

Stirling Local Development Plan: Proposed Plan Representation Form	
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Please fill in the paragraph number, policy number, site reference, action programme reference or the environmental report reference that your representation relates to.	
Paragraph Number:	Policy number:
Site reference:	
Action Programme reference:	
Environmental Report reference:	
Representation (maximum of 2000 words)	
<p>Issue 1: Vision, Spatial Strategy and Policies</p> <p>At paragraph 3.5 Homes for Scotland notes that the overarching Policy and the Spatial Strategy are intended to be as much part of the consideration leading to development decisions as the detailed Policies and Supplementary Planning Guidance (SPG). Homes for Scotland strongly require that any SPG's should be part of the Proposed Plan to enable an appropriate consultation alongside the Proposed LDP and ahead of the LDP examination. To Homes for Scotland and its members SPG's are important documents that will be referred to by the Council in making decision on planning applications and as such should be given the proper weight and considered along with the Proposed Plan. Whilst we acknowledge that SPG's will be subject to public consultation it is Homes for Scotland's experience that any changes/comments put forward are not taken on board and given proper consideration.</p> <p>Specific comments on Policies</p> <p>Policy 2.2</p> <p>In Table 6: Affordable Housing Calculation of Policy 2.2: Planning for Mixed Communities and Affordable Housing the Council have specified that there will be a 33% affordable housing contribution in highly pressurised areas. SPP states that the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. The SPP goes onto say in paragraph 88 that if a different percentage is required locally it must be justified by the housing need and demand assessment and identified in the local housing strategy and the development plan. The Housing Need and Demand Assessment did not indicate that a higher percentage of affordable housing is required nor was it stated in the local housing strategy. Homes for Scotland would in respect of this policy comment that no evidence has been provided by the Council</p>	

that would seek to justify such a high figure being applied and on that basis does not comply with SPP. Until such time as the Council properly justifies its position then the affordable housing figure should be reduced to 25%.

Policy 2.1

Whilst Homes for Scotland agree that the Council should seek a 5 year effective housing land supply through the annual housing land audit process and the LDP Action Programme, we consider that Policy 2.1 of the Proposed Plan should be simplified to be consistent with Policy 7 SESplan Strategic Development Plan June 2013.

Policy 3.3

Homes for Scotland would point out that Policy 3.3 is dependent on its implementation on the suite of Supplementary Guidance (SG) approved by the Council under the adopted LDP. Some SG is statutory Supplementary Guidance and other guidance is non-statutory. Additionally Homes for Scotland would comment that each planning application needs to be assessed on its merits. Homes for Scotland have been consistent in its approach to the provision of health care facilities in that no developer contributions should be used. Other local planning authorities such as Moray Council do not consider this to be acceptable.

The Council's review of its SG needs to take account of the application of financial contributions to fund infrastructure interventions not specifically required as a direct result of the development's impact. The Council need to take account of the amount of financial contributions to fund infrastructure interventions not specifically required as a direct result of the development's impact and also in particular, the recent Court of Session decision regarding the Aberdeen City and Shire Strategic Development Planning Authority (Elsick Development Co Ltd v Aberdeen City and Shire Strategic Development Planning Authority and Goodgrun Ltd [2016]).

Homes for Scotland note that in rolling forward the current SGs, the Council's financial contributions, as calculated, are becoming dated. We invite the Council to review its SG to ensure that it continues to refer to up-to-date information and projections. Interventions should be identified to remedy potential impacts on infrastructure arising from the proposed development strategy for each individual site allocation. This would accord with current case law.

Accordingly, Homes for Scotland considers that a comprehensive review of SG16 Developer Contributions should be undertaken by the Council.

Stirling Core Area and Greenbelt

As the Council will be aware the Spatial Strategy of the Local Development Plan comprises five different development approaches within two distinct areas: Urban Consolidation, Strategic Development and Regeneration within the Core Area and Sustainable Expansion and Rural Development in the Rural Villages Area. This sets the context for how the area will develop over the next 20 years.

Having regard to this, Homes for Scotland notes that much of the Core Area as set

out in Figure 7 of the Proposed plan (Stirling Core Area Green Belt) is located within the Greenbelt although no proper review of the greenbelt has been undertaken or is indeed planned to be undertaken in the near future. A comprehensive review of the Green Belt should be undertaken by the Council as soon as possible.

