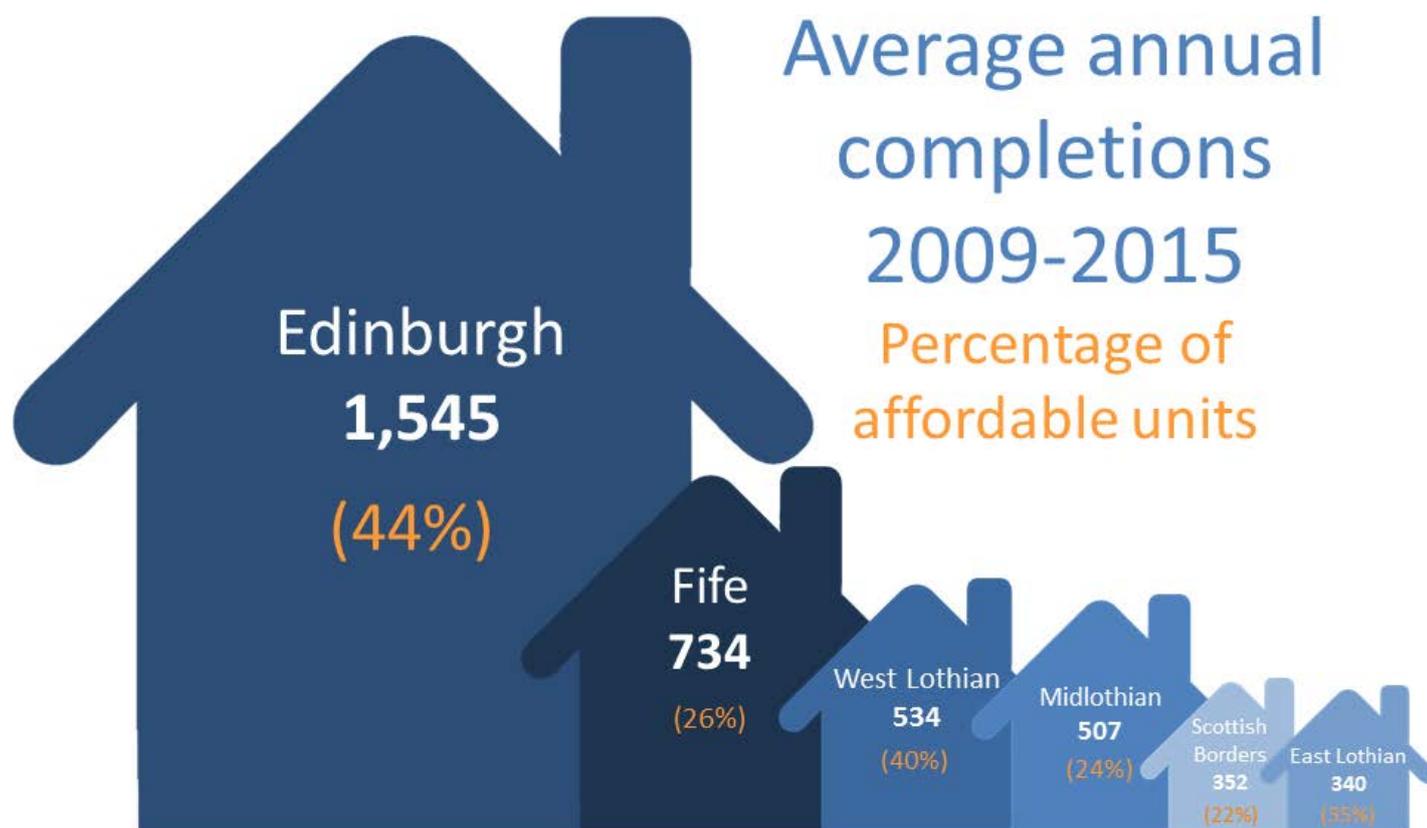
* Draft HLA2015 data/ ** HLA 2014 used for West Lothian/*** Scottish Borders LDP Appendix 2 section B

Housing Completions

Analysis of the housing completions in the SESplan area since 2009 shows that for every year, the number of units completed has been below the level needed for the housing land requirement to be met. This is the case for SESplan as whole and for each LDP area individually.



Consistently building below the average requirement has significantly increased the average number of completions required for the remainder of the plan period – to a level that is now unachievable.



Completions by Tenure

24,068 houses built in SESplan area



Key points:

- Calculating the five year effective land supply as programmed output over the next five years results in a shortfall against the five year requirement of 42%.

- On this basis, completions would need to be programmed at almost triple the current rate to meet the requirement (para 2.14).
- Scottish Government have published draft planning delivery advice that removes marketability as a necessary criterion in a site being classed as effective and bases the effective land supply on capacity of unconstrained land rather than programmed output (para 2.19-2.20).
- There is more than sufficient land with planning support for housing across the SESplan area that is free of constraints to meet the five year housing land requirement in full (para 2.22).
- Land supply policies in local plans were considered to be out of date under Scottish Planning Policy paragraph 125 where there was found to be a shortfall in the 5 year effective housing land supply (para 4.3).
- Although intended as a policy to be used in exceptional circumstances when a shortfall did occur, the levels of the SESplan requirement have meant that SESplan policy 7 has become the defacto policy used in many housing related applications and appeals, often being used to override other policies in the Local Plans and LDPs (para 4.3).
- SESplan policy 7 has therefore become the key policy for determining land supply issues in the area (para 4.3).
- Reporters are giving significant weight to the Scottish Planning Policy presumption in favour of development that contributes to sustainable development (para 4,3).
- There is not a consistent approach from reporters on the issue of prematurity (para 4.5).

1. Introduction

1.1 The Annual Housing Update has been prepared to assist in monitoring the development plan and inform the preparation of future Strategic and Local development Plans. The Update will also add to the context for the consideration of development proposals within the SESplan area.

1.2 On 18 May 2015, the SESplan Joint Committee approved non statutory guidance on maintaining a five year effective supply of housing land. The guidance set out a common approach to the measurement of the five year land supply for the six Local Development Plans across SESplan in the context of the Strategic Development Plan approved in 2013 and the Supplementary Guidance on Housing Land adopted in 2014.

1.3 The guidance indicates that an Annual Housing Update will be prepared for consideration by SESplan by no later than December each year. The updates are to consider the effective land supply and performance against the approved SDP including the progress of the Strategic Development Areas identified in the first Strategic Development Plan and comment on other factors such as completions and significant appeal decisions.

1.4 This update, which covers the period 1 April 2014 to 31 March 2015, is based on the 2015 Housing Land Audits prepared by the six SESplan member authorities, other information gathered by the authorities and on records of appeal decisions.

