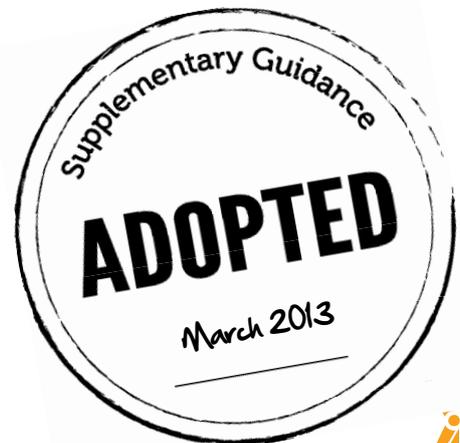
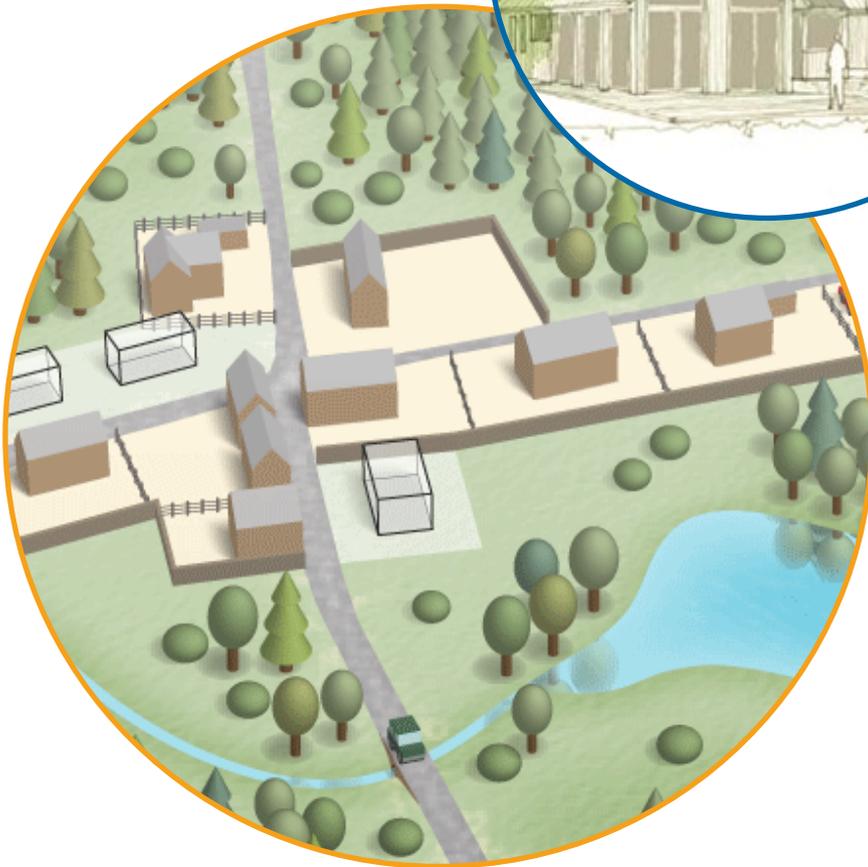
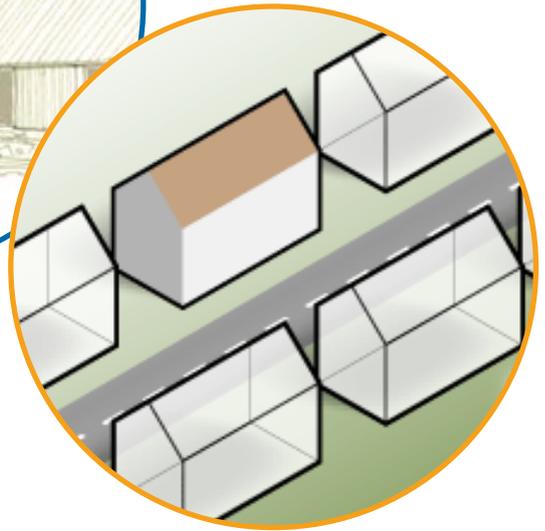


# Housing in the Countryside and Siting and Design

## Taigheadas san Dùthaich agus Làraich is Dealbhadh





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## 1 Introduction

- 1.1** This Guidance offers advice in relation to Council policy on potential for new housing in the Highland countryside, providing assistance and interpretation relating to policy as contained within the Highland-wide Local Development Plan for areas outwith existing Settlement Development Areas, specifically:
- Policy 35 Housing in the Countryside (Hinterland areas); and
  - Policy 36 Development in the Wider Countryside.
- 1.2** It is particularly relevant to the areas of Highland which fall within the “hinterland of towns” which are the areas under greatest pressure for housing development. These areas are illustrated in appendix 2 of this guide.
- 1.3** This guidance supersedes previous guidance on this topic.

## 2 Siting and Design of Houses in the Countryside

- 2.1** The Council is committed to raising the quality of development in the Highland countryside. New proposals will therefore be expected to contribute towards this commitment through high standards of site layout, high-quality design and the use of appropriate materials.
- 2.2** The Siting and Design section provides guidance on issues that have to be considered and addressed in relation to applications for housing in the countryside.

## 3 Other relevant publications and guidance

- 3.1** Other Supplementary Guidance and publications that should be referred to are:
- Trees, Woodland and Development;
  - Access to Single Houses and Small Housing Developments;
  - Green Networks;
  - Managing Waste in New Developments;
  - Sustainable Design; and
  - Highland Statutorily Protected Species.

This guidance must be considered in the context of Development Plan policy and other relevant Supplementary Guidance (see THC website - [www.highland.gov.uk](http://www.highland.gov.uk) for details).

**3.2** Additionally, the following documents should be referred to in preparing applications:

- Scottish Government
  - Planning Advice Note 72 Housing in the Countryside
  - Planning Advice Note 68 Design Statements (available from SG website at: <http://www.scotland.gov.uk/Topics/Built-Environment/planning/publications>)
- Scottish Natural Heritage
  - Landscape Character Assessments (available through SNH website at: <http://www.snh.gov.uk/protecting-scotlands-nature/looking-after-landscapes/lca/>)

## 4 Policy context

**4.1** The Highland-wide Local Development Plan sets out the policy context for the development of housing outwith existing settlements. The Council operates a 2 tier approach to this issue as contained in Policy 35 Housing in the Countryside (Hinterland areas) and also Policy 36 Development in the Wider Countryside

**4.2** Policy 35 applies to areas within the hinterland around towns.

### **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/AppORTioned 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.

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.

- 4.3** In the wider countryside where the approach to housing development is more permissive, the identification of appropriate development sites within the wider countryside should adopt a sequential approach when considering development proposals.

**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.

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.

## 5 General Development considerations

**5.1** Development proposals in both Hinterland and Wider Countryside areas are required to comply with policy as contained within the Highland-wide Local Development Plan. General factors for consideration are applicable across the Highland area are indicated below. Refer to the Highland-wide Local Development Plan for a full list of policies.

### 5.2 General development considerations

Factors that will inform the assessment of suitability for development include other considerations. Proposals will only be supported when they meet the criteria below;

- do not impact detrimentally on existing trees and/or woodland which are important to the character, setting, amenity and/or containment of the housing group or surrounding landscape;
- do not conflict with adjacent land use (inc working farms or other rural industries);
- do not impact detrimentally on natural, built and cultural heritage; protected species and scenic quality and are compatible with landscape characteristics
- do not impact to the detriment of other services and utilities and are serviceable by the local road network and relevant junctions, without the need for improvements and upgrades which would be out of keeping with the character of the housing group and surrounding countryside;
- are compatible with existing servicing infrastructure, or where not available or has insufficient capacity acceptable arrangements are made for the provision of new servicing infrastructure (n.b. proposals for new infrastructure must meet applicable planning policy requirements and be capable of receiving consent from all relevant regulatory bodies and regulations such as, *SEPA, Scottish Water*, Marine Scotland, Building Standards, etc; furthermore, they must not involve infrastructure out of keeping with the rural character of the area);
- do not impact on the economic *viability* of service delivery (for example, the economics of school bus provision and refuse collection if not on existing route);
- where there has been appropriate consideration of flood risk (flood risk is a material planning consideration for a wide range of sites including those in a flood plain or with a history of flooding; sites adjacent a watercourse, drained by culvert with drainage constraints/poorly drained);
- demonstrate a consideration of siting principles and layout, building design and residential amenity in line with the Siting and Design guidance; and
- accord with all applicable policies of the Development Plan.

**5.3 It is important to note that compliance with criteria outlined in this guidance document does not necessary mean that planning permission**

**will be granted for a proposed development if compliance with other relevant Development Plan policies has not been demonstrated.**

**5.4** When preparing development proposals it is important that consideration is given to policies contained within the Development Plan. Guidance and advice can be sought from your local Area Planning Office regarding your proposal and what further information will be required to support your planning application. Further information is available on the Planning Applications webpage:

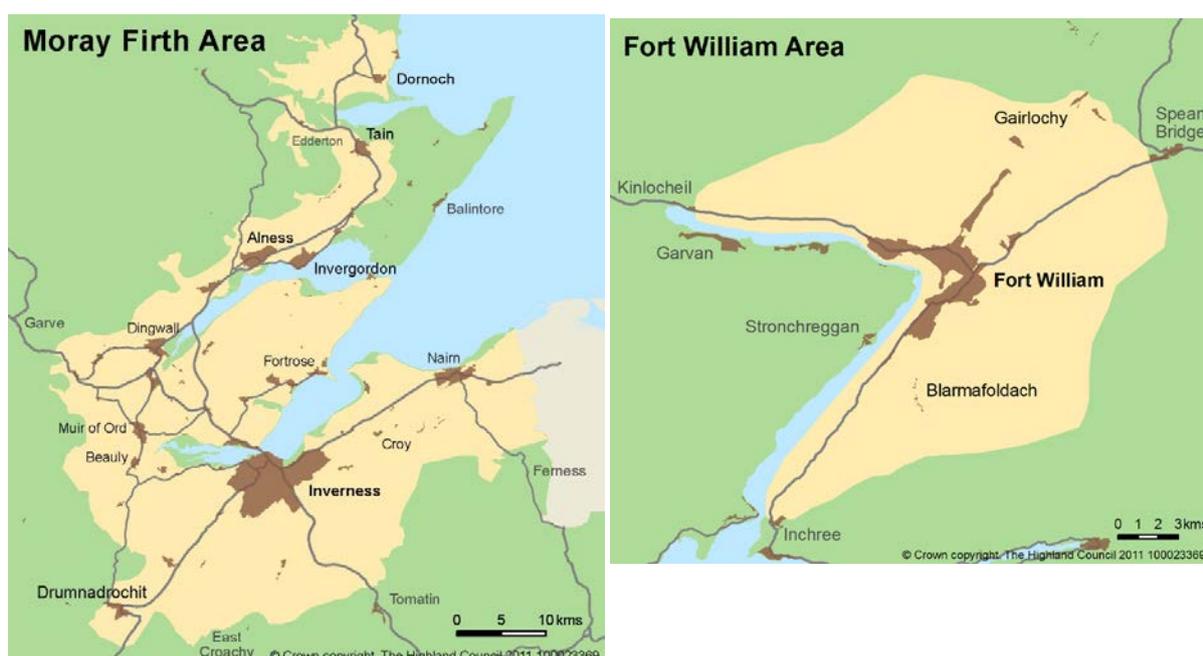
<http://www.highland.gov.uk/yourenvironment/planning/PlanningApplicationsMainPage.htm>

**5.5** The services of a suitably qualified professional should be secured to assist in the preparation of a planning application, including any assessments, drawings structural reports etc.

## 6 Development opportunities in the Hinterland of Towns

- 6.1** Within the Hinterland of Towns, the Council's Development Plan identifies the majority of housing development opportunities within existing towns and villages (Settlement Development Areas). Outwith these, there is a general presumption against housing development in the open countryside in the defined hinterland around towns.

