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Supplementary Guidance: Maintaining an Effective Housing Land Supply

Introduction

What is Supplementary Guidance?

Supplementary Guidance (SG) is intended to provide helpful guidance, consistent with the provisions of the Local Development Plan (LDP). Scottish Government Circular 6/2013 "Development Planning" states that guidance adopted in connection with the LDP will form part of the development plan. As such, its content will carry the same weight as the LDP in determining planning applications.

What is the Purpose of this SG on new housing?

Housing is a major use of land. Finding enough land to build enough houses to meet demand is an important part of the local development plan. To protect undeveloped countryside, and to meet national guidance, housing development should, wherever possible, be directed to existing gap sites, or to redevelopment or brownfield sites within settlements. Encouraging brownfield housing development on suitable sites will help improve and bring life to areas which may have fallen into disuse or disrepair.

We will regularly review the housing land requirements through undertaking an annual housing land audit. If there is not enough land available, we may have to find suitable greenfield sites which meet the terms of national planning policy guidance.

The purpose of this SG is to set out the criteria which future applications for planning permission will be determined in the event of there being a shortfall in the 5-year effective housing land supply. This SG is directly related to South Ayrshire LDP Policy "Maintaining and Protecting Land for Housing", which is attached to this SG as Appendix 1.

In relation to the provision and maintenance of an effective supply of housing land, the South Ayrshire LDP: -

- Guides housing development to allocated housing sites, which provide a range of small - medium scale housing sites located in a number of settlements in the Core Investment Area that are satellite to Ayr, Prestwick and Troon.
- Encourages housing development at appropriate sites within settlements - particularly brownfield sites - in preference to greenfield sites.
- Seeks to minimise the infrastructure impact of housing development, through geographically spreading housing allocations around settlements in the north of South Ayrshire, and encouraging development within settlements and brownfield land.
- Selects the most environmentally suitable sites for housing.
- Provides a generous supply of housing land by allocating land to provide an additional 20% of the total land supply, to provide flexibility for any allocations that unexpectedly fail to deliver housing within the LDP period.
- Commits to reviewing the LDP early if it is identified that there is an insufficient housing land supply.

Overall, the LDP seeks to allocate additional housing land to complement the range of sites already in the housing land supply.

Specifically, LDP Policy: Maintaining and Protecting Land for Housing sets out how the LDP provided a supply of land for housing that meets the spatial strategy and identified housing needs as well as providing guidance on how we will determine the acceptability of applications for housing on allocated housing land, including the impact of development on infrastructure. The policy also establishes the mechanism for permitting housing development on land not allocated for housing in the LDP, where there is a shortfall in the effective housing land supply. This supplementary guidance assists by providing an additional level of detailed guidance on the application of the policy.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

The LDP aligns with Scottish Planning Policy (2014), which seeks to: -

- 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;
- enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

South Ayrshire Housing Market Areas



Supplementary Guidance: Maintaining an Effective Housing Land Supply Policy

Policy: Maintaining an Effective Housing Land Supply

Proposals for housing development on sites not allocated in the development plan, or that cannot be justified against other development plan policies (i.e. rural housing proposals or enabling development), will be determined in accordance with the process outlined below. Any such application for housing on unallocated land that does not meet Stage 1, as below, will be contrary to the development plan and will not be supported.

In determining the most suitable sites for residential development, the Council will give priority to redevelopment opportunity sites and sites identified within the Council's urban capacity study, where the terms and policies of this supplementary guidance and the local development plan are met.

STAGE 1: Establish shortfall in the 5-year effective housing land supply

- Agreed deficit in annual housing land audit, indicating there is not sufficient allocated land to maintain a 5-year supply of effective housing land ⁽¹⁾
- Quantify deficit (i.e. number of units; can the location[s] of any deficit be identified?)

