

HOUSING IN THE COUNTRYSIDE  
INTERIM SUPPLEMENTARY PLANNING GUIDANCE  
CONSULTATION DRAFT

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## 1. Introduction

This draft guidance offers advice and assistance with the siting and design of new housing in the Highland countryside. It is particularly relevant to the areas of Highland which fall within the “hinterland around towns” which are the areas under greatest pressure for housing development.

The guidance will update the 2006 Development Plan Policy Guideline on Housing in the Countryside and alter some of the existing policy guidance set out within the Caithness Local Plan (adopted 2000), Nairnshire Local Plan (adopted 2001), Inverness Local Plan (adopted 2006), and the Ross & Cromarty East Local Plan (adopted 2007).

During the course of 2008, the Council undertook a review of the operation of the Housing in the Countryside policy. The outcomes were reported to the Highland Council’s Planning Environment and Development Committee on 24<sup>th</sup> September 2009, and it was agreed that updated guidance would be prepared to provide advice on the role of housing groups in delivering increased numbers of appropriately sited and designed housing in the Highland Countryside as well as provide clarification on the approach the Council will take towards determining planning applications in the open countryside.

## 2. Context – National and Local Planning Policy

The main national policy and advice are highlighted below:

- **Scottish Planning Policy 3: Planning for Homes (Revised 2008)**

This SPP focuses on “the supply and delivery of new housing, which must be of a high-quality design and contribute to the creation of sustainable places.” It recommends that: “The settlement pattern is the product of generations of investment in physical infrastructure, social and cultural facilities and public amenities. Planning authorities should promote the efficient use of land and buildings. In principle this means directing the majority of new development towards sites within existing settlements to make effective use of existing infrastructure and service capacity, and reduce energy consumption, while ensuring the creation of quality residential environments.”

- **Scottish Planning Policy 15: Planning for Rural Development**

With regard to Housing, this SPP “advances policy in respect of small scale rural housing developments including clusters and groups in close proximity to settlements, replacement housing, plots on which to build individually designed houses, and holiday homes.”

- **Planning Advice Note 72: Housing in the Countryside**

Published in 2005, this places a strong emphasis on design and quality:

“... sets out key design principles which need to be taken into account: by applicants when planning a new development and by planning authorities, when preparing development plans and supporting guidance, and determining applications. The purpose is to create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. The advice should not, however, be seen as a constraint on architects and designers wishing to pursue innovative and carefully considered contemporary designs.”

## Highland Council Policy

The Council's overarching policy on housing development in the open countryside is contained in Structure Plan Policy H3 which was approved by the Scottish Ministers in March 2001.

The differing needs of areas experiencing high levels of housing demand in and around the larger settlements and the more rural areas which are experiencing difficulties in maintaining population and services requires a two-tiered policy response. In the areas which have been experiencing the greatest pressure for housing in the countryside, a more restrictive policy is in place. These areas are known as the "hinterland of towns" and were identified in the Highland Structure Plan and subsequent Local Plans. These hinterland boundaries will remain in place until the review of the Highland wide Local Development Plan (which is currently underway) is complete.

The hinterland of towns areas are based on commuting patterns to and from major employment centres and where the thrust of policy is to manage growth, self-sustaining communities and protect the countryside. Hinterland areas relate to Inverness and the Inner Moray Firth (Nairn, Dingwall, Alness, Invergordon, Tain), Fort William, Wick and Thurso.

In the hinterland of towns area, development pressures can result in the spread of sporadic new housing in the countryside. The cumulative effects of this can lead to the undermining of the service role of smaller settlements, the damaging of the character of the countryside and the rural environment, the generation of increased pressures for infrastructure provision and a potential conflict with other rural land uses. This requires a policy approach which channels demand to appropriate locations within existing settlements or housing groups and which permits only exceptional developments in the open countryside.

### **3. Design and Siting of Houses in the Countryside**

The Council is committed to raising the quality of development in the Highland countryside. A siting and design guide is under preparation, and will be issued as part of the final version of this interim guidance. Any proposal for housing in the countryside will also require to be assessed against the criteria set out in Structure Plan Policy G2 Design for sustainability and the Council's planning guidance on sustainable design. Design, siting and material finishes must respect the objectives of the national guidance set out in Planning Advice Note 72 Housing in the Countryside.

## 4. Development in Housing Groups

Local plans identify the majority of housing development opportunities within the hinterland in existing settlements, crofting townships and any planned new settlements.

Outwith these settlements, smaller housing groups can however offer more potential to meet the demands for housing in the Highland countryside. This draft guidance sets out a more flexible approach to ensure that appropriate opportunities for further small scale development or “rounding off” of housing groups is enabled. This approach is supported by Planning Advice Note 72 on Housing in the Countryside which identifies housing related to existing housing groupings as preferable to new isolated developments in the open countryside.