### The Hinterland around Towns areas:



- 6.2** Exceptions to this policy include where a house is specifically required due to agricultural need; in relation to a rural business or constitutes the acceptable redevelopment of redundant buildings or land.
- 6.3** Smaller housing groups can also offer potential to meet the continuing demands for housing in the countryside, subject to suitability and the criteria outlined in this document.
- 6.4** **Housing Groups** (see Section 10 for siting and design examples)
- 6.5** This guidance sets out a more flexible approach to ensure that appropriate opportunities for further small-scale infill development or the "rounding-off" of housing groups is enabled and supported. This approach is considered suitable for small scale housing development proposals - e.g the addition of a house(s) to an existing group.

- 6.6** More significant proposals, beyond the infill or “rounding-off” of groups, including those which may have wider implications for landscape impact and/or servicing, must be promoted through the formal Local Development Plan process.
- 6.7** The individual Local Plans for Caithness, Nairnshire, Inverness and Ross & Cromarty East identify some housing groups and the suggested additional levels of development that would be acceptable. 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.
- 6.8** There are also a number of housing groups which have not specifically been identified in the Local Plans and this guidance provides advice on how development in these locations could be enabled. Where housing groups are not currently identified in Local Plans, the existence of a housing group will be determined in accordance with the definition criteria outlined in the table below.
- 6.9** New build houses related to existing groups are preferable to new isolated development. Groupings should not be suburban and should relate to the established settlement pattern, local character and use of materials. The potential exists to consolidate or round off existing groups where this does not generally lead to a wider expansion of the group. Groups also offer the potential of infill opportunities but these need to fit into the existing building pattern and respect local architecture/cultural heritage

#### **6.10 Definition of a Housing Group**

In order for a group of houses to be classed as a 'housing group' for the purposes of this guidance, the following criteria must apply:

1. there must be at least three houses that are physically detached from one another;
2. all of the houses must have a perceptible relationship with one another and share a well-defined, cohesive character; and
3. the houses must not comprise part of a 'small settlement' as may be defined in the applicable Local Development Plan.

For the purposes of this definition, the following shall not count as a house:

1. a house limited to use as self-catering/holiday accommodation by either a Section 75 obligation or a planning condition, or designed for the principal purpose of providing, and possessing the general levels of amenity, facilities and/or character of, self-catering/holiday accommodation;

2. a house tied to a farming unit, croft, forest croft or rural business by a Section 75 obligation; or
3. a house granted planning permission under the 'garden ground' exemption outlined in this guidance.

**6.11** Where a new development is proposed within a group of houses meeting the definition of housing group, the Council will assess the capacity and suitability for growth of the group in line with the criteria outlined in the text at para 6.13. This assessment will take into account the form, character and cohesiveness of the group and the level of containment provided 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.

**6.12** Where areas of countryside come under significant pressure from the cumulative impact of development a capacity assessment may be prepared to determine the potential for development.

### **6.13 Suitability for Growth within Housing Groups**

Proposals for new houses within housing groups will only be supported where it can be demonstrated that the development would meet all the following criteria:

1. constitute acceptable small-scale in-fill or round-off;
2. reflect and respect the character, cohesiveness, spacing and amenity of the existing group and the individual houses within the group;
3. not constitute ribbon/linear development along a public road, result in the coalescence of the housing group with a nearby settlement/another housing group or constitute the unplanned extension of a defined settlement; existing groups, however, may be extended in a linear fashion, but only where there is a clearly defined boundary or natural feature that will conclude the extension (e.g. watercourse, woodland, field boundary, road), bearing in mind the context of that group;
4. do not impact detrimentally on existing trees and/or woodland
5. not create an inappropriate intrusion into a previously undeveloped field or open land or overwhelm their landscape setting; and
6. meet with criteria outlined at paragraph 5.2 General Development Considerations.

All proposals must take into account the topography of the area; infill opportunities may be inappropriate when viewed in a wider landscape context.

Notwithstanding the above, no housing group will be allowed to increase in number by more than 100% of the number of houses existing in that group from the date of adoption of the guidance, 3<sup>rd</sup> August 2011.

**6.14** A written supporting statement from the developer/applicant will assist in the assessment of a proposal where not all of the above criteria can be met.

### **6.15 Conversion, Rehabilitation or Replacement of Redundant Buildings and development of Brownfield land**

**6.16** There is a presumption in favour of the redevelopment of previously used land. Brownfield land, is land that was developed but is now vacant or derelict. For the purposes of this policy potential for development is confined to land and buildings where former uses have ceased to be required for their original purpose and the land has been significantly degraded by former activity to the point where it can no longer be used productively without significant investment and remediation. The key is to achieve net environmental benefit through the conversion or reuse of derelict rural buildings or the redevelopment of derelict land.

**6.17** The development of rural brownfield sites is supported by national policy. It is important to secure the retention of historically valuable and traditional buildings which are no longer required for their original use, as well as the opportunity to remove buildings which are an eyesore and will achieve a net environmental benefit.

**6.18** The preference is for the conversion or rehabilitation of redundant traditional buildings over demolition and replacement. The demolition and replacement of existing traditional buildings may be supported where there is a clear case made that the costs of upgrading are not justified on economic or environmental grounds. Information must be supplied with any planning application indicating how long the building has been redundant.

**6.19** Proposals for the conversion and rehabilitation of redundant traditional buildings shall be supported subject to the following:

1. the building is substantially complete, including having walls intact to wall head level;
2. the building is of a scale that is commensurate with a habitable building without recourse to substantive alterations i.e. any new extensions should not dominate the original building;
3. existing openings are reused where feasible and new openings placed on elevations away from public view;
4. unbroken roof slopes are retained; and

5. the character of the building is not significantly altered to an unacceptable degree.

**6.20** A structural report will generally be required from a suitably qualified person to demonstrate that the conversion or rehabilitation of traditional buildings is achievable. In the case of proposals for demolition and replacement of existing buildings, the structural report will need to demonstrate that conversion or rehabilitation cannot be achieved.

**6.21** Where it is demonstrated to the satisfaction of the planning authority that conversion or rehabilitation of the existing traditional building is not possible, proposals for the demolition and replacement of traditional buildings shall be supported subject to the following:

1. Existing materials are reused as far as possible; and where materials are appropriate for this purpose;
2. The resultant footprint does not result in an excessive increase on that of the original building in order to maintain a similar level of visual impact on the landscape; and
3. 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.

Consideration will be given to siting within the wider curtilage of the building rather than direct replacement on the original footprint where it is demonstrated that this is more appropriate in terms of landscape and setting.

**6.22** The inclusion of limited new build housing associated with the conversion and rehabilitation of redundant traditional buildings will only be acceptable where this will assist in the economic viability of rehabilitating existing traditional buildings for housing. The new development will only be considered appropriate where it can be included in a cohesive and complementary manner.

**6.23** The replacement of an existing house which does not meet the requirements for modern living 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 house(s) being demolished.

- The existing building should exhibit all of the essential characteristics of a house, including the existence of reasonably sound and walls complete to wall head level. Exceptionally, where a recently inhabited or habitable house 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 in its design emphasise 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 from a suitably qualified person indicating why the existing house is not reasonably or economically capable of being reinstated/renovated to a habitable condition for occupation;
- The resultant footprint 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; and
- 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 reuse of existing traditional building materials in the new build will be encouraged.

- 6.24** The development of derelict land and buildings including small sites and redundant non-traditional buildings is supported where these have ceased to be required for their original purpose and where conversion to residential use would bring about an environmental benefit subject to appropriate siting and design within the immediate curtilage of the site. 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.
- 6.25** Information should be supplied with any planning application indicating how long the buildings has been disused and why it is no longer required and/or cannot be reused.
- 6.26** Buildings can provide nesting and roosting places for wildlife. Prospective developers should be aware that the presence of protected species is a material planning consideration. A protected species survey prepared by a suitably qualified person may be required to be undertaken prior to the determination of an application for planning permission involving the conversion, rehabilitation or demolition of an existing building. This should identify the species in the building/land, outline the impact of the proposed development and the mitigation measures required. A licence may be required from the Rural Directorate at the Scottish Government (RDSG) to address issues involving proposals and protected species. Licences can be granted in certain circumstances to license acts which would otherwise be illegal under the terms of legislation.

**6.27** Applicants are encouraged to submit applications for full planning permission rather than applications for planning permission in principle.

## **6.28 Garden Ground**

**6.29** Potential may exist for the sub-division of existing garden ground for a single house provided that the garden has clearly defined boundaries and meets the requirements in terms of siting and design. 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. Further sub-division of the subsequent plots will not be acceptable. Proposals must meet the criteria specified in the Siting and Design guidance.

**6.30** Potential may also exist in established gardens once associated with a country/estate house, which provide an appropriate landscape setting. Many larger estate houses may be Listed Buildings and grounds and gardens may be important to established *designed landscapes* and also may be designated in their own right. Proposals for infill housing in these circumstances are likely to be unacceptable.

**6.31** For the purposes of this guidance land shall be defined as a garden ground only where it meets the following criteria. (Example see section 10)

- has a clear boundary defining the extent of formal garden ground;
- is clearly tended to/looked after/maintained/developed;
- is not separated from the house by a burn, road, track or other feature – i.e. the ground is directly related to the house;
- have signs of formal usage in the way of man-made semi-permanent structures and there should be evidence that these have been used on a regular basis rather than just recently placed there;
  - such structures would be sheds, summer houses, seats and picnic furniture and regular use might for example be identified by well-trodden paths to the structure, or at the base of seats / tables; and
  - temporary structures such as plastic sandpits, children's toys etc. would not constitute usage under this heading.

Garden ground shall not include areas of ground that accommodate stables/horses and/or other non-domestic animals with associated accommodation.

**6.32** Proposals on wider land ownerships that do not form part of identified formal garden ground do not comply with policy.

**6.33** Development proposals shall generally be acceptable where they:

- deliver an appropriate plot ratio for a countryside location;

- relates to the pattern of existing development in the surrounding area; and
- are in keeping with the scale and form of the existing house.

### **6.34 Development in the Open Countryside in Hinterland Areas**

**6.35** New build houses within the open countryside within hinterland areas will be by exception and will only be permitted in accordance with national guidance and the approved Highland-wide Local Development Plan policy, where they comply with one of the exceptions listed in paras. 6.37 to 6.50.

**6.36** All development proposals will be assessed in terms of their suitability against relevant guidance on siting and design of houses in the countryside.

### **6.37 Agriculture**

**6.38** Applicants must provide an independent statement prepared by a suitably qualified professional 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 tie the houses to operational land holdings.

**6.39** Applicants must provide:

1. description of the current farm enterprise (where applicable) including: extent, operations, infrastructure and existing labour;
2. description of the proposed changes to the farm enterprise including: extent, operations, infrastructure and labour requirement;
3. information on how the proposed changes are to be funded, including evidence on how the proposed development is financially viable and sustainable;
4. information about who is to live in the house and where they reside now;
5. evidence of why it is necessary to the business that accommodation is actually needed on site; or
6. evidence of the need for housing for succession purposes, ie retiring farmers and spouses. The requirement for S75 legal agreements may not apply in these instances, subject to the consideration of information provided under paragraph 6.40.

**6.40** The applicant will also be required to provide 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; and

- any land on the holding that is identified within an existing settlement or housing group.

#### **6.41 Croft land management**

**6.42** The Development Plan restricts potential for new housing related to crofting within the hinterland area. Proposals may be acceptable where wider community benefit can be clearly demonstrated and meet the initial criteria set out in the first paragraph of Policy 48: New/Extended Crofting Townships of the Highland-wide Local Development (see Appendix 3).

**6.43** Where proposals for new croft houses meet the requirements of Policy 48 the identification of an appropriate location is likely to vary from that relating to general housing groups. Proposals must examine traditional crofting related house building across the wider landscape setting, infill development may not be appropriate where this detracts from the traditional dispersed nature of development. Some crofting settlements are characteristically linear in pattern and a linear extension may be appropriate to support the continuance of this form of development. Proposals should however maintain the local traditional pattern of croft development

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

**6.45** Scottish Planning Policy is 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 or 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 enabling this.