2. Established land supply

2.2 Scottish Government’s planning advice note 2/2010 (PAN2/2010) “Affordable Housing and Housing Land Audits” defines the established land supply as “The total housing land supply - including both unconstrained and constrained sites. This will include the effective housing land supply, plus the remaining capacity for sites under construction, sites with planning consent, sites in adopted local development plans and where appropriate other buildings and land with agreed potential for housing development.”

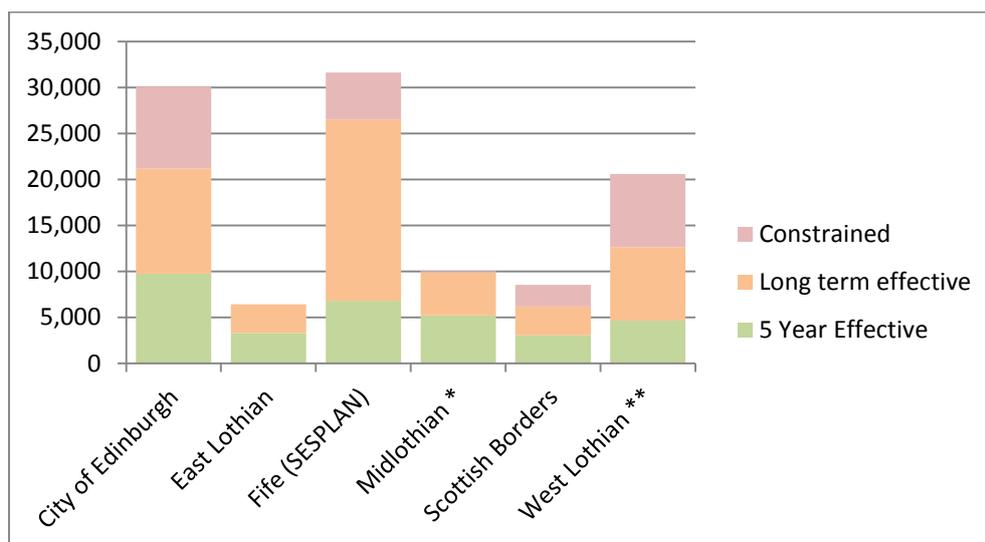
2.3 In order for a housing site to be considered **effective**, it must be free of all constraints that would prevent development. Sites are considered against a range of criteria set out in PAN 2/2010. These criteria include ownership, physical (e.g. slope, aspect, stability, flood risk, access), contamination, deficit funding, marketability, infrastructure and land use.

2.4 The **five-year effective land supply** is that portion of the overall effective land supply, measured in number of housing units, that is programmed for development over the following five-year period.

2.5 The established land supply in the SESplan strategic development plan (SDP) area at 31 March 2015 ^(*) was 107,168 units. Land for 82,668 units, or 77% of the established land supply, was agreed as free of constraints and available for development. The five year effective land supply, i.e. the amount of units programmed for development over the period 2015 to 2020, accounted for 32,051 units – 39% of the total effective land supply and 30% of the established land supply.

2.6 The breakdown of the established land supply by local development plan (LDP) area is displayed in graph 1 below.

Graph 1: Established land supply



* Midlothian data is from the draft audit 2015

** Housing land audit 2015 information is not yet available for West Lothian. The established land supply for WLC is taken from the 2014 HLA, adjusted to take account of completions that occurred over the period to 2015 (Taken from Scottish Government returns).

The Five-year effective land supply is estimated as the programmed output for the period 2015 to 2020 from the 2014 HLA.

2.7 Overall, land in Fife accounted for 30% of the SESplan established land supply with Edinburgh accounting for 28%, West Lothian 19%, Midlothian 9%, Scottish Borders 8% and East Lothian 6%. In terms of the five year effective land supply, Edinburgh accounted for 30%, Fife 21%, Midlothian 16%, West Lothian 14%, East Lothian 10% and Scottish Borders 9%.

Housing requirement

2.8 The housing requirement for SESplan and its LDP areas is set out in table 3.1 of the SESplan supplementary guidance on housing land (November 2014). The table is reproduced in table 1 below.

Table 1. Housing requirement 2009 to 2024

	2009 - 2019	2019 - 2024
City of Edinburgh	22,300	7,210
East Lothian	6,250	3,800
Fife (SESPLAN)	17,140	7,430
Midlothian	8,080	4,410
Scottish Borders	9,650	3,280
West Lothian	11,420	6,590
SESplan	74,840	32,720

Assessing the adequacy of the effective land supply

2.9 Paragraph 110 of Scottish Planning Policy (SPP) states that the planning system should “identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5 year supply of effective housing land at all times.”

2.10 The five year period for which the land supply is being assessed is 2015 to 2020. However, for West Lothian LDP area, the period is 2014 to 2019 as the 2015 housing land audit has not been finalised. By deducting completions that have occurred since 2009, the remaining housing land requirement(s) for the periods to 2019 and beyond to 2024 can be calculated. The outstanding housing land requirement for each LDP area is set out in table 2 below.

2.11 The 5 year requirement is calculated as the remaining requirement for 2015 to 2019 added to the one year average for the period 2019 to 2024. For West Lothian LDP area, the 5 year requirement is the remaining requirement for 2014 to 2019.

Table 2. Housing land requirement for the next five years

	Requirement	Completions	Remaining Requirement		5 Year Requirement
	09 - 19	09 - 15	15 -19	19 - 24	15 - 20
City of Edinburgh	22,300	9,268	13,032	7,210	14,474
East Lothian	6,250	2,038	4,212	3,800	4,972
Fife (SESPLAN)	17,140	4,405	12,735	7,430	14,221
Midlothian*	8,080	3,044	5,036	4,410	5,918
Scottish Borders	9,650	2,110	7,540	3,280	8,196
		09 - 14	14 - 19	19 - 24	14 - 19
West Lothian**	11,420	2,440	8,980	6,590	8,980
SESplan	74,840	23,305	51,535	32,720	56,761***

* Draft HLA2015 data

** HLA 2014 used for West Lothian

*** Total for SESplan is for the period 2015 to 2020 for all council areas apart from West Lothian which uses the period 2014 to 2019.

2.12 Paragraph 56 of the PAN advises that the contribution of any site to the effective land supply is that portion of the expected output which can be completed within the five year period.

2.13 Table 3 below compares the number of units programmed over the next 5 years to the 5 year requirement calculated in table 2.

Table 3. Five year programme against requirement

	Requirement 2015 to 2020	Programmed 2015 to 2020	%
City of Edinburgh	14,474	9,753	67%
East Lothian	4,972	3,307	67%
Fife (SESPLAN)	14,221	6,821	48%
Midlothian*	5,918	5,205	88%
Scottish Borders	8,196	3,042	37%
West Lothian**	8,980	4,637	52%
SESplan ***	56,761	32,765	58%

* Draft HLA2015 data / ** HLA2014 data

*** Total for SESplan is for the period 2015 to 2020 for all council areas apart from West Lothian which uses the period 2014 to 2019.

