

Agenda Item	8
Report No	ECI/34/2021

HIGHLAND COUNCIL

Committee: Economy and Infrastructure

Date: 1 September 2021

Report Title: Rural Housing Supplementary Guidance

Report By: Executive Chief Officer Infrastructure, Environment & Economy

1 Purpose/Executive Summary

- 1.1 This report, for approval, presents the finalised version of the Rural Housing Supplementary Planning Guidance (RHSG) – previously known as the Housing in the Countryside & Siting and Design Supplementary Guidance (HiCSG).
- 1.2 Subject to approval, Officers will finalise the statutory requirements for adoption, following which the new RHSG will wholly replace the currently adopted 2013 Housing in the Countryside & Siting and Design Supplementary Guidance and the 2016 Housing in the Countryside Briefing Note. This will confirm the RHSG status as the primary material consideration in determining planning applications for new housing across rural Highland.

2 Recommendations

- 2.1 Members are asked to:
 - i. Consider and agree the finalised version of the Rural Housing Supplementary Planning Guidance contained in **Appendix 1**;
 - ii. Delegate approval to Officers to complete the formal adoption process; and
 - iii. Note that, from the point of this Committee approval, the finalised version of the Rural Housing Supplementary Planning Guidance will become a material consideration in the determination of housing planning applications and once statutorily adopted, will replace the existing policy and guidance as set out in paragraph 1.2 above.

3 Implications

- 3.1 **Resource** - The review of the document, including the statutory processes and required advertisements, are resourced through the relevant service budget and no additional resources are required. The document will be made available digitally only and therefore no printing costs will occur.
- 3.2 **Legal** – The RHSG has been prepared in consultation with the Council Legal Section and is considered consistent with Scottish Government guidance on rural development and the adopted Highland-wide Local Development Plan to which this guidance will be ‘hooked’.
- 3.3 The guidance has undergone Habitats Regulations Appraisal (HRA), Strategic Environmental Assessment screening (SEA), over 8 weeks of public consultation, is now subject to scrutiny by Elected Members and will then be presented to the Scottish Government for adoption, all in compliance with the pertinent statutory legislation.
- 3.4 **Community (Equality, Poverty and Rural)** – The RHSG has undergone public consultation, the timeframe of which was lengthened due to the COVID pandemic and additional resources, including the preparation of a video explaining the process were utilised. In addition, the RHSG has been prepared to ensure that the Council supports residential development in sustainable locations and to support existing rural communities, all by sustainable means.
- 3.5 **Climate Change / Carbon Clever** – The RHSG has been drafted to place greater emphasis on the Council Climate & Ecological Emergency Declaration, including an enhanced ‘Nature Section’ within the ‘Siting & Design Section’ of the document. Additionally, the guidance has undergone Habitats Regulations Appraisal (HRA) and Strategic Environmental Assessment screening (SEA), with the outcomes respected within the finalised version.
- 3.6 **Risk** -There are no anticipated risks associated with the adoption of the RHSG
- 3.7 **Gaelic** - Gaelic headings and subheadings have been included within the RHSG as contained in **Appendix 1**, this is considered compliant with the Council Gaelic requirements.

4 Background and Context

- 4.1 The Development Plan policy framework for determining applications for new housing in the countryside is set out in Policy 35 (Housing in the Countryside (Hinterland Areas)), Policy 36 (Development in the Wider Countryside), Policy 47 (Safeguarding Inbye/Appportioned Croftland) and Policy 48 (New/Extended Crofting Townships) of the Highland-wide Local Development Plan (HwLDP), adopted in April 2012. In March 2013, and in accordance with HwLDP policies, the Council adopted a single Supplementary Guidance document covering Housing in the Countryside and Siting and Design to provide further detail, advice and clarification on the acceptable locations and design for new rural housing.
- 4.2 The Council is supportive of new rural housing throughout Highland to help communities thrive and people live and work in healthy, high quality sustainable environments. This is currently delivered by a two-tier approach for housing developments in the countryside. In Hinterland areas around the Moray Firth and Fort William, new housing is supported

subject to meeting criteria set out in HwLDP Policy 35 (Housing in the Countryside). The remainder of the Highland rural area is categorised as the 'Wider Countryside', within which there is a more permissive approach to new housing, subject to siting and design is adopted (HwLDP Policy 36).

