

The background of the slide features the Falkirk Council Coat of Arms. It is a shield divided into four quarters. The top-left quarter shows a castle tower. The top-right quarter shows a stag's head with antlers. The bottom-left quarter shows a sailing ship on water. The bottom-right quarter shows a lion rampant. Above the shield is a crown with four fleurs-de-lis. Below the shield is a ribbon with the motto 'A'NE FOR A'.

Agenda Item 8

**Falkirk Local Development Plan –
Supplementary Guidance SG12 –
Affordable Housing**

Falkirk Council

Title: Falkirk Local Development Plan – Supplementary Guidance
SG12 – Affordable Housing
Meeting: Executive
Date: 16 October 2018
Submitted By: Director of Development Services

1. Purpose of Report

The purpose of this report is to seek approval for consultation on amendments to Supplementary Guidance ‘SG12 Affordable Housing’.

2. Recommendation

It is recommended that the Executive:

- i) approves the draft amendments to SG12 Affordable Housing and authorises officers to undertake consultation on the revised document, and**
- ii) agrees that, following the consultation process, in the event that no comments or only minor comments are received, the Director of Development Services be authorised to submit the finalised draft SG12 to Scottish Ministers for approval otherwise the matter will be reported back to the Executive.**

3. Background

- 3.1** The Planning etc (Scotland) Act 2006 gives planning authorities the power to adopt statutory Supplementary Guidance (SG) which becomes part of the Development Plan. Supplementary Guidance provides additional detailed guidance on the implementation of policies in the Local Development Plan (LDP).
- 3.2** On 25 February 2014 the Executive authorised officers to prepare and undertake consultation on the seventeen SG notes referred to in the Falkirk Local Development Plan including SG12 on Affordable Housing. SG12 was approved by the Executive on 19 August 2014 and was adopted alongside the Falkirk Local Development Plan in July 2015.

4. Considerations

- 4.1** SG12 relates to the adopted Local Development Plan Policy HSG02 on Affordable Housing, which sets out requirements for the provision of affordable housing as part of new private housing development. Discussions with officers

in Corporate & Housing Services have identified that minor updates are required to SG12 to provide clarity for developers and applicants. The amendments proposed are detailed in Appendix 1.

- 4.2 The amended SG12 updates references to the latest Housing Need and Demand Assessment and links to the current local housing allowance rates and up to date Scottish Government benchmark figures. It also makes clear that financial contributions will be set by the District Valuer and the procedure for discounted sales on sites. These amendments are intended to make the process of providing affordable housing on private housing sites clearer.
- 4.3 Once SG12 is finalised it will be submitted to the Scottish Ministers for approval. At the same time the Council must also send Scottish Ministers a statement setting out the publicity measures it has undertaken, the comments received and an explanation of how these comments have been taken into account. After 28 days have elapsed the authority may adopt the Supplementary Guidance unless Scottish Ministers have directed otherwise. At that point the revised supplementary guidance forms part of the Development Plan and assumes the same status as the LDP for decision making.

5. Consultation

- 5.1 Key agencies and organisations including housebuilders and registered social landlords will be notified of the proposed changes and the draft SG12 will be published on the Council website and advertised in the press. The consultation period will run for 6 weeks and the document will also be available in libraries and one stop shops.

6. Implications

Financial

- 6.1 None.

Resources

- 6.2 None.

Legal

- 6.3 The requirements and procedures for the preparation of SG are set out in Section 22 of the Town & Country Planning (Scotland) Act 1997, as inserted by the Planning, etc (Scotland) Act 2006, and in the Town & Country Planning (Development Planning) (Scotland) Regulations 2008.

Risk

- 6.4 None.

Equalities

- 6.5 None. The Falkirk LDP, to which the SG relates, was previously subject to an Equalities Impact Assessment.

Sustainability/Environmental Impact

- 6.6 A pre-screening has been carried out and submitted to the Scottish Government and the consultation authorities and Strategic Environmental Assessment is not expected to be required.

7. Conclusions

- 7.1 Following due consideration, SG12 as revised will provide a clearer view of the types of affordable housing and the approach required to deliver affordable housing on private housing sites through Policy HSG02 in the adopted Local Development Plan.

pp Director of Development Services

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Appendices

Appendix 1 – Proposed changes to SG12 Affordable Housing

List of Background Papers:

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

None

Appendix 1 - Proposed Changes to SG12 Affordable Housing

Section	Proposed change	Reasons
Section 1 Introduction	Paragraph 1.7- Include reference to Housing Need and Demand Assessment (HNDA) 2016.	To include a reference to the most recent report on housing need and demand.
Section 3 Forms of Affordable Housing	Paragraph 3.3 - Amend the description of Mid-market or Intermediate Rented housing to indicate that rents should be agreed by the Council and include a link to local housing allowance rates which are set by the Scottish Government.	To make it clear that the rent levels are decided by the Council and provide a link to the local housing allowance rates.
	Delete “Entry Level Housing for Sale (Unsubsidised)” and replace with “Discounted Sale” and delete the benchmark example. A link to the Scottish Government benchmark figures is provided.	To use the most up-to-date term for this type of housing and provide a link to up-to-date benchmark figures.
Section 4 Priority Groups	This section is moved from Section 7 to Section 4. Paragraph 4.1 - Amend the reference under point 3 to incomes between deciles 3-5 and decile 6 as referenced in the Local Housing Strategy to refer to “people on low incomes”.	To reflect the up-to-date Local Housing Strategy which does not define low incomes in this way.
	Delete the reference to a sequential consideration of the priority groups.	To enable a flexible approach to be taken and to reflect that in practice all groups will be considered subject to an assessment for each particular site location.
	Paragraph 4.3 insert the word “sale” after “unsubsidised or discounted”.	To correct an omission.
Section 5 Delivering Affordable Housing	Paragraph 5.8 – state that the financial contribution will be set by the District Valuer.	To make clear the approach taken to define the financial contribution.
	Paragraph 5.9 – Insert a new section on Discounted Sale properties.	To reflect the approach taken on Discounted Sale following recent experience.

Section 7 Procedure	Paragraph 7.2 – Insert a missing reference to developers/applicants.	To correct an omission.
Section 9 Contacts and Further Reading	Paragraph 9.1 – amend contact details	To provide up-to-date information.
	Paragraph 9.2- Insert a reference to the latest Local Housing Strategy and Housing Need and Demand Assessment. Delete references to out of date documents and Scottish Government HNDA guidance.	To provide up-to-date information.
Appendix 1	Insert the date of the Local Development Plan adoption of July 2015.	To provide accurate information.
	Amend the reference to Section 6 to Section 7.	To reflect other changes in the document.
Appendix 2	Delete reference to “Unsubsidised Entry Level Housing for Sale” and replace with “Discounted Sale”.	To reflect other changes in the document.
	Delete “if no RSL involvement” where further details on sale price etc are required for low cost sale or discounted sale.	To reflect that this relates directly to Subsidised Low Cost for Sale and Discounted Sale properties and there is no need to reference RSL’s.