2.14 The table shows that the programmed output for the next five years is insufficient to meet the five year requirement for SESplan as a whole and for each of the individual LDP areas. Following the credit crunch in 2007 and subsequent recession, completion rates across the whole country reduced significantly. This has led to the housing land requirement for the remainder of the first period of the SDP being pushed up to unachievable levels. To meet the requirement over the next 5 years, completions across the region would need to be an average of over 11,300 units per year – almost three times the average achieved over the last 6 years and almost double the highest rates ever achieved.

2.15 A report to SESplan joint committee on 18 May 2015 recognised the difficulties in basing the assessment of the effective land supply on only the five year programme from the housing land audit. It stated:

“Whilst undertaking the calculation on this basis in times of economic stability is entirely sensible, in times of recession, the calculation is not sufficiently robust to reflect lower levels of demand or that there will be a higher level of constrained land on the basis of financial or marketability criteria only. It also does not reflect that infrastructure delivery may not have moved forward as quickly as anticipated. In turn, this means that despite there being a sufficient supply of land in any given area which, in a strict application of ownership, physical or other such planning criteria, is effective and able to be developed, additional land has to be brought forward to meet the artificial shortfall created by an increase in land classed as constrained on a demand or financial / market basis. Bringing forward additional land when there is already a more than adequate supply of land risks undermining the overarching strategy of the SDP. It may also lead to uncertainty compromising the delivery of necessary infrastructure.”

2.16 Appendix 2, section B of the Scottish Borders adopted Local Development Plan is concerned with monitoring the effective land supply. It states that likely actual demand is illustrated by the performance of the development industry over the previous 5 year period. This is measured by actual completions and is the most appropriate measure of market performance. Therefore, there is a clear distinction between providing land to meet the theoretical requirement and ensuring the presence of a five year effective supply to meet prospective market demand.

2.17 Table 4 below compares completions over the last 5 years to programmed output over the next 5 years for SESplan and each of its LDP areas.

Table 4. Five year effective supply and past completions

	Completions 2010 - 2015	Programmed 2015 - 2020	Programme as % of Historic Completion rate
City of Edinburgh	7,458	9,753	131
East Lothian	1,845	3,307	179
Fife (SESPLAN)	3,488	6,821	196
Midlothian	2,627	5,205	198
Scottish Borders	1,623	3,042	187
West Lothian *	2,440	4,637	190
SESPLAN **	19,481	32,765	168

* Periods for West Lothian are 2009 to 2014 and 2014 to 2019

** Totals for SESPlan combine the periods used for West Lothian and the other LDP areas

2.18 Comparing programmed output over the next 5 years to actual completions over the last 5 years shows that under this measure of land supply, there is sufficient effective land in all of the SESplan LDP areas to meet prospective market demand.

2.19 Scottish Government recently published **draft planning delivery advice on housing and infrastructure**. This advice, once finalised, will replace PAN 2/2010 in terms of assessing the effective land supply. The advice, whilst still under consultation “may be a material consideration in the determination of planning applications and appeals.”

2.20 The draft advice has removed marketability as a necessary criterion in assessing housing land as effective, and the five year effective land supply is no longer defined in terms of the programme of expected future completions. The effective land supply is defined as ‘the part of the established housing land supply which is free of development constraints in the period under consideration and will therefore be available for the construction of housing’.

2.21 Table 5 below compares the total capacity of effective land across the SDP area to the five year requirement calculated in table 2.

Table 5. Effective capacity against requirement

	Requirement	Effective Capacity	%
City of Edinburgh	14,474	21,183	146%
East Lothian	4,972	6,413	129%
Fife (SESPLAN)	14,221	26,491	186%
Midlothian*	5,918	9,883	167%
Scottish Borders	8,196	6,177	75%
West Lothian**	8,980	12,621	141%
SESplan	56,761	82,768	146%

* Draft HLA2015 data

** HLA 2014 used for West Lothian

2.22 Table 5 demonstrates that there is more than enough effective land across the SESplan area to meet the 5 year requirement. This is true for SESplan as a whole and each individual LDP area with the exception of Scottish Borders.

3. Analysis of Housing Completions

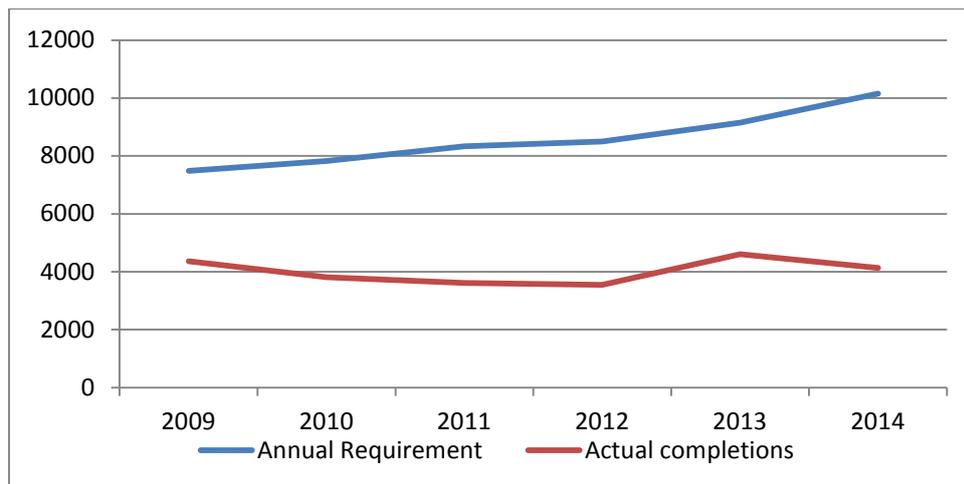
3.1 Table 6 details total housing completions that have taken place in SESplan since the base date of the plan (2009). The table shows that for every year, the number of units completed has been below the level needed for the housing land requirement to be met. This is the case for SESplan as whole and for each LDP area individually. The housing land requirement for the SDP area for the period 2009 to 2019 is 74,840 – an annual average of 7,484. To date, 24,068 houses have been completed – an annual average of 4,011. This is only just above half the rate of completion needed. In order to meet the housing requirement over the period 2009 and 2019, a completion rate higher than has ever been achieved across the SESplan area (6,598 in 2007/08) would have needed to have been maintained.

Table 6: Housing Completions

	City of Edinburgh	East Lothian	Fife (SESPLAN)	Midlothian	Scottish Borders	West Lothian	SESPLAN
Requirement 2009 to 2019	22,300	6,250	17,140	8,080	9,650	11,420	74,840
Annual Average	2,230	625	1,714	808	965	1,142	7,484
Actual Completions							
2009 / 2010	1,810	193	917	417	487	543	4,367
2010 / 2011	1,039	481	816	459	490	530	3,815
2011 / 2012	1,624	433	641	418	266	229	3,611
2012 / 2013	1,191	214	754	558	306	523	3,546
2013 / 2014	2,079	383	635	603	288	615	4,603
2014 / 2015	1,525	334	642	589	273	763	4,126
Average	1,545	340	734	507	352	534	4,011

3.2 Consistently building below the average requirement has had the effect of significantly increasing the average requirement for the remainder of the plan period – to a level that is now unachievable. This is illustrated in graph 2 below which shows the increasing annual average of housing land requirement against the number of completions that actually took place.

