

Adopted Supplementary Planning Guidance: Revised Planning Policy and General Planning Criteria for Housing in the Countryside

“Policy H10A: Housing in the Countryside

New houses in the Countryside will be permitted in the following circumstances (1 – 7 and sub-categories) provided that the relevant general planning criteria (8) set out below are also satisfied.

Please note that in all cases where Listed Buildings or other designated heritage structures or sites are present, reference must be made to ‘General Planning Criteria’ (ix) and (x), to other relevant Development Plan policies, and to applicable legislation.

1 - Building Groups and Clusters

(a) Within or adjacent to a Building Group. A Building Group / Cluster is defined as 4 or more buildings (not including small ancillary structures such as domestic garages and outbuildings or any open-sided structures), of which at least 3 are houses, and no building is more than 100 metres from the next; the buildings capable of being viewed as an obvious group in their landscape setting. Although it is expected that most additions will consist of single houses, in appropriate cases, well designed small developments of up to 6 low-carbon houses may also be permitted.

(b) If a Group consists simply of frontage houses along a road, infill or additions will be permitted where gaps for adequate plots exist. Extension by no more than 2 plots in either direction may be permitted if there is an appropriate topographical ‘stop’. Such proposals resulting in a linear group of more than 6 dwellings in total will be regarded as Ribbon Development and will only be supported in exceptional circumstances.

(c) If the proposed development consists solely of social rented housing, the criteria in 1(a) may be relaxed, provided that the housing need is demonstrated and the relevant general locational, siting and design criteria are satisfied.

Applications must be accompanied by plans and illustrations demonstrating that the proposed new house(s) respect the character, layout and building pattern of the group. New buildings extending a group must have a definable topographic relation to the group. The Planning Authority will monitor infill and extension of Groups.

Building Group, Cluster and Infill development opportunities may be close to identified town and village boundaries. Proposals leading to coalescence will only be supported outwith the Local Development Plan preparation and review process in exceptional circumstances.

n.b. Ardeonaig is already identified in the Local Plan as a special case of a ‘group’. Housing developments there will continue to be regulated according to Local Plan Policy H9.

2 - Infill Sites

Where 2 houses, or other permanent buildings of equivalent size, front a road or access lane and are less than 100 metres apart, infill with one or two new houses, provided that the scale and use of the existing buildings allows for an appropriate setting (includes General Planning Criterion viii) for existing and new houses.

The Planning Authority will monitor Infill developments and when necessary will (with reference to the terms of the policy and to the General Planning Criteria) determine whether a ‘Building Group’ has been created, to which further additions may be acceptable.

3 - Single houses for specific sites or purposes

Outwith Building Groups or Infill situations, single dwellings if:

(a) Located within a substantially intact walled garden. Proposals should result in the restoration/preservation of the wall and should respect other surviving features of the garden.

(b) Required for an applicant who has a genuine need to be housed to manage land in the vicinity for agriculture, horticulture or forestry, or is managing or employed in an established rural business where there is a clear operational need for a manager or staff to be housed in the vicinity. For a newly established business, long-term viability must be demonstrated. If the Council is not satisfied regarding short-term viability, a temporary permission may be granted for a non-permanent form of housing in the interim period.

Where a dwelling is permitted for a manager or employee it may be subject to an occupancy condition or legal planning agreement if the Council considers that there is a particular need to retain workers' housing in that locality. Applications for the waiver of restrictive occupancy conditions will be granted subsequently if the applicant can demonstrate that there has been a material change in circumstances since the condition was originally imposed.

(c) The proposed house, which must be of a 'low-carbon' design and appropriate to its setting, is an integral part of a sustainable living scheme involving the management and use of attached land and so dependent upon a countryside location.

4 - Replacement and Renovation of single houses

(a) To replace a house that is:

- (i) habitable, but sub-standard and of a design that is not readily improvable or extendable, with a dwelling of similar scale; or
- (ii) abandoned or ruinous; provided that there is substantial visible evidence of the structure of the original house above ground level, it is located within an established site with a good landscape setting and a good 'fit' in the landscape, has site boundaries capable of providing a suitable enclosure for a new house, and the site is in other respects acceptable in planning terms.

In either case the siting of the new house should be similar to that of the existing house in terms of orientation and distance from the road, unless individual site conditions suggest that another position (within the site boundaries) would create a better landscape fit.

