



SCOTTISH EXECUTIVE

Development Department

National Planning Policy Guideline

NPPG 3 Revised 2002

PLANNING FOR HOUSING

CONSULTATION DRAFT

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Responses to the consultation paper should be sent no later than 28 June 2002 to:

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It would be helpful if comments could follow the structure of the document as far as possible. It would also be helpful if consultees providing paper contributions could submit 2 copies (1 unbound) of their response.

All responses received in relation to this consultation draft will be available for public inspection unless it is specifically indicated that the response is confidential.

Planning Series:

- **National Planning Policy Guidelines (NPPGs)** provide statements of Scottish Executive policy on nationally important land use and other planning matters, supported where appropriate by a locational framework.
- **Circulars** which also provide statements of Scottish Executive policy, contain guidance on policy implementation through legislative or procedural change.
- **Planning Advice Notes (PANs)** provide advice on good practice and other relevant information.

Statements of Scottish Executive policy contained in NPPGs and Circulars may, so far as relevant, be material considerations to be taken into account in development plan preparation and development control.

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Summary

A key aim of the planning system is the provision of good quality, well-located new housing consistent with national and local policies, particularly on sustainable development, social justice and integrated transport. In meeting the requirements of housing markets across Scotland, planning authorities and housing providers should work closely together to:

- **create quality residential environments** - New housing development should make a positive contribution to the built and rural environment, and should be designed and laid out with energy efficiency in mind to provide lasting benefits. The planning system has an important role in promoting good design in new housing development, specifying the requirements for landscaping and open space, and indicating the circumstances where higher densities will be appropriate.
- **guide new housing developments to the right places** - New housing developments should be easily accessible by public transport and well integrated into walking and cycling networks. As part of a long-term settlement strategy, previously developed land and buildings will have a key role and should be reused where a viable and environmentally satisfactory development can be achieved. Extensions to cities, towns and villages or new settlements may also contribute and should be developed in a sustainable manner.

In rural areas the majority of new housing requirements should be met within towns and villages. To meet the challenges arising from the changing rural economy, planning authorities should indicate the circumstances and locations where there is a need to provide for new housing outwith existing settlements.

- **deliver housing land** - Planning authorities should meet the housing land requirement for each housing market in full. The planning system can also support a strategy to provide affordable housing in an area. The plan-led process of providing housing land should provide greater certainty and be more responsive, by :-
 - development plans taking a 20-year view of the pattern of future development, with a forecast of land requirements for the first 7 years, and less precise forecasts for following periods;
 - requiring that development plans provide a supply of land which is effective or agreed likely to become effective to meet requirements for 7 years;
 - careful and regular monitoring of completions, land availability and future requirements ;
 - more frequent revision of plans, or alterations when necessary to maintain a clear forecast and supply; and
 - measures to ensure that land continues to become available if there are delays in plan preparation.

General principles

1. The availability of good housing in the right locations makes a vital contribution to the achievement of Scottish Executive policy objectives. It is a key consideration in the promotion of economic competitiveness and social justice. New housing developments can also act as a catalyst for urban and rural regeneration.
2. Planning policy for housing must be seen in its wider policy context. The broader aim of the Housing (Scotland) Act 2001 is to support a vibrant housing market that provides sufficient good quality, affordable, warm housing in a variety of tenures, to meet the needs of individuals and community aspirations.
3. The principles of sustainable development are also at the heart of Scottish Executive policies and Ministers expect the planning system to play a major part in delivering development which is sustainable both in new build and in re-use of the existing stock. National Planning Policy Guideline (NPPG) 1: *The Planning System* (Revised 2000) identifies five key priorities of the Executive, all of which are linked to sustainable development: economic competitiveness; social justice; environmental quality; design; and integrated transport.
4. A key aim of the planning system is to bring forward sufficient land to meet the requirement for new dwellings, but this is not simply a matter of calculations. The planning system has an important role to play in creating attractive, sustainable residential environments. New residential development must make efficient use of resources, reusing previously developed land wherever possible, supporting the aim of reducing energy consumption, and being accessible by forms of transport other than the private car.
5. From these general principles, three key themes are addressed in more detail in the following sections:-
 - Creating quality residential environments;
 - Guiding development to the right places; and
 - Delivering housing land.

Creating a quality residential environment

6. Housing is a basic human need and the largest single urban land use. The planning system must ensure that sufficient land, of an appropriate quality, is available at the right locations to fully meet the requirement for new housing. In recent years, however, planning for housing has been dominated by fierce debates over the numbers of dwellings and the release of land. Housing is about more than ‘roofs over heads’. It influences the appearance of urban and rural landscapes, defining the character of our cities, towns and villages.

7. Land and other finite natural resources are needed to create and maintain new housing, and provisions for access and transport, heating and lighting have long-term implications for energy consumption. It is therefore vital that sustainable development principles are considered throughout the development process, including the design stage. Good layout is at the heart of making residential environments safe and welcoming, and is essential to enable people easily to find their way within a development. In so doing, it can also enhance a sense of community.

8. The following paragraphs set out a range of issues to be considered in planning for housing which will create quality residential environments. This section also recommends mechanisms through which the planning system can promote good design in new housing. Planning authorities should consult with housing providers and other interested parties throughout the process.

Design, layout and architecture

9. Despite its lasting impact upon the physical environment, the design of new housing is too often given a low priority by those involved in the development process. The environmental impact of housing needs to be accorded considerably greater importance, from the process of land allocation through to the preparation of development briefs and design statements accompanying planning applications. Attention to design and the visual impact of housing not only improves residential amenity, it can also have marketing and commercial benefits. The overall design of development, particularly matters such as microclimate; layout of roads, cycle routes and footpaths; providing adequate space for the separation and collection of waste; links with local centres; and relationship to nearby existing development should be fully addressed.