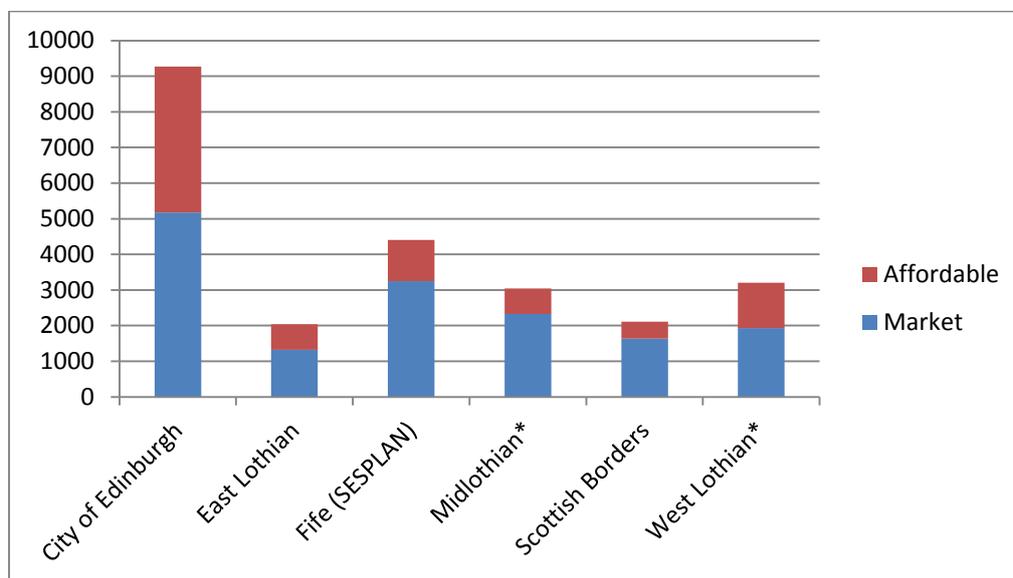
Graph 2: Completions against the remaining land requirement (annual average)



Completions by tenure

3.3 Graph 3 shows completions by tenure for each of the SESplan LDP areas. Of the 24,068 completions that have taken place in the SESplan area since 2009, 15,650 have been market completions and 8,418 have been affordable tenures. The affordable completions represent 35% of the total.

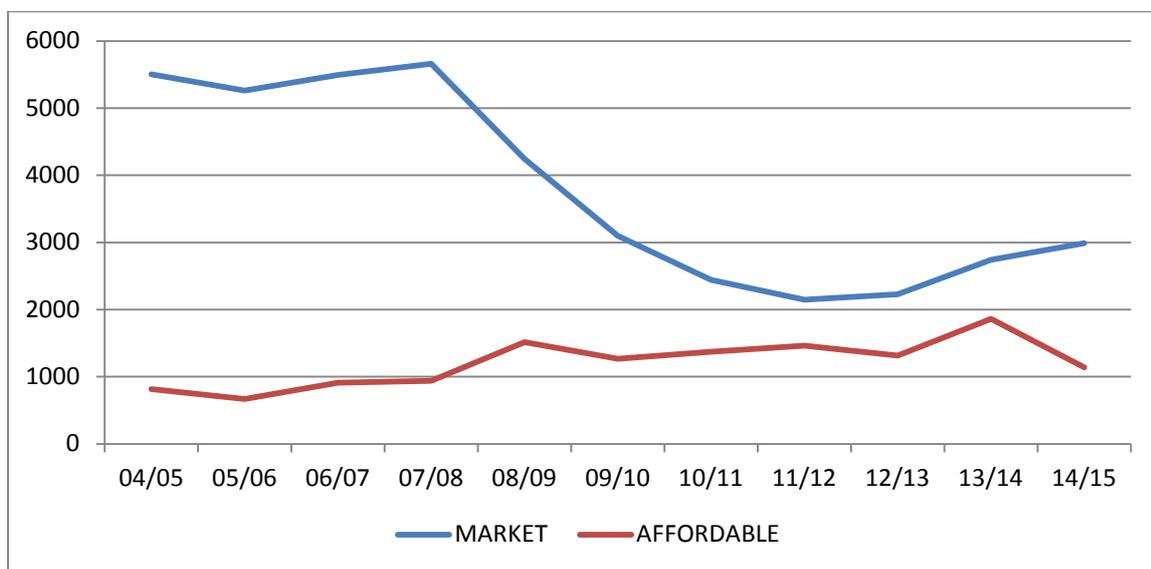
Graph 3: Housing completions by tenure



3.4 The graph shows that affordable housing accounts for greater share of the total in Edinburgh than for any other LDP area where 44% of all completions have been affordable tenures since 2009. West Lothian has the second highest share of affordable completions (40%) followed by East Lothian (35%), Fife (26%), Midlothian (24%) and Scottish Borders (22%).

3.5 The credit crunch and recession had a much greater effect on market completions than on affordable housing completions. The reduction of readily available credit for house purchasers increased demand for affordable housing and affordable housing providers were able to take advantage of increased land availability with many private developers turning to affordable tenures on land and developments already underway. There has also been increased local authority affordable housing build programmes. Consequently, affordable completion levels actually increased in opposition to a sharp fall in market completions. Longer term completions by tenure are shown in graph 4 below.

Graph 4: Longer term completions by tenure



Note: Data is not available on the breakdowns of development in each SESplan SDP1 Strategic Development Areas

4. Review of significant appeal decisions

4.1 A review has been carried out of the most significant appeal decisions for the housing land supply in the SESplan area in the period from 1st January 2015 to the present day.

4.2 There were no relevant appeals found in the Scottish Borders area.

Summary of findings:

4.3 Fife, Edinburgh, East Lothian, West Lothian and Midlothian were all found to have a shortfall in their 5 year effective housing land supply. Under Scottish Planning Policy the housing land supply policies in their adopted local plans were therefore considered to be out of date. As a consequence reporters are giving significant weight to the SPP presumption in favour of development that contributes to sustainable development. And SESplan Policy 7 becomes the key policy for housing land supply considerations - often outweighing conflicts with local plan policies.

4.4 It has been noted that while new LDPs will identify enough housing land to meet the SESplan requirements in full, a delivery shortfall may exist due to a lack of demand, lack of development finance and an lack of capacity in the market to deliver housing at such a high level.