STAGE 2: Principle of edge of settlement/ greenfield sites (not greenbelt) acceptable if -

- South Ayrshire Council agrees Stage 1
- the proposal is limited to 49 units to ensure it aligns with the LDP housing distribution strategy; that it is less likely to trigger a requirement for significant infrastructure interventions to be deliverable; and to ensure the development is a 'local development' - thereby reducing processing time scales
- the applicant proves effectiveness of the site being promoted and that delivery will commence within 3 years (there will be a preference for sites being promoted by, or in conjunction with, an established house builder) ⁽²⁾
- the site will contribute to reducing the deficit in the land supply at point of determination of a planning application
- the site will not jeopardise the LDP spatial strategy by utilising infrastructure capacity planned to deliver LDP priorities (including allocated housing sites)
- the site can meet infrastructure requirements (as per LDP Policy: delivering infrastructure) without undermining the viability of the development proposal
- the development of the site would be otherwise compliant with LDP.

NOTE: Where several competing applications propose a number of units that will exceed the shortfall identified in Stage 1, those applications will be assessed on a first-come, first-serve basis and based on site effectiveness (particularly contribution to meeting qualitative deficiencies in the land supply) and environmental and infrastructure impact.

1 The most recent housing land audit will inform the Council's decision as to whether there is a shortfall in the 5-year effective housing land supply. Applicants are discouraged from submitting planning applications under the terms of this Supplementary Guidance without discussing the proposal with the Council to establish whether the Council considers there to be a non-effective housing land supply. A five year effective supply will be defined as the housing target established in the adopted LDP (6108) divided by 12 for each of the years covered by the LDP allocation (2011-2023) to identify an annual housing target. The annual housing target should then be multiplied by 5 for each of the years within the 5 year effective supply.

2 Effectiveness of housing land is defined in the Scottish Government's Planning Advice Note [PAN] 2/2010 "Affordable Housing and Housing Land Audits", paragraph 55, which explains the circumstances when land housing land can be considered effective. In terms of marketability of land, which PAN 2/2010 explains relates to whether the site (or part thereof) can be developed within 5 years, marketability will not be the sole determining factor in whether a site is effective, but we will take account of wider market conditions (for example, past housing completions) in determining the effectiveness of sites.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

The 5 year effective housing land supply will be calculated, as follows: -

<p>5-year effective land supply (years) =</p>	$\frac{\text{5-year effective housing land supply (units)}}{\text{5-year housing supply target (units)}}$	<p>X 5</p>
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STAGE 3: Planning permission subject to -

- Temporary permission for 1 - 3 years (which may not be renewed, if not commenced) to ensure delivery of housing land that is immediately able to meet an identified deficit in the housing land supply and that sites permitted through this mechanism are not land banked.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Policy: Additions to Small Settlements

In recognition that there may be opportunities to add a small number of houses to small settlements in a way that consolidates the form of the settlement at the edge of the settlement, the Council will also allow small-scale housing developments outwith the settlement boundary identified in the Local Development Plan.

This can allow a more flexible approach to providing additional housing to meet local needs adjacent to existing settlements, particularly in remote, rural areas. As such the addition of a limited number of houses can be acceptable, even where the site (or part thereof) is not within the settlement boundary shown in the LDP, so long as: -

- a) the proposal is sympathetic to the character and landscape setting of the existing settlement.
- b) the proposal respects the sense of place and existing settlement pattern.
- c) the proposal has a clear relationship with the existing settlement by being physically connected with the settlement.
- d) the proposed design solution is in keeping with the character and built form of the existing area.
- e) the proposal does not extend/create a ribbon of development.
- f) the proposal is mindful of natural boundaries in defining the extent of the site.

The above criteria will be applicable to all small settlements within South Ayrshire (except Ayr, Prestwick, Troon, Maybole, Girvan, Coylton and Dundonald), which have no undeveloped allocated Local Development Plan housing site. Any applicable settlement that has a partially developed site will also comply with the terms of this policy if: -

1. 75% of the units have been completed within the allocated site, and there are no other undeveloped allocated housing sites; or
2. where the site is for a specific tenure of affordable housing, for which there is a demonstrable need within the locality, and that it cannot be fully met within the allocated housing site (i.e if the affordable housing portion of a housing allocation has been developed, and a demonstrable need for further affordable housing exists).