Designing Places
Scottish Executive statement on urban design, November 2001

10. *Designing Places* stresses the importance which the Scottish Executive attaches to good design, and reinforces the policy in NPPG 1 that design can be a material consideration in determining planning applications. A proposal can therefore be refused and the decision defended at appeal, solely on design grounds. The Executive has given a commitment to work with local authorities, Homes for Scotland and Communities Scotland on a Planning Advice Note aimed at raising the standard of new housing.

11. Planning authorities have a responsibility to be creative in guiding developers through development plans and supplementary guidance before specific proposals are drawn up, rather than simply reacting once these have been submitted. The development plan should set out the Council's vision for their area and how it will develop. It should contain clear policies which encourage good quality, well designed development proposals. Policies should make clear where local distinctiveness is to be maintained, and where there are opportunities for newer styles of architecture.

12. Planning authorities may also make use of design guides and local design statements, to influence the design of new housing developments. For sites significant in terms of their location or size, planning authorities should consider drawing up a development brief, setting out principles for layout, indicating any important natural or built features which are to be retained, and guiding developers as to which particular architectural styles are considered appropriate. Developers may also take responsibility for preparing a development brief in accordance with guidance from the planning authority.

13. Working with architects and landscape designers, developers should produce schemes which enrich the built environment. They should respect siting, density, scale, massing proportions, materials, landscape setting, access arrangements, local design characteristics and the character of adjacent buildings and the surrounding area.

14. These matters will be particularly important when new housing development takes place in conservation areas. The quality and design of new development and the reuse of buildings can play an important role in securing the long-term future of the historic environment. Contemporary architecture and innovative new design can also contribute to its character and appearance. Further guidance on this subject is included in NPPG 18.

NPPG 18:
Planning and the Historic Environment

Energy efficient housing

Scottish Homes' *'Sustainable Housing Design Guide'* is a useful source of further detail on these issues

15. Energy efficiency is an important consideration in good design. Making buildings more energy-efficient through better siting and orientation along with higher insulation standards may involve some increases to cost at the design and construction stage. They can however be recouped by the occupier within the relatively short term (in some cases within the first 5 years) through fuel savings. Some volume housebuilders are already successfully selling houses specifically designed to make efficient use of solar energy. When preparing the design brief for larger sites, planning authorities should indicate the potential for using energy more efficiently, for example, by incorporating district heating schemes. The cumulative effect of such initiatives can contribute to the Scottish Climate Change programme.

See PAN 63: *Waste Management Planning*

16. Efficient use of resources in construction is also important. Development plan policies should encourage developers to avoid waste, and to re-use and recycle waste generated during the demolition and/or construction phase.

Form of development

NPPG 17: *Transport and Planning*

See also PAN 57: *Transport and Planning*

17. Pedestrian activity within a residential area adds vitality and increases the feeling of personal safety. Too many developments in recent years have been designed to give priority to the car, both as a form of transport between the housing and other facilities, and within the development itself, where layouts have been dominated by access roads and parking provision. This form of development disadvantages those walking, especially the disabled, and also those cycling, and perpetuates dependence on the car. NPPG 17, paragraph 48, highlights the importance of providing environments where walking is an attractive option, and sets out principles for development layout.

18. Roads standards should serve as a guide and starting point, but should not deprive developers and local authorities of the flexibility to be innovative in promoting a high standard of urban design, and increasing the attractiveness of walking and cycling. When preparing masterplans for larger scale housing developments, developers and partners in this process must take account of the existing urban fabric and layout of streets, and aim to add to and enhance connections. Circuitous road layouts where easy, direct pedestrian routes do not exist or are not obvious make walking less attractive. Wherever possible, new layouts should be based on traditional street forms, with a mix of

streets, squares, etc. There is great potential to create pedestrian links between new developments and surrounding urban areas, providing safer routes to schools and other facilities, improved security and surveillance. Larger developments should anticipate and provide for access by public transport within the new housing area, while maintaining the safety and meeting the needs of all road users, particularly on streets designated (or proposed to be designated) within Home Zones. Where good access to public transport exists or can be provided, planning authorities may set lower minimum parking standards.

Landscape and open space

NPPG 14:
Natural Heritage and
PAN 60:
Planning for Natural Heritage
contain guidance and advice on providing for natural heritage in new development.

19. Robust, well thought out landscaping can make a significant difference to environmental quality and can help create a 'sense of place', particularly when planting begins to mature. Measures such as tree and shrub planting can enhance well-designed housing developments, increasing their marketability and making a lasting impact on their attractiveness as places to live. However, landscaping cannot by itself compensate for poor layout and design. Developers should consider landscape as a part of good design and layout from the outset of the development process. Indeed, where land is allocated for future residential use, developers may wish to consider advance structural planting to establish a landscape framework within which development can take place.

PAN 61:
Planning and Sustainable Urban Drainage Systems

20. New development should respect and where appropriate enhance existing vegetation and other natural features. Mature trees should be retained wherever possible and replanting undertaken where development involves the loss of trees. Retaining natural features in housing developments maintains biodiversity and helps to integrate new development with its surroundings. Developments can enhance a site's wildlife value through retention, creation or appropriate management of wildlife features and habitats. Well-designed sustainable urban drainage systems (SUDS) can also add to the amenity, character and natural heritage interest of housing developments. PAN 61 contains further advice on this subject.

Advice on good practice in open space provision is contained in the forthcoming PAN on *Planning and*

21. NPPG 11: *Sport, Physical Recreation and Open Space* indicates that substantial new housing developments should incorporate open space to meet local needs. Access to open space, preferably within walking distance, for relaxation, informal recreation and sport is important to the health and well being of communities. Developers and planning authorities should consider how open space can best be distributed and laid out, depending upon the type and density of housing. In some cases

Open Space.

it may be appropriate to put the emphasis on maximising private open space, or developers may be asked for a contribution to upgrading existing open space provision rather than creating new areas. Any requirement on a developer to make open space provision should be related to the scale and nature of the development in question and should not be used to address a more general shortfall in open space provision within the community.

