

APPENDIX 1

Draft SPP3 Question	Proposed Council Response
<p>1. Do you think that planning guidance on HMO's should be provided as an annex to SPP3, which replaces the existing Circular 4/2004?</p>	<p>Yes, with certain areas highlighted.</p>
<p>2. Do you agree that this revised structure, including the annexes, improves upon the existing SPP3? In what ways do you think the revised structure provides more effective guidance?</p>	<p>The SPP provides a comprehensive approach to planning for land for housing. The SPP incorporates all the links between SPP3 and inter related guidance, policies, strategies and legislation. However, the comprehensive approach results in a lengthy document which is at risk of becoming unwieldy</p>
<p>3. Do you agree it is desirable to achieve a more robust and consistent approach to the assessment of housing need and demand? Does the approach set out in chapter two provide an appropriate mechanism for this?</p>	<p>Yes. This will be the key to success in addressing the shortage of housing supply. A robust HNA provides key information on how much land is required to meet need, in which locations and the type and tenure needed in each location. It is essential that housing land allocations respond effectively to the specific dynamics of need identified in the Local Housing Strategy.</p> <p>Agree that there should be a consistent approach to SHNMA across Scotland owing to the role they will play in allocating resources to LA's to meet local housing needs. SHNMA require to be robust and consistent because of the relationship to Affordable Housing Planning Guidance. Additional guidance to ensure a consistent approach may be required. However, the status of the Assessment requires to be clarified. Will it hold the status of supplementary planning guidance?</p> <p>Developers may object and objections could be upheld where assessments are not sufficiently robust or are inconsistent with national guidance. Local authorities need confidence and the support of robust local planning policies when engaging in often difficult negotiations with developers over affordable housing allocations.</p> <p>The current methodology of using population and household projections is recognised as being fairly limited in scope and frequently results in a highly inflated flexibility allowance</p>

	<p>being added to ensure an adequate supply of land is available.</p> <p>Development Plans should be encouraged to take a much longer term view in terms of housing land to ensure that there is an adequate supply available and to provide a longer term vision of settlement growth and associated infrastructure requirements.</p>
<p>4. How should the transition between the existing housing delivery system and that proposed be handled? How best can the cycles of new development plans due from the end of 2008 and the LHS due in summer 2009 be synchronised?</p>	<p>Changes should be phased in gradually as Development Plans are reviewed under the new provisions for Development Plans. Development Plan reviews should be based on up to date information including Housing Needs Assessment and Local Housing Strategies. These will form a core part of the SHNMA. While existing Plans may be out of sync with some of these other documents, it is unrealistic to expect reviews to start until current Plans require such a review. Annual monitoring of housing land supply through housing land audits will highlight any problems with supply and may trigger the need for a review.</p>
<p>5. Do you agree that local authorities should set policies to control the proportion of HMO accommodation in a given unit, where they consider this is necessary? How should maximum proportions be decided?</p>	<p>Yes, the local authority should set policies. If an area appears to have a large number of properties being used as HMO's, the local authority should refuse to license any further properties until the numbers start to decrease. Assessment of need for and provision of HMO's is part of LHS and the planning system responds accordingly by providing HMO density guidelines in particular areas. Density guidelines should reflect identified needs in a particular area as well as community sustainability factors and employment issues.</p>

<p>6. How do you think the planning system and the HMO licensing system can work together more effectively?</p>	<p>Planning staff could follow up on any applications every three months as opposed to the 6 month period in use at this time. Common databases could be used for HMO's in particular areas. Planning should be consulted as part of HMO licensing process. Early indication should be given to applicants if planning consent is required and advice provided. If an application is contrary to the Development Plan then the applicant should be advised at an early stage. Applicants are unlikely to take forward license applications that will not receive planning consent.</p>
<p>7. Does "the period under consideration" require a definition? (Annex C)</p>	<p>Yes. This is important for the efficiency of delivery of housing development programmes, especially in the context of the Strategic Housing Investment Plan. Essential to have firm development timescales for each site.</p>
<p>8. Is this a useful way to highlight the range of complementary policy and guidance that should be referred to throughout the process set out in SPP3? If not, what approach would be preferable?</p>	<p>Presentation is comprehensive and easy to follow. Web links to policies and guidance would help.</p>
<p>9. Are there particular costs or benefits not addressed in the partial RIA (Regulatory Impact Assessment)? What are they?</p>	<p>Appears to be comprehensive given assumption that full range of environmental costs are identified in the SEA.</p>
<p>10. Will particular groups not identified by the partial RIA be affected by SPP3?</p>	<p>No comment.</p>
<p>11. How might SPP3 impact positively or negatively on equalities groups?</p>	<p>Planning must ensure that when considering the requirement for HMO accommodation, an area is not over populated with existing properties or purpose built properties for HMO accommodation.</p> <p>Strong links to the needs and targets for specialist housing identified in LHS and Housing Needs Assessment.</p>

12. Will any groups not identified already in the partial EqIA (Equalities Impact Assessment) be affected by SPP3?	Specifically includes EU nationals working in Scotland. Should EqIA include other foreign nationals living and working in Scotland.
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Additional Comments

Housing Land Requirements

The Council welcomes the publication of SPP3 and the proposals for a more robust approach to housing land requirements.

The Moray Structure Plan was approved in April 2007 and sets out the strategic housing land requirements to 2017. This includes a flexibility allowance of 50%, which is strongly supported by the Scottish Executive.

The finalised Moray Local Plan identifies sites through a settlement strategy to meet the strategic housing land requirement. Additional flexibility (over and above the 50%) is added through the identification of LONG-term development sites, which provide a longer-term direction to the future growth of Moray's main settlements. Longer term masterplanning is encouraged to plan ahead for infrastructure, affordable housing, open space etc. The finalised Moray Local Plan therefore meets the overall aspiration of SPP3 to identify additional land for housing and to take a longer-term approach to the supply of housing land. However, the Council supports the proposed changes to the assessment of demand and recognises that this must be based on up to date information and regular and robust monitoring systems.

The Council prepares an annual housing land audit, which identifies the supply of effective and constrained housing land. The audit is produced in consultation with Homes for Scotland and local housebuilders. The audit and annual Development Plan monitoring reports will be the "trigger" for the early release of LONG term housing sites identified in the Local Plan. This will ensure that the Plan is responsive to changes in supply and demand and an effective supply of housing land will be maintained. The Council is required to provide a 5 year effective supply of housing land. The Council has not maintained this recently as most of the sites in the Moray Local Plan 2000 have been developed and the Local Plan Review has taken longer than anticipated to become operational. However, the high flexibility rate, long-term sites, regular monitoring and future reviews will ensure that an effective supply is maintained.

Development Plan Policies

The finalised Moray Local Plan includes a number of new and amended policies on open space, developer contributions, affordable housing and energy efficiency. Some of these policies will be expanded upon through supplementary planning guidance, which are currently being produced and will be the subject of consultation during 2008. These will address some of the issues raised in SPP3.

The finalised Moray Local Plan site designations also aim to create better quality living environments through applying appropriate density levels, improving open space and landscaping and planning for cycle and pedestrian access.

Development Plan Action Programme

The finalised Moray Local Plan includes an Action Plan programme, which will be reviewed as part of the annual Monitoring Report. The programme sets out a range of proposed actions to implement the Local Plan and proposed timescales.

