

Rural Housing Planning Policy Explanatory Note

Nòta Mìneachaidh Poileasaidh Dealbhadh Taigheadais Dùthchail

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This Rural Housing Planning Policy Explanatory Note has been prepared to ensure a clear and consistent understanding and interpretation of the combination of policies for rural housing as set out in National Planning Framework 4 (NPF4) and the Council's adopted Development Plan. It aims to ensure that rural housing is supported in appropriate circumstances by clarifying how the Council's existing Local Development Plans will be used alongside NPF4.

This paper outlines the interim approach that will apply until the adoption of the new Highland Local Development Plan (HLDP). The evidence gathering stage of the new Highland Local Development Plan (HLDP) is underway and the Council in compliance with NPF4 will review the tailored approach to rural housing across Highland. The Council's latest [Development Plan Newsletter](#)⁽¹⁾ outlines the timeframe for the preparation of HLDP and notes that the proposed plan stage will be reached by Q3 2025-26. With the finalised plan being adopted in Q3 2027-28.

In the interim, Highland-wide Local Development Plan (HwLDP) Policies 35 and 36 cannot be taken as providing Highlands 'tailored approach to rural housing' as allowed for in the 'Local Development Plan' section of NPF4 P17, as these are existing 'old style LDP' policies. NPF4 has been developed and written to support the implementation of the new planning act and specifically the introduction of the new style LDPs. This is confirmed in Annex A of Part 3 of NPF4 where under 'Local Development Plan' it outlines the 'expected role' LDPs will play and sets out the type of policies and their content they should include. Furthermore, the language utilised in all the 'Local Development Plan' sections of each policy and Annex A of NPF4 is clearly written based on what new style LDP policies will do, by using language such as 'should' and 'will', this form of language is clearly written in the future tense and thus by its very nature excludes existing LDP policies.

However, as HwLDP remains part of the adopted Local Development Plan landscape, with its policies, especially Policy 35 and 36 in this regard, carrying weight in the decision-making process and can be utilised to support rural housing in certain circumstances.

1 https://www.highland.gov.uk/download/downloads/id/18842/development_plans_newsletter_2024.pdf

1 Introduction

On 27th June 2024 the Highland Council declared a 'Highland Housing Challenge'. In doing so it recognised the issues facing the Council and its strategic partners in meeting the current and anticipated future demand for housing in the area and outlining a number of key strategic objectives:

- Increase social housing build rate by 40% etc in first 10 years
- Increase local Housing Association build rate in rural areas
- Increase external investment in housing in target areas
- Improve existing stock to maintain progress to net zero and sustainable living standards.

The provision of Rural Housing has an important role to play in helping the Council addressing this challenge and this guidance has been prepared to help meet this challenge.

To help applicants determine the correct policy direction for any specific site or landholding, the Council has produced an [interactive online map](#)⁽²⁾ alongside this document, which allows users to select any given point and for the relevant rural housing planning policies to be displayed. Once these have been determined, the advice in this guidance will help inform the acceptability of a house on that site.

With regards to applications for renewals, varying the commencement of development timeframe, or resurrecting an expired approval. As there has been a change in Local Development Plan policy types of applications will be determined in accordance with this guidance note, relevant planning history and affording the appropriate weight to the area LDPs, rather than relying wholly on the previous adopted policy position. This might result in several previously acceptable proposals now being unacceptable.

The guidance provided does not override any built, natural or cultural designations, or NPF4 Policy 5 (Soils) and all other relevant LDP Policies must be given due consideration.

2 <https://highland.maps.arcgis.com/apps/instant/basic/index.html?appid=5142aca514974e61bcfd555a42cb1009>

For more information please contact the Development Plans Team: 01349

886608; devplans@highland.gov.uk; The Highland Council, Glenurquhart Road, Inverness, IV3 5NX.

2.1 National Planning Framework 4 (NPF4)

[NPF4](#)⁽³⁾ was prepared and produced by the Scottish Government and outlines the national spatial strategy for Scotland. It sets out our spatial principles, regional priorities, national developments and national planning policy. It was adopted by Scottish Ministers on 13 February 2023, from which point it became part of the adopted Development Plan.

This means that NPF4 and the Councils adopted Development Plans need to be read in the whole. With NPF4 Spatial Strategy, supporting development in the right place and requires every decision to contribute to making Scotland a more sustainable place. NPF4 Policy 17 (Rural Homes) provides support for rural housing that reverses depopulation and, as such, housing development in the countryside will be considered more favourably in 'remote rural' areas. Within pressured 'rural areas', which are accessible to urban centres, NPF4 Policy 17 is intended to be more restrictive for obvious sustainability reasons and is therefore more restrictive, but still provides support where it meets certain defined objectives.