- 4.3 Whilst the Council is supportive of rural housing, in compliance with the adopted 'Settlement Hierarchy' most housing growth is directed to existing settlement areas due to sustainability, resource efficiencies and climate change reasons. However, the RHSG has been developed to ensure that there is a positive balanced policy framework for appropriate located and required rural housing.
- 4.4 In 2019, a review of the HiCSG commenced to consider and address the following:-
- Opportunity to make the guidance clearer and present it in a more user-friendly format;
 - To ensure consistency with Scottish Planning Policy (2014), in particular the requirement to avoid the use of occupancy restrictions;
 - Incorporate the Housing in the Countryside Briefing Note 2016;
 - Provide additional advice on requirements for all housing in the countryside proposals following the adoption of all three area local development plans which have reduced the number of defined settlement development areas;
 - Take into account of the outcome of a number of housing in the countryside applications; and planning appeals;
 - To conform with the Council's Climate and Ecological Emergency declaration; and
 - Reflect feedback from Members.
- 4.5 Following approval of the draft Housing in the Countryside Supplementary Guidance by this Committee on 2 September 2020, an online public consultation exercise was conducted between 23 October and 8 January. This timeframe included an extended period of consultation to compensate for restriction resulting from COVID and social distancing requirements.
- 4.6 The consultation resulted in 247 comments from 23 individuals which have been assessed and incorporated into the finalised version as appropriate. A summary of these comments and the suggested Council response, including any amendments carried through into the finalised RHSG are set out in **Appendix 2**.
- 4.7 In addition, the finalised guidance has been prepared following Members Workshops/Briefings held in February 2019, June 2019, July 2020 and August 2021 and several engagement sessions including the Crofting Commission, the Council's independent agricultural advisors and Council Officers representing Development Management, the Forestry Team and Legal Services.

5 Content and Key Changes

- 5.1 In line with the Council Development Plan Scheme, at this time the HwLDP is not under review and therefore the policies related to housing within the countryside are not subject to change. As such, the proposed amendments outlined within the finalised RHSG have been developed to fully accord with HwLDP policies. Furthermore, in terms of the Hinterland boundaries, these are defined within the area Local Development Plans and are therefore again not subject to change as part of this review.

- 5.2 As Members will be aware, the Inner Moray Firth Local Development Plan (IMFLDP) is currently being reviewed, including considerations of revisions to the Inner Moray Firth hinterland boundary. It is currently envisaged that the Proposed Plan will be presented to this Committee (along with the Area Committee's) in late 2021, where the outcome of the hinterland boundary consideration will be delivered.
- 5.3 Since this Supplementary Guidance was last presented to Committee in September 2020, we have updated its title to better reflect the content of the document and the geographical area it covers. Moving forward the document will be referred to as 'Rural Housing Supplementary Guidance' (RHSG).
- 5.4 The outcome of reviewing the consultation responses, has resulted in several amendments being made to the relevant sections and these are outlined in detail below. Additionally, to better highlight the importance of design in new rural housing, specific design criteria have been incorporated into the relevant sections.
- 5.5 To further promote self-build rural housing and to comply with of the one of the provision of the new Planning (Scotland) Act 2019 Act. We have now published a webpage where interested parties can add their details to the Council's self-build register. This register will allow the Council to review demand for all forms of self-build housing (both urban and rural) and help ensure plans and policies are meeting this demand.

Requirements for all Proposals

- 5.6 As per the consultative draft, to streamline the guidance, reduce repetition and make it easier for the reader to follow, the 'General Development Considerations' and 'Wider Countryside' sections (Sections 5 & 7 in HiCSG) have been merged into a new single 'Requirements for all Proposals' Section at the start of the document. This section will be the main determining factor for all housing applications within the 'Wider Countryside', which accounts for 93% of all rural housing applications across Highland, whilst also being part of the consideration process for the Hinterland areas as well.
- 5.7 Additionally, the number of requirements has been refined and reduced so that they relate to all rural housing developments regardless of location. The list has also been reworded to set a more supportive approach to rural housing on the proviso that the siting, location and design are acceptable. Since the consultative draft some further minor rewording has taken place following Members and public feedback.

Housing Opportunities in Hinterland Areas

- 5.8 **Housing Groups**
The finalised RHSG maintains the change suggested in the consultative draft to relax the definition of a housing group from the HiCSG requirement of 3 detached houses, to a more permissive requirement of 3 detached buildings, two of which must be houses. The RHSG now also adds that the additional house must bring a 'positive relationship' to the existing group. The new guidance also provides clear and concise definitions of a housing group and what is and what is not considered a building in terms of this policy.
- 5.9 **Garden Ground**
No major changes made since the consultative draft apart from including some comments and feedback from the Council Forestry Team. The consultative draft suggested no fundamental changes from the HiCSG, as this section was already considered to offer a good degree of flexibility and has delivered a good number of appropriate housing sites. To improve the design quality, specific design criteria have

been included in this section, along with a clear definition as to what is defined as ‘garden ground’.

5.10 Conversion, Reuse and Replacement of Traditional Buildings

The finalised version of the RHSG has strengthened the importance the Council places on the protection, preserving and reusing existing building stock to support the Climate & Ecological Emergency Declaration. In addition, it now acknowledges recent changes to the Permitted Development Rights regime which now allow certain agricultural and forestry buildings to be converted to residential use without detailed planning approval. Clear and concise criteria are set out to explain the circumstances when demolition and replacement will be supported. Specific design criteria have also been included for each option.

5.11 Replacement of an Existing House

Again, in pursuant of meeting the Climate & Ecological Emergency Declaration, the RHSG now outlines criteria requiring robust evidence to be provided as to why the wholesale demolition and replacement of a complete house is required, rather than its extension and/or refurbishment. Moreover, the criteria go on to require the replacement property to be of a significantly improved design and energy performance over the original building.

5.12 Previously Developed Land

The existing HiCSG already includes strong support for the redevelopment of previously developed land and as such no fundamental changes have been made to this section, over renaming it (previously called Brownfield) to bring it into line with HwLDP policy title. Some rewording of the text has been undertaken to make clear how a ‘Previously Developed site’ is defined, and the information required to support a planning application.