22. Planning authorities should ensure that open space and landscaping schemes forming part of an approved proposal are implemented. Planning authorities should also ensure that provision is made for the long-term management of open space, landscaping, drainage systems and other common facilities in residential developments. Open space may be adopted by the local authority, owned in common by residents, or managed by a suitable third party, such as the Scottish Greenbelt Company. For each of these options, arrangements tailored to the particular circumstances can be secured by means of planning conditions and legal agreements.

23. New housing development should not be located on established open space where it contributes to local community needs and enjoyment. NPPG 11 expects planning authorities to bring forward robust planning policies to safeguard systems of open space and recreation and sports facilities. Furthermore, local authorities should lead by example by resisting the development of open space and playing fields in their ownership.

Density

24. The efficient use of land is an important planning aim. With good design, high density development can be achieved without overcrowding, congestion or loss of residential amenity. Some infill housing on inner city brownfield sites has maintained traditional tenement form and existing higher densities. It is expected that there will be further opportunities for intensive development on such sites, particularly those close to transport interchanges. But high density development is not appropriate in all circumstances. Local plans should provide guidance on density appropriate to particular locations and sites. In particular, they should:

- specify appropriate densities for new residential development;
- identify any areas where it may be appropriate to increase residential densities in order to promote a more sustainable pattern of settlement;
- identify those existing areas where the protection of residential character, amenity, or historic environment

- requires that existing densities are not exceeded; and
- ensure that there is ready access to safe and attractive open space networks.

25. The most accessible locations should be developed at the highest densities. Buildings of 5 storeys or more are likely to be appropriate only at a few highly accessible urban locations. Planning authorities should identify any locations which they consider could support such forms of development. Care should be taken to ensure that high density development embodies best practice from Scottish and wider European urban traditions.

Providing a choice of residential environments

26. Local authorities, developers and other housing providers should consider the need to provide a choice of types of housing. This may include opportunities for self-build housing at some locations. Not every site will be capable of satisfying the full range of housing requirements. Some central urban sites, for example, may provide opportunities for new flatted development, but be unsuitable for houses with gardens. On the other hand, the redevelopment of some of the post-war peripheral schemes where high-density tenement housing has predominated, has already provided opportunities for new family housing at lower densities.

Mixed communities

Housing for varying needs: A design guide, published by Scottish Homes. Part 1 1998, Part 2 1999.

27. It is Scottish Executive policy to encourage more diverse, attractive, mixed residential communities, both in terms of tenure and land use. To create mixed communities, a range of housing types is needed, providing for the needs of all in the community, and all segments of the market, from starter homes to executive housing, and including homes for families, older people, and people with special housing needs. In the past, a significant amount of family accommodation in cities was in flats. There is now increasing demand for lower density housing with gardens, although there is also evidence of a return to urban flat living by households without children.

28. New housing development can complement other forms of new development and act as a catalyst for regeneration. There is considerable scope for mixed use developments, where commercial, retail, leisure or other uses can form part of a development alongside housing, preferably including a variety of tenures. Development plan policies should support opportunities for mixed-use proposals on appropriate sites.

29. Ensuring an adequate supply of affordable housing is an important element of the Scottish Executive's commitment to social justice. The planning system can support a strategy to provide more affordable housing within an area. Where a settlement has an identified need for affordable housing, this is a material consideration which should be taken into account in formulating development plan policies and in deciding planning applications which involve housing. Paragraphs 82-88 contain further guidance on affordable housing and the planning system.

Guidance Notes on Site Provision for Travelling People, Advisory Committee on Scotland's Travelling People, 1997

30. The local need for sites for travellers should be assessed by local authorities and articulated in local housing strategies, within the context of the community plan. Planning authorities will continue to play a role through the development plan, by identifying sites for travellers where need is demonstrated, and including policies for dealing with applications for smaller privately owned sites.

Guiding development to the right places

Sustainable settlement strategies

Revised PAN 38: *Housing Land* provides advice on forecasting housing requirements.

31. Despite a static population, changes in demographic trends and household structure indicate that there will be continued demand for new housing. The Scottish Executive's 1998-based *Household Projections for Scotland* anticipate an increase of 260,000 households from 1998 to 2012. The rate of projected growth in households varies across the country, and forecast requirements for new housing will also be influenced by issues such as economic prospects and migration patterns.

32. Planning authorities should develop long-term sustainable settlement strategies, to meet housing and other requirements, and to provide a level of certainty and variety for housing providers and local communities. Key considerations in the preparation of such a strategy are:

- efficient use of land and existing buildings, energy and infrastructure;
- co-ordination of housing land provision with improvements in infrastructure, including transport and educational investment, and with other major proposals such as business or industrial development;
- the need to ensure that all sections of the community have good access to jobs and services; and
- the protection and enhancement of the environment.

The efficient use of land and buildings

33. The existing fabric of settlements is the product of generations of investment in physical infrastructure, social and cultural facilities and public amenities. To make efficient use of both land and infrastructure, planning authorities should promote the re-use of previously developed land in preference to greenfield land, provided that a satisfactory residential environment can be created. Potential constraints on providing such an environment are discussed at paragraphs 46-48. It should be recognised that the marketability of sites can change over time. For example, better access to employment and environmental improvement can significantly alter the marketability of an area.

34. The re-use of previously developed or underused land, often referred to as "brownfield land", can make an important contribution to the supply of land for housing. In addition, redevelopment within existing neighbourhoods offers opportunities to support the wider regeneration of these areas, by providing greater choice in terms of housing type and tenure, as well as high quality residential environments. *The Scottish Vacant and Derelict Land Survey 2000* indicates that there was over 11,500 hectares of vacant and derelict land in Scotland. A significant proportion of this land could be re-used for housing purposes.