2.2 Highland-wide Local Development Plan (HwLDP)

[HwLDP](#)⁽⁴⁾ Vision also seeks to create sustainable communities, which balance population growth and the safeguarding of the natural environment, and the HwLDP Spatial Strategy (for its general policies) is to direct the right development to the right place. HwLDP Policy 35 (Housing in the Countryside (Hinterland Areas)) and Policy 36 (Development in the Wider Countryside), both allow for housing in appropriate locations subject to a range of criterion.

3 <https://www.transformingplanning.scot/national-planning-framework/>

4 https://www.highland.gov.uk/info/178/local_and_statutory_development_plans/199/highland-wide_local_development_plan

2.3 Inner Moray Firth 2 Local Development Plan (IMF2LDP)

[IMF2LDP](#)⁽⁵⁾ was adopted on 27 June 2024 and wholly replaces IMFLDP (2015). The plan includes 12 overarching 'general policies', several of which will be relevant to the assessment of Rural Homes within the IMF2LDP area, namely:

- **Policy 1 Low Carbon Development** - requires new build development to minimise carbon emissions.
- **Policy 2 Nature Protection, Preservation and Enhancement** – requires local development to include measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development.
- **Policy 8 Placemaking** – requires all proposals to follow a site design-led approach.

2.4 Rural Housing Supplementary Guidance (RHSG)

In line with HwLDP Policies 35 and 36, the Council adopted its [Rural Housing Supplementary Guidance](#)⁽⁶⁾ (RHSG) on 10th December 2021. This Supplementary Guidance provides the Council detailed advice on acceptable locations for new house sites and advice on the siting and design of new housing.

5 https://www.highland.gov.uk/downloads/file/28837/inner_moray_firth_local_development_plan_2_strategy_and_general_policies

6 https://www.highland.gov.uk/directory_record/683410/rural_housing

3 New Housing on non-allocated sites within a Settlement

The Council's Settlement Hierarchy directs the majority of new housing to the Highland's settlements, which are identified as 'Settlement Development Areas' (SDAs) within the area Local Development Plans (and shown outlined in black on the plans in the Appendixes of this document). Additionally, the Council strategy is to support and strengthen its rural communities, by supporting housing across its 'Growing Settlements', as defined in the area Local Development Plans.

In terms of this guidance the following is considered relevant:

- NPF4 Policy 17 is applicable only to applications for rural homes outwith Settlement Development Areas (SDAs) and Growing Settlements.
- For the avoidance of doubt, SDA boundaries are to be considered to prevail over the Scottish Government's 6-fold Urban Rural Classification 2020 mapping.
- Growing Settlements identified within the area Local Development Plans do not have defined boundary extents, as such it is a matter of professional judgement for the decision maker to determine the Growing Settlement limit of acceptable growth.
- Housing applications on non-allocated sites within SDAs and Growing Settlements will be considered under **NPF4 Policy 16 Quality Homes f)iii** '...the proposal is for smaller scale opportunities within an existing settlement...'.

4 New Housing outwith a Settlement

NPF4 uses the [Scottish Government's 6 fold Urban Rural Classification 2020](https://www.gov.scot/publications/scottish-government-urban-rural-classification-2020/pages/2/)⁽⁷⁾ to identify rural area, with NPF4 Policy 17 setting out which branches is applicable, as follows:

- **Accessible Rural** - NPF4 Policy 17 a and/or b.
- **Remote Rural** - NPF4 Policy 17 a, b and/or c.

7 <https://www.gov.scot/publications/scottish-government-urban-rural-classification-2020/pages/2/>

5.1 NPF4 Policy 16 (Quality Homes) and 17 (Rural Homes)

NPF4 is required, by law to contribute to 6 outcomes, which includes increasing the population of rural areas. NPF4 Policies 16 and 17 provide support for rural development that stalls/reverses depopulation and therefore housing development in the countryside will be considered favourably in the right locations.