Scottish Planning Policy (2014)

125. Planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. Where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to-date, and paragraphs 32-35 will be relevant.

33. Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.

4.5 There were differing approaches taken by reporters to the issue of prematurity. One reporter considered that granting permission for a small part of a site that may be allocated in the Local Development Plan was premature and undermined the plan-making process. Another reporter concluded that need to maintain an effective 5 year housing land supply outweighed the LDP process; however, this finding on the prematurity issue was not accepted by Scottish Ministers. Other reporters concluded that the proposals would contribute to the supply of housing land and would not undermine the strategy of the emerging plan or the plan making process based on SPP paragraph 34.

4.6 East Lothian has developed Interim Planning Guidance on Housing Land Supply, which sets criteria for when housing development on greenfield sites would be acceptable. This guidance includes additional criteria beyond those set out in SESplan policy 7. The weight given to this guidance by the reporters varied. One reporter concluded that the interim guidance is a useful material consideration insofar as it builds on the criteria set out in Policy 7 but carried little weight where new matters are introduced; whilst another felt that the guidance was a potentially relevant material consideration where there would be a departure from the development plan and tested the proposal against the criteria in the guidance.

4.7 In West Lothian the requirement to maintain an effective 5 year housing land supply was outweighed by severe constraints on high school provision in the Linlithgow area in one decision but another reporter did not believe that the current educational infrastructure constraints in West Lothian warrant an effective ban on all windfall housing developments.

Details of the appeals reviewed are set out below.

Table 7: Summary of significant appeal decisions

Details of Proposal	DPEA reference	Appeal Decision
Woodend Business Centre, Cowdenbeath, Fife		
Planning Permission In Principle For A Residential And Employment Related (Class 4, 5, 6) Development	PPA-250-2236	Appeal Dismissed 7 th April 2016
<p>Summary of reporters reasoning on land supply:</p> <p>In broad terms, the appeal proposal is supported by SESplan aims and policies in relation to the redevelopment of brownfield land and increased housing land output in a priority SDA area.</p> <p>The proposal's failure to comply with local plan masterplan requirements and the residential amenity issues related to noise and land use separation outweigh the modest contribution it could make towards meeting SESplan brownfield redevelopment and housing land supply objectives.</p>		<p>Relationship to SESplan:</p> <p>The proposal would be supported by SESplan policies but other issues outweigh that consideration.</p>
Spencerfield, Inverkeithing, Fife		
Planning permission in principle for erection of residential development with associated access road and infrastructure	PPA-250-2232	Notice of Intention 2 nd December 2015
<p>Summary of reporters reasoning on land supply:</p> <p>The reporter found that the requirement in SESplan Policy 6 for the council to maintain a five years' effective housing land supply at all times is not being met. SESplan Policy 7 therefore applies. This supports the granting of planning permission for greenfield housing development proposals, subject to satisfying each of the criteria listed in SESplan policy 7. Criterion (b) does not apply in this case, since the site is not within an existing or proposed green belt. Considers that criteria (a) and (c) can be satisfied. Policy 7 therefore supports the proposed development.</p> <p>Reporter considers that the proposal would be broadly compatible with FIFEplan's spatial strategy and that it meets the terms of FIFEplan Policy 2 where a shortfall in the 5-year effective housing land supply is shown to exist and the proposal meets the terms of the sequential test. Reporter concludes that, despite the appeal site being excluded from FIFEplan, it would generally accord with the plan's strategy and policies.</p>		<p>Relationship to SESplan:</p> <p>Proposal is supported by SESplan Policy 7 and is compatible with FIFEplan strategy and policies.</p>

Details of Proposal	DPEA reference	Appeal Decision
Spencerfield, Inverkeithing, Fife (2nd application)		
Erection of 39 dwellinghouses and associated infrastructure and landscaping	PPA-250-2233	Appeal Dismissed 2 nd December 2015
<p>Summary of reporters reasoning on land supply: For the reasons outlined above (appeal ref PPA-250-2232) the reporter found that Policy 7 supports the proposed development.</p> <p>While the local plan is only 3 years old, it predates SESplan and does not take account of the housing requirements set out in SESplan and its supplementary guidance. I therefore consider that only limited weight can be given to it, and that SESplan should take precedence. I therefore conclude that the proposal would be in overall accord with the development plan as it stands today. The proposal would generally accord with the FIFEplan’s strategy and policies.</p> <p>SPP Where the relevant policies in the development plan are out of date, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Where a shortfall in the 5 year effective housing land supply emerges, then development plan policies for the supply of housing land will not be considered up-to-date. While the adopted local plan is only 3 years old, there is a substantial shortfall in the supply of housing land. An up-to-date proposed LDP exists, but does not fully address the shortfall. The proposal derives support from SPP.</p> <p>Concluded that while the proposed development accords overall with the relevant provisions of the development plan (SESplan outweighing the adopted local plan), refusing to grant planning permission is still justified by the proposal’s lack of provision of open space.</p>		<p>Relationship to SESplan:</p> <p>Proposal is supported by SESplan Policy 7 but other issues outweigh that consideration.</p> <p>Concludes that because the adopted Local Plan does not address the shortfall in the supply in housing land it is not considered to be up-to-date (based on SPP).The proposed LDP also does not fully address the shortfall.</p> <p>Proposal derives support from SPP</p>
Land Northeast of Old Dalkeith Road, Edinburgh		
Residential Development (173-368 houses)	PPA-230-2131	Appeal Allowed 3 rd July 2015
<p>Summary of reporters reasoning on land supply:</p> <p>The Reporter determined that the council’s approach to calculating the 5 year housing land supply any the scale of any shortfall is not consistent with the intentions of SESplan Policy 5 which states that the requirement for each council area should be met for each of two periods, 2009 to 2019 and 2019 to 2024 and found that there would be a significant land supply deficit.</p> <p>The proposed ELDP cannot be relied upon to provide a 5 year effective housing land supply to be available at all times, as required by SPP (paragraph 123).</p> <p>Additional sites to be brought forward by the new plan will take some time before they become effective and deliver output. Given these conclusions, the development plan must be considered to be out of date in terms of SPP (paragraphs 33 and 125) and so the SPP policy presumption in favour of development that contributes to sustainable development is a significant material consideration.</p> <p>SESplan Policy 7 provisions apply in this case in light of the conclusions on the 5 year effective land supply shortfall. Therefore, concludes that the proposal is capable of satisfying criteria (a), (b), (c) and (d) of SESplan Policy 12 as it would not adversely impact on the identity, character or landscape setting of this part of Edinburgh and it would afford access to open space and the green network for recreation. There is further SESplan policy support for the development as it is located within South East Edinburgh SDA, an identified growth area as part of the plan’s Spatial Strategy (Policy 1A). SESplan Housing Land Supplementary Guidance (paragraph 3.19) provides further support by advising that where additional land is required it should first be sought within identified SDAs.</p>		<p>Relationship to SESplan:</p> <p>The proposal is supported by SESplan Policies 1A, 7 and 12.</p> <p>Concludes that the development plan must be considered to be out of date as a 5 year effective housing land supply is not adequately provided (based on SPP).</p>