If the proposed new house does not occupy the footprint of the previous house, that footprint will not be accepted as a site for a future house-building proposal relying on this part of the Policy.

- (iii) located within a flood risk area. The replacement should be a dwelling of similar scale at an appropriate nearby safe site with a safe vehicular access. The existing house and any flood protection measures solely associated with it to be demolished/removed following occupation of the new house.

(b) To renovate a house that is a substantial ruin of traditional style, capable of forming the basis of a building of merit and local character, appropriate to its setting. If such a structure survives, renovation will be the Council's preferred option. Any proposal involving demolition (and reconstruction or replacement) will need to be supported by an engineer's structural report and a financial appraisal demonstrating, to the Council's satisfaction, that renovation is not a viable option.

5 - Conversion, redevelopment or replacement of Farm Steadings and other Non-Domestic Buildings

(a) The proposal involves only or principally the conversion of a redundant traditional building or buildings, without modern buildings or extensive brownfield land attached. The Council's presumption in these circumstances is that the conversion and renovation of the buildings will be as faithful as possible to the existing in scale, character and materials, with additions and

alterations generally limited to those necessary to achieve Building Standards, efficient use of space, and an appropriate and coherent design concept. Complete or partial demolition, and reconstruction or redevelopment, of such sites will only be permitted if the Council is satisfied, on receipt and consideration of appropriate structural and financial reports, that restoration is unviable.

(b) The proposal involves redevelopment of a redundant building complex or brownfield site including substantially complete traditional buildings. As in case (a) the Council will prefer to see the traditional buildings restored and converted for modern use and if this is not part of the proposal will wish to see evidence (structural and financial) of non-viability. Reconstruction of any remains of other traditional buildings to complement the restored buildings will also be encouraged. Additionally, residential or mixed use of the 'footprint' of adjacent derelict or modern buildings, and the associated 'brownfield' land (see definition at 6 below), will be permitted provided that the overall development achieves a coherent design concept and quality appropriate to the restored buildings and to the countryside setting. Such developments will be limited to a maximum of 12 dwellings in total.

In both (a) and (b), where the landscape setting is appropriate, and particularly where established boundaries such as walls and hedgerows relate well to the site, adjacent and intervening land may be utilised for ancillary purposes, particularly to achieve adequate private garden space for the dwellings created, or for shelter or ornamental tree-planting.

6 - Brownfield Sites

The proposal is located on Brownfield land, Brownfield sites are broadly defined as sites that have previously been developed. In rural areas this usually means sites that are occupied by redundant or unused buildings or where the land has been significantly degraded by a former activity.

The proposed houses should be of a number, scale and design appropriate to the landscape setting, and to the services and infrastructure available at the location.

n.b. This part of the Policy will not apply to larger sites where decontamination and other costs will require an integrated approach to redevelopment, such that piecemeal development of individual houses will not be appropriate.

7 – Development in the Green Belt

In the circumstances covered in policy categories 3(a), 4(ai), 4(aiii), 4b and 5a, only, (i.e. principally in cases involving redundant buildings), where proposals are considered capable of achieving a net environmental gain and other Green Belt objectives are not compromised. There will continue to be a presumption against inappropriate development in the Green Belt.

8 - General Planning Criteria applying to all proposals under this policy:

- i) The Council will seek to implement the requirements of Scottish Planning Policy (SPP) 6 'Renewable Energy' and Planning Advice Note (PAN) 84 'Reducing Carbon Emissions in New Development' in so far as all applications for new build housing in the Countryside should demonstrate how they intend to reduce carbon dioxide emissions by 15% beyond the 2007 Building Regulations standard. An energy statement should be submitted with the application and the advice and methodology in PAN 84 followed. The Council will aim for all new housing in the countryside to be low / zero carbon by 2016 and will also actively promote and encourage carbon reduction measures in the conversion of existing rural buildings.
- ii) In the interests of sustainable development and in seeking to maintain rural character, traditional building materials in re-usable condition on the site should wherever possible and appropriate be utilised in the new development.

- iii) Proposed developments should not conflict with other policies in the Development Plan*.

** For the avoidance of doubt, this Supplementary Planning Guidance will be regarded as an interim replacement of the following Development Plan Policies insofar as they relate to housing developments in the Countryside:*

Structure Plan policies ENV3(1), H5, H6;

Local Plan policies E2, E7, H10, H13(2), H14.