35. Land within settlements which has been identified for industrial or other development purposes may also provide opportunities for housing development where it is clear that there is little prospect of development for the purposes originally envisaged and a satisfactory residential environment can be created.

36. Planning authorities should also assess the contribution which vacant buildings can make to the supply of new housing. The conversion of premises previously used for commercial, industrial or institutional purposes offers opportunities to create new residential environments with a distinctive character while retaining buildings of architectural or historical interest. The refurbishment of empty or underused floor-space above shops can provide accommodation attractive to those who value proximity to a wide range of facilities.

37. Given that the availability of previously developed sites varies considerably across the country, a national target for brownfield residential development is not appropriate. However,

targets may have practical value at the development plan level. Where planning authorities set targets for housing development on brownfield land, they should be realistic in relation to local circumstances, and should normally be supported by the findings of an urban capacity study.

38. Infill sites within settlements can often make a useful contribution to the supply of housing land. Planning authorities should ensure that infill development respects the scale, form and density of surrounding development and enhances rather than detracts from the character and amenity of existing residential areas. Careful consideration should be given to the individual and cumulative effects of infill in order to avoid over-development and to ensure that the social and economic infrastructure can sustain the development. These principles apply equally to proposals for residential development in the gardens or grounds of existing houses or on backland sites in urban, suburban or village locations.

Accessible locations

39. The planning of new residential development offers substantial opportunities for reducing travel demand. As a contribution to the reduction of greenhouse gas emissions, the Scottish Executive is committed to the effective integration of land use and transport. Patterns of development should seek to reduce the demand for travel and reliance on the private car, and help to reduce general energy consumption.

40. In planning for the expansion of existing settlements or the development of new ones, preference should be given to locations capable of providing or being well integrated into effective public transport, walking and cycling networks, and priority should be given to locations linked to transport interchanges, especially the rail network. Such locations should be developed at higher densities (see also paragraphs 24 to 25). At central locations, the integration of housing with commercial, community and leisure uses in mixed developments can be an effective means of ensuring good access to jobs and a wide range of services. Access to jobs and facilities is a key consideration in any housing development proposal, and should be carefully considered by both planning authorities and developers.

Further guidance on the integration of land use and transport is contained in *NPPG 17: Transport and Planning*.

41. Where there is a supply of previously developed land, planning authorities should normally give priority to its reuse, in preference to greenfield development. However, in seeking to locate new housing at locations which are accessible by a range of forms of transport, planning authorities may conclude that

release of certain areas of greenfield land for housing would result in a more sustainable pattern of development than the redevelopment of available brownfield sites.

Safeguarding environmental resources

Further guidance on safeguarding the natural environment is contained in NPPG 14: *Natural Heritage*.

42. In making provision for new housing and considering proposals for residential development, planning authorities should seek to minimise adverse effects on natural heritage, including landscape character and biodiversity. Particular care should be taken to safeguard national and international natural heritage designations. Sites are designated for a variety of purposes, and development proposals need to be assessed for their effects on the natural heritage interests which the designation is intended to protect.

NPPG 5: *Archaeology and Planning*

43. Full consideration must also be given to the potential impact of housing land allocations on archaeological sites and landscapes of historic importance. Care must be taken to avoid impact on the site and setting of scheduled monuments which are safeguarded in the national interest. NPPG 5 provides detailed guidance on the appropriate treatment of archaeological sites and landscapes of lesser importance.

A statement of national policy on green belts is set out in SDD Circular 24/1985: *Development in the Countryside and Green Belts*.

44. Green belt and 'countryside around towns' policies play an important role in protecting the landscape settings of Scotland's towns and cities and maintaining the character and accessibility of the surrounding countryside. The Scottish Executive looks to planning authorities to maintain the effectiveness of existing green belts, safeguard the character and amenity of the countryside, and protect the setting of existing settlements. However, in areas where there is a demonstrable requirement for additional housing, green belt boundaries may be reviewed through the development plan as part of a long-term sustainable settlement strategy. Sites which are no longer making a significant contribution to the purpose of the green belt and which can be readily accessed by a range of transport may be released for housing development, provided this will not undermine the overall effectiveness and integrity of the green belt. Before any green belt land is identified for development, there should be a realistic appraisal of the opportunities for development on sites within the existing urban area.

NPPG 4: *Land for Mineral Working* and NPPG 16: *Opencast Coal and Related Minerals*

45. In making provision for housing development, planning authorities should avoid locating new development adjacent to existing or possible areas of mineral working, both to protect residential amenity and to avoid the sterilisation of mineral deposits with commercial potential.

Other factors influencing the location of housing development

See PAN 63:
*Waste
Management
Planning*

46. Not all sites will be capable of providing acceptable residential environments, because of safety or amenity considerations. Safety exclusion zones around hazardous installations and pipelines will preclude development at certain locations. On some sites adjacent to noisy or unattractive industry or a busy trunk road or rail line it may be impossible to create a satisfactory residential environment. Noise contours and public safety zones related to airports will limit opportunities for new housing development. New housing should not be introduced into an area where it could result in demands from new residents for established industry or businesses to be relocated. Waste management facilities and sewage treatment works are also likely to raise amenity issues, although planning authorities should be aware of the benefits of locating such facilities reasonably close to the source of waste.

47. Proposals for new housing which would involve a new or altered access from a trunk road require careful consideration in the interests road safety. Planning authorities should liaise with the Scottish Executive's Road Network Managers on the preparation of appropriate policies for incorporation in development plans and should seek early discussion on applications for planning permission. The Executive is preparing best practice advice on the handling of applications and consultations for proposals which have an impact on trunk roads.

See NPPG 7:
*Planning and
Flooding*

48. Scottish Executive policy is to avoid unnecessary increases in the number of areas that need artificial protection against flooding. In making provision for new housing, planning authorities should therefore avoid locations likely to be at significant risk from flooding.