**6.46** The development of house(s)/chalets to provide self-catering tourist let accommodation may be supported where accommodation relates to a clearly defined business opportunity relating to the development of tourism and supported by a business plan.

**6.47** Applicants must provide a comprehensive supporting statement detailing, amongst other factors;

1. description of the current business (where applicable) including: extent, operations, infrastructure and existing labour;
2. description of the proposed business including: extent, operations, infrastructure and labour requirement;

3. information on how the proposed changes are to be funded e.g. buy to let mortgage, including evidence on how the proposed development is financially viable and sustainable;
4. information about who is to live in the house and where they reside now; and
5. evidence of why it is necessary to the business that accommodation is actually needed on site.

The applicant will also be required to present information on:

- why a rural location is appropriate to the business;
- the potential to use existing accommodation in the area and
- whether there is demand for what is proposed.

**6.48** Section 75 legal agreements will be required to tie the house to the business enterprise in all applications relating to the provision of housing associated with an existing or new rural business.

**6.49 Provision of housing by a social housing provider to meet a demonstrable local affordable housing need**

**6.50** The development of affordable housing to meet a demonstrable local affordable housing need, as identified by the Council, will be acceptable subject to the involvement of a Registered Social Landlord or the Council. Registered Social Landlords and the Council 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. Proposals must conform to the siting and design principles, and other relevant policies of the Development Plan.

## **7 Development in the Wider Countryside (outwith the hinterland of towns)**

**7.1** In the areas of Highland outwith the hinterlands of towns now including the whole of Caithness, development of new housing of an appropriate location, scale, design and materials may be acceptable, particularly where it supports communities experiencing difficulty in maintaining population and services. In these areas, the settlements identified within the relevant Local Plans are the preferred locations for most development.

**7.2** However, outwith the settlements, housing development will be assessed against the relevant Local Plan policies, and in particular, the extent to which it:

- supports the viability of the wider rural community, through assisting in the maintenance of rural services and infrastructure;
- demonstrates appropriate siting and high quality design and materials complying with the Siting and Design guidance in the document;
- takes into account locally important croft land; and
- complies with the other criteria of Policy 28 Sustainable Design of the Highland-wide Local Development.

**7.3** The emphasis for housing in the wider countryside will be on supporting opportunities where a fit with our siting and design guidance is demonstrated. Proposals for development should consider Section 6, paras 6.4 to 6.33 of this document as a sequential approach to the identification of development opportunities within the wider countryside. Development of sites within open countryside should demonstrate the consideration of alternatives as part of a submission for planning permission along with siting and design considerations.

#### **7.4 Croft land management**

**7.5** The potential for new housing related to crofting in the wider countryside must meet the criteria set out in Policy 47: Safeguarding Inbye/AppORTioned Croftland and/or Policy 48: New/Extended Crofting Townships of the Highland wide-Local Development (see Appendix 3).

**7.6** Proposals should also;

- accord with the guidance on siting and design;
- maintain the local traditional pattern of croft development; and
- where possible, avoid siting on the better part of a croft in terms of its agricultural value; and impeding the use of the remaining croft land by virtue of its location.

## SITING AND DESIGN GUIDANCE (WIDER COUNTRYSIDE AND HINTERLAND AREAS)

### 8 Historical Context

**8.1** Until the late 1950s the relationship between buildings and land in the countryside was mainly a functional one, with demand dictated by need and the siting and location of houses reflecting basic considerations of employment, shelter, access and drainage. These houses tend to integrate well with the landscape, largely because the landscape itself has dictated their positioning.

**8.2** The appearance of the landscape and rural houses has changed considerably over time as materials, skills, changing work patterns and aspirations have evolved. Commuting lifestyles and modern building technologies have released homeowners from the locational requirements which characterised traditional building. While many new houses in the Highland countryside have respected past traditions of siting and design, many have not and now appear incongruous or intrusive because of poor siting, poor design, poor choice of materials, or all three. This has led to suburban forms of development being introduced into the countryside, with urban forms of development and catalogue kit houses which appeal to the financial interests of developers, but do not always suit the site or reflect the local settlement pattern, design or material traditions.

### 8.3 Traditional Highland Building

In general terms the Highland building tradition has displayed a tendency towards:

- clear, simple geometric form;
- clear structure to building groups and settlements;
- limited palette of natural materials;
- robust detailing;
- modest use of contrast and colour; and
- general lack of intricate detail.

And a tendency against:

- complex and delicate forms;
- fussy detailing; and
- ornamentation.

## 8.4 Factors Affecting Modern Housing

- Development is no longer linked to the land as before.
- Space requirements have increased (many people now work from home).
- Expectations of comfort are greater.
- The use of more glass within buildings, in part due to the better insulation qualities that modern windows offer
- Huge changes in the capabilities of materials used in construction and in building methods.
- Many natural materials (e.g. local slate, stone and timber) are not always available or are in short supply and are generally more expensive.

## 9 Challenges to good siting and design in the countryside

### 9.1 Linear Development

**9.2** A common feature of the countryside is small groups of traditional and modern houses built using the road frontage edge of what were previously fields. These are generally well established and consist of no more than two or three houses. Linear development becomes a problem when these small groups are extended along the road, with the result that the rural character is lost with development dominating otherwise rural views.

- Typically development of this type occurs on the approach into a town or village and fundamentally alters the physical image and setting of a settlement.
- Buildings come to dominate the view, where narrow roads were once bounded by trees, hedgerows and dykes.
- Suburbanisation further alters the character with the introduction of pavements and street lighting.

**9.3** Continuous linear development leads to suburbanisation and a loss of rural character. Unplanned development along a roadside with no natural finish point and unrelated to land use or to a traditional township pattern will not be supported.

**9.4** There are areas where this form of development does represent the natural development pattern. Crofting Townships may exhibit linear forms of settlement pattern that are traditional to the area. Over-development and coalescence of adjacent townships will not generally comply with policy. Proposals should however maintain the local traditional pattern of croft development

## 9.5 Elevated and exposed sites

**9.6** Modern building techniques mean that houses can be built on almost any site, regardless of its physical landscape. One example of this is a tendency to build on artificial mounds so that the contours of the landscape are irrelevant to the construction of the building.

**9.7** Building on these artificial mounds or platforms makes them unduly prominent and significant under-building further increase the visible mass of the building. This technique results in new builds often sitting up in the skyline and can have a detrimental effect on the surrounding landscape.

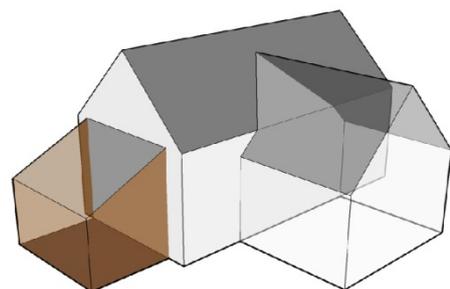
- Siting of new housing on sloping land should carefully consider the most appropriate location for new house development and avoid the need for significant earthworks, whether moulding or cutting.
- Ensure that the site is located in the landscape and not on it.
- Use split levels as a design feature on sloping sites to avoid the need for engineered sites.
- Applications for sloping sites should be accompanied by cross-sectional drawings related to an identifiable feature to illustrate how a building will relate to the surrounding landform.
- The provision of access within the site and areas for car parking and turning will also likely involve levelling, cutting and/or mounding can have as much impact as the house itself
- The potential impact on biodiversity

## 9.8 The 'big box' house

**9.9** Many of the newer one and a half storey timber kit houses have been designed to imitate the proportions of a traditional house - e.g. symmetrical with 1 ½ storeys, dormer windows, traditional style porch and vertical windows. Modern living standards demand much larger houses than were traditionally built in this style. This results in houses with very deep plans, large roofs and dormers which look out of place when viewed alongside their smaller traditional neighbours.

**9.10** To overcome this, and produce a more successful and realistic replica of the traditional house, while allowing for the larger floor area now desired, it is often better to break larger buildings into smaller elements.

- A single or one and a half storey core can be successfully supplemented by single storey additions to the side or rear. (see



adjacent diagram)

- Single storey buildings can be arranged in the same way as typical farm steadings and outbuildings which would result in a mass of smaller, lower buildings better able to nestle into the landscape than a single large 'box' house.

### **9.11 Access arrangements**

**9.12** The application of urban standards and materials, such as tarmac, street lighting and concrete kerbs have resulted in development in the countryside looking too formal and over engineered. Every effort must be made to adopt an approach which complies with safety standards yet is sensitive to the landscape. Further guidance on rural accesses to serve small developments is available from the Council publication Access to Single Houses and Small Housing Developments The use of existing private roads may require additional improvements to bring it to an acceptable/adoptable standard.

- Where possible access should be from existing entrance points, modified to improve sightlines if necessary.
- Where a service bay is required avoid using concrete kerbing. Overly defined bays look out of place in a rural landscape.
- Adequate bin storage at a suitable location must be provided.

### **9.13 Boundary treatments and planting**

**9.14** The types of boundary treatment which may be appropriate in urban areas e.g. ornamental walling or fencing are rarely successful in rural areas, appearing suburban and out of keeping. Generally boundary treatments should assist in the integration of development into the landscape and soften the edges of a development. Options are listed below for potentially appropriate boundary treatments, not all options, however, are suitable for all locations and will required to be assessed against the local context.

**9.15** Planting/landscaping often falls fairly low on the list of priorities when the main focus is on the house itself. This is unfortunate as well thought out boundary treatments and planting are important to the success of the finished building - even the best designed house can be compromised by lack of attention to planting.

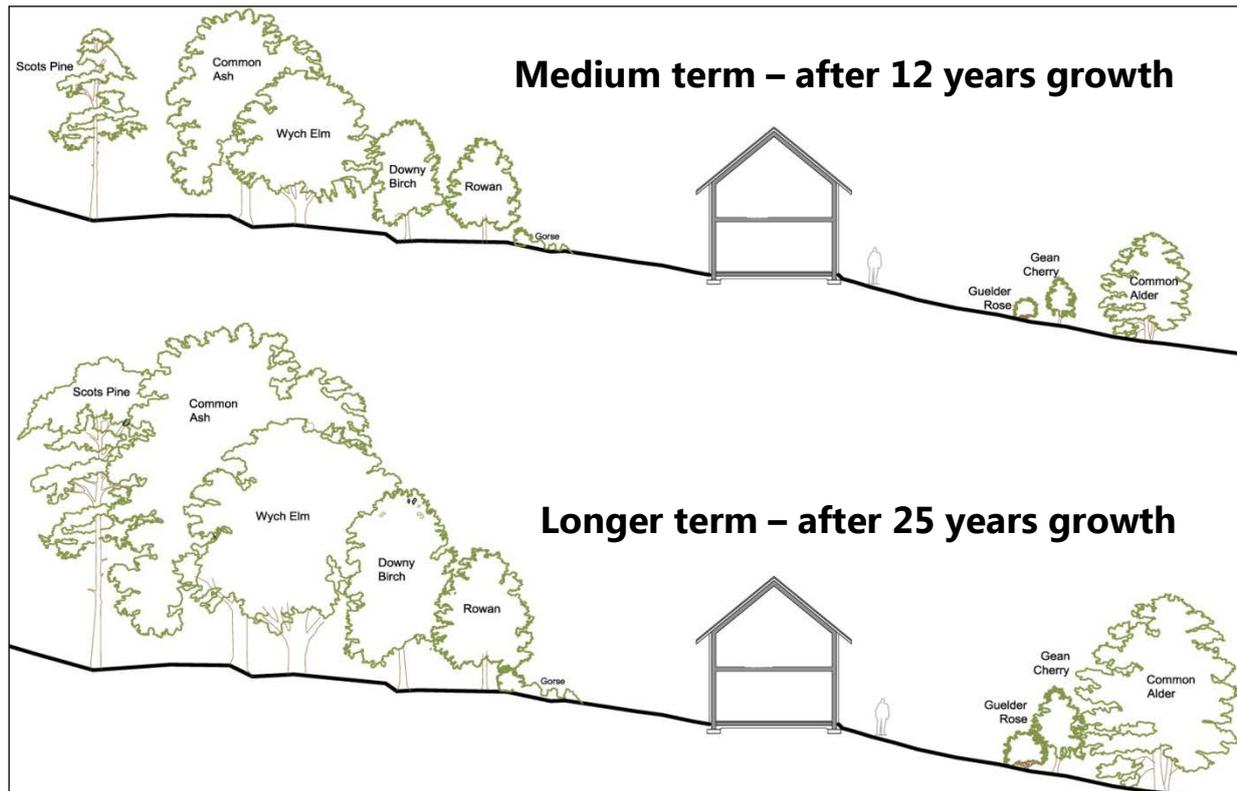
**9.16** Considerations for boundary treatments include;