With **NPF4 Policy 16** encouraging, '...the delivery of more high quality, affordable and sustainable homes, in the right locations...', which across the rural areas is achieved under branch f of the policy, which outlines:

Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:

- i. *the proposal is supported by an agreed timescale for build-out; and*
- ii. *the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;*
- iii. *and...the proposal is consistent with policy on rural homes;*

Therefore, applicants should provide details of the timescale for realising the development, which should be reviewed and agreed (if approved) by the decision maker. Assessment, of 'local living' and '20-minute neighbourhood' for rural homes is considered as part of Policy 17 consideration.

NPF4 Policy 17 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes, that support rural communities and are linked to service provision. It does this through four distinct branches. within each a new of requirements apply and the Council's interpretation of each is set out as follows.

5.1.1 NPF4 Policy 17 Branch a

This branch requires that applications are '...suitably scaled, sited and designed to be in keeping with the character of the area...' and that they meet one of 8 acceptable development types.

The assessment of acceptability of each of the 8 acceptable development types is based on the Council's Rural Housing Supplementary Guidance (RHSG). With the following additional non-statutory guidance:

- **Demolition and Replacement** of a non-residential building and its replacement with a house, is to be considered under **NPF4 Policy 17 a) ii.** and **Policy 9 a) (Brownfield, vacant and derelict land and empty buildings)**. Consideration also needs to be given to how the site can/will/has reverted to a natural state without intervention, the site sustainability, and any biodiversity loss the redevelopment will create.
- **Crofts and Woodland Crofts** are to be considered under **NPF4 Policy 17 a) v.** and as per the advice within the **RHSG**.
- **Replacing Non-traditional Disused Buildings** to be assessed against **NPF4 Policy 17 a) ii. (reuse brownfield land)** and use of the criteria outlined in **Section 3.14 of the RHSG**.
- **Sub-division of an existing Residential Dwelling (NPF4 Policy 17 a) vii.** is considered to be the subdivision of garden ground as defined in **Section 3.2 of the RHSG**.

The onus to provide sufficient and suitable evidence is upon the applicant.

5.1.2 NPF4 Policy 17. Branch b

'Local Living' is covered under **NPF4 Policy 15 (Local living and 20-minute neighbourhoods)**, with the Scottish Government recently publishing planning guidance titled '[Local living and 20 minute neighbourhoods](https://www.gov.scot/publications/scottish-government-planning-guidance-local-living-20-minute-neighbourhoods/documents/)'⁽⁸⁾, which defines local living as '...providing people the opportunity to meet the majority of their daily needs within a reasonable distance of their home...'. This document provides specific guidance on the rural context and also points to the '[Living Well Locally, 20 Minute Communities in the Highlands and Islands](https://nickwright-planning.s3.eu-west-2.amazonaws.com/my_uploads/20MNs_highlands_islands_2022.pdf)'⁽⁹⁾, commissioned by HITRANS on what a 20 minute neighbourhood could be like in a rural and island context.

8 <https://www.gov.scot/publications/scottish-government-planning-guidance-local-living-20-minute-neighbourhoods/documents/>

9 https://nickwright-planning.s3.eu-west-2.amazonaws.com/my_uploads/20MNs_highlands_islands_2022.pdf

Inner Moray Firth Local Development Plan Area

Paragraph 17 of IMF2LDP confirms that within the Inner Moray Firth area the Council will support ‘...proportionate growth of existing housing groups without the need for a land or business management justification...’. Therefore, across the IMF plan area, a ‘Housing Group’ (as defined within Section 3.1 RHSG) is considered to meet the requirements of local living in Branch b) of NPF4 Policy 17.

Other Area Local Development Plan Areas

Across all other area Local Development Plans the requirement for developments to ‘...contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location....’, will be a matter of professional judgement for the decision maker and based upon:

- the prevailing and historical settlement pattern and/or land-use of the area,
- the presence of the following:
 - Community facility/hall;
 - Long standing community memorial;
 - Religious venue;
 - Business premises (café, shop, garage etc), but not just a home office;
 - School (especially if it has a low or falling role);
 - Public service infrastructure (post-box, telephone box, community noticeboard);
 - Public transport connection (more than just being on a bus route, i.e. bus stop/shelter).

- The number of existing houses/buildings is such to create a 'feeling of community' / 'sense of belonging'.
- The Council [Local Living Mapping](#)⁽¹⁰⁾ project.

The onus to provide sufficient and suitable evidence in all locations will be upon the applicant to demonstrate how they satisfy this branch.

5.1.3 NPF4 Policy 17. Branch c

This branch of the policy supports rural homes in remote rural areas where a number of criteria are complied with.

