

Issue 37		Wider Countryside	
Development plan reference:		Policy 37 (Para 19.10, Page 85)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)			
Laid Grazings Committee (83), Scottish Natural Heritage (SNH) (118), Terence O'Rourke Ltd (Renewable energy client-base) (164), Strutt & Parker LLP for Balnagown Castle Properties Ltd (229), Jones Lang LaSalle for Scottish and Southern Energy Plc and its Group Companies (SSE) (268), Crofters Commission (271), Scottish Wildlife Trust (285), Sportscotland (320), Scottish Environment Protection Agency (SEPA) (326), Boyd Brothers Haulage (438), CASA Planning and Environment Ltd for Cube Engineering (449), Jones Lang LaSalle for Spittal Hill Windfarms Ltd (450), Lochaber Partnership (LP) (452), M Gilvray (453), Jones Lang LaSalle for PI Renewables (454), Biggart Baillie for Nanclach Ltd (457), Jones Lang LaSalle for Wind Energy Glenmorrie Ltd (462), Tain and Easter Ross Civic Trust (470)			
Provision of the development plan to which the issue relates:		Wider Countryside	
Councils summary of the representation(s):			
<u>General</u> <ul style="list-style-type: none"><li>Fully support the guidance – this qualifies some of the statements in the 'Vision' as to where and what type of development will be encouraged</li><li>Overall sportscotland is satisfied that sports interests have been addressed throughout the Local Development Plan and therefore raise no objections. (320)</li><li>Object to the policy as it could be incorporated as part of a single Housing in the Countryside policy with a single piece of Supplementary Guidance. Otherwise titling the policy "Housing in the...." would clarify things. Otherwise supportive of the approach to housing in the wider countryside area. (229)</li><li>New development should only occur as extensions to cities, towns and villages, with easy access to facilities, reduced travel also a need to incentivise employment and sustainable food production. (470)</li><li>Development outwith settlements should not be discouraged. Sympathetic buildings in remote areas can enhance rather than detract. Land owners should be encouraged to utilise their land to its full potential to provide renewable energy. (438)</li><li>New housing in the Laid parish tends to be fairly large kit houses which do not really fit in very well with the environment and will not attract tourists (83)</li><li>Lochaber's Community Planning Partnership consider a 6 month change of use restriction on community and commercial facilities that close in fragile areas (452)</li></ul>			
<u>Crofters Commission (271)</u> <ul style="list-style-type: none"><li>References to the number of houses on a croft, and distances between houses etc., seem to have been dropped from the text of Local Plans. This may opened the way for the siting of several houses on the inbye</li></ul>			

land of one croft, which has happened in recent cases (271)

#### Renewable energy proposals

- Last paragraph states that renewable energy projects will be assessed against “Renewable Energy” policies, this statement is generally supported, for clarification and to avoid ambiguity the policy wording should be preceded by “This policy does not apply to renewable energy developments, renewable energy developments will be assessed against...”
- Clarity is required as to what constitutes ‘detrimental’ however the Council also have an obligation to consider developments that can prove to offer social and economic sustainable development to such areas and their communities. (164, 268, 450, 449, 454, 457, 462)

#### Landscape

##### SNH (326)

- The third and fourth sentences of para. 19.9.3 should be amended to include wider reference to landscape character assessment (118)
- The policy should refer in more detail to natural, cultural and built heritage. (118)
- Given the exclusion of parts of Caithness and Nairnshire from the hinterland there is a need for the policy to continue to reflect the balanced landscape character of these areas. (118)
- Paragraph 5.4 of Housing in Countryside: Supplementary Guidance should be included in the policy itself. (118)

##### Scottish Wildlife Trust (285)

- Wider countryside should include a bullet point which states that proposals will be assessed for the extent to which they avoid areas that have high natural heritage value, be it in terms of protected species or habitats. (285)

#### **Modifications sought by those submitting representations:**

Amalgamate policies 36 and 37 and have a single piece of Supplementary Guidance. (229)

Restrict opportunities for development in rural areas not related directly to existing land use. (470)

Inclusion of a bullet point which states that proposals will be assessed for the extent to which they avoid areas that have high natural heritage value. (285)

Third and fourth sentences of para. 19.9.3 to read, “The various landscape character assessments produced through Scottish Natural Heritage covering Highland broadly classify the types of landscape character present and highlight the characteristics of a landscape to which development should relate. These will be applicable when examining proposals.”