- Appropriate boundary treatments for rural areas include stone dykes, hedging, post and wire fencing, walls with wet dash harl and stone copings;
- Retain and/or repair existing landscape features such as stone walls and hedges;

- Avoid reconstituted block work or concrete/brick walls, ranch style/panel fencing and overly ornamental finishes/top panels. Wooden fences should be left in a naturally coloured state. Down takings from derelict buildings within the site can be incorporated in boundary treatments, e.g. creation of stone boundary walls;
- Ensure all planting/fencing is clear of visibility splays from access points.
- Where trees/hedgerows etc. exist they should be maintained wherever possible, with care taken to protect the root area from development;
- Consideration needs to be given to the falling distance of existing and newly planted trees in relation to habitable buildings. More information is given in the Council Supplementary Guidance: Trees and Development;
- Use existing planting to your advantage when siting the development. Setting a building against a backdrop of trees is one of the most successful ways of ensuring that it blends into the landscape;
- Avoid very formal gardens with large expanses of manicured lawn which can look out of place in rural areas. The garden area should, however be clearly defined;
- In many locations planting can help development integrate with the surrounding landscape. Preferably use local, native species which will blend with the surroundings and provide wildlife habitats. Planting should be undertaken at an early stage or prior to development commencing, and full details should be submitted with any planning application; and
- Planting may appear incongruous in some areas and landscapes, especially open crofting areas, assessment of the appropriateness of boundary treatments should be assessed as part of the wider site considerations.

**9.17** The potential size of any tree should be considered when undertaking planting and species selected on the basis of their future growth potential and impact in the medium and longer term (see following figure This figure indicates relative heights of small, medium and large native shrubs and trees after 12 and 25 years and consideration of positioning relative to a house). The species of common trees are easier to list and broadly speaking the species indicated are acceptable across much of Highland.

**9.18** The following tables indicate native tree species that may be considered appropriate for the Highland area. The table contents are not exhaustive and in some circumstances the planting of non-native species may be acceptable.



This figure indicates relative heights of small, medium and large native trees after 12 and 25 years and consideration of positioning relative to a house.

**Large species, up to 25m (height)**

Common Alder	<i>Alnus glutinosa</i>
Ash	<i>Fraxinus excelsior</i>
Aspen	<i>Populus tremula</i>
Wych Elm	<i>Ulmus glabra</i>
Pedunculate Oak	<i>Quercus robur</i>
Sessile Oak	<i>Quercus petraea</i>
Scots Pine	<i>Pinus sylvestris</i>

**Medium species, up to 20m (height)**

Downy Birch	<i>Betula pubescens</i>
Silver Birch	<i>Betula pendula</i>
Bird Cherry	<i>Prunus padus</i>
Rowan	<i>Sorbus aucuparia</i>
Goat Willow	<i>Salix caprea</i>

**Small trees and shrub, up to 10m (height)**

Blackthorn	<i>Prunus spinosa</i>
Guelder Rose	<i>Viburnum opulus</i>
Hawthorn	<i>Crataegus monogyna</i>
Hazel	<i>Corylus avellana</i>
Holly	<i>Ilex aquafolium</i>
Juniper	<i>Juniperus communis</i>
Dog Rose	<i>Rosa canina</i>
Gorse	<i>Ulex europaeus</i>
Broom	<i>Cytisus scoparius</i>
Eared Willow	<i>Salix Aurita</i>
Grey Willow	<i>Salix cinerea</i>
Osier Willow	<i>Salix viminalis</i>



## 10 Guidance on housing groups

**10.1** This part of the guidance relates specifically to the enlargement of existing housing groups in the hinterland area of Highland where housing development is restricted. Examples of these are illustrated below to assist in consideration of the potential for rounding.

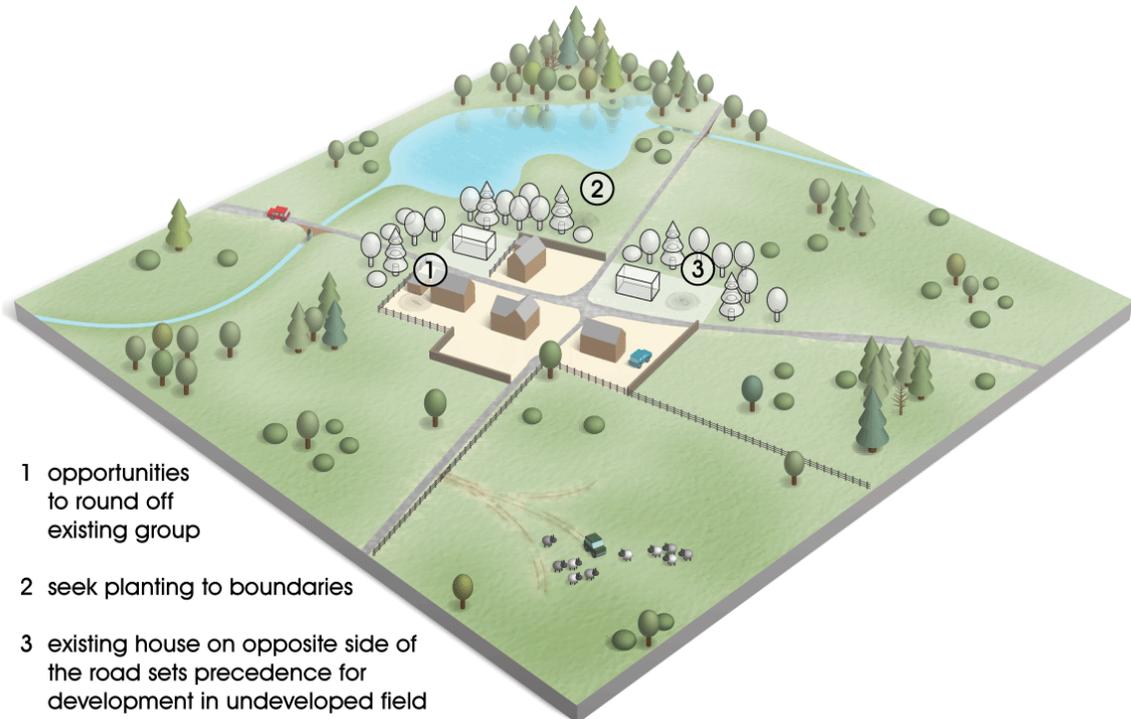
### Infill

1 infill and rounding opportunities clearly defined



Within an identified group, any new housing should be located within or round off an existing housing group. In this example opportunities are apparent through infill and consolidation of the group while respecting the character of the group and spacing of the individual houses

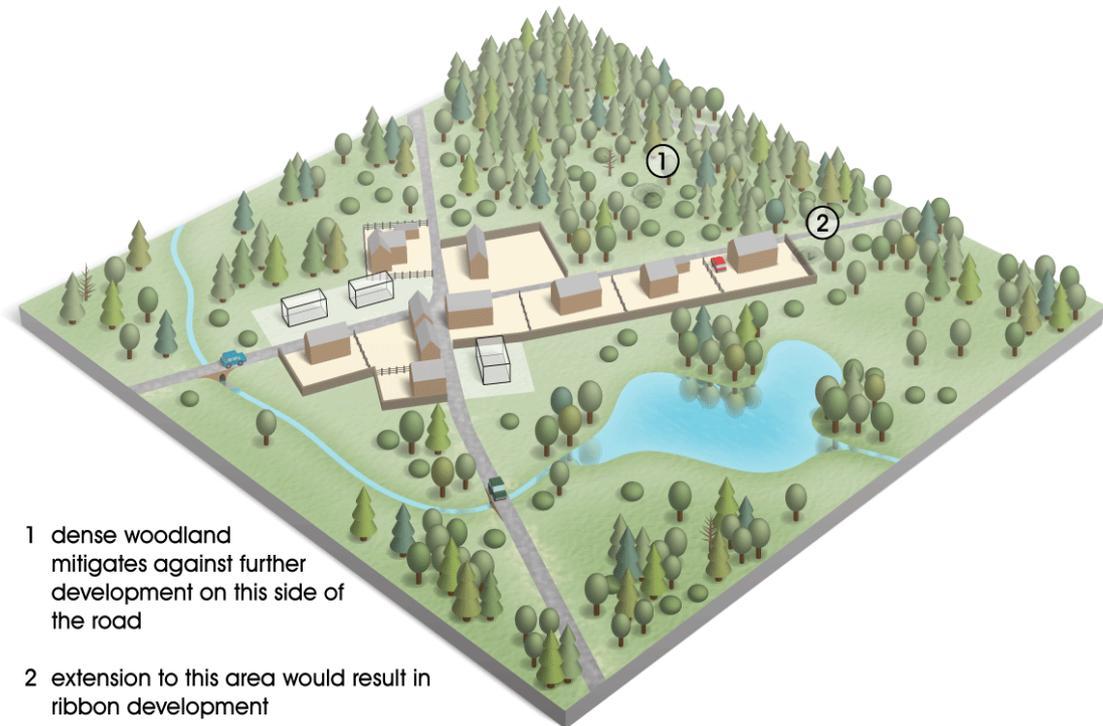
## Rounding off



- 1 opportunities to round off existing group
- 2 seek planting to boundaries
- 3 existing house on opposite side of the road sets precedence for development in undeveloped field

This is an example of a group where growth can be achieved while protecting the wider countryside. Development to the east and west of the group would round it off. The site to the east will break into an undeveloped field but is considered acceptable in relation to concluding the existing group. The group as existing offers little landscaping and planting to soften its edges and the rounding off may provide an opportunity to improve the setting of the group through landscaping. Further applications on the edge of a group that has already been rounded off will be considered an inappropriate extension to the group.