5.13 Affordable Housing

The RHSG continues to allow affordable housing in the hinterland to meet a demonstrable local affordable housing need.

5.14 Housing to Support an Existing or New Rural Business

The Council is keen to support the growth of existing and new rural businesses appropriate for a rural location. Following Scottish Government’s removal of the use of legal agreements tying the house to the land/business, a balanced approach has to be adopted to ensure that new houses and business are both developed or expanded concurrently, rather than a business idea being utilised as a justification for a new rural house being developed.

5.15 Consequently, the policy has been updated to clarify the need for applicants to demonstrate that they have considered other housing options (e.g., within nearby towns and villages, expansion of existing groups and conversions of other buildings) prior to advancing a new rural house site. The finalised RHSG now requires applicants to submit supporting information that demonstrates the need to reside on the site to operate the business. The guidance outlines level of the supporting information requires to include, but now avoids seeking an agricultural Operational Needs Assessment for each application, thus allowing a more tailored approach to individual businesses to be adopted. This section also includes new criteria for applicants to consider in demonstrating the suitability of proposals for new tourism accommodation within the countryside.

5.16 Retiring Land Manager

The Council is committed to supporting the succession of existing rural businesses. To allow a house to be developed under this exception the RHSG establishes clear requirements to evidence that the Land Manager is retiring, an ongoing full-time on-site presence is still required and for a sequential approach to site selection is followed.

- 5.17 Following from a number of Members, further updates have been made omitting the need for the submission of an ONA for this exception. However, the criteria still require evidence, as noted in 5.15 above, that an ongoing full-time on-site presence is needed.

Community-Led Housing

- 5.18 This is an entirely new section since the Consultative draft and has been added to assist rural communities, via the Community Housing Trust to give greater support and emphasis to deliver local house plots and housing for local workers.

Housing to Support Crofting

5.19 Agricultural Croft

Given the importance of crofting to the Highland rural economy, the Crofting Commission were consulted and meetings and workshop held. Their feedback has resulted in a new section on Crofting being contained within the finalised RHSG.

- 5.20 On balance it was agreed that there would continue to be no exception for new croft houses in the hinterland unless the housing to support an existing or new rural business exception could be met. Further guidance has been provided for new croft houses in the Wider Countryside and Settlement Development Areas, for example avoiding the loss of locally important croft land and that normally only a single house can be supported on any one croft.

5.21 Woodland Croft

Again, this is a new section since the Consultative draft and has been added as Woodland Crofts are an emerging land-use across Highland. Officers have worked in partnership with the Community Housing Trust and the Woodland Partnership to develop a set of criteria to deliver appropriately located and controlled Woodland Croft Townships.

Siting & Design

- 5.22 A key part of the revision to the guidance was to seek improvements to the site selection, site layout and design of rural housing sites and the 'Siting & Design' section of the RHSG has been extensively revised and updated to place more emphasis on achieving high quality sustainable developments. This section has also been revised to make it more user friendly using additional illustrations and photographs.
- 5.23 Additionally, since the consultative draft a new section has been developed on safeguarding and protecting nature which again seeks to deliver on the Climate & Ecological Emergency declaration by achieving a positive biodiversity across the housing site.

6 Next Steps

- 6.1 Following Committee approval, this will confirm the status of the RHSG as the primary material consideration in determining planning applications for housing across rural

Highland and Officers will commence the formal adoption process with the Scottish Government, which is anticipated to take a couple of months.

- 6.2 Subsequent to Scottish Government approval, the adopted RHSG will be made available on the Council webpage and interested parties notified about its adoption, via email and press release.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

Date: 20 August 2021

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Rural Housing Supplementary Guidance

Stiùireadh Leasachail airson Taigheadas anns an Dùthaich

September 2021



REGION

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highlandLDP

Register at consult.highland.gov.uk to view, comment and be kept updated on any future Highland Development Plan documents.

Introduction

1.0.1 The Council is supportive of new rural housing throughout Highland to safeguard, support and sustain all our communities and to encourage people to live and work in healthy, high quality environment and this guidance has been prepared to provide detailed advice on the appropriate locations for new housing within the Highland countryside. In addition, high standards of siting and design are key to achieving successful developments and this guidance also explains and illustrates how this should be achieved.

1.0.2 This guidance, adopted on ####, replaces the 'Housing in the Countryside Supplementary Guidance' adopted in 2013 and the Housing in the Countryside Briefing Note 2016. It forms part of the Council's Development Plan and act as the 'Housing in the Countryside and Siting and Design Supplementary Guidance', thus making it a material consideration in the determination of planning applications.

1.0.3 This guidance relates to the area covered by the [Highland-wide Local Development Plan \(HwLDP\)](#)⁽¹⁾ and the associated adopted and emerging [Area Local Development Plans \(Area LDPs\)](#)⁽²⁾ covering the Highland area and should be read alongside all relevant policies within the entire Development Plan and adopted [Supplementary Guidance](#)⁽³⁾. For proposals within the Cairngorms National Park Authority (CNPA) area please refer to the [CNPA Local Development Plan](#) and their associated Planning Guidance.