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Glossary

Glossary

Brownfield site - A site, normally within an urban area, which has previously been developed or used for some purpose which has ended.

Core Investment Area - an area within the northern part of South Ayrshire which is well served by a good transport network, and access to amenities and employment opportunities. Refer to LDP Policy: Spatial Strategy.

Development opportunity sites - sites identified within the Redevelopment Opportunities Supplementary Guidance. These sites are normally brownfield and suitable for a wide range of uses. In general, the redevelopment of these sites will assist in improving the environmental quality of the surrounding area.

Effective housing land supply - land which is free, or expected to be free, of development constraints in the period of the plan and will therefore be available for housing.

Gap site - An undeveloped site, normally within a built-up area.

Greenfield site - a site which has never previously been developed or used for an urban use and which is often located outwith a built-up area or town.

Housing needs and demand assessment [HNDA] - the HNDA indicates the amount of market and affordable housing needed, where the need is located, who needs it and in what timescales. The HNDA is the primary source of information on housing needs within the LDP area, and is used to inform the housing land allocated in the LDP.

Land banking - where landowners withhold land that would otherwise be suitable (or allocated in a development plan) for housing development in order to sell or develop the land at a later date for a higher value and profit.

Local development - All development other than national or major development. It may cover minor developments which have permitted development rights and do not need a formal planning application.

Local Development Plan [LDP] - sets out the strategic spatial priorities and policies for land use in South Ayrshire (see 'spatial strategy') and will secure land allocations for specific uses (for example, housing and industry) to provide increased certainty for development.

LDP spatial strategy - sets out what the local development plan wants to achieve and provides guidance for where new development should and should not be located.

Ribbon development - Progression of development in a linear form, usually along a road.

Urban capacity study - An audit and assessment of available land within towns and urban areas that could be suitable for housing development.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Appendix 1 - LDP Policy

We will ensure the maintenance of an effective five-year supply of land for housing to meet demand. Where the supply is not maintained we will seek an early review of the local development plan, and will assess any housing proposals on unallocated sites against relevant development plan policies and the criteria to be set out in supplementary guidance which we will prepare on the subject. We will encourage housing development on appropriate brownfield sites, rather than greenfield sites.

To meet current housing need and demand, residential development on sites identified in the local development plan settlement maps will be acceptable. Development on any allocated housing site must meet the supplementary guidance on local development plan housing release sites. You can find information on the indicative capacity of new housing sites, identified in this Plan [the LDP], in Appendix D.

Proposals for development other than housing on land identified in the housing land supply or identified for housing development in the settlement maps will have to show they will have environmental, economic or social benefits or encourage regeneration. The proposal must also have an acceptable effect on the amenity of surrounding uses, especially residential uses, in line with LDP policy: residential policy within settlements, release sites and windfall sites.

[LDP] Appendix D sets out the indicative number of houses to be built on each of the proposed housing release sites, and guidance on what could limit the release of any particular site. If a development proposes more houses than are planned for the site, the developer will have to show the proposal can provide any further infrastructure needed and will have to show there is no negative effect on the environment and complies with other local development plan policies.

Future housing growth, and the scale of growth, will be subject to future priorities, our vision and spatial strategy, and changing housing need and demand. In the period 2023 to 2033 around 6,000 new homes may be required. Housing is likely to be focussed on the completion of the strategic expansion site in South East Ayr and distributed in and around the settlements of Ayr, Prestwick and Girvan, with limited expansion in other settlements.

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Local Development Plan

Maintaining and protecting land for housing

We must provide housing sites to meet demand if we are to avoid problems of homelessness, overcrowding and people leaving the area. Housing development may also help economic development, regenerate towns and provide a wider range of housing choices.

Housing is a major use of land. Finding enough land to build enough houses to meet demand is an important part of the local development plan. To protect undeveloped countryside, and to meet national guidance, housing development should, wherever possible, be directed to existing gap sites, or to redevelopment or brownfield sites within settlements. Encouraging brownfield housing development on suitable sites will help improve and bring life to areas which may have fallen into disuse or disrepair.