Extensions to existing settlements

49. Where brownfield and infill sites cannot meet the full range of housing requirements, it will be necessary to release greenfield land adjoining existing built-up areas. Meeting housing requirements through extensions to existing towns and villages has a number of advantages, for example, servicing costs can be reduced and new housing may benefit smaller communities by helping to sustain local schools, shops and services, and other aspects of community life. The impact on the wider countryside will also generally be minimised. Extensions should not be dependent solely or mainly on car access. Sustainable transport options should be considered as an integral part of the development process and the aim should be to provide

opportunities for non car access before houses are occupied and patterns of travel established

See PAN 44:
Fitting new housing development into the landscape.

50. Extensions to settlements require careful planning. Fit in the landscape is important, and the landscape settings of existing towns and villages must be respected. Building types, designs and materials should also respect the indigenous architectural styles. Attention should be given not only to the visual impact within a village or town, but also to its appearance from outside the settlement, for example from major roads, public transport routes or other vantage points. Care should be taken, particularly in smaller towns and villages, to ensure that the scale of new development is appropriate, and consideration should be given to the cumulative impact of a succession of developments over an extended period of time. In larger developments, the internal road layout should allow for easy access by buses.

51. Development plan policies have an important role in specifying how the character and setting of a settlement should be protected, guiding new development to suitable sites and providing for appropriate phasing. Development briefs can also assist in setting out development principles (paragraphs 11-14).

New settlements

52. In some cases, new settlements may have a role to play in meeting housing requirements as part of a long-term development strategy. The creation of a new settlement may be appropriate where:

- there are substantial physical, environmental or infrastructural constraints to the further intensification or expansion of existing settlements, or it forms part of a strategy for promoting rural development and renewal;
- it could assist in reducing development pressure in the greenbelt or areas of attractive countryside;
- it can be readily serviced by public transport;
- it will not have a significant adverse effect on any natural or built heritage interest safeguarded by a national or international designation; and
- it will not result in other significant environmental disbenefits.

53. Where a planning authority considers that the creation of a new settlement is a necessary part of its development strategy, the development plan should specify its scale and location. Normally a new settlement should not result in coalescence with existing settlements, but in some circumstances, an existing village or town may provide the nucleus for the new settlement, or the new settlement may be intended to as a focus to bring

together settlements.

54. The creation of a new settlement will generally require collaboration between the public sector, private developers and employers in the provision of community facilities, new infrastructure and jobs. Development plans should be explicit about the circumstances where developers will be expected to make a contribution, and such provisions should be drawn up in consultation with the house building industry. The cost of providing the necessary infrastructure should be commensurate with the scale of the settlement proposed.

Housing in rural areas

See NPPG 15:
*Rural
Development*
for definitions

55. In rural areas, as in more densely developed parts of the country, the greater proportion of housing requirements should be met within or adjacent to existing settlements. This supports the efficient use of existing infrastructure, reducing car-dependence, making best use of public services, and helping to conserve natural heritage and rural amenity. However, in some rural areas particularly those categorised in NPPG 15 as intermediate and remote, provision for new housing outwith existing settlements may have a part to play in economic regeneration and environmental renewal.

56. Planning policies have traditionally sought to restrict the development of new houses in the open countryside in order to prevent urban sprawl and the coalescence of settlements, maintain rural character and amenity, and minimise adverse impacts on agricultural production. While urban containment and environmental protection remain important aims in the context of a commitment to sustainable development, the major changes which have taken place in the rural economy over the past 20 years mean that some aspects of the policy approach to housing in the countryside require adjustment.

57. The perceived attractions of rural living fuel a steady demand for new houses in the countryside, and in some areas there may be a significant demand for second homes. It may be possible to harness these demands in ways which secure important economic, social and environmental benefits. In crofting areas, a dispersed settlement pattern is already an established feature of the landscape and economy. In remote rural areas, where there has been substantial long-term depopulation, planned resettlement may have an important role to play in economic and social regeneration.

58. Some rural areas in the Central Belt and Ayrshire have suffered environmental damage as a result of past industrial activity,

and well planned and designed new housing development can play a part in their rehabilitation and renewal. In West Lothian, for example, "lowland crofting" policies have secured improvements to landscape structure, the creation of new wildlife habitats, and improved public access as contributions to the development of the Central Scotland Forest.

NPPG 15: *Rural Development*

59. NPPG 15 indicates that low-impact development, such as houses incorporating workspace, can provide both economic and environmental benefits. Developments using innovative, energy-efficient technologies with particularly low impacts on the environment may be acceptable at locations where more conventional buildings would not. The control of innovative low impact uses through the planning system is best achieved by a planned approach. Proposals should be carefully assessed against specified sustainable development criteria and the wider policy objectives of the development plan.

'Land supply for affordable housing in rural areas', Satsangi et al, Scottish Executive 2001

60. Research has established that many parts of rural Scotland have experienced, and are likely to go on experiencing, significant shortages in the supply of affordable housing. Not only are stocks of social rented, privately rented and cheaper owner-occupied houses relatively scarce, but particularly in social rented housing, turnover rates are low. Where the housing needs assessment demonstrates a shortage of affordable housing, this will be set out in local housing strategies, and development plan policies should enable the provision of affordable housing to meet the identified need (see also paragraphs 29 and 82-88).

61. The demand for second homes and holiday accommodation in scenically attractive rural areas can substantially inflate local house prices, pricing local people on modest incomes out of the housing market. However, in many parts of Europe the ownership of second homes and summer-houses is more widespread, providing a valuable seasonal boost to the rural economy. Planning authorities in areas where there is significant demand for second homes should consider whether specific development plan provision for summer home development could contribute to economic and social development and alleviate pressures on the general housing stock without damaging the environment.