Setting the Housing Land Supply

Stirling Council (the Council) is consulting on the Local Development Plan: Proposed Plan June 2016. This response by Homes for Scotland must be read in conjunction with our previous representation to the Stirling Local Development Plan: Main Issues Report August 2015.(Move)

Section 6 of the Stirling Local Development Plan: Proposed Plan sets out the land requirement for housing along with business and retail development. Homes for Scotland would endorse the Council's view as set out in paragraph 6.3 of the Proposed Plan that the provision of land for housing and the timely release of that land to enable the building of homes is a key component of the Plan. Housing plays a key component in delivering affordable housing, infrastructure, education and community facilities which help deliver the Council's wider strategic economic, social and environmental policy objectives. Homes for Scotland would also agree that there needs to be a good range and choice of locations for new development to meet local housing pressures as set out paragraph 6.4

With regard to paragraph 6.7, Homes for Scotland fundamentally disagree with how the Council has arrived at its housing supply target (HST). To Homes for Scotland there are significant issues regarding the methodology adopted by the Stirling Council to define the housing supply targets, housing land requirement and the effective housing land supply for the Local Development Plan (LDP) 2. In Homes for Scotland's assessment there is a significant shortfall in the scale of new housing allocations required in the LDP to meet the housing land requirement in full. As a consequence of this the Council's proposed development strategy will not maintain a 5 year effective housing land supply at all times. This is not acceptable to Homes for Scotland or its members.

In the Housing Background Report July 2016 (HBR) the Council states that it seeks to take a fresh look at this approach (to setting the HST) and it has been concluded that that it is more appropriate to use the 2015 Housing Land Audit as the base year for the LDP given that this provides in the Council opinion the most up to date account of and future programming for housing land. The Council has gone on to justify this by stating that the HST is a target and not a mandatory requirement and that it has never been the intention of SPP that planning authorities should 'carry over' any underperformance against housing targets to a new plan.

This 'carry over' as the Council has pointed out equates to 540 housing units. We would argue that this is a insignificant figure that cannot be simply set aside without good sound policy reasons which have simply not been provided here by the Council.

Stirling Council: Table 2 Housing Supply Target

Tenure	Sub Area	Housing Supply Target	
		Per Annum	2015/2027
Market	Core	288	3,456
	Rural	40	480
	Total	328	3,936
Affordable	Core	62	744
	Rural	26	312
	Total	88	1056
		416	4992

Table 2 above set out the Council's position in terms of the Housing Supply Target. Homes for Scotland fundamentally disagrees that the council should set-aside the shortfall in housing delivery to date since the HNDA base-date of 2010. The LDP: Proposed Plan needs to ensure that this shortfall is addressed in full. The extent of the shortfall in delivery from 2010 – 2015 can be established from page 15 of the Stirling Housing Land Audit 2015.

Homes for Scotland would suggest in the strongest possible terms that that it is not appropriate at all to set aside recent housing delivery shortfalls in the absence of a new HNDA as a standard component of the HNDA methodology is to take account of previous shortfalls in delivery, and factor that into its new need and demand figures. The need and demand as identified in the HNDA is still there and we do not understand why the Council would want to take this approach and further restrict the Housing Supply Target. Homes for Scotland require greater clarity on this matter. This approach is unacceptable to Homes for Scotland. As the housing supply target set out in LDP 2 relates to the period derived from the projections used in the LHS and should be 2010 to 2027. As a consequence of this the Council must take account of the houses that have been completed within the plan area during the period from 2010 to 2015. This position was set out in our letter to the Council dated 28 July 2016.

It is therefore apparent to Homes for Scotland that the Council considers that the annual supply target for affordable housing is 88 homes and 328 homes for market housing meaning an overall housing land supply target of 416 homes per annum. Over the 17 year period from 2010 to 2027 the total housing supply target is 7,072 and not 4,992 as set by the Council. This represents a shortfall of 3,136 homes. In Homes for Scotland's view the approach taken in the Proposed LDP does not therefore accord with SPP paragraph 115.

Homes for Scotland are very concerned that the Council are actively seeking to lower the Housing Supply Target to such an extent in relation to the assessed need and demand contained in the HNDA, and there must be significant concern that this could cause a significant housing crisis in the Stirling area. Moreover this is in stark contrast to other local authorities who are actively trying to offer a generous housing supply target. In our view, the Proposed LDP strategy is not consistent with Scottish Planning Policy and only seeks to respond to a shortage of affordable housing by unnecessarily constraining the overall housing supply. This is not a strategy that

Homes for Scotland endorses.

Homes for Scotland have always maintained that the generosity margin added to the LDP housing supply target should reflect the degree of certainty as to the deliverability of the housing land supply that has been identified to date. If an area has a strong track record of achieving its housing supply target there is an argument for a generosity margin towards the lower end of the 10-20% range. If an area has a track record of under-achieving its housing supply target by 20% or more, there is a strong argument for employing a 20% generosity margin.