We will regularly review the housing land requirements. If there is not enough land available, we may have to find suitable greenfield sites which meet the terms of national planning policy guidance. The table below sets out the housing supply target for the period of the local development plan and the new land allocation needed to meet this target. These figures take into account the housing need and demand assessment and existing housing land supply.

LDP policy: maintaining and protecting land for housing

We will ensure the maintenance of an effective five-year supply of land for housing to meet demand. Where the supply is not maintained we will seek an early review of the local development plan, and will assess any housing proposals on unallocated sites against relevant development plan policies and the criteria to be set out in supplementary guidance which we will prepare on the subject. We will encourage housing development on appropriate brownfield sites, rather than greenfield sites.

To meet current housing need and demand, residential development on sites identified in the local development plan settlement maps will be acceptable. Development on any allocated housing site must meet the supplementary guidance on local development plan housing release sites. You can find information on the indicative capacity of new housing sites, identified in this Plan, in Appendix D.

Proposals for development other than housing on land identified in the housing land supply or identified for housing development in the settlement maps will have to show they will have environmental, economic or social benefits or encourage regeneration. The proposal must also have an acceptable effect on the amenity of surrounding uses, especially residential uses, in line with LDP policy: residential policy within settlements, release sites and windfall sites.

Appendix D sets out the indicative number of houses to be built on each of the proposed housing release sites, and guidance on what could limit the release of any particular site. If a development proposes more houses than are planned for the site, the developer will have to show the proposal can provide any further infrastructure needed and will have to show there is no negative effect on the environment and complies with other local development plan policies.

Future housing growth, and the scale of growth, will be subject to future priorities, our vision and spatial strategy, and changing housing need and demand. In the period 2023 to 2033 around 6,000 new homes may be required. Housing is likely to be focussed on the completion of the strategic expansion site in South East Ayr and distributed in and around the settlements of Ayr, Prestwick and Girvan, with limited expansion in other settlements.

Housing Supply Target (for 10 year Plan period 2018-2028, plus 2 year lead-in from base year of 2011)	6,108
Plus a generosity allowance (0%)	+1,221 7,329
Less part of established supply that will become effective to 2023	-5,277 2,052
Less allowance for rural housing arising from operation of rural policies	-180 1,872
Housing shortfall requiring new land allocation	1,872

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Appendix 2 - Consultation Comments