Criteria i. does not designate or define 'Fragile Communities', and therefore the Council considers them to be defined by an identifiable collection of long-established buildings which have developed due to a historic function/event/land use, or includes a community facility, major transport link, or includes business use(s) (other than a homeworking unit).

Criteria ii. 'local housing outcomes' to be satisfied by meeting at least one of the outcomes of the '[Local Housing Strategy: 2023-28](#)⁽¹¹⁾', or any successor Local Housing Strategy.

- LHS Priority 1: Housing supply enables strong economic growth and creates resilient communities and places.
- LHS Priority 2: Health & wellbeing outcomes improve by investing in housing solutions which enable everyone in Highland to live independently in the community they prefer.
- LHS Priority 3: People in Highland have access to a wider range of housing options and choices and the support they need.
- LHS Priority 4: Partnership and innovation builds capacity in Highland so that housing condition and energy efficiency improve and all homes to move towards net zero.

10 <https://highland.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=61119b67e8264086a5f25394c67190d7>

11 https://www.highland.gov.uk/download/meetings/id/81461/item_7_local_housing_strategy_2023_-_2028

5 Policy Interpretation

Criteria iii. - Use [Local Housing Strategy: 2023-28](#) for assessing location, access, and environmental impact.

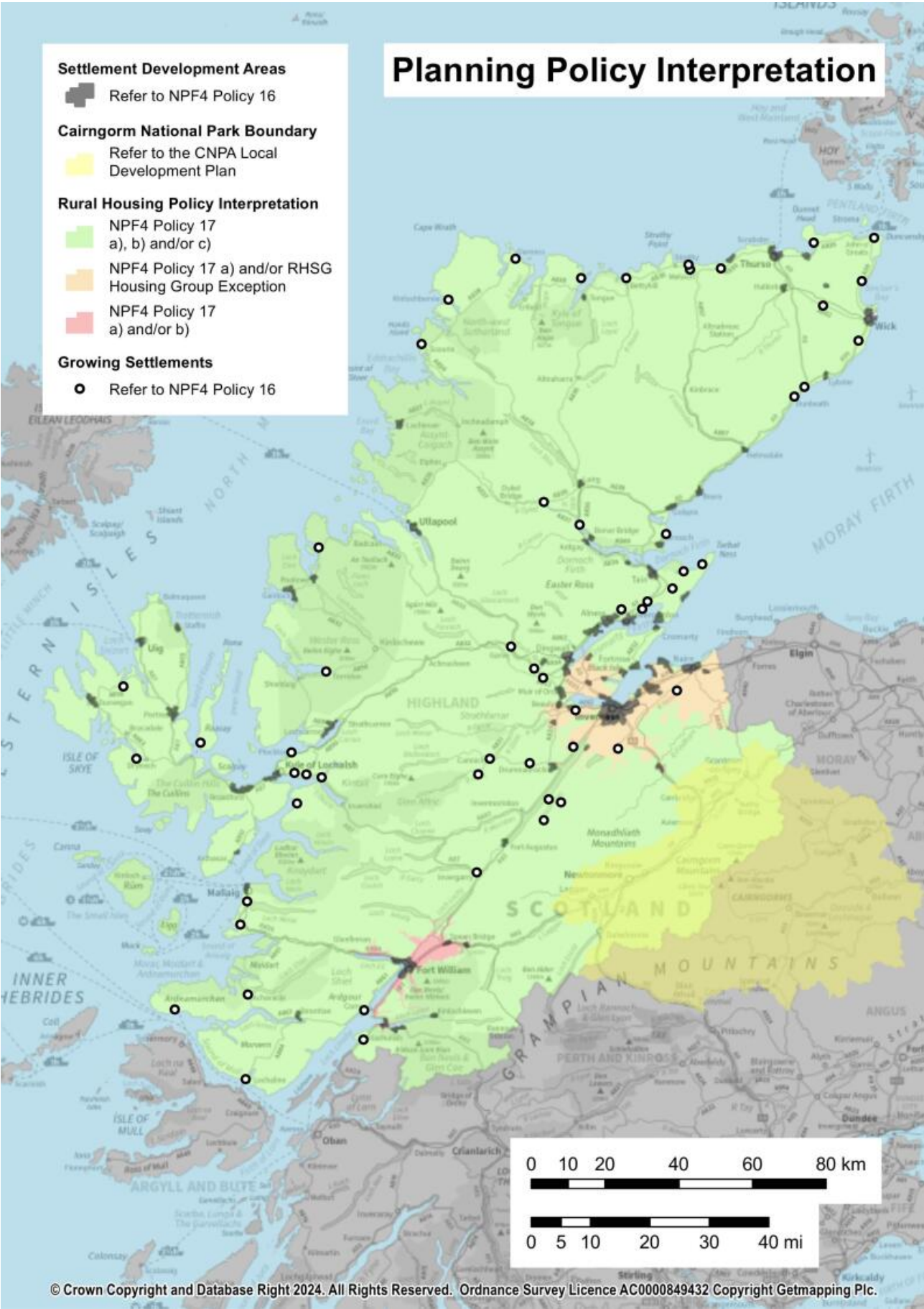
5.1.4 NPF4 Policy 17. Branch d

As no Highland current LDPs have any policies identifying sites suitable for resettlement of previously inhabited areas, Policy 17. d) is not currently applicable.

5.2 HwLDP Policy 35 (Housing in the Countryside (Hinterland Areas)) and Policy 36 (Development in the Wider Countryside)

The Criteria for assessment against the requirements of HwLDP Policy 35 and 36 are outlined within the Council's adopted Rural Housing Supplementary Guidance (RHSG).

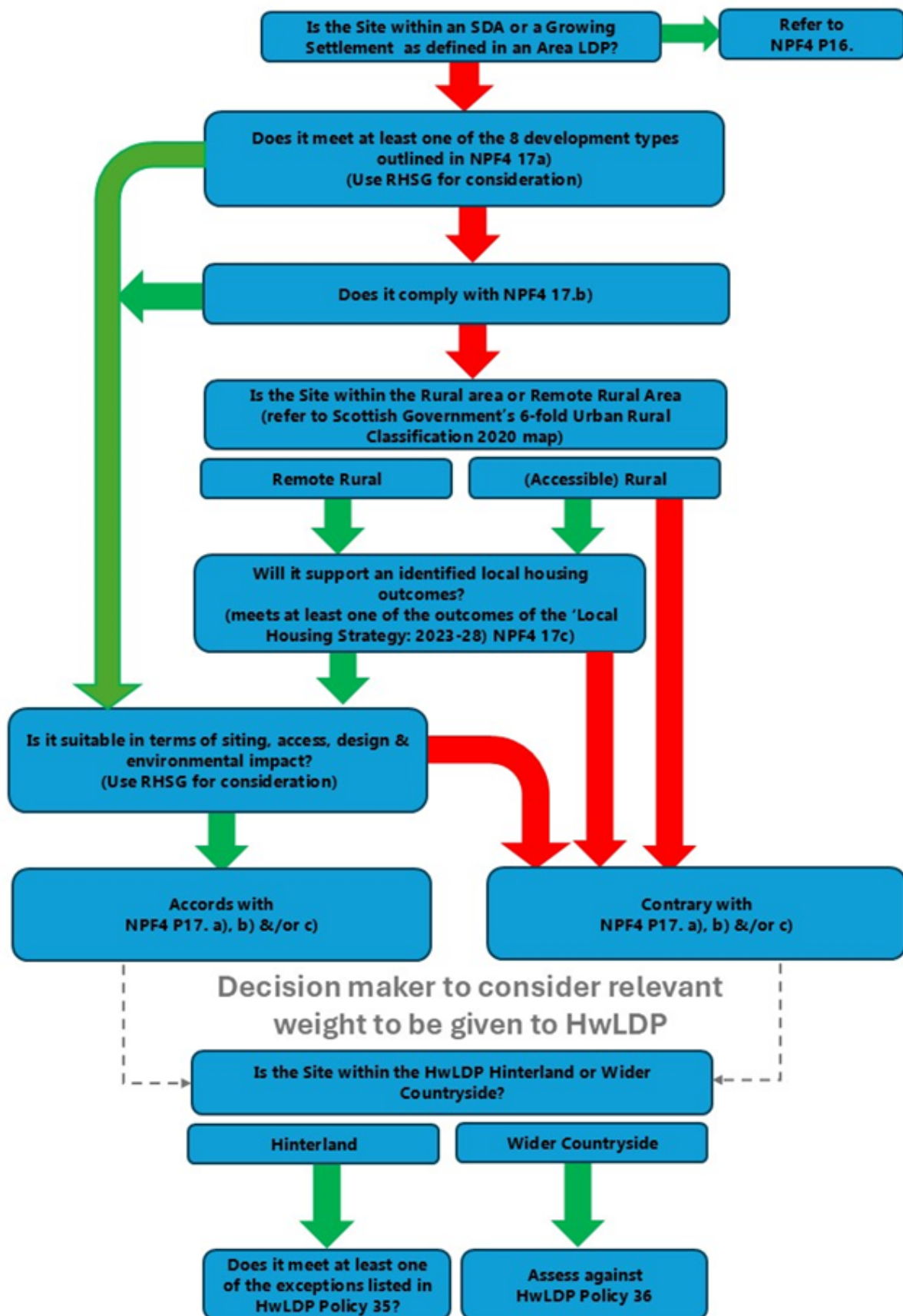
Appendix 1: NPF4 and HwLDP Policy Interpretation Map