Setting the Generosity Margin

Table 4 of the Proposed Plan sets out the Council's generosity margins. Homes for Scotland would point out that supply margins should not be limited by the pool of known potential housing land that the Council would be content to allocate. Homes for Scotland's reading of SPP is that a generosity margin and resulting housing land requirement should be decided upon before land is sought to fulfil that requirement. The Council indicate in the HBR that the 2015 housing land audit forecasts that an average of only 194 market houses per annum are proposed to be completed over the next five years.

As Homes for Scotland have stated before in our representation to the Stirling Local Development Plan: Main Issues report the continuation and escalation of recent delivery shortfalls cannot be sustained, and a larger generosity margin is a key means of achieving the change needed than the 14.4.% margin that the Council have proposed.

Table 3 as set out below is taken from the Housing Background Report and confirms over the 6 years from 2009 to 2015 an average of 232 units of market housing has been provided in the Stirling LDP area.

Table 3 Stirling Council LDP 2 Market Housing Completions – Stirling LDP area, 2009-2014

	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Market Completions	223	247	259	173	246	243

These completions of course should be considered against the development plan which was in place at the time, which was the Stirling Local Plan of 1999 and the Clackmannanshire and Stirling Structure Plan of 2002. The completion for the period 2010 to 2015 when compared against the adopted LDP housing supply target of 416 homes per annum identifies the under performance of allocated sites. This is set out below in Table 4.

HFS Table 4: Completions 2009-2014 Compared to Structure Plan Target

Year	2010/11	2011/12	2012/13	2013/14	2014/15	Total	Average
Completions	344	306	247	321	322	1,540	308
Target	416	416	416	416	416	2,080	416
Percentage	83%	74%	59%	77%	77%	74%	74%

Evidence should also be drawn from the Council's track record in using its housing land audits to predict delivery. If the Council wishes to promote a generosity margin at the lower end of the 10-20% range in this particular case 14.4% it should demonstrate, through further background information on housing land supply, that in recent years it has been 90% (or more) accurate in predicting the delivery of homes on sites identified as being part of the effective supply in the housing land audits. Homes for Scotland do not expect this to be the case.

Homes for Scotland would still maintain that a generous allowance of 20% is still appropriate here given the historic and significant unreliability in the housing land supply of the Stirling area. The housing land requirement for the LDP2 adopting a generosity allowance of 20% is set out in table 3 below and in the modification section of this representation.

Table 3 HFS Generosity Allowance

Tenure	Sub Area	Housing Requirement 2010 to 2027
Market	Core	5,875
	Rural	816
	Total	6,691
Affordable	Core	1,265
	Rural	530
	Total	1,795
Overall Housing Land Requirement		8,486

The Council have set out that the total housing land supply is 5,709 which is based on the following criteria, programmed completions based on the 2015 Housing Land Audit 2015 to 2027 4,967, windfall and Small sites allowance 2015 to 2027 -420

homes; and additional plan allocations 322.

Homes for Scotland would argue that the housing land requirement is derived from the housing supply target plus of course the generosity allowance, which should be set at 20%. The Council must take into account the completions running from 2010 to 2015, which equates to 1,540 as evidenced in the table below.

Years	2010/11	2011/12	2012/13	2013/14	2014/15	Total
Market	328	297	223	307	306	1461
Affordable	16	9	24	14	16	79
Total	344	306	247	321	322	1,540

Taking this into account the housing land supply should be as set out below:

Table 4 HFS Housing Land Supply

Tenure	Sub Area	Housing Completions	Existing supply from 2015 HLA	Small sites and Windfall Allowance 2015/2027	Housing Land Supply
Market	Core		3,498	305	
	Rural		212	116	
	Total	1461	3,710	420	5,591
	Core		1,180		
	Rural		77		
	Total	79	1,257	0	1,336
Total		1,540	4,967	420	6,927

The total effective housing land supply in accord with the 2015 Housing Land Audit is 6,927. Applying a 20% generosity margin of the scale of allocations is set out below in the table 5.

Table 5 HFS Additional Allocations

Tenure	Sub Area	Housing land Requirement 2010 to 2027	Housing Land Supply 2010 to 2027	Additional Allocations 2015 to 2027
Market	Core	5,875		
	Rural	816		
	Total	6691	5,591	1,100
Affordable	Core	1,265		
	Rural	530		
	Total	1,795	1,336	459
Total		8,486	6,927	1,559

The Council has made an additional allocation of 322 homes which as can be seen above is insufficient to meet the scale of allocations required. Homes for Scotland consider that there is case for an additional 1,237 are required over the LDP period.