1.0.4 In the consideration of new rural housing, the Council operates a two tier policy approach, with the areas along the Inner Moray Firth and Fort William being designated as the 'Hinterland' (where proposals are considered against Policy 35 of the HwLDP), outwith the Hinterland area, the countryside is defined as the 'Wider Countryside' (with proposals considered against Policy 36 of the HwDLP). This document provides detailed guidance where new housing will be acceptable in each area. It also recognises that crofting is a core component of rural life in the Highlands and provides guidance for developments on crofts within settlements, the hinterland and the wider countryside.

1.0.5 The Council strongly welcomes the opportunity to provide pre-application advice before any formal application is submitted. Information about how to do this can be found on the [Council's website](#). It is also recommended that consultation is undertaken with utility providers to ascertain whether your site can be adequately serviced prior to making a formal planning application.

1.0.6 This guidance has been prepared under the terms of the Planning etc. (Scotland) Act 2006 and the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. During the preparation of this guidance, the Planning (Scotland) Act 2019 received Royal Assent and work at a national level is progressing on regulations, guidance and transitional arrangements for Development Plans.

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

2 https://www.highland.gov.uk/info/178/local_and_statutory_development_plans

3 https://www.highland.gov.uk/directory/52/a_to_z

1.0.7 One provision the new Act has brought in is for planning authorities across Scotland to "prepare and maintain" a list of anyone interested in acquiring land for self build across the authority's area. The Council has now published a [webpage](#) where interested parties can add their details to the self build register.



1.1 Aims and Objectives

1.1.1 The aims of this guidance is to be supportive of appropriate new rural housing throughout rural Highland, whilst minimising the impact on the environment, agriculture, infrastructure and services. To do this it is important that the following objectives are achieved:

- Raise the quality of housing development in the countryside, by addressing issues of location, siting, design and environmental impact;
- Encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality;
- Ensure that new rural housing does not place an undue strain on public and private services and infrastructure;

- Maintain and grow communities through encouraging suitable development opportunities;
- Protect the landscape, biodiversity habitats and productive agricultural ground.
- In the Hinterland areas:
 - Guide most new housing development to locations within Settlement Development Areas;
 - Protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside;
 - Provide opportunities for small scale housing development in appropriate countryside locations;
 - Support the appropriate development of the rural economy.
- In the Wider Countryside:
 - Allow the construction of houses outwith settlements, on the proviso they are well sited, designed to fit with the local landscape character and take account of landscape protection;
 - Promote and support housing opportunities in crofting communities whilst balancing environmental considerations.



1.2 Policy Context

1.2.1 As noted above, the Council operates a two tier rural housing policy approach, with the areas along the Inner Moray Firth and Fort William being designated as the 'Hinterland' (where proposals are considered against Policy 35 of the HwLDP), outwith the Hinterland area, the countryside is defined as the 'Wider Countryside' (with proposals considered against Policy 36 of the HwDLP). This document provides detailed criteria and guidance where new housing will be acceptable in each area. It also recognises that crofting is a core component of Highland rural life and provides guidance for developments on crofts within settlements, the hinterland and the wider countryside (Policy 47: Safeguarding Inbye/AppORTioned Croft Land and Policy 48: New/Extended Crofting Townships).

1.2.2 The Council has published detailed mapping to assist applicants determine within which area their site will fall and therefore which policy criteria is applicable. A copy of the map is available in Section 9 'Appendix 4 - Highland Countryside & Settlement Map' and an [online interactive version](#)⁽⁴⁾ is available.

4 https://www.highland.gov.uk/directory_record/683410/housing_in_the_countryside

1.2.3 If a proposal falls within a Settlement Development Area (SDA) or a Growing/Other Settlement as defined in the Area Local Development Plans, the application will be considered against the relevant policies associated with that SDA and not this guidance (with the exception of Crofting and Community-led housing). However, the 'Requirements for All Proposals' and 'Siting and Design' Section may still be beneficial.

1.2.4 Graphic To Be Added

1.2.5 Local Place Plans (LPPs) are community led plans providing proposals for the development and use of land. The intention is that LPPs will inform and be informed by the Development Plan. While consideration will be given to the content of an LPP, promotion of housing development within an LPP may not in itself guarantee that any specific individual proposals will be supported.

2.0.1 Choosing the right site is the most important consideration and often makes the difference between a house fitting into the landscape and thus being acceptable or not. New houses are therefore expected to be carefully located to minimise their impact on the environment and where possible result in a net landscaping and biodiversity improvement. The acceptability of the development should be based on the natural constraints of the site, including topography, shelter and solar gain, as well as the proximity to local services and employment opportunities.



