

Issue 36	Housing in the Countryside (Hinterland areas)	
Development plan reference:	Policy 36 (Para 19.8, Page 84)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)		
Irene Brandt (18), Scottish Natural Heritage (SNH) (118), Glen Urquhart Community Council (174), Community Council for the Royal Burgh of Tain (175), Floris Greenlaw (222), Strutt & Parker LLP for Balnagown Castle Properties Ltd (229), Crofters Commission (271), Bowlts Chartered Surveyors (309), Scottish Environment Protection Agency (SEPA) (326), Edderton Community Council (373), James Cockburn (390), Kiltarlity Community Council (392), Moray Council (403), 3D Plans (429), Balloch Community Council (436), M Gilvray (453), GH Johnston Building Consultants (GHJ) (459)		
Provision of the development plan to which the issue relates:	Application and extent of Housing in the Countryside policy	
Councils summary of the representation(s):		
<u>Application of policy and hinterland boundary</u> <ul style="list-style-type: none">▪ Current hinterlands are too large and it is unclear how these boundaries have been defined or how the demand has been calculated. (309)▪ Consider the policy overly restrictive in current and proposed form, feel there is little scope for development around Tain. The area does not suffer from undue housing pressure and feel that the more relaxed position in the Fearn Peninsula should be adopted directly around Tain.(175)▪ The policy needs to be the subject of sound implementation with consistent decision making in line with the guidance. (453)▪ The locations of Kinerras/Cruive and Clunevackie are integral parts of Kiltarlity and the hinterland should be extended to include them.(392, 222) Other similar just beyond the Hinterland boundary round Inverness should also be included. (222)▪ Edderton Community Council. welcomes the relaxations proposed in the policy and SG which it believes will help make small communities like Edderton more sustainable. (373)▪ Balloch Community Council oppose any development that erodes the current built boundary of the community. (436)▪ Await with interest the preparation of the Supplementary Guidance. (229)		
<u>GH Johnston (459)</u> <ul style="list-style-type: none">▪ The policy does not concur with Government guidance and should be corrected by changing 'derelict' to 'brownfield', it should accord with the terms used in Government guidance. The Government's definition of "brownfield land" as explained in Scottish Planning Policy 2010 (459)		
<u>Irene Brandt (18)</u> <ul style="list-style-type: none">▪ The Council should protect all present or potential agricultural land from house-building except where the new housing is intended for		

workers in agricultural or new local enterprises. (18)

Moray Council (403)

- The Highland Council policy approach is similar to the Moray Council's policy, whereby a more controlled approach is taken to development within the Countryside Around Towns (CAT) with a more permissive stance within the open countryside. Although there are some subtle differences in policy approach it is not considered that these will cause significant cross-boundary issues. (403)

Scottish Natural Heritage (118)

- Paragraph 19.7.2 should refer to landscape character and the relevance of landscape character assessments. (118)
- It is unclear whether 'countryside areas' refers to rural Settlement Development Areas as well as wider countryside and hinterland areas and this should be clarified.
- Regarding development potential identified within garden ground as contained within the Draft Supplementary Guidance: Housing in the Countryside, para 32-33, it is unclear how this derives from Policy 36. Suggest the penultimate bullet point in Policy 36 requires to be amended to read: "The proposal meets the Council's criteria for acceptable expansion of a housing group or development within Garden Ground (as detailed in the relevant Supplementary Guidance)
- Consistency is needed to what the Siting and Design Guidance is called. (118)
- Clarification is required as to whether 'countryside areas' include rural settlement development areas as well as wider countryside and hinterland areas. (118)
- There is no reference to proposed Housing Group Capacity Studies under Future Supplementary Guidance. Recommend adding to para 19.7.4 "The ability of housing groups to accommodate additional development will be assessed through the preparation of Housing in the Countryside: Housing Group Capacity Studies Supplementary Guidance". (118)
- Policies 48 and 49 make reference to hinterland areas, present this policy only makes reference to Policy 49. Therefore we recommend reference is added to Policy 48 by amending the last bullet point "... and meet the criteria set out in Safeguarding Inbye/Appportioned Croftland Policy 48 and New/Extended Crofting Township Policy 49". (118)
- SNH support the reference to siting and design guidance but the guidance itself needs to be clear that it covers all croft land (including within SDA's) and needs to strengthen to cover crofting landscapes in sufficient detail. (118) (Xref to Policy 48 Safeguarding Inbye/Appportioned Croft Land)

SEPA (326)

- Support this policy provided the policy is extended to make specific reference to the need for developments to be assessed for Flood Risk and in relation to River Basin Management Plans or be clearly cross referenced to Policy 64, Water Environment and Policy 65 Flood Risk.