Details of Proposal	DPEA reference	Appeal Decision
Land West Of Maybury Road (A902), Edinburgh		
Residential Development For Up To 670 Residential Units	PPA-230-2134	Appeal dismissed - Decision appealed to Court of Session
<p>Summary of reporters reasoning on land supply:</p> <p>The proposal is supported in principle by SESplan, as the appeal site is situated within the West Edinburgh SDA.</p> <p>There is a demonstrated significant shortfall in the housing land supply, both over the next five years and in the longer term. There is no evidence to suggest that SESplan’s challenging housing targets could be met without the allocation of this site or some other (as yet unidentified) large site within the green belt. It is relevant to note that the appeal site is proposed to be allocated for residential development in the emerging LDP, although this issue should not be given significant weight, as there are objections to this allocation which have yet to be examined.</p> <p>A decision to grant planning permission would have a prejudicial effect on one aspect of the emerging LDP – namely the consideration of whether the appeal site should be allocated for housing development. Due to the size of the site and the importance of the houses it would deliver, this is a relatively significant and contentious aspect of the emerging LDP that should ordinarily have been considered at the LDP examination. However, any disadvantage to the LDP process is clearly outweighed by the pressing need to find significant reserves of effective housing land, which a decision to allow this appeal would significantly assist. Significant weight should be given to the requirement in SPP always to maintain a five year supply of effective housing land and to the appellants’ evidence, which was not refuted with any data of comparable quality, that there is a shortfall of such land in Edinburgh of significant proportions.</p> <p>I conclude that the proposal would satisfy the expectations of SPP for sustainable development, would make a valuable contribution to addressing the significant housing supply shortfall and represents an appropriate form of development for the site.</p>		<p>Relationship to SESplan:</p> <p>Development is supported by SESplan as site is within an SDA.</p> <p>There is a significant shortfall of housing land supply and the need to find effective housing land outweighs the LDP process.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p> <p>However – Scottish Ministers did not accept the reporters findings on the issue of prematurity and dismissed the appeal.</p> <p>Appellant has appealed to the court of session.</p>
Land West Of 10 Gilmerton Station Road, Edinburgh		
Residentially-Led Mixed-Use Development	PPA-230-2137	Appeal Allowed
<p>Summary of reporters reasoning on land supply:</p> <p>There is a substantial shortfall in the housing land supply and that the 5 year supply required by SESplan Policy 6 and by national policy is not being delivered.</p> <p>SESplan Policy 7 supports the granting of planning permission for greenfield housing development proposals to maintain a five years’ effective housing land supply, subject to three tests. These were considered in turn and the reporter concluded that the proposed development would comply. The reporter therefore considered that granting planning permission in principle would be in accordance with Policy 7 and with the SDP as a whole.</p> <p>The proposal does not conform to certain aspects of the adopted local plan. However, the local plan is now more than 5 years old and in terms of SPP, given that there is a shortfall in the five year effective housing land supply, the local plan policies for the supply of housing land cannot be considered up-to-date. More weight was attached to SESplan because it is the more recently approved plan and because, unlike the local plan, it provides a policy framework for dealing with a shortfall in the five year housing land supply. I therefore conclude, on balance, that the proposal is in accordance with the relevant provisions of the development plan.</p>		<p>Relationship to SESplan:</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply.</p> <p>Local plan policies are not up-to-date for the site (they are over 5 years old).</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p>

Details of Proposal	DPEA reference	Appeal Decision
<p>In terms of SPP, given the shortfall in the 5 year effective housing land supply, development plan policies for the supply of housing land cannot be considered up-to-date. The presumption in favour of development that contributes to sustainable development is therefore a significant material consideration and supports the appeal proposals.</p>		
Land East Of Frogston Road, West, Edinburgh		
Proposed Development Of 18 Houses	PPA-230-2150	Appeal Dismissed 9 th November 2015
Summary of reporters reasoning on land supply:		Relationship to SESplan:
<p>The council has conceded that there is a shortfall in the 5 year effective housing land supply. Policy 7 of SESplan allows for green field housing development proposals to be granted planning permission either within or outwith the identified Strategic Development Areas in order to maintain a 5 year effective housing land supply, subject to satisfying 3 criteria. The reporter found that the proposed development would not be consistent with criterion a or b. Although any additional infrastructure required could be funded by the developer (consistent with criterion c), the appeal proposal would, therefore, be contrary to policy 7.</p> <p>Paragraph 125 of Scottish Planning Policy 2014 (SPP) states that where a shortfall in the 5 year effective housing land supply emerges, the relevant development plan policies for the supply of housing land will not be considered up-to-date. Where relevant policies in the development plan are out-of-date then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Paragraph 33 says that decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in the SPP.</p> <p>The reporter did not consider that the provision of an additional 18 houses would make a significant enough contribution to the shortfall in 5 year effective housing land supply to outweigh the resultant adverse impacts on the category A listed building, its setting, the conservation area and the green belt</p>		<p>The proposal was found not to comply with SESplan Policy 7.</p> <p>Reporter concluded that the provision of 18 houses did not make a significant enough contribution on the shortfall to outweigh the adverse impacts of the proposal.</p>
Land to the south of West Craigs Cottage, 85 Craigs Road, Edinburgh		
Residential Development	PPA-230-2153	Appeal dismissed 4 th December 2015 Decision appealed to Court of Session
<p>There is no dispute that there is a substantial shortfall in the effective housing land supply, albeit the council considers that the response to this shortfall should be remedied through the sites allocated in the proposed local development plan. The reporter concluded that if the appeal site were effective and could contribute to the land supply; this would be a strong argument in favour of the proposed development.</p> <p>There is conflict with local plan policies but the proposal is supported by SESplan policy 7, which is a more up to date component of the development plan. The reporter concluded overall that the appeal proposal complies with the development plan.</p> <p>Scottish Planning Policy presumption in favour of development that contributes to sustainable development is an important material consideration as the adopted local plan is over 5 years old and there is a substantial shortfall in the effective housing land supply. Less weight is given to the local plan policies for the supply of housing land.</p> <p>However, in relation to prematurity, SPP states that where a plan is under review it may be appropriate to consider whether granting planning permission would prejudice the emerging</p>		<p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply.</p> <p>Local plan policies are not up-to-date for the site (they are over 5 years old).</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land. Site refused on the grounds</p>