Full Name	Company / Organisation	Summary of Representation	Response
Simon Pallant	Scottish Government	<ul style="list-style-type: none"> ● On page 2 under the heading 'What is the Purpose of this SG on new housing?' the text in the third paragraph should be changed to read as follows: " The purpose of this SG is to set out the criteria which future applications for planning permission will be determined in the event of there being a shortfall in the 5-year effective housing land supply " ● The introduction section of the guidance could be amended to include additional context on the policy principles of SPP on maintaining a 5-year supply of effective housing land and a clearer description of your LDP policy on maintaining and protecting land for housing. ● On page 3 the heading of Stage 1 should be amended to read " STAGE 1: Establish shortfall in the 5-year effective housing land supply " ● On page 3, Stage 1, the wording in the first bullet should be amended to read: "Agreed deficit in annual housing land audit, indicating there is not sufficient allocated land to maintain a 5-year supply of effective housing land " ● We are of the view that the third bullet on page 3, Stage 1 should be removed as this should not form part of the process in establishing the 5-year effective housing land supply. Any deficit in land supply should be assessed against the figures contained within your adopted Local Development Plan. ● In the fourth bullet on page 3, Stage 3, it would be helpful to provide further information on how 'effectiveness' is to be demonstrated by applicants. The paragraph could be amended to highlight that further guidance on assessing the effectiveness of sites is contained with PAN 2/2010 'Affordable Housing and Housing Land Audits'. ● The first sentence of the final paragraph on page 4 should be amended to read: " ● The most recent housing land audit will inform the Council's decision as to whether there is a shortfall in the 5-year effective housing land supply " ● The final paragraph of page 4 could be improved by including a table of how the 5 year supply of effective housing land and annual housing target is calculated. ● In finalising this guidance we ask that you work closely with the development and housing industry to reach agreement on how this supplementary guidance will be applied. 	<p>Response</p> <ul style="list-style-type: none"> ● All changes agreed, accepted and incorporated into finalised SG. ● Comments of an editorial nature were recommended to ensure terminology more closely aligned with Scottish Planning Policy, and/or provided additional clarity of intent of policy and its application. The modifications are reasonable, and can be accepted, without altering the intent of the SG. ● The modification sought to delete reference to a future Housing Needs and Demands Assessment influencing outcomes of is accepted following discussions with Scottish Government staff and the Scottish Government's publication "Draft Planning Delivery Advice: Housing and Infrastructure", which provides additional clarity on how the effective land supply should be calculated and how effectiveness of housing land is determined, which provides comfort that the intent and application of the policy will not be compromised.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Full Name	Company / Organisation	Summary of Representation	Response
Michael S Evans	Dawn Group Ltd	<ul style="list-style-type: none"> Page 2 – under the heading “What is the Purpose of this SG on new housing?”, insert, as the seventh bullet point, the following: - “Commits to annual audit of the housing land supply.” Page 3 – under the heading “Policy” sub-heading “Policy: Maintaining an Effective Housing Land Supply Stage 3”, add to bullet point 4, the following: - “In order to maintain a consistency in approach, the criteria set out in paragraph 55 of Planning Advice Note 2/2010: Affordable Housing and Housing Land Audits will be used to measure/confirm effectiveness” 	<ul style="list-style-type: none"> Reference to paragraph 55 of the Scottish Government’s Planning Advice Note 2/2010 has been included in the Finalised SG. The finalised SG has been updated to acknowledge that the Council will undertake an annual housing land audit
James Seabury	Banks Property	<ul style="list-style-type: none"> A commitment should be made to reviewing the housing land requirement annually to ensure there is an up to date housing land audit available to use as a basis for calculating the housing land supply. Any grant of planning permission for housing as a result of this SG should not restrict permissions to temporary periods. Conditions or legal agreements can control the need to commence development within three years of the date of the decision but the permission granted should be a permanent permission. The granting of ‘temporary permission’ for residential development would be misleading and could potentially be unlawful. General Policy: the term ‘significantly contrary’ should not be used for all unallocated sites that do not meet stage 1 of the policy. The scale, location and individual context of a proposal need to be considered before being able to form a view as to whether a proposal is significantly contrary to the development plan. Stage 1: the third bullet point in stage 1 should be deleted. Any Housing Needs and Demands Assessment prepared following the adoption of the LDP should not influence the Council’s decision as to whether it has an effective housing land supply. The housing supply target in the LDP is fixed. The only variables which will determine whether the council has a sufficient land supply is the most up to date housing audit which contains the number of completions and programming of sites. Limiting proposals to 49 units without knowing the scale of any potential shortfall sits at odds with Scottish Ministers intentions in respect of provision of an effective housing land supply. Sites should be assessed on a case by case basis. If there is a significant shortfall in the housing land supply during the plan period, subject to compliance with other criteria within the supplementary guidance, sites of more than 49 units should be approved. Infrastructure requirements will be assessed for any proposal coming forward and developers will need to demonstrate that any proposal can support the necessary infrastructure required. The condition requested by the council for sites to commence within three years of permission being granted ensures that timescales and the need for sites deliver completions quickly is fully addressed. The Proposal of Application Notice stage required for a major planning application can be effectively managed alongside pre-application discussions with officers. There are no further delays with assessing residential 	<ul style="list-style-type: none"> The finalised SG has been updated to acknowledge that the Council will undertake an annual housing land audit. This SG seeks to allow planning permission to be granted to alleviate the eventuality of there being a shortfall in the 5 year effective housing land supply, recognising that, subject to compliance with the terms of the SG, this mechanism can act faster than an LDP can deal with this issue. This relies on sites that are known to be effective in the immediate term. Without restricting such permissions to temporary periods, the Council cannot ensure that permitted housing proposals will actually serve to address the acute pressure to provide a 5 year effective housing land supply, at any time