## Linear/ribbon development

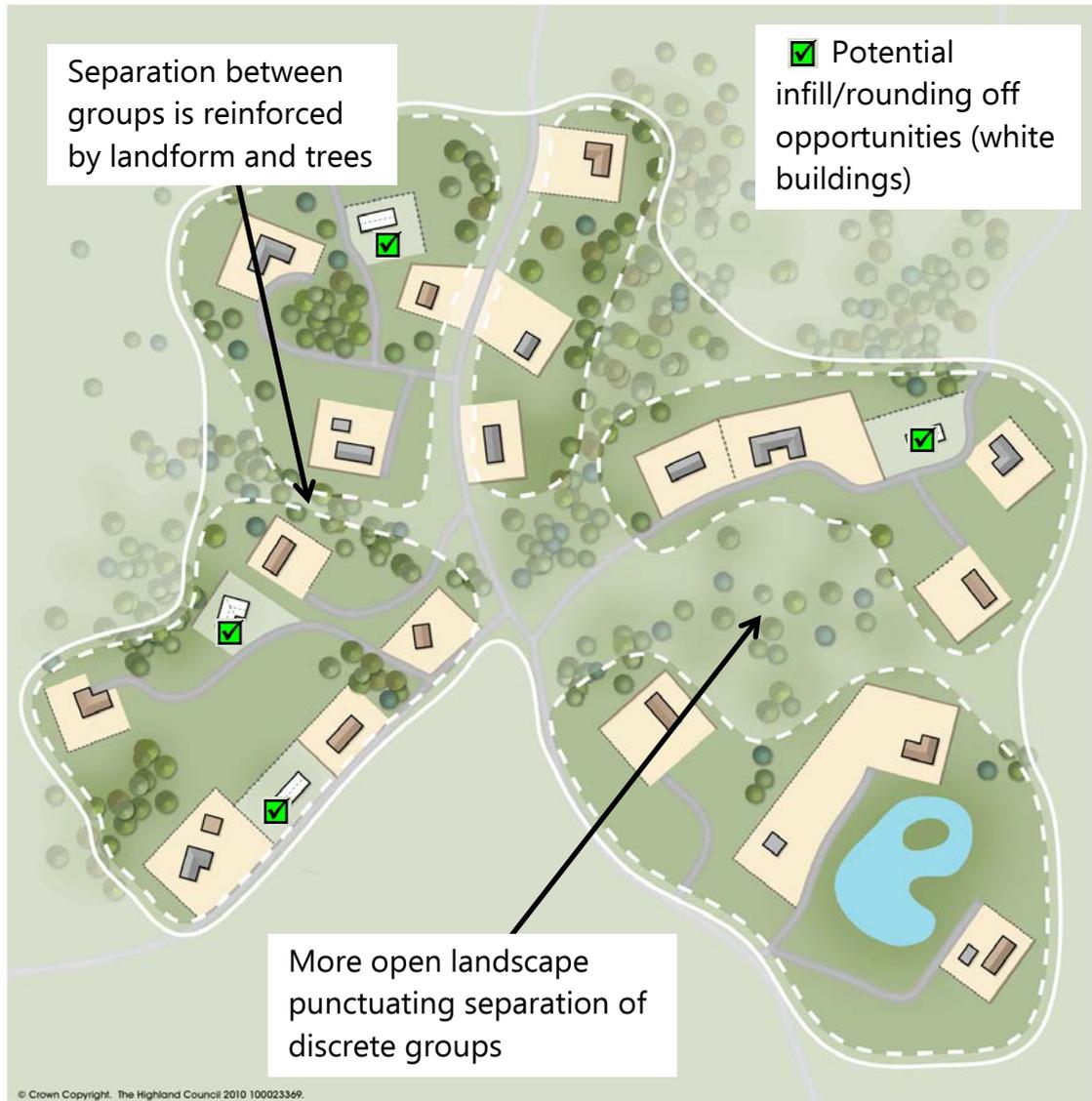


1 dense woodland mitigates against further development on this side of the road

2 extension to this area would result in ribbon development

This example shows an existing group where extension to the east would not be acceptable due to a continuation of linear development and the presence of wooded areas. The sites on either side of the cross roads would be suitable as they either infill or round off the group. There is a general presumption against ribbon/linear development.

## Dispersed Housing



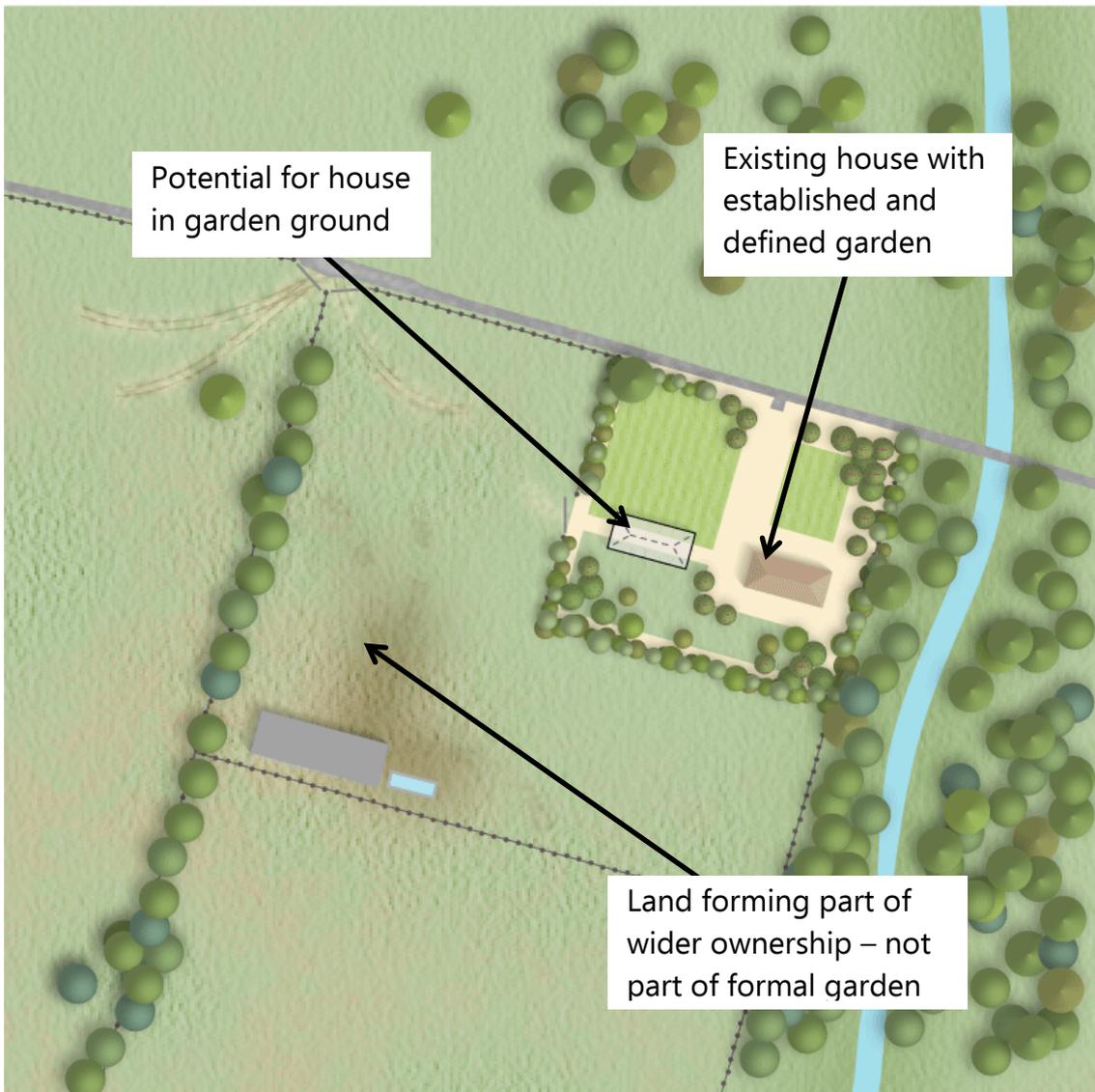
Some parts of Highland are characterised by larger more dispersed groups of housing. These are not considered as a single group for the purposes of the Housing in the Countryside policy and guidance. Rather, an assessment will be made of smaller groups contained within. (i.e. groups of 3 or more)

### Assessment of dispersed housing (example).

- Identify development envelope and extent to the current related development in the area, this is used to define the potential for infill within that extent (external line);
- Within the wider extent there are smaller discrete groups that are separated by the topography and/or road layout (pecked internal line);

- Potential for development within these groups will be governed by the need to observe adequate spacing and separation, also consideration of the topography and potential to carry out landscaping and planting;
- Separation between the discrete groups should be retained to preserve the established character of the groups and prevent the coalescence of these elements; and
- The potential to utilise these sites will depend on the presence of existing cleared or sparsely planted areas. Proposals within areas of established trees and woodland will be resisted, and may only be acceptable exceptionally where they form part of wider proposals to prepare and implement a woodland management plan. Proposals of this nature will need to comply with the forthcoming supplementary guidance on trees/woodland and development.

## Garden Ground



Garden ground definition requires that it meets the following criteria; has a clear boundary defining the extent of formal garden ground;

- has a clear boundary defining the extent of formal garden ground;
- is clearly tended to/looked after/maintained/developed;
- is not separated from the house by a burn, road, track or other feature – i.e. the ground is directly related to the house;
- have signs of formal usage in the way of man-made semi-permanent structures and there should be evidence that these have been used on a regular basis rather than just recently placed there;
- such structures would be sheds, summer houses, seats and picnic furniture and regular use might for example be identified by well-trodden paths to the structure, or at the base of seats / tables; and

- temporary structures such as plastic sandpits, children's toys etc. would not constitute usage under this heading.

Garden ground shall not include areas of ground that accommodate stables/horses and/or other non-domestic animals with associated accommodation.

## Crofting township proposals

In terms of siting: as the cumulative effect of houses in relation to the existing settlement pattern is such an important issue, it is important for individual proposals to consider how they would fit into the wider landscape pattern. This section relates directly to crofting areas using examples of common patterns of development. Adding to different settlement patterns poses its own unique challenges, so we have given some general guidance on the most common of these.

### Characteristic linear settlement

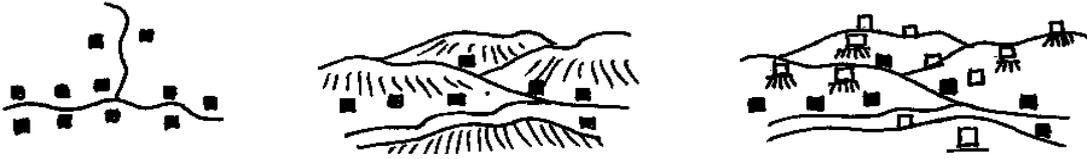


Extending the settlement within its linear pattern can relate to its character, while 'infill' or 'rounding off' typically contrasts to the character.

### Existing dispersed crofting settlement



Extending the settlement (left) may be preferable to 'infill' that can contrast to the even dispersal of houses, depending on the amount and sequence of development.

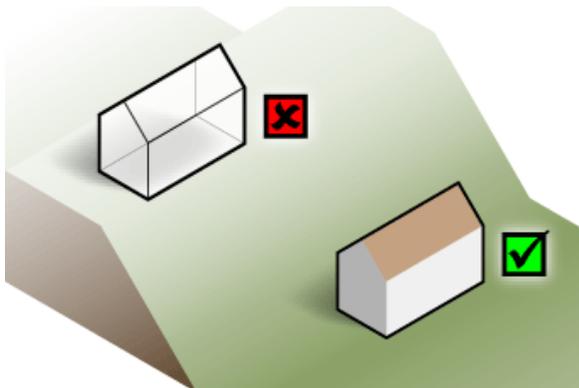
**Plan view: gaps may be evident in the plan view of a settlement**

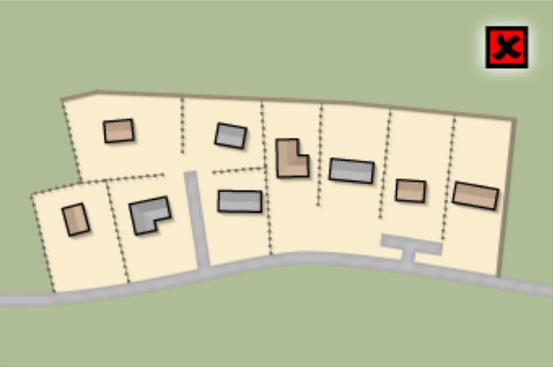
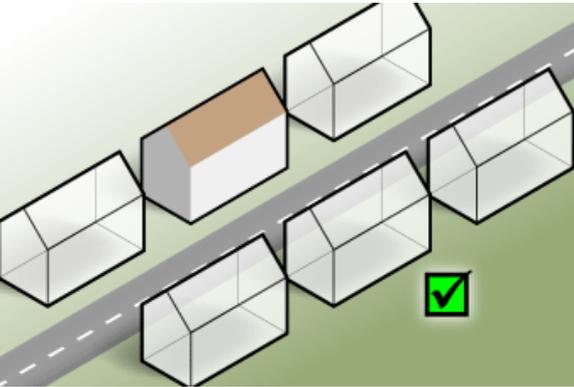
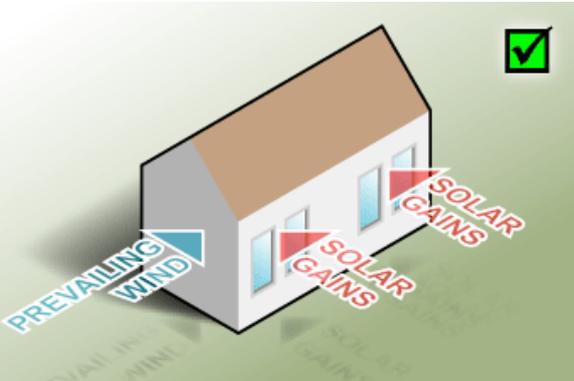
The gaps in a settlement may relate to distinct physical features that, if developed as 'infill' or 'round off', can have adverse impacts and result in a weakening in the distinctive character of the settlement in relation to the specific setting.