Details of Proposal	DPEA reference	Appeal Decision
<p>plan. The reporter concluded that in this case granting planning permission in principle for a small part of one of the sites which may be allocated in the plan would be premature and undermine the planning process.</p>		<p>of prematurity.</p>
<p>West Of 6 Ravelrig Road, Balerno</p>		
<p>Planning Permission In Principle For Proposed Residential Development</p>	<p>PPA-230-2140</p>	<p>Appeal Allowed 18th December 2015</p>
<p>The council did not contest that there is a shortfall in the effective land supply. The proposed development was therefore assessed against policy 7. Reporter concluded that development would be in keeping with character of settlement and would not undermine greenbelt objectives and would comply with policy 7.</p> <p>Given the accepted shortfall in the 5 year effective housing land supply SPP is a significant material consideration, which lends support to the proposed development. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval. The proposed housing site has not been included in the proposed local development plan, and the site remains designated as green belt. The local development plan is unlikely to be adopted until sometime in 2016. The housing sites in the proposed local development plan do not therefore at this stage sufficiently compensate for the shortfall in the housing land supply identified above, or meet the requirement of Scottish Planning Policy to maintain a 5 year effective housing land supply. The reporter therefore finds that the proposed development would not undermine the plan-making process in the context of the significant shortfall in the housing land supply.</p> <p>The reporter concludes that the conflict with the local plan policies is outweighed by the policy support from the strategic development plan.</p>		<p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p> <p>Concludes that policy support from the SDP outweighs conflict with Local plan policies.</p>
<p>164 Woodhall Road, Edinburgh</p>		
<p>New Build Residential Apartments/Houses</p>	<p>PPA-230-2165</p>	<p>Appeal Dismissed 1st April 2016</p>
<p>Summary of reporters reasoning on land supply:</p> <p>There is an understanding that there is a substantial shortfall in the 5 year housing land supply the relevant development plan policies for the supply of housing land are not considered to be up-to-date. SPP presumption in favour of development that contributes to sustainable development will therefore be a significant material consideration.</p> <p>Appeal dismissed on grounds that development would be contrary to the development plan and would not represent a development that contributes to sustainable development that would enable it to attract substantial support from SPP.</p>		<p>Relationship to SESplan:</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land. But development not found to represent a contribution to sustainable development.</p> <p>SESplan Policy 7 not referred to.</p>
<p>Land At Tynemount Road, Ormiston, Tranent, East Lothian</p>		
<p>Erection Of 59 Houses</p>	<p>PPA-210-2050</p>	<p>Appeal Allowed 28th April 2016</p>
<p>Summary of reporters reasoning on land supply:</p> <p>Most of the site lies in the countryside as defined in the adopted local plan. As such, the proposal is contrary to local plan policy DC1 (Development in the Countryside and Undeveloped Coast).</p>		<p>Relationship to SESplan:</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective</p>

Details of Proposal	DPEA reference	Appeal Decision
<p>SESplan policy 7 provides for the principle of granting planning permission for housing development on greenfield land in appropriate circumstances in order to maintain a five year effective housing land supply. The council acknowledges that it has a shortfall in its effective housing land supply. Allowing this appeal would increase the effective housing land supply in the area.</p> <p>The support in principle provided by SESplan policy 7 is subject to three criteria - the reporter concluded that the proposal satisfies these criteria, and that policy 7 lends support to the granting of planning permission in this case.</p> <p>The reporter concluded that if the appeal was determined in accordance with policy DC1 they planning permission would have to be refused, which would restrict the supply of housing land. However, in so far as it bears on this determining issue, the reporter concluded that policy DC1 is not up to date, and as a consequence the weight attached to it is reduced. Therefore the support given by SESplan policy 7 overrides the lack of support from local plan policy DC1.</p> <p>The reporter also found that the SPP presumption in favour of development that contributes to sustainable development was a significant material consideration.</p> <p>The council is in the process of producing the East Lothian Local Development Plan. In October 2014 the main issues report identified the appeal site, together with the proposed affordable housing site to the west, as a preferred new housing opportunity – PREF-T11 Tynemount West (Ormiston).</p> <p>The principle of residential development on the appeal site is supported by the approved strategic development plan, by SPP and by the emerging local development plan. The reporter concluded that the proposal could make an early contribution to the delivery of housing in this area.</p>		<p>housing land supply. This outweighs the lack of support from the Local Plan.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p> <p>Emerging LDP identified the site as appropriate for housing.</p>
<p>Land At Lempockwells Road, Pencaitland, Tranent, East Lothian</p>		
<p>Planning Permission In Principle For Residential Development</p>	<p>PPA-210-2049</p>	<p>Appeal Allowed 16th Sep 2015</p>
<p>Summary of reporters reasoning on land supply:</p> <p>The council has accepted that there is a shortfall in the 5 year supply of effective housing land.</p> <p>The proposal is contrary to the local plan policy to safeguard the countryside and prime agricultural land from unnecessary development. However SESplan, which has been approved since the adoption of the local plan, contains provisions to address recognised shortfalls in the supply of effective housing land. The council has adopted Interim Planning Guidance on Housing Land Supply to address this matter. Both support development on greenfield sites where various criteria would be met.</p> <p>The reporter concluded that the breach of local plan policy DC1 (Development in the Countryside) is justified by the requirements of SPP and SESplan policy 7, and further supported by compliance with the criteria set out in the council’s interim guidance on augmenting the effective housing land supply.</p> <p>The reporter was satisfied that the interim guidance provides potentially relevant criteria for the selection of additional housing sites where additions to the effective supply are required, and that these criteria are well met by the proposal at appeal.</p>		<p>Relationship to SESplan:</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply.</p> <p>Council has developed Interim Planning Guidance on Housing Land Supply.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p>

