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| Report to: | Executive Committee |
| Date of Meeting: | 11 May 2011 |
| Report by: | Executive Director (Enterprise Resources) Executive Director (Housing and Technical Resources) |

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| Subject: | South Lanarkshire Local Plan Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs. |
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1. Purpose of Report

1.1. The purpose of the report is to:-

- inform Committee of the work undertaken to prepare the Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs
- request Committee approval of the Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs be approved subject to any notification requested
- (2) that the Executive Director (Enterprise Resources) be authorised to modify the Supplementary Planning Guidance: to take account of minor drafting and technical matters before publication.

3 Background

3.1. Through the preparation of the South Lanarkshire Local Plan, the provision of affordable housing and housing for particular needs was a key issue. This recognised the continuing need to provide houses at the right locations, at the right time and of the right type to meet the wide range of needs throughout South Lanarkshire. The local plan was informed by the Local Housing Strategy, Strategic Housing Investment Plan and an Affordable Housing Needs Assessment. As a consequence the local plan included two policies dealing with the issue: Policy RES 4 Housing for Particular Needs and Policy RES 5 Affordable Housing and Housing Choice.

3.2. Whilst these two policies provide an appropriate guiding framework to the issue, it was recognised that further guidance was necessary for both Council officers and developers to set out how these policies would be implemented in practice. In turn the purpose of the Supplementary Planning Guidance (SPG) is to clarify how sites for particular needs are to be identified and, in respect of affordable housing, clarify for developers what will be expected in negotiations on individual developments. These two considerations provided the basis for the preparation of the SPG and will supplement the policies in the local plan and provide guidance for developers when pursuing proposals for housing developments of 20 units or more

- 3.3. In addition, following the adoption of the local plan in 2009 subsequent Scottish Government policy contained in National Planning Framework 2 (NPF2), Scottish Planning Policy (SPP) and Planning Advice Note (PAN) 2/2010 (Affordable Housing and Housing Land Audits) required planning authorities to identify housing requirements across all tenures and identify supply targets in Local Housing Strategies and housing land allocations in development plans.

4 Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs

- 4.1. A draft SPG was subject to a consultation period for 12 weeks, from 3 July to 25 September 2009. There were 81 comments received from stakeholders, developers and individuals. These comments have been considered and where appropriate reflected in the final SPG. Following the conclusion of the consultation period, however, the Scottish Government confirmed that they intended to provide further guidance on affordable housing that was to be incorporated into the SPG. Consequently the final production of the SPG was delayed pending publication of PAN 2/2010, referred to in paragraph 3.3 above. A background paper to the Committee Report sets out in more detail the Council's response to the comments raised during the consultation period.
- 4.2. The SPG highlights that affordable housing need is highest in East Kilbride and that there is a significant need for affordable housing in Hamilton and in Rutherglen and Cambuslang. This means that that the SPG applies in three of South Lanarkshire's four housing market areas. In Clydesdale, even though an overall increase in affordable housing stock may not be required, there will be requirements to replace some of the existing housing stock and there are particular issues in some settlements with a surplus supply, including Rigside, Douglas, Glespin, Forth and Coalburn. However this situation could change and if an updated Housing Needs and Demand Assessment indicate shortfalls in the Clydesdale Area, then the policy will apply to that housing market area. Housing for particular needs, especially the elderly, is identified in the SPG as a priority across all areas.
- 4.3. The Council's Affordable Housing and Housing Choice Policy is flexible to allow affordable housing contributions to be delivered in a number of ways including provision of serviced land, completed housing units, or payment of a commuted sum in lieu of on site provision, with the commuted sum being used to facilitate the provision of affordable housing. The assessment process takes account of individual site circumstances, local housing need, development cost, and availability of public subsidy.
- 4.4. The SPG sets out the criteria the Council will consider as part of negotiations to determine the most effective form of affordable Housing contribution from each site. Detailed guidance is provided on the application of the policy, the process to determine the type of affordable housing, the valuation methodology, and the most effective delivery method. Finally the SPG confirms that a binding legal agreement between the Council and the developer/landowner seeking planning consent (usually under Section 75 of the Town and Country Planning (Scotland) Act) will normally be used to secure the appropriate contributions of land, houses or money.

- 4.5. The Council is aware of the effects of the economic downturn on the housebuilding industry and that a policy requiring developers to make contributions as a consequence of their development could be viewed as an additional economic burden. However this requires to be balanced against the need for new housing development to contribute to addressing the affordable housing need in South Lanarkshire whatever the agreed method of delivery, . This SPG, therefore, provides guidance that developers and landowners can factor into their financial appraisals at an early stage. In turn the SPG will be a material consideration in the assessment of planning applications and at that point the details of contributions or otherwise will be determined.
- 4.6. The SPG has been available for viewing in Member's areas prior to Committee.

5 Next Steps and Timescales

- 5.1. Following Committee approval the Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs will be published. As it was prepared under the provisions of the Town and Country Planning (Scotland) Act 1997 a further period of public consultation is not required. The SPG will therefore become a material planning consideration in deciding planning applications and appeals with immediate effect.

6 Employee Implications

- 6.1. There are no implications for staff resources within this Service.

7 Financial Implications

- 7.1. All publications and staffing costs arising from the recommendations of this report are accounted for within established budgets.

8 Other Implications

- 8.1. The Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs has been assessed in terms of the Environmental Assessment (Scotland) Act 2005 for Strategic Environmental Assessment of Council plans, programmes, policies and strategies. The conclusion of this screening was that an SEA was not required and this was agreed by the Consultation Authorities on 1 July 2008. The South Lanarkshire Local Plan identified the need for the Council to prepare Supplementary Planning Guidance on Affordable Housing and Housing for Particular Needs. There would be a reputational risk if this was not undertaken.

9 Equality impact assessment and consultation arrangements

- 9.1. All new Council policies require to be subject to an equality impact assessment (EqIA). The conclusion of the initial EqIA is that the proposals do not have any adverse impact on any part of the community covered by equalities legislation, or on community relations. Therefore there was no requirement to carry out a full EqIA.
- 9.2. The Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs will be made available on the Council's web site. Copies will also be available for purchase.

Colin McDowall
Executive Director
(Enterprise Resources)

Lindsay Freeland
Executive Director
(Housing and Technical Resources)

20 April, 2011

Link(s) to Council Objectives/Improvement Themes/Values

- Improve the quality of the physical environment
- Improve health and increase physical activity

Previous References

- Report to Planning Committee 18th November 2008, South Lanarkshire Local Plan, Local Plan Inquiry Report – Statement of Decisions and Pre Adoption Modifications
- Report to Executive Committee 23 February 2011 - The Glasgow and the Clyde Valley, Housing Need and Demand Assessment, Local Housing Strategy (2012 - 2017)

List of Background Papers

- Supplementary Planning Guidance: Affordable Housing and Housing for Particular Needs
- SPG: Affordable Housing Consultation Summary and Responses

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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