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In 2014 Scotland Welcomes the World



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Dear Ian

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING) (SCOTLAND)  
REGULATIONS 2008**

**NOTICE OF INTENTION TO ADOPT SESPLAN SUPPLEMENTARY GUIDANCE ON  
HOUSING LAND**

I refer to Graeme Marsden's email of 21 May 2014 certifying notice of SESplan's intention to adopt the above supplementary guidance in association with the approved SESplan.

Under S22(8) of the Town And Country Planning (Scotland) Act 1997, the Scottish Ministers give notice that before adopting the Supplementary Guidance on Housing Land, it must be modified to remove the 2<sup>nd</sup> sentence of paragraph 3.13 of the guidance which reads: 'Member authorities will base their calculation of the five year land supply on the period 2009-2024, taking into consideration housing completions.'

Regulation 27(2) of the Town And Country Planning (Development Planning) (Scotland) Regulations 2008 requires that for a matter to be included in supplementary guidance that will form part of the development plan it must be 'expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance'. It is not considered that the inclusion of the 2<sup>nd</sup> sentence of paragraph 3.13 complies with this requirement. While it may be considered to provide useful further information or detail, the inclusion of this also gives rise to a potential inconsistency between SESplan itself and the supplementary guidance. Ministers therefore consider that to avoid such inconsistency, to ensure compliance with the legislation and to avoid potential further delays in the process, that the relevant sentence be removed.

Yours sincerely



**Rosie Leven**  
Principal Planner

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