(326)

Crofters Commission (271)

- References to the number of houses on a croft, and distances between houses etc., seem to have been dropped from the text of Local Plans. This may have opened the way for the siting of several houses on the inbye land of one croft, which has happened in recent cases (271)

Modifications sought by those submitting representations:

Revision of hinterland boundary (175), (309)

The definition of brownfield land should be extended to accord with SPP 2010. (459)

Suggest Kiltarlity boundary is redrawn (392)

Wording should be added which allows an element of flexibility in the location of the Hinterland boundary as shown on the proposals Map so that local boundary issues can be considered in the forthcoming replacement to the Inverness Local Plan and possibly other Local Plans. (222)

Augment Paragraph 19.7.2 with additional sentence, "Proposals should be sympathetic and relate to landscape character, having regard to landscape character assessments produced through Scottish Natural Heritage." (118)

Augment Paragraph 19.7.4 to include, "The ability of housing groups to accommodate additional development will be assessed through the preparation of Housing in the Countryside: Housing Group Capacity Studies Supplementary Guidance." (118)

Amend last bullet point of policy to read, "...and meet the criteria set out in Safeguarding Inbye/ Apportioned Croftland Policy 48 and New/Extended Crofting Township Policy 49." (118)

Summary of responses (including reasons) by Planning Authority:

General

- The extent of the existing hinterland boundary will be re-assessed during the preparation of the area local development plan as indicated in paragraph 19.7.4. (175, 222, 309, 392)
- The intention is that the Policy along with the Supplementary Guidance will assist in the delivery of consistent decision making across the Council's areas. (453)
- The correct application of the Policy will safeguard the integrity of Settlement Development Areas. (436)
- In regard to utilising the term "brownfield" land, The Council's intent is that only rural "brownfield" sites which cannot readily return to a natural

state creating more attractive environments ([SPP](#), para 48 refers) and where a wider environmental benefit can be achieved in their development for housing will be acceptable under the Policy. It is therefore not appropriate to accept the wider definition that applies with the term “brownfield”.

Moray Council (403)

- The Council notes Moray Council’s comments regarding the levels of affinity in both Council’s policy approach.

SNH (118)

- With regards to SNH’s concern regarding the siting and design Supplementary Guidance and how this addresses crofting areas, we do intend to address siting and settlement pattern issues more fully in future iterations of this Supplementary Guidance. (118)
- The Council accept the need for reference to be made under the penultimate bullet. in Policy 36, insert text to read, “*The proposal meets the Council’s criteria for acceptable expansion of a housing group or development within garden ground (as detailed in the relevant Supplementary Guidance)*”
- References to the Siting and Design Draft Supplementary Guidance will be amended to apply a consistency of the correct term.
- Areas outwith defined Settlement Development Areas fall within countryside areas.
- The Housing Group Capacity Studies are listed on page 154 of the Plan under the Future Supplementary Guidance head, however it would be prudent to indicate the potential for these to be prepared to inform policy interpretation. Also there is a need to include reference to landscape character and the relevance of landscape character assessments when considering proposals; insert new paragraph after para 19.7.2, “In considering proposals the various landscape character assessments produced through Scottish Natural Heritage covering Highland broadly classify the types of landscape character present and provides advice on about assessing proposals. Where particular housing groups are identified as being under pressure Housing Group Capacity Studies will be produced on an as-required basis to assess the ability of these housing groups to accommodate additional development.”
- In respect to the making reference to Policy 48 this Policy refers to all countryside areas and the potential for single house croft related applications. The Council accepts the reference should be made however with different wording to that suggested. Add text to bullet 8 “*Proposals for a single house on crofts must comply with the criteria in the Siting and Design Guidance and/or Policy 48 Safeguarding Inbye/AppORTioned Croftland*”

- Both the Draft Housing in the Countryside and the Draft Siting and Design Supplementary Guidance are to be revisited in order to address issues raised regarding their content, presentation and the synthesis between the 2 documents.

SEPA (326)

- SEPA seek the inclusion of a specific cross-reference to Water Environment and Flood Risk policies, this would, however, potentially lead applicants to consider that these may be the only relevant policies. Additionally specific reference to the need to comply with other relevant policies in the plan was sought. However, the General Policies section of the Proposed Plan makes it clear ,(para 18.2) "...that each planning application will be assessed against all policies and legislation to the particular proposal..." .

Crofters Commission (271)

- The requirement for proposals to accord with *Policy 48 Safeguarding Inbye/Appportioned Croftland & Policy 49 New/Extended Crofting Townships* will address concerns regarding the loss of inbye land and also having regard to the character of development. In addition the Housing in the Countryside Supplementary Guidance and the Siting and Design Supplementary Guidance will contain further guidance in relation to croft related housing development in response to the recent consultation.

Any further plan changes commended by the council

Under the penultimate bullet. in Policy 36, insert text to read, "*The proposal meets the Council's criteria for acceptable expansion of a housing group or development within garden ground (as detailed in the relevant Supplementary Guidance)*"

Add text to bullet 8 "*Proposals for a single house on crofts must comply with the criteria in the Siting and Design Guidance and/or Policy 48 Safeguarding Inbye/Appportioned Croftland*"

Reporter's conclusions:

Added by Reporter at later date.

Reporter's recommendations:

Added by Reporter at later date.