the provisions of this SG become ‘active’. As such the inclusion of a clause restricting consents to a temporary period remains in the finalised SG. Agree to delete ‘significantly’ from the Policy, as suggested. As above, reference to HNDA has been deleted in the finalised SG. This SG seeks to allow planning permission to be granted to alleviate the eventuality of there being a shortfall in the 5 year effective housing land supply, recognising that, subject to compliance with the terms of the SG, this mechanism can act faster than an LDP can deal with this issue. While this mechanism seeks to provide housing land in the immediate term to address a shortfall in the effective housing land supply, it is considered appropriate to limit this to a lower level of units. This is because the evidence supporting the development of the LDP demonstrated that sites of such a scale are most likely to deliver, especially in current economic conditions; because this is more in line with the spatial strategy, which sought to allocate small-medium scale releases, recognising these would have a lower (or no) impact on infrastructure, and therefore be more likely to deliver. Sites of a larger scale permitted through this mechanism, could exacerbate delivery issues if they compromise infrastructure capacity intended for allocated sites. The cap of unit number is therefore retained in the finalised SG. The finalised SG retains the preference for sites promoted by, or in conjunction with, established house builders. This does not preclude proposals submitted by other parties, including established developers, from gaining consent through this route. It does not alter the main test that the effectiveness of the sites is proved. It is intended only to illustrate that established house builders are the more likely party to be able to deliver a site in the immediate future.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Full Name	Company / Organisation	Summary of Representation	Response
James Seabury	Banks Property	<p>continued ...</p> <ul style="list-style-type: none"> • developments which are classed as major planning applications. It is recommended that the limit of the number of units is increased to 150 units. • Similarly, the preference for sites being promoted by a house builder is also likely to result in a piecemeal approach to land coming forward and exclude a number of deliverable sites in highly marketable areas. House builders are more likely to control the release of land for housing from multiple sites as opposed to development companies who can address planning issues and then provide 'oven ready' sites to the open market which can deliver housing quickly. • If developers demonstrate that sites are marketable and consents are issued requiring construction to commence within three years, such permissions will deliver housing within short timescales. The preference for a house builder promoting a site will undermine other sites being promoted by established development companies and should be deleted. 	
Peter Newland		<ul style="list-style-type: none"> • The policy says "e) The proposal does not extend/create a ribbon of development." I cannot understand why ribbon development is prohibited. It gives access to a road on one side, views over open landscape on the opposite side, and only limited intrusion into the privacy of the properties on either side. The favoured development seems to be clusters of houses, each of which overlooks its neighbours; invades their privacy; and only has views of other houses. I can appreciate that a new housing development consisting of a mile-long ribbon would not be acceptable, but as an addition to existing small settlements I think ribbon development should be the preferred option. 	<ul style="list-style-type: none"> • The disadvantages of ribbon development are widely recognised and it is generally accepted as being a fundamentally unacceptable layout for residential development. Ribbon development is visually harmful to the setting of existing towns and villages, it is not conducive to the creation of communities, there are problems associated with road access and it can often have harmful implications for land to the rear (e.g. making access more difficult), houses become more remote from shops and other services and it contributes towards urban sprawl.
Kevin Murphy	Persimmon Homes Limited	<ul style="list-style-type: none"> • The SG should include a map and figures detailing the two Housing Market Areas (Ayr Urban HMA and Girvan and South Carrick HMA). • Suggesting that developers consider the Council's urban capacity study is unlikely to be appropriate as these sites may not be in the developers control and the landowner may artificially inflate the price to reflect the fact that no other sites are to be considered. Securing such sites may not therefore make the development viable and as a result the site is not effective. The sequential approach of targeting urban capacity sites is unlikely to be productive in the current economic circumstances. The guidance should target sites that developers can most easily develop within a short term horizon. • Support the preference for sites being promoted by or in conjunction with a house builder; however, concerned that capping sites at 49 units will compromise development viability. Larger developments will generally deliver better economies of scale whilst also allowing developers to address infrastructure costs which may be required. Capping a development will not necessarily prevent infrastructure upgrades from being required or could mean that any subsequent development is met with significant infrastructure costs. Furthermore the site area may mean that the application is a major development even if the number of units is capped and this or, if contentious, the number of 	<ul style="list-style-type: none"> • A map of the housing market areas is included in the finalised SG. • The finalised SG has been amended to indicate the Council's strong support for development of sites within an urban capacity study; but the inference that a developer should demonstrate it cannot develop urban capacity study sites, before being able to pursue other sites has been removed. • As above, the finalised SG retains the cap on unit numbers for sites promoted through this SG. • The Council will take a first-come-first-serve approach to dealing with development proposals that require infrastructure capacity that are not committed development proposals. This does not require any alteration to the SG. • As above, the temporary consent clause is retained, but modified to recognise any permission will be limited for a 3 year period. • It is considered that the SG and LDP spatial strategy are both highly sensitive to market and economic conditions, and this influenced the spatial strategy. No modification required.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Full Name	Company / Organisation	Summary of Representation	Response
