

From: [Redacted]  
Development Plans  
22 November 2017

Directorate for Local Government & Communities  
Planning & Architecture Division

Minister for Local Government and Housing

## **WITHDRAWAL OF DRAFT PLANNING DELIVERY ADVICE ON HOUSING AND INFRASTRUCTURE**

### **Purpose**

1. To update the Minister on the intention to withdraw the Draft Planning Delivery Advice on Housing and Infrastructure, which was published 17<sup>th</sup> February 2016. This follows on from discussions the Chief Planner has had with the Minister.

### **Priority - Routine**

2. We intend to formally withdraw the draft advice and to remove it from our website on 1<sup>st</sup> December 2017. We intend to write to relevant stakeholders to inform them of this change.

### **Context and Reasons for the withdrawal**

3. In February 2016 we published the Draft Delivery Advice for 6 weeks' consultation. The draft advice was created following extensive stakeholder engagement and published in order to allow for further discussion and comment from all those with an interest in housing and infrastructure. Following the close of the consultation period, careful consideration was given to all the comments we received. The intention was that the advice would not be finalised and adopted until these views have been taken into account, originally intended in late 2016.

4. The main purpose of the advice, once finalised, would be to assist in the preparation of development plans. Key messages include achieving delivery through joint working and engagement. The advice also provides greater clarity on housing and infrastructure requirements within development plans and Action Programmes and specific guidance on the emerging Build to Rent PRS sector and self and custom build. The finalised advice was to be supported by appropriate templates on Action Programmes, Call for Sites and annexes on infrastructure assessment (utilities, transport and education).

5. Following consultation it became apparent that there were significant objections to specific elements contained within the draft advice. This was focussed particularly around the assessment of site "effectiveness", considerations on site "marketability" and the proposed methodology for calculating a 5-year supply of housing land. Despite efforts to facilitate meaningful discussions to reach agreements on how to address the objections, including with Homes for Scotland

and Heads of Planning Scotland, we have been unable to broker a solution that satisfies the key stakeholders.

6. Over recent months there has been considerable interest in the status and application of our Draft Planning Delivery Advice on Housing and Infrastructure in decisions on planning applications, appeals, development plan preparation and examinations. The Chief Planner has received written correspondence noting concerns about the application of the advice in practice. Given that there remain outstanding objections to the draft advice and some concerns over the status of the document, as previously advised we have taken the decision to remove the draft advice in advance of the Planning Bill. We propose to write to communicate clearly to stakeholders that that document has been withdrawn and should no longer feature in decision making.

7. Once withdrawn, established advice will remain in force; PAN 2/2010: Affordable Housing and Housing Land Audits. Given the progress on reforming the planning system and the progression of the Planning Bill we are focusing our resources on developing the new approach to calculating requirements for housing land which aligns with the changes emerging from the planning review.

8. We have recently published guidance on Build to Rent and will consider publishing other less controversial elements contained within the Draft Delivery Advice as separate online advice for information on our website. This could smooth the transition to the emerging changes taking place through the planning review.

### **Recommendation**

9. We ask the Minister to note the intention to withdraw the Planning Delivery Advice on Housing and Infrastructure and the reasons for this.

### **[Redacted] – Senior Planner**

Directorate for Local Government and Communities  
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| Copy List:  | For Action | For Comments | For Information    |                  |                   |
|---|------------|--------------|--------------------|------------------|-------------------|
|   |            |              | Portfolio Interest | Constit Interest | General Awareness |
| Cabinet Secretary for Communities, Social Security and Equalities |            |              |                    |                  | X                 |

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