Sentence should be added to the end of policy to read, “All proposals should accord with the general policies of the Plan and the Siting and Design Guidance”. (118)

First bullet point amended to, “ are acceptable in terms of siting and design.” (118)

Third bullet point amended to, “are compatible with landscape character and do not exceed the capacity of the landscape to accommodate development while maintaining its distinctive characteristics.” (118)

Add additional bullet point to read, “avoid incremental expansion of one particular development type within a landscape whose character relies on an intrinsic mix/distribution of a range of characteristics.” (118)

Add the following to policy, “The Council’s favoured approach is that potential within existing housing groups should represent the basis on which to initially consider proposals.” (118)

Inclusion of a statement to include ‘development proposals may be supported if they are judged to be not significantly detrimental in terms of this policy or potentially provide significant sustainable economic and/or social gain’ (449)

Last paragraph should be worded, “This policy does not apply to renewable energy developments, renewable energy developments will be assessed by...” (454)

#### SEPA (326)

Support this policy provided SEPA’s recommendations that the policy be extended to make specific reference to the need for developments to be assessed for Flood Risk and in relation to River Basin Management Plans which are significant factors in relation to the principles of sustainable design or be clearly cross referenced to Policy 64, Water Environment and Policy 65 Flood Risk. In order to meet the requirements of the Water Framework Directive (200/60/EC). (326) (ALSO referred in policies 35 and 36) (326)

#### **Summary of responses (including reasons) by Planning Authority:**

##### General

- In regard to calls for this policy to be merged with Policy 36 Housing in the Countryside. The Council adopts a 2 tier approach to the potential for housing development in rural areas. The Council view is that this distinction is best served through the retention of 2 policy heads. (229)
- In response to restricting development opportunities to those directly employed in rural activities, the Council seeks to find a balance between allowing for more development opportunities in rural locations in order to sustain rural communities in line with national guidance and preserving the rural character of areas. The Council feels that the policy approach it has adopted is well placed to achieve these aims. (438, 470)
- The delivery of the 2 Supplementary Guidance documents are aimed at providing advice on aspects of locational guidance and also appropriate design styles in order to guide acceptable solutions to rural housing development opportunities. (83)

#### Crofters Commission (271)

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

#### Renewable energy proposals

- The Council acknowledge that for large scale onshore renewable energy proposals will primarily be assessed against Policy 68 Renewable Energy Developments. For smaller scale proposals e.g. community led, it would be appropriate to also consider criteria defined in Policy 37 Wider Countryside as well as other relevant policy. (164, 268, 450, 449, 454, 457, 462)
- The impact of development on the criteria listed within the policy will be used to assess whether impacts of development would be considered detrimental. It is acknowledged that proposals will also be assessed on social and economic benefits to areas and their communities. (164, 268, 450, 449, 454, 457, 462)
- Within Fragile areas where the loss of rural lifeline facilities such as a village shop seeks a change of use currently seeks evidence on why the use is no longer viable and that it has been marketed for a minimum of 3 months. This period of time has been determined through the consideration of the length of time of various such applications going through the Council's planning committee. This timescale has been arrived at as to allow a reasonable amount of time for market forces to react but not so long that this may cause financial hardship to existing owners of property/businesses.(452)

#### SNH (118)

- The Council consider that the existing wording within the supporting text of paragraph 19.9.3 adequately cover the potential use of the landscape character assessments in that these will be referred to in detail where a proposal is not obviously in keeping with the existing character of development.
- The Council accept the suggestion to amend the first bullet point to read "are acceptable in terms of siting and design" and to add a sentence to the end of policy to read, "All proposals should accord with the general policies of the Plan and the Siting and Design Guidance". (118)
- In regard to the inclusion of further bullet points the Council's view is that these are points of greater detail that are already more appropriately addressed in the Siting and Design Supplementary Guidance these relate to;
  - third bullet point amended to, "are compatible with landscape

<p>character and do not exceed the capacity of the landscape to accommodate development while maintaining its distinctive characteristics.” (118)</p> <ul style="list-style-type: none"> <li>▪ additional bullet point to read, “avoid incremental expansion of one particular development type within a landscape whose character relies on an intrinsic mix/distribution of a range of characteristics.” (118)</li> <li>▪ Seek the addition of the following to policy, “The Council’s favoured approach is that potential within existing housing groups should represent the basis on which to initially consider proposals.” (118)</li> </ul> <p><u>Scottish Wildlife Trust (285)</u></p> <ul style="list-style-type: none"> <li>▪ The Plan indicates that developments will be subject to consideration of all plan policies to reinforce this point add a sentence to the end of policy to read, “All proposals should accord with the general policies of the Plan and the Siting and Design Guidance”. (285)</li> </ul>
<b>Any further plan changes commended by the council</b>
<p>Amend the first bullet point to read “are acceptable in terms of siting and design” and to add a sentence to the end of policy to read, “All proposals should accord with the general policies of the Plan and the Siting and Design Guidance”. (118)</p>
<b>Reporter’s conclusions:</b>
<p>Added by Reporter at later date.</p>
<b>Reporter’s recommendations:</b>
<p>Added by Reporter at later date.</p>