Kevin Murphy	Persimmon Homes Limited	<p>continued ...</p> <ul style="list-style-type: none"> • objections may require the application to be referred to Committee. If an application is major or referred to Committee the preparation and processing times are extended. • The SPG states that competing applications will be dealt with on a first come first served basis. Should this approach not also be use where sites proposed to meet the housing land supply shortfall are competing against other used for infrastructure capacity? Utility companies generally do not reserve capacity for developers and it would be unreasonable if the Council were to refuse an application on the basis that they were safeguarding capacity for an alternative development that may or may not be viable in the current market conditions. • The SPG proposes temporary consents of 1-3 years for residential development. Whilst this may be acceptable for detailed consents following the issue of the decision notice anything less than 3 years for a Planning Permission in Principle (PPP) consent is unreasonable and unrealistic. There is no certainty on when a planning application will be determined and house builders will need to ensure that any conditions are addressed, which takes time, and that other consents are gained. Can South Ayrshire Council ensure that all other consent processes, such as Road Construction Consent, or condition purification can be completed within a year of approval? One year is therefore extremely unrealistic for a PPP application. A proposal to remove the site after 5 years of inactivity following adoption of the Plan may have more merit. The latter would also weed out sites which are not effective in the relevant LDP period. • SAC need to have cognisance of strong and weak housing market areas. Sites allocated in weak areas have less chance of being delivered due to being of greater risk to the private sector. In order to ensure that housing takes place the focus should be on the right sites in the right places. This will ensure that SAC benefit from the delivery of more housing the associated economic benefits through increases in employment, GVA, additional residential expenditure and Council Tax revenues. 	
Derek Manson	SNH	<p>We consider that additional housing to small settlements needs to be carefully managed to ensure there is not an adverse impact on the landscape character. We therefore recommend you consider the following additions to the criteria</p> <ul style="list-style-type: none"> • Bullet (a) the proposal is sympathetic to and enhances the character, and landscape setting of the existing settlement. • After bullet (a) the proposal respects and enhances the sense of place and the settlement pattern • After bullet (e) the development is protective of natural boundaries when defining the extent of the proposal • Additional bullet - the development is well integrated into its landscape or villagelandscape setting to achieve a good landscape fit in terms of scale, landform, planting, landscape features and patterns, and views and vistas 	<ul style="list-style-type: none"> • A requirement to enhance the character and landscape setting of existing settlements may not always be achievable. Effects may be neutral and considered acceptable. It is considered unreasonable to impose this requirement as this would also not be consistent with the site selection process for the LDP. • The second and third bullet points have been included within the SG. • The existing bullet points are considered to have covered the issues raised within the suggested additional bullet point, in general terms.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Full Name	Company / Organisation	Summary of Representation	Response
Andrew Stevenson	Historic Scotland	<p>We welcome the preparation of this guidance and understand that any proposals will still be considered against the any relevant historic environment policies within the local development plan. The specific reference to this in Stage 3 of the Policy: Maintaining an Effective Housing Land Supply is welcomed as is the focus on design and character within the Additions to Small Settlements policy.</p>	<p>Note comments.</p>
Tammy Adams	Homes for Scotland	<ul style="list-style-type: none"> ● A Housing Needs and Demands Assessments produced subsequent to the establishment of a housing supply target in an adopted LDP should not be a consideration in whether the Council has an effective 5 year housing land supply. ● It is impractical and unrealistic to require home builders to develop sites from the Council's urban capacity study before they may bring forward other sites. The council should not refuse to consider other deliverable sites where these are identified by home builders, because sites in an urban capacity study have not been developed. Urban capacity sites may not be available to home builders at all a viable cost or may be impractical to implement in the short term. Any shortfall will be corrected more readily if a more flexible approach is taken to windfall sites. The sequential methodology proposed is therefore not appropriate in this instance. ● A home for Scotland welcomes the preference for sites being promoted by or in conjunction with a home builder. However, we believe capping sites at 49 units could compromise the viability of a development. Larger developments generally deliver better economies of scale, whilst allowing developers to address any infrastructure costs. Capping a development will not necessarily prevent infrastructure upgrades from being required or could mean that any subsequent development is met with significant infrastructure costs. Furthermore the site area may mean that the application is a major development even if the number of units is capped and this or, if contentious, the number of objections may require the application to be referred to Committee. If an application is major or referred to Committee the preparation and processing times are extended. There is therefore unlikely to be anything to be gained in terms of lead-in time by putting in place a cap on the scale of development allowed on a single windfall site on the edge of a settlement or on greenfield land. ● The SPG states that competing applications will be dealt with on a first come first served basis. Should this approach not also be use where sites proposed to meet the housing land supply shortfall are competing against other used for infrastructure capacity. Utility companies generally do not reserve capacity for developers and it would be unreasonable if the Council were to refuse an application on the basis that they were safeguarding capacity for an alternative development that may or may not be viable in the current market conditions. ● The Council should not use planning conditions to require implementation of a planning permission within a given timeframe as this is contrary to established practice as articulated in the planning conditions circular. Any conditions imposing shorter timescales for commencement should be fully justified in terms 	<ul style="list-style-type: none"> ● As above, reference to HNDA has been deleted in the finalised SG. ● The finalised SG has been amended to indicate the Council's strong support for development of sites within an urban capacity study; but the inference that a developer should demonstrate it cannot develop urban capacity study sites, before being able to pursue other sites has been removed. ● As above, the finalised SG retains the cap on unit numbers for sites promoted through this SG. ● The Council will take a first-come-first-serve approach to dealing with development proposals that require infrastructure capacity that are not committed development proposals. This does not require any alteration to the SG. ● As above, the temporary consent clause is retained, but modified to recognise any permission will be limited for a 3 year period. ● It is considered that the SG and LDP spatial strategy are both highly sensitive to market and economic conditions, and this influenced the spatial strategy. No modification required.