This approach is considered suitable only for small scale housing development proposals (generally single houses). Larger developments (up to four houses) may be acceptable in some housing groups. More significant proposals (i.e more than four houses) which will have wider infrastructure implications will have to be promoted through the formal Local Development Plan process.

The individual Local Plans for Caithness, Nairnshire, Inverness and Ross & Cromarty identify some housing groups and the suggested additional levels of development for these. These limits to growth at individual housing groups will now be used only as a guide to future planning decisions, rather than as a reason in itself for refusal of an otherwise acceptable planning application. There are also a number of housing groups which have not specifically been identified in the Local plans and this guidance also provides advice on how development in these locations can be enabled.

In the case of Caithness, where economic and social regeneration remains a priority, this flexible approach will apply to the dispersed townships, housing groups and settlements identified in policies 11, 12 and 13 of the Landward section of the Caithness Local Plan. In addition, the policy on spacing between houses will be taken as a guide only, rather than as a requirement.

**New housing will be encouraged to locate within or adjacent to existing housing groups. Such development must meet the design and siting guidance to be issued with the final version of this Supplementary Guidance and satisfy the approach set out below.**

All applications for new houses at housing groups will be tested against an analysis of:

- a) the presence or, otherwise of a group; and
- b) the suitability of that group to absorb new development.

## Definition of a Housing Group

A housing group is a group, cluster or row of residential buildings which are capable of being viewed as an obvious group within their landscape setting. A group will include at least 3 houses or residences.

The existence of a housing group will also be determined by the level of containment by natural boundaries such as water courses, trees or enclosing landform, or existing man-made boundaries such as existing roads, plantations or means of enclosure.

## Suitability for further growth

To be an acceptable form of development, proposals for new housing in housing groups must meet the following criteria:

- The scale and siting of new development should reflect and respect the character and amenity of the existing group, and the individual houses within the group;
- Any new build should be located within a reasonable distance of the existing properties within the building group, the distance between existing properties and proposed new build should be guided by the spacing between the existing properties within the group;
- Development proposals must not be visually intrusive in the landscape, or detrimental to landscape characteristics, scenic quality or attributes of the existing group.
- Proposals must not have an adverse impact on foul and surface water drainage arrangements and conditions;
- Proposals must be able to be accommodated by the local road network and relevant junctions;
- Proposals which involve the formation of new public roads for access (and public street lighting) will normally be of too large a scale;
- Sites should not normally break into a previously undeveloped field or require the removal of mature trees in good condition;
- Sites close to working farm buildings or other rural industries will be given careful consideration to ensure no potential conflict;
- Extensions of ribbon development along public roads will not normally be permitted;
- There will be a presumption against development which would result in the coalescence of a group with a nearby settlement or the unplanned extension of a defined settlement;

Development in garden ground may be acceptable, provided that the garden has clearly defined boundaries; forms part of an existing group and does not require the formation of a separate access. Development should be able to deliver an appropriate plot ratio for a countryside location and be cohesive and not incongruous to the existing house or houses.

Potential may exist in established gardens once associated with a country/estate house, which provide an appropriate landscape setting, but where development would not fundamentally affect the qualities and integrity of the site.

The Council will also consider whether housing groups should support further development or whether they are considered to be complete. A group will be considered to be complete where further development could result in a detrimental impact on the housing group. In particular, the Council will carefully consider the potential adverse impact of additional development on those groups that have already been subject to recent development under the housing in the countryside policy. **In all cases, however, housing groups will not be allowed to expand by more than 100% from the baseline date of approval of this guidance, unless it can be demonstrated that additional development would provide overriding economic benefits.**

**DO YOU AGREE WITH THE APPROACH SET OUT IN RELATION TO THE APPROPRIATE DEVELOPMENT OF HOUSING GROUPS IN THE COUNTRYSIDE?**

## 5. Development in the Open Countryside within the Hinterland of Towns

Open Countryside is all land outside the boundaries of defined settlements and not closely related to any housing group. New housing within this open countryside in the hinterland of towns will be exceptional and will only be permitted, in accordance with national guidance and the approved Structure Plan policy, where it complies with the following requirements:

### 1. Agriculture

Applicants must provide a statement to support the need for a house in relation to the proper functioning of the farm holding. Justification will be judged against the information provided by the applicant in support of operational need. Section 75 legal agreements will be used to secure the use of the accommodation.

Applicants must provide;

- a) Description of the current business (where applicable) including: extent, operations, infrastructure and existing labour
- b) Description of proposed changes to the business (or new business) including: extent, operations, infrastructure and labour requirement
- c) Information on how the proposed changes (or new business) are to be funded, including evidence on how the proposed development is financially viable and sustainable.
- d) Information about who is to live in the house and where they reside now.
- e) Evidence of why it is essential that accommodation is actually needed on site.

or

- f) Evidence of the need for housing for family succession purposes, ie retiring farmers and spouses.

The applicant will also present information on:

- The potential to use existing accommodation in the area
- Any other permissions for houses that have not been taken up or developed
- Number of previous houses/plots having been sold off the holding
- Any land on the holding that is identified within an existing settlement

The subdivision of large farms to small-holdings will only be acceptable where it can be substantiated by the provision of the above information.