New houses in the Highland countryside are expected to meet the following criteria:

- Proposals should enhance the setting of any settlement;
- The local character, scenic quality, and wider landscape characteristics of the area are respected;
- Be compatible with the existing pattern of development, adjacent land uses (including working farms, forestry, or other rural industries) and does not undermine the coordinated approach to the strategic future expansion of any settlement;
- Sensitively addresses site constraints including topography; natural, built and cultural heritage features; flood risk;
- 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;
- Be compatible with existing servicing and utilities capacities, including demands on private water supplies and the environmental impacts of private drainage systems. Isolated development in very remote/inaccessible areas will be resisted to avoid placing unacceptable pressure on limited infrastructure and services, including school bus provision and refuse collection;
- Protects public views over open water;
- Demonstrates sustainable and/or ultra-low energy & impact design principles, in compliance with Section 6 'Siting and Design | Suidheachadh is Dealbhadh'; and
- Provides a safe and secure access to the public road network in accordance with the Council's [Access to Single Houses and Small Housing Developments Supplementary Guidance](#)⁽⁵⁾; any required road and junction improvements must be achievable by the applicant.

5 https://www.highland.gov.uk/downloads/file/2346/access_to_single_houses_and_small_housing_developments

Where rural areas of the Highlands come under significant pressure from the cumulative impact of housing development, the Council will prepare a capacity assessment to determine any potential for further rural housing growth within that area.

3.0.1 Scottish Planning Policy and the HwLDP recognise the importance of protecting rural areas against the unsustainable growth in car based commuting and preventing the suburbansiation of the countryside. The Moray Firth and wider Fort William areas experience the greatest pressure of this, being within easy commuting distance to Highland many settlements. To control this, a more managed approach to housing development is required, but one which still acknowledges that there is still potential for small scale housing development, based around existing housing groups, renovation and redevelopment of existing buildings and housing linked to rural business enterprises.

3.0.2 Hinterland boundaries were established under the area local development plans, and any future revisions or amendments to the their boundaries are considered as part of the relevant LDP review and are not considered as part of this supplementary guidance.

3.1 Housing Groups | Buidhnean Taigheadais

3.1.1 The Council supports new houses within existing housing groups provided proposals are consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance, and the general policies of the Highland-wide Local Development Plan.

3.1.2 "Housing group" is defined as:

- at least 3 buildings (2 of which must already be houses) that are physically detached from each other but that have a perceptible relationship with each other and share a well-defined, cohesive character.

3.1.3 "Building" means:

- a house;
- a non-residential building granted permission before April 2012 and defined as being above ground, of a scale similar to a traditional rural house, with the majority of the original walls to wallhead height and with a roof or remains of a roof.

3.1.4 “Building” **does not** include:

- an agricultural or forestry building permitted under prior notification/prior approval;
- a building whose use is restricted to holiday accommodation by planning condition/obligation or by design;
- a self-contained annex or “granny” flat (even if physically separate from the “parent” house);
- a domestic outbuilding or garage;
- a non-residential building granted permission after April 2012.

3.1.5 If you are unsure whether your proposal is within a housing group, the Council strongly recommends its pre-application advice. Information about how to submit a pre-application request can be found on the [Council's website](#)⁽⁶⁾.

3.1.6 If your proposal is within a housing group, the Council will assess the capacity and suitability for new housing development within the group. To do this the Council will consider the existing form, character and cohesiveness of the group and the level of containment provided by natural enclosure or established man-made boundaries.

6 https://www.highland.gov.uk/info/205/planning_-_policies_advice_and_service_levels/785/pre-application_advice

The Council's criteria for the acceptable expansion of a housing group are:

The proposed new house(s) **will**:

- Constitute in-fill or rounding-off of the group into a readily definable development site; **and**
- Have a positive relationship with the existing group by enhancing the cohesiveness and perceptible relationship of the buildings in the group;
- Reflects the character, spacing, scale and amenity of the buildings in the group (i.e. the new house will appear as if it was always part of the group);
- For multiple house proposals, schemes should include a mix of type, tenure and designs to provide an inclusive addition to the existing housing group.

The proposed new house(s) **must not**:

- Create uncharacteristic ribbon or linear development;
- Create an inappropriate intrusion into a previously undeveloped field or open land;
- Overwhelm the landscape setting.

No housing group will be permitted to increase in size by more than 100% of the number of houses built, under construction or with an extant planning permission as at 3 August 2011.

Design Rules for Housing Groups

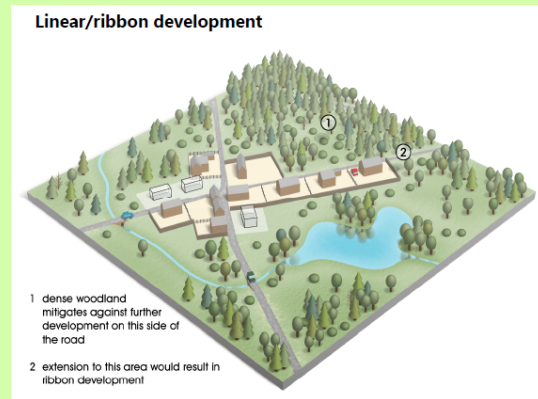
Ribbon and Linear Development

An existing feature of the countryside is small groups of houses built along road frontages. These are generally well established and consist of no more than two or three houses.

Adding to this linear form, becomes a issue when these small groups are extended along a road or landscape feature, with the result being an accumulation of houses dominating otherwise rural views and leading to sub-urbanisation and an erosion of the rural character.

Unplanned development of this type, with no natural finish point and unrelated to land use or to a traditional township pattern will not be supported.