Supplementary Guidance: Maintaining an Effective Housing Land Supply

Full Name	Company / Organisation	Summary of Representation	Response
		<p>of the planning tests set out in the planning conditions circular. The Council should anticipate future supply shortfalls through the housing and audit and</p>	
<p>Tammy Adams</p>	<p>Homes for Scotland</p>	<p>Summary of Representation</p> <ul style="list-style-type: none"> ● continued... ● should act early by releasing additional sites which will prevent that shortfall from occurring – rather than waiting for the shortfall to occur. ● The timescales associated with Planning Permission in Principle (PPP) should not be restricted to less than the standard 3 years. Home builders cannot be certain when a planning application will be determined and they need to be able to ensure that any conditions can be addressed. This takes time. They also need to gain other consents are gained. Can the council ensure that all other consent processes, such as Road Construction Consent, or condition purification can be completed within a year of approval? In light of such factors, one year is extremely unrealistic for a PPP application. ● The council need to have cognisance of strong and weak housing market areas. Sites allocated in weak areas have less chance of being delivered due to being of greater risk to the private sector. In order to ensure that housing takes place the focus should be on the right sites in the right places. This will ensure that SAC benefit from the delivery of more housing the associated economic benefits through increases in employment, GVA, additional residential expenditure and Council Tax revenues. 	<p>Response</p>

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