Details of Proposal	DPEA reference	Appeal Decision
Ferrygate Farm, Dirleton Road, North Berwick, East Lothian		
Residential Development	PPA-210-2047	Appeal Allowed 13 th Nov 2015
<p>Summary of reporters reasoning on land supply:</p> <p>Residential development of the appeal site is contrary to local plan Policy DC1 (Development in the Countryside and Undeveloped Coast). However, the terms of SESplan Policies 5, 6 and 7, the subsequently approved supplementary guidance and the guidance contained in Scottish Planning Policy render Policy DC1 out-of-date insofar as housing land provision is concerned. I have therefore regarded Policy DC1 as being of very limited weight in terms of providing land to meet the strategic housing requirement.</p> <p>In the context of the acknowledged shortfall in the five year effective housing land supply, and the presumption in favour of sustainable development, the provisions of Scottish Planning Policy must be afforded very considerable weight.</p> <p>The council believes that the interim planning guidance on Housing Land Supply to be a material consideration. Indeed, both reasons for refusing planning permission in principle relate to the interim planning guidance. Reporter concludes that the interim guidance is a useful material consideration insofar as it builds on the criteria set out in Policy 7 but carries little weight where new matters are introduced.</p>		<p>Relationship to SESplan:</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply.</p> <p>Council has developed Interim Planning Guidance on Housing Land Supply, but this given limited weight.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p>
Land At Blackness Road, Linlithgow, West Lothian		
Erection Of 49 Houses	PPA-400-2058	Appeal Dismissed 25 th January 2016
<p>Summary of reporters reasoning on land supply:</p> <p>The site is within a Strategic Development Area (SDA) identified by SESplan. Reporter concludes that the SDP requirement in Policy 6 to maintain a five years' effective housing land supply at all times is not being met in West Lothian. The council does not dispute the shortfall, and seeks to address it through the Proposed West Lothian Local Development Plan (LDP). SESplan Policy 7 therefore applies in the meantime.</p> <p>Proposal complies with criterion a of policy 7; criterion b does not apply; and the proposal does not comply with criterion c based on the severe constraint on secondary school capacity in the area. Therefore an additional release of land in Linlithgow on the scale of the appeal proposal, to contribute to the effective housing land supply requirement (from SESplan policy 6), cannot be supported at the present time.</p> <p>SPP presumption in favour of development that contributes to sustainable development carries significant weight as the adopted local plan is more than 5 years old and there is a shortfall in the 5 year supply of effective housing land. However, the appeal site cannot be considered effective at the present time, as there is no immediate solution to the problem of education capacity. It would not therefore contribute to the housing land supply in the short term and would not, in view of those constraints, make a contribution to sustainable development.</p>		<p>Relationship to SESplan:</p> <p>Site is within west Lothian SDA area identified in Policy 1A.</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply. But, the proposal was found not to comply with SESplan Policy 7.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land.</p> <p>Infrastructure constraint relating to local high school provision outweighs housing land supply consideration.</p>

Details of Proposal	DPEA reference	Appeal Decision
<p>Brotherton Farm, Bellsquarry, Livingston, West Lothian Residential Development</p>	<p>PPA-400-2057</p>	<p>Notice of Intention (Appeal Allowed – Hold Expired) 25th March 2015</p>
<p>Summary of reporters reasoning on land supply:</p> <p>The appeal site is within the West Lothian SDA. Whilst it is clearly not the case that all sites within the SDA are suitable for development, the location of this site is such that its development would not be in conflict with SESplan’s spatial strategy and policy 1A.</p> <p>Reporter concluded that there is currently a significant shortfall in the five-year supply in West Lothian, therefore SESplan policy 7 applies. The proposed development complies with SESplan, which contains the most up-to-date policies with regards to the housing land supply position. Although the proposal would be contrary to the policies in the local plan in relation to the supply and location of housing land the reporter considered that they are out of date, and should carry little weight in the determination of this appeal. Insofar as the other local policies remain relevant, the proposal would not conflict with them. Overall, therefore the conclusion was that it accords with the development plan.</p> <p>SPP presumption in favour of development that contributes to sustainable development will be a significant material consideration. These all provide support for the current proposal. Reporter concluded that the development of the appeal site would contribute to meeting the current shortfall. It is not of such a scale that it would have any significant impact on the spatial strategy of the WLLDP. Concluded that, taking into account the advice in paragraph 34 of Scottish Planning Policy, it would not be premature to grant permission for the proposed development at this time.</p> <p>Reporter did not believe that the current educational infrastructure constraints warrant an effective ban on all windfall housing developments, of which this would be one if permission is granted. Indeed, the council’s SPG on denominational secondary education infrastructure assumes that potential windfall sites will make a contribution towards secondary school provision.</p>		<p>Relationship to SESplan:</p> <p>Site is within west Lothian SDA area identified in Policy 1A.</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply. This outweighs the lack of support from the Local Plan.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land. Under advice in para 34 considers the proposal is not premature to grant permission at this time.</p>
<p>Land To North And South Of Lasswade Road , Dalkeith, Midlothian</p>		
<p>Planning Permission In Principle For Residential Development</p>	<p>PPA-290-2030</p>	<p>Notice of Intention (Appeal Allowed – Hold Expired) 15th December 2015</p>
<p>Summary of reporters reasoning on land supply:</p> <p>SESplan Policy 6 requires the council to maintain a five years’ effective housing land supply at all times. Planning Advice Note 2/2010, paragraph 45, states that housing land audits are the established means for monitoring housing land. Having regard to the most recent audit, the reporter found that at the present time this requirement is not being met in Midlothian. SESplan Policy 7 therefore applies. Reporter considered that the proposal meets the requirements of SESplan Policy 7 and is consistent with the strategic development plan.</p> <p>While the proposal would not conform with the adopted local plan, this plan is over seven years old, was prepared in the strategic context of the superseded structure plan, and cannot be considered up to date. I have found that the proposal would be consistent with SESplan, and take the view that the latter should outweigh the local plan. The proposal would therefore accord overall with the relevant provisions of the development plan. SPP sets out that where the relevant policies in the development plan are out of date, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. The adopted local plan is over 7 years old, and there is a</p>		<p>Relationship to SESplan:</p> <p>SESplan Policy 7 applies as there is a significant shortfall in the effective housing land supply.</p> <p>Significant weight given to the SPP requirement to maintain an effective 5 year supply of effective housing land. Under advice in para 34 considers the proposal is not premature to grant permission at this time.</p>

Details of Proposal	DPEA reference	Appeal Decision
<p>substantial shortfall in the supply of housing land. The proposal would be broadly consistent with the principles of sustainable development. It therefore derives support from SPP.</p> <p>In terms of SPP, the reporter did not therefore consider the granting of planning permission in principle in this case to be premature as it would be a useful addition to supply, but not one that would undermine the plan’s strategy (with which it is consistent) or preclude other housing sites. Nor would it undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan.</p>		

5. Summary and Conclusions

- Completions need to be programmed at almost triple the current rate to meet the next 5 year requirement (para 2.14).
- Scottish Government have published draft planning delivery advice that removes marketability as a necessary criterion in a site being classed as effective and bases the effective land supply on capacity of unconstrained land rather than programmed output (para 2.19-2.20).
- There is more than sufficient land with planning support for housing across the SESplan area that is free of constraints to meet the five year housing land requirement in full (para 2.22).
- Through the appeal process, all SESplan Local Authorities were found to have shortfalls in their 5 year effective housing land supply. Under Scottish Planning Policy paragraph 125 this renders the land supply policies in their local plans out of date. (There was no appeal information for Scottish Borders re any potential shortfall in the area) (para 4.3).
- Although intended as a policy to be used in exceptional circumstances when a shortfall did occur, the levels of the SESplan requirement have meant that policy 7 has become the defacto policy used in many housing related applications and appeals, often being used to override other policies in the Local Plans and LDPs (para 4.3).
- Reporters are giving significant weight to the Scottish Planning Policy presumption in favour of development that contributes to sustainable development (para 4.3).
- There is not a consistent approach from reporters on the issue of prematurity (para 4.5).