There are areas where this form of development does represent the traditional development pattern. For example crofting townships often exhibit linear forms of settlement pattern that are traditional to the area. Over-development and coalescence of adjacent townships will not generally be supported.



Infill Housing Sites

Within a housing group the layout of the existing buildings often creates sites which may be appropriate for infill development . This will generally be supported, providing the wider siting and design criteria is adopted in the layout and design.

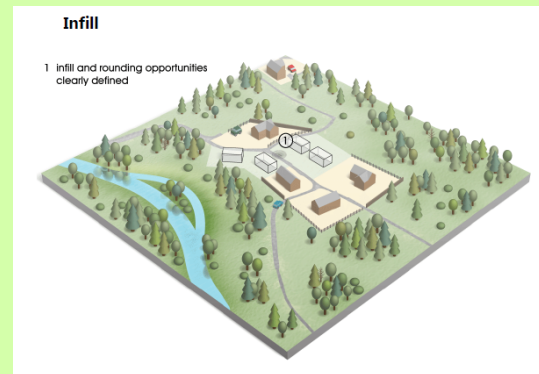


Table 1

3.2 Garden Ground | Talamh Gàrraidh

3.2.1 The Council will supports additional houses within existing garden ground, provided proposals are consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance, and the general policies of the Highland-wide Local Development Plan.

3.2.2 "Garden ground" is defined as:

- Land maintained as a domestic garden associated with an existing dwelling house. The extent of the land is clearly defined by existing boundary treatments (e.g. hedge, fence, wall etc) and ground management of the land is evident. Domestic structures (e.g. sheds, summer houses, decked seating areas etc), with paths or well-trodden routes to these structures indicating use of the land ancillary to the dwelling house, will also be defined as garden ground.

3.2.3 "Garden ground" **does not** include:

- land physically separate from a dwelling house;

- ground accommodating horses/non-domestic livestock/associated animal housing;
- ground accommodating commercial polytunnels;
- fields (whether in use for agricultural purposes or not);
- woodlands/felled woodland;
- land occupied by temporary structures (e.g. moveable play equipment, pegged out gazebos etc) unless it meets the definition above.

The Council's criteria for development within garden ground are:

- The existing garden ground must be of an adequate size to accommodate the parent property and the proposed new house (NB the garden to house ratio in a rural location is generally more generous than in an urban location);
- The proposed new house respects the scale, proportions, building line and amenity of the parent property and relate to the pattern of existing development in the surrounding area;
- Existing trees or mature landscaping that has a positive amenity and/or biodiversity impact are retained;
- All infrastructure/services should be contained within the plot associated with the proposed new house. Where this is not possible the applicant should ensure that appropriate legal agreements are in place before planning permission is granted.

3.3 Conversion, Reuse and Replacement of Traditional Buildings

| Ath-chleachdadh Thogalaichean Atharraichte agus Cur an Àite Thogalaichean Traidiseanta

3.3.1 In May 2019, the Highland Council declared a Climate & Ecological Emergency, which requires the Council to prioritise the protection of our finite resources. This includes protecting, preserving and reusing the considerable embodied energy contained within the derelict and underused building stock and vacant derelict land across the Highlands. As such, the Council prioritises the conversion and reuse of existing traditional buildings over their replacement.

3.3.2 In addition, this section of the guidance should be read alongside the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended in relation to the permitted development rights associated with the conversion of agricultural and forestry buildings.

3.3.3 The conversion and reuse of traditional buildings will be supported provided proposals are consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance, and the general policies of the Highland-wide Local Development Plan.

The Council's criteria for supporting conversion and reuse are:

- The building being substantially complete and meeting one of Section 7 'Appendix 1 - Stages of Rural Building Dereliction' and adherence with the design advice listed below
- The building is of a scale that is commensurate with a habitable building and the conversion and reuse would maintain or enhance the form, character or architectural features, design and setting of the existing building.
- New extension(s) should be high quality, and reflect the architectural expression of their own time, whilst concurrently being sympathetic to the scale, massing, architectural style and finishes of the existing building.
- For buildings included on the list of Scotland's buildings of special historical or architectural interest register (a listed building), applications will also be considered against Policy 57: Natural, Built & Cultural Heritage.

Design advice for conversion and reuse

1. Retain, preserve and enhance the maximum fabric of the existing building and its original character;
2. Make use of existing openings whenever possible and only add new opening sensitively to respect the built form.
3. Retain existing roof form.
4. New extensions to be sympathetic to the scale, massing and architectural style and finishes of the existing building.
5. New openings and extensions should be distinguishable from the original building.
6. Special care should be taken with buildings of obvious architectural distinction (churches, mills, steadings, schools and listed buildings).
7. Existing features such as lades, water wheels, louvered windows, ventilator shots, architectural details should be retained where possible.
8. The proposal complies with the detailed guidance within the 'Siting & Design' Section of this document.

Temporary buildings such as Dutch Barns and modern buildings less than 5 year old are not considered suitable for reuse or replacement.

A site Analysis should also be undertaken to establish boundaries, existing landscape shelter belts and areas used to store or dispose of waste/machinery.