Operational need does not over-ride considerations of appropriate siting and design, infrastructure and servicing.

## **2. Provision of housing associated with an existing or new rural business.**

Scottish Planning Policy 15 and Planning Advice Note 73 are supportive of the establishment of new enterprises in rural locations, whether that is through existing businesses entering into new areas of activity, expansion or the creation of entirely new enterprises. These new enterprises may include farm diversification directly related to agriculture or, for example, tourism or leisure but may also relate to other new businesses which are suited to rural locations. The provision of housing to support these enterprises may be required and national policy recognises the role of the planning system in facilitating this.

The development of self-catering tourist accommodation will be supported where accommodation relates to a clearly defined business opportunity relating to the development of tourism. Section 75 legal agreements will be used to control the use of provided accommodation.

Applicants must support proposals with information indicated in bullet points a) to e) above.

The applicant will also present information on

- Why a rural location is appropriate to the business.
- The potential to use existing accommodation in the area.
- Whether there is demand for what is proposed

Business need does not over-ride considerations of appropriate siting and design, infrastructure and servicing.

## **3. Croft land and Forest croft management**

It is recognised that a degree of flexibility will be required, for example, in such circumstances it may not be possible to sustain full time employment and this will be taken into consideration in the tests. Any application for a house associated with crofting should be on a Registered Croft or associated common grazing and accompanied by appropriate confirmation from the Crofters Commission of the bona fides of the crofting application. Proposals for forest crofts should be accompanied by a management plan that meets UK forestry standards.

Regard would also be had to the history of the previous housing development on the croft and the density of development. Any new housing must support and respect the traditional settlement pattern, avoid being sited on the better agricultural land of the croft and not compound sporadic suburban type development.

## **4. Provision of housing by a social housing provider to meet a demonstrable local affordable housing need.**

The development of affordable housing to meet a demonstrable local affordable housing need will be acceptable subject to the involvement of a registered social housing provider. Social housing providers will be expected to demonstrate that a sequential approach has not identified opportunities for affordable housing development within nearby settlements, or conversion or restoration of traditional buildings within the immediate area.

## **5. The replacement of an existing dwelling which does not meet the requirements for modern living.**

The replacement of an existing dwelling may be supported where there is a clear case made that the costs of upgrading are not justified on economic or environmental grounds, subject to the existing dwellings being demolished. Any proposal must meet the following criteria:

- The existing building should exhibit all of the essential characteristics of a dwelling house, including the existence of reasonably sound and walls complete to wall head level. Exceptionally, where a recently inhabited or habitable dwelling is destroyed by fire or similar accident, planning permission may be granted for a replacement in situ.
- The application should be in detail and replacement house must be exemplary in its design emphasising the character and style as well as materials of the original and absorbing the principles of designing for sustainability.
- The application should be accompanied by a statement indicating why the existing house is not reasonably or economically capable of being reinstated/renovated to a habitable condition for occupation.
- The resultant floorspace should not result in an excessive increase on that of the original building, in order to maintain the level of impact on the landscape, - thereby ensuring that replacement houses reflect the character and scale of existing houses in the countryside.
- The siting of the new house must be within the same curtilage of the original house, and only resited within the curtilage, where benefit to the landscape and setting can be achieved.
- The property must have had no subsequent change of use since its last period of occupation as a house.

The reuse of existing traditional building materials in the new build will be encouraged.

## **6. The conversion or reuse of traditional buildings or the redevelopment of derelict land.**

The development of rural brownfield sites is supported by national policy, and Planning Advice Note 73 defines these as sites which are occupied by redundant or unused buildings or land that has been significantly degraded by a former activity. It will be important through this policy to secure the retention of historically valuable buildings which are no longer required for their original use, as well as to offer the opportunity to remove former agricultural or industrial buildings which remain an eyesore in the countryside. The key is to achieve net environmental benefit through the conversion or reuse of traditional rural buildings or the redevelopment of derelict land. The reuse of traditional building materials will be encouraged.

The conversion or reuse of a traditional non-residential building can therefore be supported within the hinterland of towns where the building is substantially complete, including having walls to wall head level. The existing building must be of at least a scale that is commensurate with a habitable building.

Derelict Land will include small sites that have ceased to be required for their original purpose and where conversion to residential use would bring about an environmental benefit subject to appropriate design and siting. In line with national guidance, these will be sites that have been significantly degraded by a former activity. Information should be supplied indicating how long the property has been disused.

**7. Part of a comprehensively planned new settlement which meets the criteria set out in Policy H2 new settlements.**

The Highland Structure Plan in Policy H2 recognises that in some circumstances, new settlements have a role to play in meeting housing demand.

**DO YOU AGREE WITH THE APPROACH SET OUT IN RELATION TO DEVELOPMENT IN THE OPEN COUNTRYSIDE?**