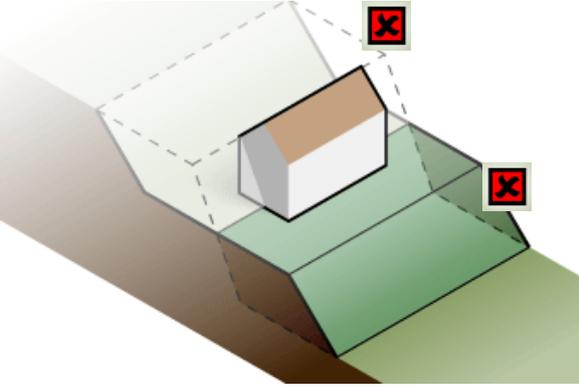
## 11 Location, siting and design

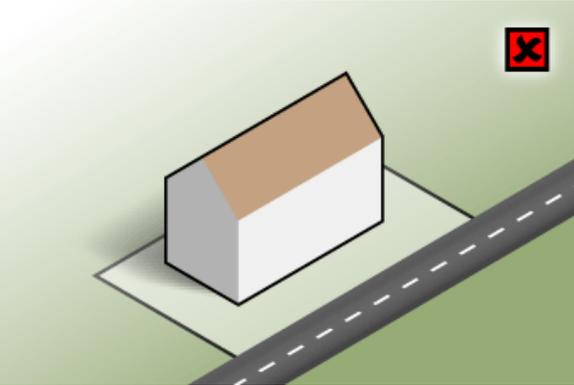
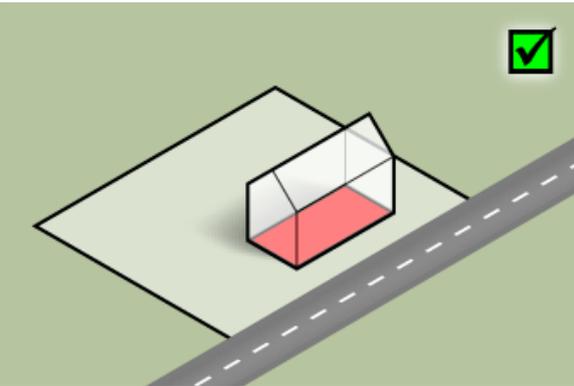
**11.1** The three strands of location, siting and design combine to determine how successful any development is. The following table outlines the key factors that should be taken into consideration when seeking to develop any site in the countryside.

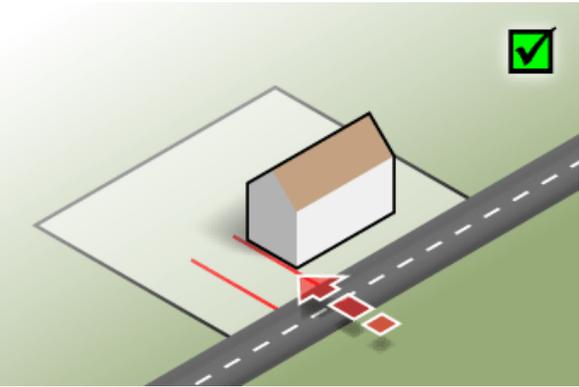
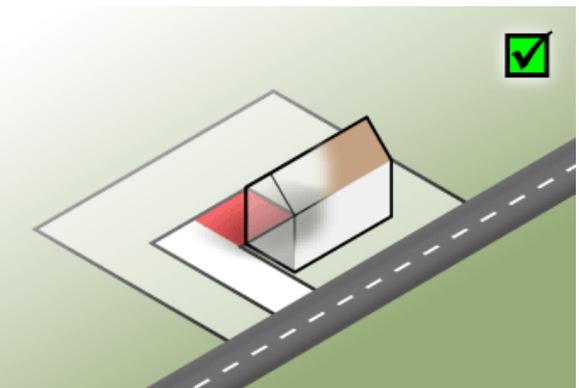
n.b. All diagrams are for illustrative purposes only and are drawn at an exaggerated scale to emphasise points.

LOCATION (the positioning within the wider landscape)		
Consideration	Aim	How to achieve
<p><b>Landscape</b></p> 	<p>Integrate into the landscape</p>	<p>Follow natural contours, build into the natural 'lie of the land'</p> <p>Avoid building on the skyline</p> <p>Respect local landform, field patterns and tree/hedgerow cover</p> <p>Retain existing trees if possible within the site and on boundaries of the site</p> <p>Setting against a backdrop of trees or raised ground</p>

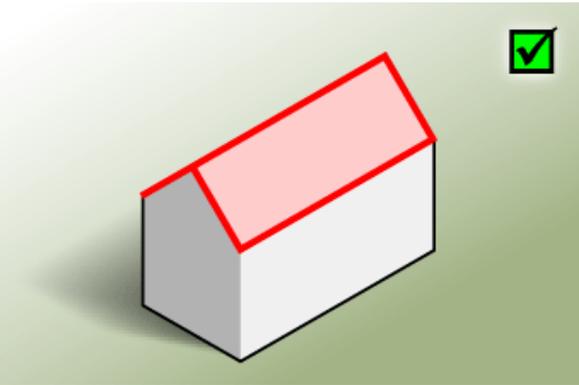
<p><b>Linear development</b></p> 	<p>Avoid ribbon development</p>	<p>Avoid linear developments along road frontages</p> <p>See 'challenges' section</p>
<p><b>Orientation</b></p> 	<p>Respect traditional patterns</p>	<p>Build either parallel or perpendicular to the road following the established pattern</p> <p>Follow established building lines if appropriate</p> <p>Maximise sunshine and minimise wind</p> <p>Respect amenity and privacy of other properties</p>
<p><b>Climate</b></p> 	<p>Maximise solar gains and shelter from prevailing wind</p>	<p>Follow existing building patterns that have developed taking account climatic considerations.</p> <p>More isolated sites should observe how to best utilise a site considering these issues.</p>

<p><b>Density and housing layout</b></p> 	<p>Respect traditional patterns and density</p>	<p>Respect the local settlement pattern. High density developments in areas of low density building will be out of place</p> <p>Avoid suburban layouts (e.g. cul-de-sacs). Reflect the orientations of older, established properties</p> <p>Streets, pavements, traffic calming, formal parking, lighting etc are alien to Highland's rural character</p>
<p><b>SITING (the best layout for the site)</b></p>		
<p><b>Consideration</b></p>	<p><b>Aim</b></p>	<p><b>How to achieve</b></p>
<p><b>Slope</b></p> 	<p>Integrate the slope into your design</p>	<p>Avoid engineered 'platforms' if building on a slope</p> <p>Consider split level designs to achieve a stepped effect that fits into the landscape, or long, low buildings</p>

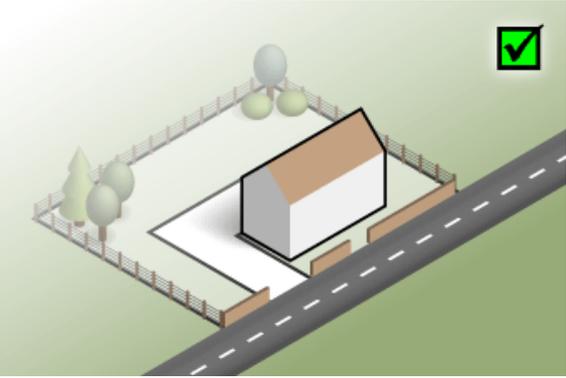
<p><b>Size</b></p> 	<p>The house should fit well within the plot</p>	<p>Make sure that adequate space is left around the house for garden/amenity/parking space</p> <p>Look at the neighbouring houses and consider the local house to plot ratio</p> <p>Consider local scale (see challenges)</p> <p>Outbuildings should be smaller than the main house</p>
<p><b>Shape</b></p> 	<p>Appropriate proportion and shape</p>	<p>Consider the local building traditions</p> <p>Break up the mass of the house to achieve more space if required (see big box house – challenges)</p>

<p><b>Access</b></p>  <p>(Refer to Supplementary Guidance: Access to Single Houses and Small Housing Developments for further guidance)</p>	<p>Create access from existing entrance points.</p>	<p>Use an existing access where possible</p> <p>Avoid inappropriate materials, e.g. loc-bloc</p> <p>Utilise materials that can assist with surface water drainage</p> <p>Where a service bay is required avoid overly engineered approaches.</p> <p>Avoid long access drives that carve through the landscape</p>
<p><b>Parking</b></p> 	<p>Ensure sufficient, low profile parking</p>	<p>Aim to position parking to the rear or side of the house to reduce visual impact</p> <p>Avoid inappropriate hard surface, e.g. loc-bloc</p>

**DESIGN (how the house should look).** *These suggestions are aimed primarily at designs which reflect traditional Highland houses and will be suitable for most situations. This does not mean that we will not look favourably on more innovative designs if the location and siting is appropriate. You are advised to speak to your local planning office directly in this instance.*

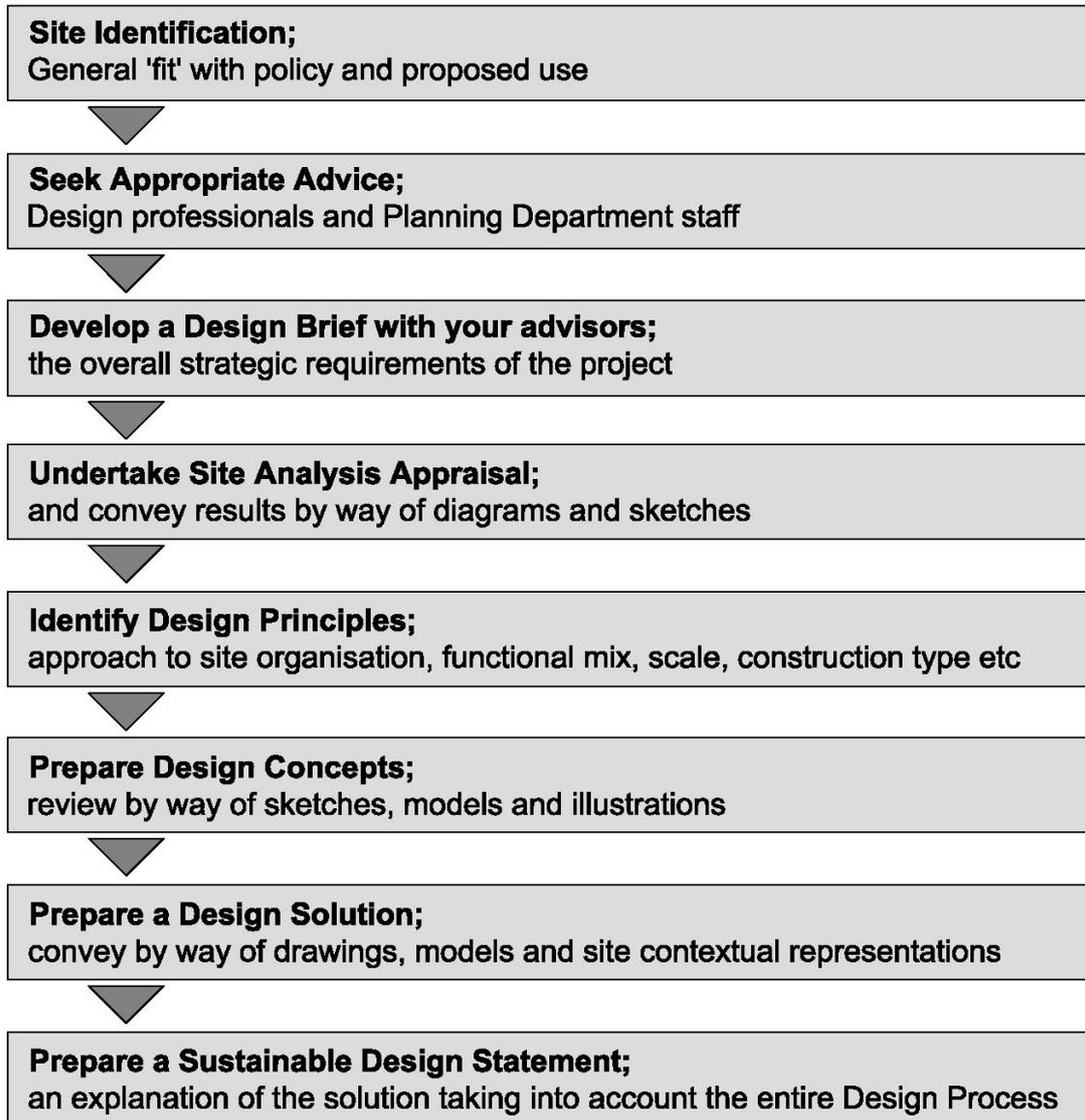
Consideration	Aim	How to achieve
<p><b>Roof</b></p> 	<p>Reflect traditional styles</p>	<p>Use a pitch of 40-45 degrees where possible</p> <p>Use dual pitches with gables rather than complex roof structures such as mansards</p> <p>Keep all pitches within the roof structure the same angle</p> <p>Avoid use of concrete roof tiles where possible, especially oddly-coloured ones</p> <p>Consider the use of skews in more exposed areas.</p> <p>Avoid box dormers</p>