Appendix 2: List of Growing Settlements as outlined in the Council Local Development Plans

Inner Moray Firth 2 Local Development Plan	West Highland and Islands Local Development Plan	Caithness and Sutherland Local Development Plan
• Abriachan • Balnain • Barbaraville • Cannich • Cawdor • Contin • Farr/Inverarnie • Foyers • Garve • Gorthleck • Inchmore • Hill of Fearn • Inver • Milton of Kildary • Marybank • Portmahomack • Rhicullen/Newmore • Tomich • Whitebridge	• Acharacle • Ardgour and Clouvullin • Arisaig • Auchtertyre • Aultbea • Balmacara and Reraig • Carbost • Dornie • Duror • Edinbane • Glenelg • Inverarish • Invergarry • Kilchoan • Lochaline • Morar • Plockton • Torridon	• Bettyhill • Dunbeath • Dunnet • Durness • Embo • Invershin • John O' Groats • Keiss • Kinlochbervie • Latheronwheel • Melness • Melvich • Portskerra • Reay • Rosehall • Scourie • Thrumster • Watten

Appendix 3: NPF4 Policy 17: Rural Homes Assessment Flow Chart



NPF4 Policy 5 - Soils

- a. Development proposals will only be supported if they are designed and constructed:
 - i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
 - ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.
- b. Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:
 - i. Essential infrastructure and there is a specific locational need and no other suitable site;
 - ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
 - iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
 - iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and

in all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.

- c. Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:
 - i. Essential infrastructure and there is a specific locational need and no other suitable site;
 - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;
 - iii. Small-scale development directly linked to a rural business, farm or croft;

- iv. Supporting a fragile community in a rural or island area; or
 - v. Restoration of peatland habitats.
- d. Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:
- i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
 - ii. the likely effects of the development on peatland, including on soil disturbance; and
 - iii. the likely net effects of the development on climate emissions and loss of carbon.

This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.

- e. Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:
- i. the extracted peat is supporting the Scottish whisky industry;
 - ii. there is no reasonable substitute;
 - iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of peat of at least 1 metre across the whole site, including drainage features;
 - iv. the time period for extraction is the minimum necessary; and
 - v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration.

NPF4 Policy 15 - Local Living and 20 minute neighbourhoods

Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
- employment;
- shopping;
- health and social care facilities;
- childcare, schools and lifelong learning opportunities;
- playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
- publicly accessible toilets;
- affordable and accessible housing options, ability to age in place and housing diversity.

NPF4 Policy 16 – Quality Homes

- a. Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b. Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit.

The statement will explain the contribution of the proposed development to:

- i. meeting local housing requirements, including affordable homes;
- ii. providing or enhancing local infrastructure, facilities and services; and
- iii. improving the residential amenity of the surrounding area.

- c. Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
 - i. self-provided homes;
 - ii. accessible, adaptable and wheelchair accessible homes;
 - iii. build to rent;
 - iv. affordable homes;
 - v. a range of size of homes such as those for larger families;
 - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
 - vii. homes for people undertaking further and higher education; and
 - viii. homes for other specialist groups such as service personnel.
- d. Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e. Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
 - i. a higher contribution is justified by evidence of need, or
 - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.
 - iii. The contribution is to be provided in accordance with local policy or guidance.