Summary and Conclusions

Homes for Scotland fundamentally disagree in the strongest terms with how the Council has arrived at its housing supply target (HST), which is set out in paragraph 6.7. Homes for Scotland would argue that the Council has not in anyway adequately justified this approach which will essentially mean that 540 housing units. This is a significant figure that cannot be simply set aside without good sound policy reasons which have simply not been provided by the Council within the LDP. The Shortfall of allocation (Table 5) is set out in the modification section of this representation.

Homes for Scotland have serious concerns that the Council without making the additional allocations of homes will not be able to maintain an effective five year housing from the adoption of the LDP. This will essentially means that the housing land supply policies in the LDP will be out of date and does not accord with SPP paragraph 125. This is unacceptable to Homes for Scotland. The Scottish planning system is plan led and sufficient housing allocations should be made by the Council to ensure that there is an effective five year supply. It has not been demonstrated by the Council that this can be achieved. If the Council pursues this approach the default position is that there will be a presumption in favour of sustainable development which will be carried through the development control process and will result in appeals to the Council.

As Homes for Scotland have argued in this representation, the purpose of a generosity margin is to maximise the likelihood of the housing supply target being met. The degree of match between actual housing completions and those forecast to be delivered from the established land supply (as demonstrated through housing land audits) should be a lead factor in determining the size of the generosity allowance and therefore the housing land requirement. The Council have adopted a generosity margin of 14.4% but has not demonstrated a track record of 90% or more in using its housing land audits to predict delivery and therefore the Council should adopt a generosity margin of 20%.

The generosity margin should not be dictated and limited by the packages of new land the Council would most like to see allocated. If there is a need for additional land to be allocated in order to ensure HSTs are met then the Council should do this. Whilst accepting there are likely to be genuine constraints on some potential sites in the Stirling area, Homes for Scotland does not consider it reasonable to argue that further sites could not be found to provide for a generosity allowance of 20% whilst maintaining a sustainable approach to development planning.

Modifications you wish to see made to the Plan (maximum of 500 words)

Homes for Scotland set out below its modifications to the LDP:

- Policy 2.2 including Table 6 of the LDP needs to be amended so that a maximum figure of 25% for affordable housing is applied across all areas of Stirling.
- Policy 2.1 needs to be amended and simplified so that it is more consistent with consistent with Policy 7 SESplan Strategic Development Plan June 2013.
- A comprehensive review of SG16 Developer Contributions should be undertaken by the Council.
- A comprehensive review of the Green Belt should be undertaken by the Council as soon as possible in advance of progressing to examination of the Proposed and to inform and size and selection of the new allocation of 1,237 housing units.
- A generosity margin of 20% is required by the Council to be adopted for the reasons given above.

The Council's proposed development strategy as set out in LDP 2 does not in Homes for Scotland opinion comply with the requirements of SPP. Homes for Scotland would assert that the methodology for identifying the scale of allocations required to meet the housing land requirement in full is not correct. The following modifications as found in Tables 2, 3, 4 and 5 need to be adopted by the Council and be made part of the Proposed Plan as set out below.

The Housing Supply Target figure should be **7,072** as set out in Table 2 below.

HFS Table 2 Housing Supply Target

Tenure	Sub Area	Housing Supply Target	
		Per Annum	2010 to 2027
Market	Core	288	4896
	Rural	40	680
	Total	328	5576
Affordable	Core	62	1064
	Rural	26	442
	Total	88	1496
		416	7072

Table 3 below sets out the overall housing land requirement applying a 20% generosity allowance. .

Table 3 HFS Generosity Allowance at 20%

Tenure	Sub Area	Housing Requirement 2010 to 2027	Land
Market	Core	5,875	
	Rural	816	
	Total	6,691	
Affordable	Core	1,265	
	Rural	530	
	Total	1,795	
Overall Housing Land Requirement		8,486	

Table 4 HFS Housing Land Supply

Tenure	Sub Area	Housing Completions	Existing supply from 2015 HLA	Small sites and Windfall Allowance 2015/2027	Housing Land Supply
Market	Core		3,498	305	
	Rural		212	116	
	Total	1461	3,710	420	5,591
	Core		1,180		
	Rural		77		
	Total	79	1,257	0	1,336
Total		1,540	4,967	420	6,927

The Council has made an additional allocation of 322 homes which is not sufficient to meet the scale of allocations required. Homes for Scotland consider that there is case for an additional 1,559 over the LDP period as set out below in Table 5.

Table 5 HFS Additional Allocations

Tenure	Sub Area	Housing land Requirement 2010 to 2027	Housing Land Supply 2010 to 2027	Additional Allocations 2015 to 2027
Market	Core	5,875		
	Rural	816		
	Total	6691	5,591	1,100
Affordable	Core	1,265		
	Rural	530		
	Total	1,795	1,336	459
Total		8,486	6,927	1,559

Signature:

Date: 28 September 2016