The Council's criteria for complete demolition and replacement of non-residential buildings

Where a traditional building has deteriorated to such an extent that it is incapable of conversion or renovation, the Council will support its replacement where:

- The building/s meets one of Section 7 'Appendix 1 - Stages of Rural Building Dereliction'
- A Structural Report from a suitably qualified professional is submitted, with the application to demonstrate that conversion or rehabilitation cannot be achieved and the reasons why;
- The replacement respects the form and scale of the original building and/or the character of the locality;
- Existing site contours, landscaping, boundaries and access points are retained and utilised where appropriate;
- The replacement results in a significant improved building design, accommodation provision and energy performance. With the use of 'modern methods of construction', sustainable design and passive housing standards being strongly supported;
- The new house is within the curtilage of the original building, and only relocated within on the site where benefits to the landscape setting, improved biodiversity or environmental constraints are achieved;
- The doughtakings from the original building, especially natural stone and slate, are reused as part of the overall development; and
- Statutory protected buildings and structures will normally have to be retained and additionally meet the requirements of Highland-wide Local Development Plan Policy 57 (Natural, Built & Cultural Heritage).

Design advice for demolition and replacement

Where an existing building has deteriorated to a degree that it is incapable of renovation or conversion in line with the above policy criteria, its replacement may be acceptable. It should not however, be assumed that a dwelling of a size significantly larger than the original building it is replacing would automatically be accepted, nor a replacement house on a site located away from the footprint of the former building will be readily accepted. The following basic siting rules should be followed:

1. The replacement should be of a form and scale relative to the original building.
2. The replacement should not be excessive when compared to the original building.
3. The use of existing site features, boundaries and access points should be adopted..
4. Reuse of derelict building materials on site where possible.
5. The new house should be sited to maximise solar gains and protection from the prevalent weather.
6. The use of contemporary design, construction methods and materials is encouraged.
7. Remaining structures and walls could be incorporated into the new design.
8. The proposal should also comply with the detailed guidance within 'Section 6 'Siting and Design | Suidheachadh is Dealbhadh' of this document.

Given the level of detail and information required for a conversion or a replacement house to be acceptable, applicants are encouraged to submit detailed planning applications.

3.4 Replacement of an Existing House | Cur an Àite Taigh Làithreach

3.4.1 The replacement of a house which is no longer fit for modern living, will be supported providing proposals are consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance; and the general policies of the Highland-wide Local Development Plan.

The Council's criteria for the replacement of an existing house:

- The existing house is substantially complete, is currently, or has previously been used as permanent residence and meets the Section 7 'Appendix 1 - Stages of Rural Building Dereliction'
- The building is not included on the list of Scotland's buildings of special historical or architectural interest register (a listed building), of local architectural or historic merit, or within a conservation area;
- Robust evidence is provided as to why the house is no longer fit for modern living and requires wholesale demolition and replacement, rather than reuse and extension. Financial costs alone will not be an acceptable justification.
- The replacement house must result in a significant improved building design, accommodation provision and energy performance. With the use of 'modern methods of construction', sustainable design and passive housing standards being strongly supported;
- The new house must be within the curtilage of the original house, and only relocated within the site where benefits to the landscape setting, improved biodiversity or environmental constraints are achieved;
- The resultant footprint does not result in an excessive increase to that of the original house which is detrimental to the wider landscape setting; and
- The existing house is demolished as part of the development.

3.4.2 Where a habitable house is damaged or destroyed beyond repair by an external factor (i.e. fire or flood), its replacement will generally be supported. The replacement house would be expected to meet the requirements outlined in the above criteria.



Design advice for replacement of an existing house:

The following basic siting rules should be followed:

1. The replacement house should be of a form and scale relative to its original;
2. The use of existing site features, boundaries and access points should be used where appropriate;
3. The new house should be sited to maximise solar gain, protection from the prevalent weather; and avoiding areas of overshadowing

3.5 Previously Developed Land | Talamh a Chaidh a Leasachadh Roimhe

3.5.1 The Council supports the redevelopment of vacant and derelict land where a return to a natural state is not readily achievable and where a net environmental benefit can be achieved through redevelopment. Any redevelopment must be consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance; and the general policies of the Highland-wide Local Development Plan.

3.5.2 A number of vacant and derelict sites have little or no impact on the visual or environmental amenity of the area and can be left to return to a natural state over time; such sites are unlikely to be supported for development.

3.5.3 "Previously Developed Land" means;

Section 3 Housing Opportunities in Hinterland Areas | Cothroman Taigheadais taobh a-staigh na Cùl-tìre

- vacant or derelict land:
- land occupied by redundant or unused buildings.