Appendix 4: NPF4 Policy Extract

- f. Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
 - i. the proposal is supported by an agreed timescale for build-out; and
 - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
 - iii. and either:
 - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
 - the proposal is consistent with policy on rural homes; or
 - the proposal is for smaller scale opportunities within an existing settlement boundary; or
 - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- g. Householder development proposals will be supported where they:
 - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h. Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

NPF4 Policy 17 – Rural Homes

- a. Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:
 - i. is on a site allocated for housing within the LDP;
 - ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;
 - iii. reuses a redundant or unused building;
 - iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
 - v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
 - vi. is for a single home for the retirement succession of a viable farm holding;
 - vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
 - viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.
- b. Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.
- c. Development proposals for new homes in remote rural areas will be supported where the proposal:
 - i. supports and sustains existing fragile communities;

- ii. supports identified local housing outcomes; and
 - iii. is suitable in terms of location, access, and environmental impact.
- d. Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:
 - i. is in an area identified in the LDP as suitable for resettlement;
 - ii. is designed to a high standard;
 - iii. responds to its rural location; and
 - iv. is designed to minimise greenhouse gas emissions as far as possible.

HwLDP Policy 35 - Housing in the Countryside (Hinterland areas)

The Council will presume against housing in the open countryside of the hinterlands around towns as defined on the Proposals Map. Exceptions to this policy (as detailed in Supplementary Guidance) will only be made where at least one of the following applies:

- A house is essential for land management or family purposes related to the management of the land;
- The dwelling is for a retiring farmer and their spouses; or for a person retiring from other rural businesses on land managed by them for at least the previous ten years, where their previous accommodation is required for the new main operator of the farm, or rural business;
- Affordable housing is required to meet a demonstrable local affordable housing need;
- Housing is essential in association with an existing or new rural business;
- The house proposed is a replacement of an existing dwelling which does not meet the requirements for modern living and where the costs of upgrading are not justified on economic or environmental grounds (subject to the existing dwellings being demolished);
- The proposal involves conversion or reuse of traditional buildings or the redevelopment of derelict land; development of “brownfield” sites will be supported where a return to a natural state is not readily achievable and where a wider environmental benefit can be achieved through development;
- 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);
- The potential for new housing related to crofting is restricted; wider public benefit must be clearly demonstrated and meet the criteria set out in New/Extended Crofting Township Policy 48. Single house proposals on crofts must comply with the criteria in the Housing in the Countryside and Siting and Design Supplementary Guidance and/or Policy 47: Safeguarding Inbye/Appportioned Croftland.

Where exceptions are justified, all proposals should still accord with the general policies of the Plan and the Housing in the Countryside / Siting and Design: Supplementary Guidance.

Appendix 5: Highland-wide Local Development Plan Policy Extract

The Housing in the Countryside and Siting and Design: Supplementary Guidance will identify the main principles for housing proposals in all countryside areas. In particular, it will:

- identify wider development factors to be considered;
- provide advice on the identification of development opportunities;
- define exceptions to the policy;
- provide advice in relation to location, siting and design;
- highlight environmental and landscape issues.

Housing development proposals outwith the hinterlands around towns will be determined in accordance with Policy 36 – Development in the Wider Countryside.

HwLDP Policy 36 – Development in the Wider Countryside

Outwith Settlement Development Areas, development proposals will be assessed for the extent to which they:

- are acceptable in terms of siting and design;
- are sympathetic to existing patterns of development in the area;
- are compatible with landscape character and capacity;
- avoid incremental expansion of one particular development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics
- avoid, where possible, the loss of locally important croft land; and
- would address drainage constraints and can otherwise be adequately serviced, particularly in terms of foul drainage, road access and water supply, without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area.

Appendix 5: Highland-wide Local Development Plan Policy Extract

Development proposals may be supported if they are judged to be not significantly detrimental under the terms of this policy. In considering proposals, regard will also be had to the extent to which they would help, if at all, to support communities in Fragile Areas (as defined by Highlands & Islands Enterprise) in maintaining their population and services by helping to re-populate communities and strengthen services.

Within Fragile Areas, proposals that will lead to the change of use or loss of a lifeline rural facility such as a village shop, whether or not that facility is outwith the settlement development area, will be required to provide information as why the facility/use is no longer feasible including evidence that it has been marketed for that purpose at a reasonable price/rent for a minimum period of 3 months.

Renewable energy development proposals will be assessed against the Renewable Energy Policies, the non statutory Highland Renewable Energy Strategy and where appropriate, Onshore Wind Energy: Supplementary Guidance.

All proposals should still accord with the other general policies of the plan.

Development proposals for housing in the wider countryside will be determined against the relevant sections of the Housing in the Countryside and Siting and Design: Supplementary Guidance.

IMF2LDP Policy 1 - Low and Zero Carbon Development

Each new build development proposal must minimise carbon emissions. A Low and Zero Carbon Development Section must be included within the Supporting Statement submitted as part of a planning application to demonstrate how this has been achieved. The information provided should be commensurate with the nature and scale of the proposed development.