<p><b>Windows</b></p> 	<p>Reflect traditional styles</p>	<p>Make sure windows have a vertical emphasis. Use mullions in larger windows.</p> <p>Keep window proportions consistent throughout</p> <p>Keep windows clear of the eaves</p> <p>Dormer windows are traditional within much of Highland. These should copy the pitch of the roof</p>
<p><b>Design</b></p> 	<p>Avoid inappropriate ornamentation</p>	<p>Avoid complex designs, slender chimney stacks, arches and quoins where they are not traditional to the area</p> <p>Consider appropriately coloured roof tiles/coverings.</p>

<p><b>Boundaries</b></p> 	<p>Ensure boundaries are not suburban in character</p>	<p>Avoid brick walls or ornamental fencing; utilise natural material where available</p> <p>Consider simpler, less intrusive solutions such as post and wire fencing and planting to define boundaries</p> <p>Use tree and shrub planting to enhance the setting of the house and assist integration</p>
<p><b>Materials</b></p> 	<p>Use natural, locally sourced materials</p>	<p>Use natural stone, wet dash render or timber for external walls</p> <p>Use slate for roofing where possible – alternatives include <i>artificial slates</i>, profile sheeting or turf</p> <p>Aim to use sustainable building materials, e.g. timber windows and doors</p> <p>Base colours on local stones and soil to complement the natural environment</p>

## 12 The design process/site appraisal

**12.1** A final design for a site should emerge from a thorough appreciation and understanding of the opportunities and constraints of the site, as well as the requirements of the client in terms of space/layout etc. The design process can seem daunting, however by following a clear structure like that set out in the figure below the eventual design solution can usually be arrived at and explained, justified and supported by all those involved.

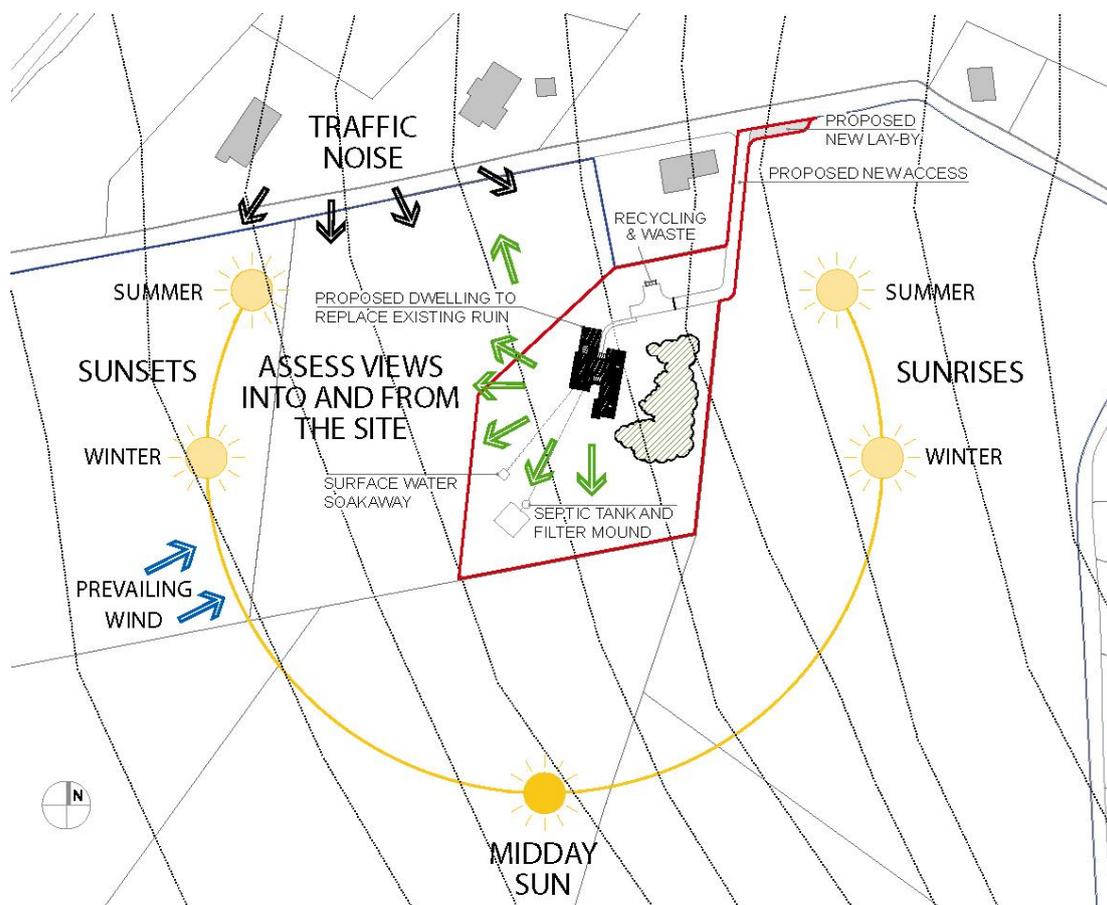


## **12.2 Sustainable Design**

**12.3** In the Highlands sustainable design is the real priority for new and refurbished houses for the present and the future. Further guidance on Sustainable Design Statements and sustainable principles can found in the Council's Supplementary Guidance: Sustainable Design Guide.

## 12.4 Site assessment/developing siting proposals

- 12.5** There are practical reasons for organising a site in a certain way and these can be identified and balanced. Each site needs careful evaluation in response to the features identified in relation to landscape and physical features. Opportunities and challenges when clearly understood will help guide the design process and result in a fully considered design proposal which can be explained to others and gain support. Determination of the proposal by planning officials will be assisted when these key factors have been discussed and presented in a Sustainable Design Statement. Such a Statement should accompany all planning applications both in Principle and Detail to allow full consideration of the design criteria by all those involved in the process.
- 12.6** Factors such as orientation, site levels views, prevailing winds, potential for solar gain, landscaping and planting should all be considered when initially assessing a site. There is a need to form a consideration of the site and its surroundings taking into account the landform and views into and from the site.



- 12.7** A contemporary, well designed approach aims to respond sensitively to and enhance a site rather than dominate and subdue one. Development on the skyline should normally be avoided as should heavily engineered platforms. This is to ensure that the building does not interrupt and conflict with the flow of the landform or appear out of scale. Even where sites are less visible they will still require a significant level of skill to assimilate buildings into the landscape.
- 12.8** Where a larger scale house is proposed the impact on the landscape can be usefully reduced through breaking up the mass and providing more appropriately sized elements to the building. The building is connected together and provides the same amount of floorspace that would be provided in a single element building with a much greater visual impact. (see figure below)



- 12.9** Sites which are less prominent can often be suitable for more adventurous or individual designs. Occasionally, where a landmark development is considered to be appropriate, applicants should bear in mind that design needs to be of a particularly high quality and be considered very carefully in the context of the site and location. Likewise, where there are groupings of new buildings, their location within the landscape and relationship to each other is important. New developments should try to fit or nestle within the landscape utilising natural features where possible.
- 12.10** The ability to access existing services and provide adequate drainage requires careful consideration. Outwith sewered areas, the principle of private foul drainage systems are generally acceptable unless they fall within the consultative areas of 'cumulative drainage impact' (see SEPA website for advice). It is preferable for private waste water discharges to be made to soakaways where ground conditions are suitable rather than discharges to water. Waste water drainage systems should also be designed and located in accordance with the Building Standards Technical Handbooks. Foul drainage systems can make use of natural gradients results in a more sustainable development. Some foul drainage systems require significant areas of land and therefore need to be carefully considered in the overall site design.
- 12.11** Surface water drainage arrangements also need to be considered, with delivery of *Sustainable Drainage Systems* to control quality and quantity of surface water drainage and provide opportunities for amenity and ecological enhancement. Consideration should be given the use of appropriate materials to assist in providing sustainable drainage solutions.
- 12.12** The impact of development any natural, built or cultural should also form a part of initial considerations. A Design Statement must be submitted with applications within areas nationally important heritage areas. (for further information see The Highland Council website)