The Town and Country Planning (Notification of

62. The scope for new housing development outwith existing settlements should be set out clearly in development plans, and any policy provision justified both in environmental and infrastructural terms. There are extensive areas where conservation and the protection of environmental quality are the primary aims and planning authorities should ensure their continued protection. Planning authorities should take particular care to safeguard the

*Applications)
(National Scenic
Areas) (Scotland)
Direction 1987*

outstanding natural and cultural resources of existing and prospective National Parks. Within National Scenic Areas (NSAs), specific notification requirements apply to proposals for the development of five or more dwellings other than those within towns and villages for which specific provision has been made in an adopted local plan.

63. In summary, where planning authorities identify opportunities for new housing outwith existing settlements in their development plans, they should ensure that any new development respects the inherent character of the area, has regard to the capacity of local infrastructure, and, wherever possible, re-uses previously developed land or buildings. Particular care should be taken to protect vulnerable habitats, archaeological and historic sites, designed or historic landscapes, and prime agricultural land¹.

*PAN 36: Siting
and design of
new housing in
the countryside*

64. The aim should be to promote development that supports the rural economy and local services, promotes rural regeneration, embodies the principles of sustainable development, and enhances the rural environment. Development plans should show where new housing will be encouraged and set out criteria against which new proposals which are not specifically provided for in the development plan will be judged. PAN 36 promotes careful attention to siting and the general adoption of house designs which have regard to variations in landscape character and building design in Scotland. It is essential that the principles set out in this NPPG regarding design and creating quality residential environments should be applied in the rural context.

65. Buildings in the countryside no longer required for their original purposes can offer opportunities for conversion to dwellings. Conversion for residential use provides a means of retaining buildings which contribute to local character and, where well executed, can result in distinctive homes which make a positive contribution to the local environment. Even where planning authorities operate a policy resisting new housing outwith settlements, they should look sympathetically at proposals for the sensitive re-use, conversion or rehabilitation of buildings of architectural merit which can be accessed safely and readily serviced. Provision of a limited amount of new housing along with converted or rehabilitated buildings may be acceptable where it results in a cohesive grouping well-related to its landscape setting. However, redevelopment should not automatically extend to the replacement of wholly derelict buildings or development of a different scale or character from that which existed previously.

¹ The status of Prime Agricultural Land is currently the subject of a Scottish Executive consultation paper.

Delivering housing land

Introduction

66. Development plans are the main vehicle for assessing future housing land requirements and ensuring that the housing land requirement for each housing market area is provided for in full. The broader objective of development plans is to enable the completion of quality dwellings and the creation of sustainable, mixed, residential environments.

67. Housing issues are also addressed in other council-led strategies, including community plans and the new system of local housing strategies. It is important that the provision for housing in development plans is informed by the needs assessments undertaken in support of local housing strategies, and that all local authority policy documents on housing and planning are consistent with each other.

Development plans

Note: Strategic planning in Scotland is currently under review. At present, structure plans provide the broad strategic framework for housing land provision, while local plans make site-specific land allocations. In the future, it is proposed that new strategic development plans plus local development plans will be prepared for the four largest city regions, while most planning authorities will prepare only a local development plan. Housing, employment and transport are expected to be the main topics of the proposed strategic development plans. This NPPG will be revised as necessary following the announcement of Ministers' conclusions on the Review.

68. Development plans should take an informed long-term view on the provision of new housing. They should identify the scale of provision needed and indicate how and where it should be met, setting out a locational strategy for future development over a period of 20 years. Plans should provide:

- at least a 7-year supply of land which is effective or agreed as likely to become effective to meet the plan requirement;
- an indication of the scale of the housing land requirement and the direction and pattern of housing development between years 8 and 15; and
- a broad indication of the direction of development in locational terms beyond year 15.

They should also contain an action plan setting out how implementation will be achieved and addressing matters such as

See revised PAN
38: Housing
Land

the phasing of development, infrastructure provision, the removal of significant development constraints, any necessary land acquisition and the preparation of development briefs.

69. It is important that development plans are prepared within the timescales set out in NPPG 1, and that the plan led system provides greater certainty. Over the latter part of the 20-year period, planning authorities are not expected to identify specific sites or the exact number of dwellings which could be provided on potential housing sites. However structure plans should give a clear indication of where future requirements will be met if new land is required in the next structure plan. This type of strategic decision can be made well ahead of land being required, informing infrastructure providers, allowing consultation to be carried out further in advance, and enabling communities to be aware of the probable future direction of development. Medium to long-term planning is needed to allow local authorities to consider carefully how to accommodate future demand for growth where infill and brownfield opportunities are not sufficient to provide all the necessary land for new housing.

70. Housing land requirements must be monitored on a regular basis. In looking to the medium and longer term, the development plan should identify the circumstances which will lead to the release of future phases of housing land. Circumstances, for example, could include the completion of necessary infrastructure, or significant increases in house prices. The development plan should be capable of responding to changes in demand, and take account of current information on supply, through the housing land audit and capacity studies.

71. Alterations to the housing element of plans should be prepared as necessary to ensure that requirements are met. If development plan progress does not keep pace with the need for land to meet estimated requirements for new housing in the 7-year period, planning permission should be granted in advance of local plan adoption provided that the proposals comply with other policies of the development plan. The housing requirement assessed through the structure plan should also take account of any need for affordable housing, as identified in the local authority's local housing strategy.

Local housing strategies and housing market context statements

72. The Housing (Scotland) Act 2001 requires local authorities to undertake an assessment of housing needs and conditions in their areas and produce a local housing strategy. This should view housing provision as a whole, covering all tenures and the

See publications menu at www.communities.scotland.gov.uk for online guidance on LHS.

range of community needs. Local authorities will be expected to develop their strategies in partnership with others in the public, private and voluntary sectors and with tenants and communities. It is important that all local housing providers are involved to ensure a fully comprehensive strategy is developed.

73. Draft guidance on the preparation of local housing strategies (LHS) was issued in July 2001 and seven local authorities are currently testing this draft guidance and preparing draft consultative local housing strategies. It is expected that revised guidance will be issued in the spring of 2002 along with a requirement on all councils to start preparing their local housing strategies.