- iv) In the interests of sustainable development, notwithstanding the scale of the site/buildings available for redevelopment according to the definitions in this policy, the Council may limit the number of dwellings approved (or delay approval for all or part of the scheme) if, following consultation, it is of the view that the local infrastructure (e.g. of roads, drainage, education facilities, or public transport) is inadequate to support additional pressures likely to arise from the proposal, and cannot be improved timeously by means of measures securable through 'planning gain' burdens on the developer. Therefore, large scale proposals will not generally be supported in less accessible locations.
- v) Sites with sound existing buildings not amenable to residential conversion, and brownfield sites, will often be suitable for a variety of uses compatible with their rural location. Applicants will be required to demonstrate that they have considered other potential uses or mixed use of such sites, which may include employment-creating developments.
- vi) New houses and replacement houses should be designed and sited in a manner appropriate to the Countryside and sympathetic to their setting. A high quality of design will be expected; and use of traditional and sustainable materials will be encouraged. There will be added emphasis on sympathetic location, design quality, and cumulative visual impact within the designated Areas of Great Landscape Value. The Council will publish location and design guidance in due course. Meantime reference will be made to PAN72 – *Housing in the Countryside*, the published Landscape Character Assessment reports, and the DAN – *New Uses for Redundant Rural Buildings*.
- vii) New houses in Building Groups and in Infill situations must be so sited and designed, and provided with adequate curtilages, to ensure both an appropriate 'fit' with the group and the provision and maintenance of an adequate level of residential amenity for the existing and new dwellings.
- viii) Before approving new dwellings adjacent to working farm buildings or other established business premises, the Council will seek to determine whether new houses may be incompatible with continuation of those legitimate activities. In such circumstances developers may be required to seek alternative locations.
- ix) Proposals under any part of the policy utilising Category A or B Listed Buildings or sited so as to affect the setting of such a building; or a Scheduled Ancient Monument; or a Historic Garden/Designed Landscape will be subject to consultation with Historic Scotland. Proposals affecting Category C Listed Buildings will be referred to the Council's Conservation Officers for conservation and design advice. It will be expected that all Listed Buildings will be retained.
- x) Sites with building remains and sites where there were previously buildings may have historic and archaeological interest. Consultation with the Council's Archaeologist (and where necessary Historic Scotland) should be undertaken. In appropriate cases the Planning Authority will require a site survey by qualified persons, and levels of investigation and recording commensurate with the interest revealed, before redevelopment commences.

- xi) Design quality and respect for local rural character should extend to the elements of the development outwith the houses, i.e. ancillary buildings, landscaping, means of enclosure, access and parking, and lighting. Where developments involve re-use of buildings of traditional character, and in other cases where developments are not naturally screened, the Planning Authority may seek to control these external features by removing permitted development rights when granting planning approval.
- xii) Developers of multiple house schemes will be encouraged to incorporate a range of house sizes. Any approved scheme involving the building of more than one new house (not counting conversions and restorations) will be subject to a legal planning agreement to ensure a financial contribution towards the provision of Affordable Housing in the rural area, in accordance with the current Council policy in that regard.

[Currently, financial contributions towards off-site Affordable housing provision are calculated according to the following formula:-

$$(25\%N) \times (25\%P)$$

where N is the total number of units, and P is the price of the lowest-priced unit.

e.g. A steading redevelopment creating 5 units within converted retained buildings, with 5 new-build units on adjacent brownfield land; 10 units in total; lowest priced unit £150,000

$$\text{Contribution} = (25\% \text{ of } 10) \times (25\% \text{ of } £150,000) = £93,750$$

This is a guideline figure. Particular circumstances affecting viability will be taken into account].

- xiii) In all cases the Council will give favourable consideration to home-work units, as opposed to purely residential properties, provided this would not conflict with the residential amenity requirements of existing and new dwellings.
- xiv) Given that modern farm buildings/structures may fall within the definitions of either redevelopable buildings adjacent to steadings, or brownfield land (policy categories 5 & 6), the Council will not regard recent structures (i.e. those erected within the last 5 years and hereafter from the date of adoption of this policy) as satisfying these definitions.

n.b. Pre – application discussion with a Planning Officer is recommended. It is also recommended that the applicant seeks appropriate professional advice (architect, structural engineer, energy consultant, landscape architect, ecologist, etc), particularly where conversion, restoration or replacement of existing buildings is involved. Existing buildings, brownfield sites, etc, may have heritage and wildlife/biodiversity interest, including statutorily protected species.”