## Appendices

### 1 Site assessment checklist

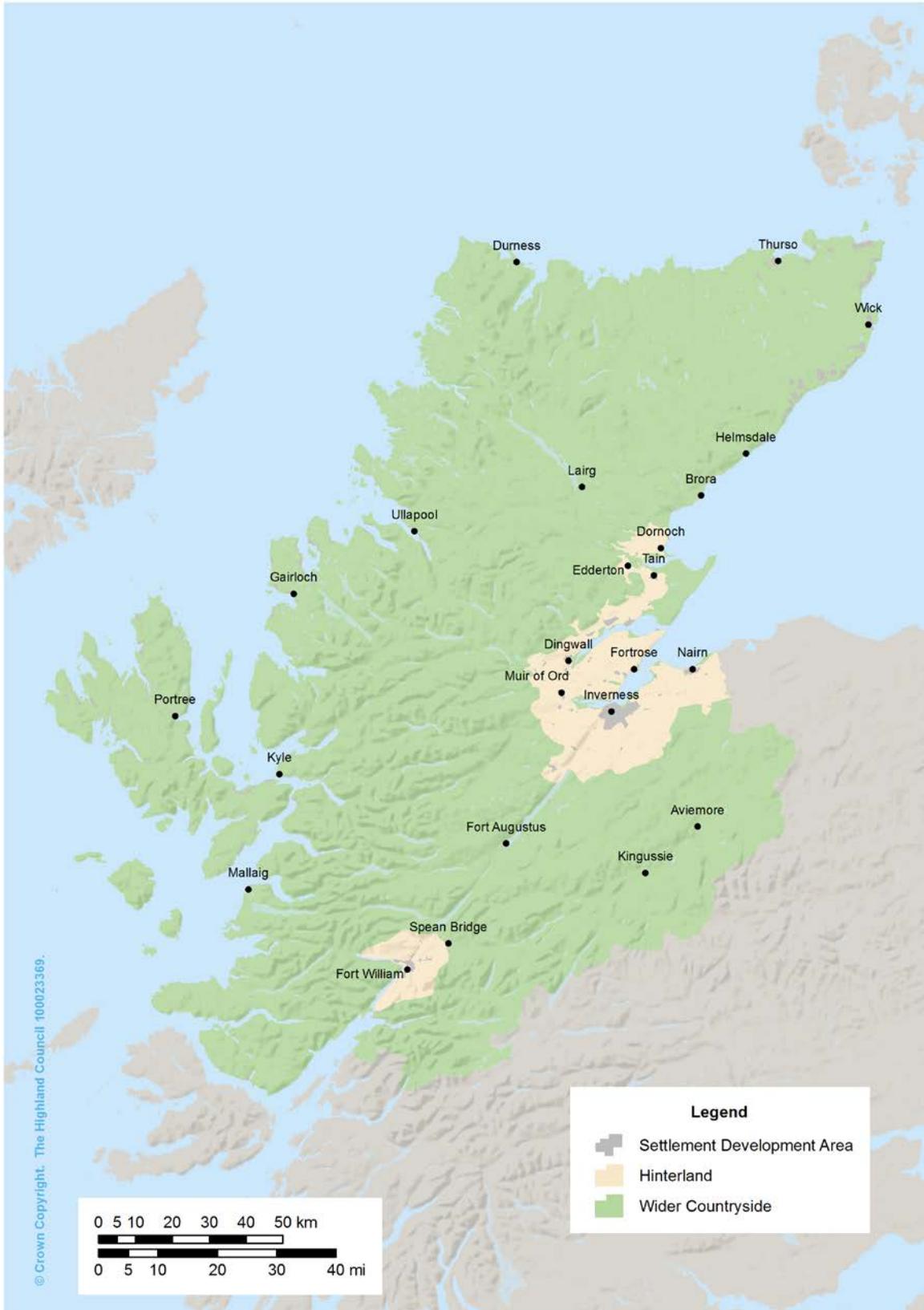
The following checklists illustrate factors for consideration when developing a site. Achieving the correct layout individual or small group of houses; bad layout can detract from a good house design. Development should relate to and respect landscape and natural features, the relationship to existing buildings must also be considered.

<b>Landscape</b>	✓
Topography: slope - north/ south facing	
Solar orientation	
Climate exposure	
Flood risk susceptibility	
Ecological features: habitat assessment	
Intrusion: visual + noise	
Trees: general tree cover and single mature trees	
Archaeology and historical features	
Geological features: rock outcrops, large rocks etc.	
Water courses; burns, ponds, rivers, lochs, the sea	
Views and aspect: to and from the site	
Wind; prevailing and non prevailing and mitigation options	
Proximity to busy public road: noise, pollution, visual intrusion	

<b>Physical aspects of the site relating to the intended purpose</b>
Ground conditions and suitability for construction and drainage
Access from public roads
Soil Quality and potential for productive use
Presence of adjacent public utilities: water, electricity, waste (sewage), telecommunications
Potential for micro renewables: Solar, Wind, micro hydro and ground heat pumps
Potential for private servicing arrangements: potable water, on-site power generation, waste treatment
Proximity to public transport and other services
Frost and how this may be affected by topography and site features

✓

## 2 Extents of Hinterland and Wider Countryside



### 3 Crofting Policies

The Council recognises that there is a genuine need to promote and support crofting communities and activities. However, we must also ensure that crofting-related development does not conflict with the Council's other policies and objectives and in particular the Housing in the Countryside policy (especially those relating to the hinterland around towns) or result in unsympathetic development in our rural areas. A careful and considered balance must therefore be struck.

A change to our approach to houses proposed on new crofts within the hinterland. The Crofting Commission cannot consider even basic viability (on part time income) when registering a new croft. For instance a new croft could be a large garden with a polytunnel and this scale of proposal under a crofting banner would exploit the previous exception. Proposals for houses on crofts within our hinterland areas other than new crofting townships are now considered on the same basis as any other agricultural unit or where the proposal meets other criteria specified within the policy or Supplementary Planning Guidance.

Policy within the Highland-wide Local Development Plan reflects this position; these policies are provided below.

**Policy 47 Safeguarding Inbye/AppORTioned Croftland**

The Council expects development proposals to minimise the loss of in-bye/appORTioned croft land. For housing proposals, these should be for single houses (with consideration given to the history of development on the croft and any division of the croft) and should accord with the Council's Housing in the Countryside and Siting and Design Supplementary Guidance. All proposals should where possible avoid:

- siting on the better part of a croft in terms of its agricultural value; and
- impeding use of the remaining croft land by virtue of its location.

If proposals do not meet these criteria, then they will only be deemed acceptable where the following apply:

- there exists a proven/recognised wider community interest; and
- in terms of other policy considerations, such as accordance with settlement pattern or impact on a natural, built or cultural heritage feature, they can be considered acceptable.

In terms of this policy, wider community interest may be demonstrated where:

- there is no alternative viable land (outwith in-bye land/appORTioned croft land) for development within the community; and
- the proposal brings significant economic or social benefits to the community as a whole.

Where new houses on a croft are permitted within a hinterland area, a Section 75 Agreement will be used to tie the new development to the associated land holding. This approach may also be applied outwith the hinterland areas where proposals are located within sensitive areas, such as National Scenic Areas, where development would not otherwise be supported.

### **Policy 48 New/Extended Crofting Townships**

Within the hinterlands of towns (as defined on the Proposals Map):

Proposals should demonstrate a wider public interest - i.e. significant benefits to the community of both crofters and non-crofters. This could be achieved through various means, including: a significant enhancement of the extent and coherence of the green network in the area through habitat creation/management and/or recreation/access provision of paths, provision of affordable housing which is secured for the longer term, and establishing the land in community ownership and providing tenancies.

A planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, or a similar mechanism, will be used to tie new development to its associated land holding.

In all areas proposals will be assessed in terms of:

- compatibility with landscape character, including landform and landscape pattern, having regard to existing crofting settlements;
- impact on natural, built and cultural heritage features, including the avoidance of negative impacts on designated sites;
- compatibility with existing servicing infrastructure, or where existing infrastructure is not available or has insufficient capacity to serve the proposal, acceptable arrangements for the provision of new servicing infrastructure (NB. proposals for new infrastructure must meet applicable planning policy requirements and be consentable by external regulators such as SEPA, Scottish Water, Marine Scotland etc.; furthermore, they must not involve infrastructure out of keeping with the rural character of the area);
- the economic viability of service delivery (for example, the economics of school bus provision and refuse collection if it is not on an existing route);
- evidence that the development proposals will secure good land management (the Crofter's Commission will confirm the bona fides for crofting proposals);
- where a proposal is located within a sensitive area, such as a National Scenic Area, a planning obligation under section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, or a similar mechanism, may be used to tie the new development to its associated land holding.

In support of planning applications for new crofting townships, the following information will be required:

- a business plan (albeit, there is no expectation of a full time income from a croft);

- for woodland crofts, a management plan must be submitted which meets the UK Forestry Standard;
- where deforestation of an area is required, or the proposal involves the large scale restructuring of agricultural land or use of uncultivated/semi-natural areas for intensive purposes, then an Environmental Impact Assessment may be required;
- a masterplan for the entire development area, focussing on issues such as the preferred density, siting, design and layout of buildings (with reference to the Council's Housing in the Countryside and Siting and Design Supplementary Guidance) and associated infrastructure and services.

## 4 Glossary:

**Artificial slates:** should reflect the same riven surface and relative dimensions including thickness and utilise the same traditional fixing methods as real slate.

**Brownfield sites:** sites which are occupied by redundant or unused buildings or land that has been significantly degraded by former activity to the point where they can no longer be used productively without significant investment and remediation. (PAN73)

**Designed landscapes:** are defined as grounds that are consciously laid out for artistic effect. They are often the setting of important buildings and in addition to parkland, woodland, water and formal garden elements, can often have significant archaeological and scientific interest (SHEP 2009). Designed landscapes contained within the Inventory of Historic Gardens and Designed Landscapes are protected by national policy.

**Design Statement:** to explain the design principles on which the development is based and illustrate the design solution. More information and advice can be found in Planning Advice Note 68, Design statements.

**Fragile areas:** Areas which are in decline or in danger of becoming so as a consequence of remoteness and socio-economic factors, such as population loss, erosion of services and facilities and lack of employment opportunities. In some areas the natural heritage is a dominant influence on appropriate land management. Further information is available on the HIE web site at: <http://www.hie.co.uk/about-hie/about-hie/fragile-areas.html>

**Wider Countryside:** For the purposes of housing development the wider countryside (See Policy 36) relates to the area outwith Settlement Development Areas and also outwith the defined hinterland boundary (See Policy 35 Housing in the Countryside (Hinterland areas) of the HwLDP). For developments of another nature the wider countryside relate to areas outwith Settlement Development Areas.

**Registered Social Landlord:** An organisation that is accepted by the Housing Regulator.

**Ribbon\linear development:** the growth of unplanned development of housing along the roadside that is unrelated to land use or to a traditional settlement or township pattern

**Sustainable drainage systems (SuDS):** Drainage techniques used to treat and return surface water run-off from developments (roof water, road run-off, hard standing areas) to the water environment (rivers, groundwater, lochs) without adverse impact upon people or the environment. Further guidance can be found in CIRIA's SuDS Manual C697 or Sewers for Scotland 2nd Edition.

**Traditional building:** built using primarily traditional natural materials eg stone, slate and timber and which are often sourced locally

**Wider Countryside:** For the purposes of housing development the wider countryside (See Policy 36) relates to the area outwith Settlement Development Areas and also outwith the defined hinterland boundary (See Policy 35). For developments of another nature the wider countryside relate to areas outwith Settlement Development Areas.

## 5. Useful contacts

### Planning contacts

For local Planning or Building Standards guidance and Building Warrant applications, you should contact your Area Planning office, further information is available on The Highland Council website.

<http://www.highland.gov.uk/yourcouncil/yourservices/planninganddevelopmentservice/planning-and-development-contacts.htm>

### The Scottish Environment Protection Agency (SEPA)

<http://www.sepa.org.uk/>

SEPA provide formal environmental advice in relation to development plans and on wide range of development proposals across Scotland. SEPA's website will provide you with their planning guidance notes, map based information and advice on how and on what types of development to consult them on.

### Scottish Natural Heritage (SNH)

<http://www.snh.gov.uk/>

SNH provide guidance and good practice on ways to assess and reduce impacts on protected animals, protected areas, landscapes and more.

### Scottish Water

<http://www.scottishwater.co.uk/>

Scottish Water can provide advice on the availability of water supply and waste water treatment connections and capacity.

### Crofting Commission

<http://www.crofting.scotland.gov.uk/>

Advice relating to crofting activities can be sourced on the Crofter Commission website.

### Planning Aid

<http://www.planningaidscotland.org.uk/page/100/Advice.htm>

Planning Aid for Scotland provides a free, impartial and professional advice service to help you understand and engage with the planning system. The service is provided by volunteers, who are all fully qualified and experienced planners based throughout Scotland.



## Getting Involved

**If you would like more information or to get involved in the production of future plans please contact us in one of the following ways:**

### Telephone

(01463) 702259

### Post

Director of Planning and Development, The Highland Council, Glenurquhart Road, Inverness IV3 5NX

### Email

[devplans@highland.gov.uk](mailto:devplans@highland.gov.uk)

### Fax

(01463) 702298

**For the most up to date news on the work of the Development Plans Team (and more) please follow our twitter account, 'Like' our Facebook page and check out our blog:**

### Twitter

[www.twitter.com/highlanddevplan](http://www.twitter.com/highlanddevplan)

### Facebook

[www.facebook.com/highlandLDPs](http://www.facebook.com/highlandLDPs)

### Blog

[hwldp.blogspot.co.uk](http://hwldp.blogspot.co.uk)

### Feedback

If you have any experience of Development Planning that you would like to comment on please complete a customer satisfaction survey:

<http://www.surveymonkey.com/s/X89YVTY>