74. Local housing strategies will cover 5 years, and will take a comprehensive approach to housing within the local authority area, addressing the need for housing of all tenures. The needs assessment which underpins the local housing strategy will include an assessment of any unmet need for affordable housing within the local authority area. The LHS guidance contains references to good practice methodologies for determining housing needs. Where a need is identified through the local housing strategy, the development plan should address that need and include policies to help provide further affordable housing (see paragraphs 82-88).

75. Communities Scotland will prepare housing market context statements which will provide high level analysis of each housing market area, including those which extend across local authority boundaries, and will set out government priorities for housing provision. When the new system comes into operation, housing market context statements will be an important source of information for local housing strategies. Draft housing market context statements have been issued.

76. As noted below, in major conurbations larger regional housing markets are likely to cut across local authority administrative boundaries. A local authority's local housing strategy must take account of these larger markets. Local authorities may therefore need to work with neighbouring authorities to define the wider housing market and its issues.

Housing market areas

77. Planning authorities should ensure that the housing land requirement for each housing market area is provided for in full. In making provision for new housing, planning authorities must have regard to the operation of the housing market. The

locational requirements of people seeking housing provide the basis for identifying housing market areas. A housing market area is a geographical area where the demand for housing is relatively self-contained, i.e. where a large percentage of the people moving house or settling within the area have sought a dwelling only within that area.

Additional information is included in revised PAN 38: *Housing Land*

78. While a number of housing market areas can be identified on that basis, in parts of the country the situation is more complex. In some areas, housing market areas may overlap significantly, and they may not coincide with local authority boundaries. Around the cities, an element of ‘mobile demand’, capable of being satisfied in many parts of the city region, may overlie more specific requirements focused on a number of more local housing market areas. Housing markets can also change over time in response to various factors including improved transport infrastructure or associated investment in mixed developments. Structure plans should include a vision of the future shape of housing market areas.

79. In exceptional circumstances environmental or infrastructural considerations may constrain the potential for meeting the full requirement for housing land within a particular housing market area. Planning authorities may consider whether a proportion of the requirement can be met satisfactorily elsewhere in the local authority area or in adjacent local authority areas, by agreement. Likewise, where a proportion of the housing land requirement is to be met outwith the structure plan area, the planning authorities concerned should prepare a joint statement indicating the proportion to be accommodated in each local authority area. Irrespective of how housing market areas are defined, structure plans must allocate all land requirements specifically to the areas of individual councils, as the basis for local plans and development control decisions.

Housing land audits and assessing future urban capacity

Advice on housing land audits, effective housing land and urban capacity studies is contained in revised PAN 38: *Housing Land*

80. Planning authorities need to measure accurately the amount of land available for new housing development, and use this information to plan for future land needs. This should be achieved by preparing and annually updating a housing land audit, working closely with housing providers. Planning authorities should seek the views of house builders particularly to inform their consideration of issues relating to effectiveness. The audit should monitor the extent to which sites are being developed to deliver new housing.

81. Planning authorities should carry out thorough survey

work to assess the opportunities for further housing development within settlement boundaries, particularly on previously developed land, space above shops, and through conversions of existing buildings. The results of such a capacity study should be compiled into a report and made available to developers and other interested parties. It will be a source of information for local plans, assumptions about the expected output from windfall sites, and assist in measuring the extent to which brownfield targets, where they have been identified, are being met. For practical reasons it may not be appropriate to carry out capacity studies for all smaller settlements within rural areas.

Delivering affordable housing

82. As indicated above (paragraph 29) the planning system can support a strategy to provide more affordable housing. Affordable housing is broadly defined as housing made available at a cost below full market value, to meet an identified need. This includes:

- social rented accommodation,
- some private sector rented accommodation, at lower cost than mainstream private rents, provided either by local landowners or commercial landlords, and
- low cost housing for sale, for example shared ownership, self-build or other publicly subsidised or discounted housing for sale.

83. Affordable housing was formerly funded entirely from the public purse, and local authorities were the main providers of social housing. More recently there has been a combination of public provision through the former Scottish Homes and housing associations, but public sector funding through grants remains important. Some private sector housing, including self-build, contributes to the availability of affordable housing. However the housing market alone does not appear to provide sufficient affordable housing, and in recent times pressure has grown on the planning system to secure provision of affordable housing, for example through planning agreements.

84. Where an up to date housing needs assessment identifies a requirement for affordable housing, this will be a material consideration in planning processes. Both development plan policies and planning agreements are appropriate vehicles through which planning authorities may facilitate provision of affordable housing, provided that a shortage has been established through a housing needs assessment. Planning authorities may also use supplementary guidance to set out fully the mechanisms for delivering affordable housing.

85. In due course, local housing strategies will have a role in addressing identified need, and it is also essential that a clear statement of the level of requirement and the locations concerned within the context of the wider housing market is included within the development plan. This will help to ensure that the expectations of planning authorities are known in advance by developers and landowners, and that planning agreements can be negotiated on an equitable basis.

86. Where the development plan contains a policy on affordable housing, the plan should indicate what the authority considers to be affordable, based on the local housing strategy. Development plan policies on affordable housing should:-

- indicate how many affordable homes need to be provided throughout the plan area;
- be specific regarding settlements, since varying levels of provision may be appropriate to different communities; and
- identify suitable locations in which affordable housing will be provided and the amount of provision which will be sought.

87. Where house builders are expected to contribute as part of the local authority policy, the local authority should enter into early discussions. The amount and type of affordable housing to be provided in individual proposals should reflect individual site suitability and will be a matter for agreement between planning authorities and developers. As with mainstream housing development, the requirement for affordable housing should be met within the housing market area where the need has been identified.