The Council's Low and Zero Carbon Development Guidance document should be used to inform the statement and it is expected that the following components will need to be addressed (as appropriate to the nature and scale of the proposal):

1. "Fabric first" approach to maximise the thermal efficiency of the building.
2. Siting and design to maximise and manage solar gain.
3. On-site renewable energy generation.
4. On-site energy storage.
5. Zero direct emissions at source - heating/cooling low carbon heat source.
6. Future proofed electricity load capacity.
7. Other methods and innovations to decarbonise development (including the potential for nature-based solutions).

For proposals with space heating needs which are located within areas identified by the Council as a Heat Network Zone (included within the Low and Zero Carbon Development Guidance):

- All developments will be required to connect to an existing heat network where available. Where one does not already exist, Major Developments will be encouraged to create a new heat network.
- Where applications can demonstrate that connection to a heat network is not viable as part of the development, the proposal will need to be future proofed to allow connections to heat

networks when one becomes available. In such cases an agreed network design will be required.

- Where the applicant can demonstrate that connection to a heat network is neither viable nor the most appropriate heating solution, both as part of the development and likely in the future, alternative low and zero carbon emitting heat arrangements will be required.

Outwith Heat Network Zones, developers are encouraged to consider the creation of or connection to existing heat networks as a means of heating system.

- Whilst the following development proposals are exempt from this policy, the Council would encourage developers to consider the broad issues and opportunities to deliver low and zero carbon development: Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection.
- Buildings which have an intended life of less than two years.
- Any other buildings exempt from Building Standards.

IMF2LDP Policy 2 - Nature Protection, Restoration and Enhancement

All developments must enhance biodiversity, including, where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Any potential adverse impacts of development proposals on biodiversity, nature networks and the natural environment must be minimised through careful planning and design and following the mitigation hierarchy. Design and layouts must show how they have considered enhancing biodiversity, safeguarding the services that the natural environment provides and building the resilience of nature by enhancing nature networks and maximising the potential for restoration.

Local Developments

Local developments will only be supported if they include appropriate measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development. All new local housing development, excluding householder alterations and extensions, and all other local development will be expected to deliver demonstrable net

biodiversity enhancements above an agreed baseline. These enhancements can be provided onsite, or on other land within the applicant's ownership or control, and secured through planning conditions. Alternatively, a biodiversity enhancement developer contribution may be paid to facilitate collective biodiversity enhancements within the catchment of the closest main settlement of the proposed development.

National, Major and EIA Developments

Developments proposals for national, major and EIA development will only be supported where it is demonstrated that the proposal will conserve and enhance biodiversity, including nature networks within and adjacent to the site, so that they are in a demonstrably better state than without intervention, including through future management.

To inform this, proposals should:

- be based on an understanding of the existing characteristics of the site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats or species;
- wherever feasible, integrate and make best use of nature-based solutions, demonstrating how this has been achieved;
- be supported by an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;
- provide significant biodiversity enhancements, in addition to any proposed mitigation.
- take into account the community benefit of biodiversity and nature networks.

Biodiversity enhancements proposed through development will require to be delivered within an agreed timescale and should include supporting nature networks, linking to and strengthening habitat connectivity within and beyond the development, where appropriate. Any submission should include management arrangements for long-term retention and monitoring of the approved biodiversity enhancements, wherever appropriate.

Planning Guidance

Non-statutory planning guidance on the provision of nature-based solutions and biodiversity enhancements, including developer contributions where appropriate, will be prepared by the Council. This guidance will be used to inform development proposals.

IMF2LDP Policy 8 – Placemaking

The Council's ambition is for all future developments to create high quality successful places to live, work and relax which are energy, infrastructure and land-take efficient, whilst at the same time being rich in natural and cultural heritage through protection and enhancement.

Therefore all proposals must follow a site design-led approach, which must be demonstrated by outlining which Design Tool(s) have been utilised and why; how the scheme has evolved and the changes adopted as a result of using the Design Tool and feedback from the public consultation and/or consultees (if appropriate) within the Supporting Statement submitted as part of an application.

Development proposals of 4 or more dwellings and major non housing applications will be expected to submit a placemaking audit. The Council will prepare non-statutory planning guidance to support and deliver a tailored approach to the Six Qualities of Successful Places (NPF4 Annex D) and advise on information to be included in placemaking audits