88. As development plans are reviewed, planning authorities should specify what contributions will be expected from developers in relation, for example, to infrastructure costs or affordable housing. It is recognised that Communities Scotland and local authorities (where the administration of development funding has been transferred from Communities Scotland to them) will make subsidy available only for sites which form part of a strategic programme. Where the developer demonstrates that the requirement to provide a certain proportion of affordable housing on a site would render the development financially non-viable, or where no development funding is available within a reasonable timescale, the provision of owner-occupied market housing to meet requirements should not be delayed. Where affordable housing for rent is to be provided, it is desirable that arrangements are made to ensure appropriate management, for example through agreement with a Registered Social Landlord.

Planning agreements

SODD Circular
12/1996
*Planning
Agreements*

89. Planning authorities have the power to enter into an agreement with persons having an interest in land in their area for the purpose of restricting or regulating the use of that land (Section 75 of the Town and Country Planning (Scotland) Act 1997). These are known as planning agreements or Section 75 agreements. Most agreements are triggered by applications for planning permission. Agreements can be used to overcome obstacles to the grant of permission, but planning authorities should not use an applicant's need for planning permission to obtain a benefit which is unrelated in nature, scale or kind to the proposed development.

Determining planning applications

See also
NPPG 1
(Revised 2000):
*The Planning
System*

90. A constructive dialogue between planning authorities and the private sector and wider public will be needed to enable development plans to be prepared and adopted within realistic timescales. Up-to-date development plans, where appropriate supported by supplementary guidance such as development briefs, should make the assessment of applications simpler, quicker and more consistent.

91. Speed and quality of decisions of planning applications are both important. The planning system should provide confidence to developers as well as dealing efficiently with applications. Pre-application discussions can assist greatly with reducing the time taken to reach a decision on applications.

Monitoring

92. Planning authorities should carry out regular monitoring of housing completions, availability of effective land, and future land requirements. The purpose of this is to ensure that land is coming forward for new housing development at an appropriate pace. The housing land audit will contribute to this. Where monitoring indicates that availability of housing land and/or completions are not keeping pace with identified requirements, planning authorities should speed the review of the development plan or prepare an alteration to the housing element.

93. Local authorities should also monitor the provision of affordable housing through the planning system, distinguishing between housing provided through planning agreements, and housing delivered as part of a housing association investment programme.

Conclusion

94. This NPPG conveys two key messages on planning for new housing in Scotland. First, the importance of good design in new housing development. As well as bringing forward land in the appropriate locations and fitting housing within broader settlement strategies, the planning system has a key role in promoting attractive, sustainable forms of development, which contribute to social justice objectives. The provision of good quality, well-located new housing to meet the requirements of housing markets across Scotland requires that planning authorities and housing providers work closely together.

95. Secondly, this NPPG indicates ways in which the process of providing housing land can become more responsive. The development planning system in Scotland plays a central role in ensuring that land becomes available for housing development in the right quantities and in the right places. Clearly the pace at which plans are updated and adopted is of key importance in ensuring that this system works. The Scottish Executive believes that the system can be improved by reducing the emphasis upon precise forecasts of housing land requirements over the mid to long term; maintaining close monitoring of completions, land availability and future demand, in consultation with housing providers; more frequent revision of plans; and measures to ensure that land continues to become available if there are delays in plan adoption.

Notes

96. This NPPG sets out the matters which planning authorities should take into account when preparing development plan policies and determining planning applications. It replaces the revised NPPG 3: Land for Housing (1996). It sets out the matters the Scottish Ministers will take into account when assessing housing policies in development plans and planning applications which come before them. It is also expected that developers will have regard to these considerations when preparing proposals for new residential development.

97. Enquiries about the content of this NPPG should be addressed to Helen Curry, SEDD Planning Services, Area 2H, Victoria Quay, Edinburgh EH6 6QQ (0131 244 7535) or by e-mail to: helen.curry@scotland.gsi.gov.uk Further copies can be obtained by telephoning 0131 244 7543. The draft NPPG and other NPPGs, PANs and a list of circulars can be viewed on the Scottish Executive web site: <http://www.scotland.gov.uk/planning>.

Glossary

Affordable housing: Housing made available at a cost below full market value, to meet an identified need. It includes social rented accommodation, some private sector rented accommodation, and publicly subsidised housing for sale.

Brownfield land: Land which has previously been developed. The term may encompass vacant or derelict land, infill sites, land occupied by redundant or unused buildings, and developed land within the settlement boundary where further intensification of use is considered acceptable.

Demand: The market expression of the desire for housing. It is a compound of needs and aspirations and can be satisfied either by existing housing or by new housing requiring additional land provision.

Effective housing land supply: The part of the established housing land supply which is free or expected to be free of development constraints in the period under consideration, and will therefore be available for the construction of housing.

Established housing land supply: This will include the remaining capacity for sites under construction, sites with planning consent, sites in adopted local plans and where appropriate other buildings and land with agreed potential for housing development.

Greenfield sites: These are sites which have never been previously developed or used for an urban use, or are on land that has been brought into active or beneficial use for agriculture or forestry i.e. fully restored derelict land.

Housing market area: A geographical area which is relatively self-contained in terms of housing demand; i.e. a large percentage of people moving house or settling in the area will have sought a dwelling only in that area.

Private sector housing: Housing for sale or rent provided by private developers or other commercial organisations. The term 'owner-occupied sector' excludes the private rented element.

Public sector housing: General and special needs housing provision by housing associations, local authorities and other social housing providers for rent.

Sustainable development: The Scottish Executive adheres to the Brundtland definition of sustainable development, i.e. "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". The forthcoming Scottish Executive statement on sustainable development, *'Meeting the Needs... Priorities, Actions and Targets for sustainable development in Scotland'* sets out the ways in which waste, energy and resources sets out what the Executive means by sustainability, how we intend to get there and how we will measure our progress.

Urban capacity study: An assessment of the potential contribution to the housing land supply of all the possible sources of urban housing land beyond the immediate planning time horizon.