The redevelopment of brownfield sites is supported subject to meeting the criteria below:

- The former use(s) have ceased and the land or building is no longer fit for its original purpose;
- The land has been significantly degraded by a former activity to the point where it cannot be left to naturalise without remediation or the land can no longer be used productively without significant investment;
- Reuse or demolition of any traditional buildings on the site meet the requirements of 3.3 'Conversion, Reuse and Replacement of Traditional Buildings | Ath-chleachdadh Thogalaichean Atharraichte agus Cur an Àite Thogalaichean Traidiseanta' of this guidance.
- Where the site includes redundant or unused non-traditional buildings these must warrant redevelopment by virtue of their construction. Buildings intended to have a limited lifespan (modern agricultural sheds, temporary wooden buildings and bale stores) are unlikely to be considered as brownfield sites suitable for redevelopment;
- The nature, scale and appearance of the proposal is compatible with the site, wider landscape and any adjacent land uses;
- Net environmental improvements to the landscape setting, improved biodiversity and environmental constraints through high quality redevelopment consistent with Section 6 'Siting and Design | Suidheachadh is Dealbhadh' of this guidance are achieved;
- The replacement buildings are of an exceptionally high building design, accommodation provision and energy performance. With the use of 'modern methods of construction', sustainable design and passive housing standards being strongly supported;
- Redevelopment is confined to the immediate curtilage of the site; and
- Where appropriate, provision of a contaminated land investigation and remediation plans are provided and outcomes respected, including the consideration of appropriate infrastructure and building protection.

3.6 Affordable Housing | Taigheadas Neo-chosgail

3.6.1 The Council supports the provision of rural affordable housing, to encourage the retention and regrowth of rural communities with local inhabitants and workers providing it is consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance; and the general policies of the Highland-wide Local Development Plan.

3.6.2 "Affordable Housing" is defined as housing provided by;

- A Registered Social Landlord;
- Approved private rented accommodation, managed and maintained to standards and cost equivalent to a Registered Social Landlord;
- Low Cost Owner Occupation delivered by shared ownership, shared equity, subsidised home ownership, discounted serviced plots or house sales, or unsubsidised low cost home ownership or serviced plots.

The Council's criteria for supporting new rural affordable housing:

- It meets a demonstrable local affordable housing need, as identified by the Council or one of our partner agencies; and
- The Site Selection Sequential Approach has been followed and has not identified opportunities for affordable housing development within nearby settlements.
- The new house(s) are of an exceptionally high quality building design and energy performance standard. With the use of 'modern methods of construction', sustainable design and passive housing standards being strongly supported;

3.6.3 Any proposals justified under this part of the guidance must be for entirely affordable housing. Any element of open market housing is unlikely to be supported.

3.7 Housing to Support an Existing or New Rural Business | Taigheadas airson Taic a Chur ri Gnothachas Dùthchail Ùr no Làithreach

3.7.1 The Council supports housing required for expanding and new rural businesses providing it is consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance; and the general policies of the Highland-wide Local Development Plan.

The Council's criteria for supporting housing related to an existing or new rural business, require the applicant to demonstrate that:

- The house is essential for the direct operational requirement of the existing or new rural business, which is itself appropriate to that rural location;
- The house is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise.
- There is no suitable existing house or traditional building capable of residential conversion and no appropriate sites within nearby housing groups;
- The house site has been selected in accordance with the *Site Selection Sequential Approach*.

3.7.2 Where a house is proposed for an existing or new rural business, the onerous will be upon the Applicant to demonstrate compliance with the above criteria through the submission of robust supporting information, such as an Operational Needs Assessment and/or Business Plan. These documents will be reviewed by the Council and/or the Council's appointed consultants and further information may be sought as a result of this review. Any commercially sensitive information provided should be contained in a separate annex to allow for ease of redaction.

3.7.3 If the Council is not satisfied with the viability of the business set out in the supporting information, a new house may not be supported. In this instance, the Council will indicate whether it would support an application for a non-permanent form of housing for a limited period (up to a maximum of five years).

3.7.4 The supporting information shall include:

1. Description of the current business (where applicable) including:
 - a. Operations - a description of the current operations including labour requirement;
 - b. Labour requirement - the number of current workers/where they reside (e.g. on-site, rural off-site, urban off-site)
 - c. Size of landholding - a map identifying the extent of the land holding and tenure/s of the land; To be included in the labour calculation evidence must be provided that the landholding is owned by the applicant or, if let, a formal tenancy agreement is in place for minimum period of five years; and
 - d. Infrastructure - a description of infrastructure that supports the business (e.g. buildings and equipment);
2. Description of the new business/changes to the existing business including:
 - a. Operations - a description of the proposed operations;
 - b. Labour requirement a calculation of the labour requirement for the expanded/new business. A significant proportion of the labour requirement must necessitate a full-time on-site presence.
 - c. Size of landholding - as above. Identify any additional land required and whether this has been acquired/let As per 1 above.
 - d. Infrastructure - a description of any additional infrastructure required; and
 - e. A justification in support of the new house being in a rural location.

- f. Information regarding who will reside in the house, where they reside currently (on-site, rural off-site, urban off-site) and why their current accommodation is unsuitable
- g. A detailed financial report outlining the costs associated with establishing/developing the business and the predicted profit and loss forecasts for operating the business for 5 years
- h. Confirmation as to how the business shall be funded (including evidence as to how it will be financially viable and sustainable for a period of at least 5 years. If secured lending for the business is proposed, evidence should be provided to demonstrate that this has been approved, will be sufficient to establish the business and can be repaid.

3.7.5 For agricultural businesses, the latest edition of the SAC Farm Management Handbook should be referenced to calculate labour requirements for livestock and/or crops that are existing and/or proposed and to demonstrate that the rural activity is commensurate with the size and capability of the land available. A significant proportion of the labour requirement must necessitate a full-time on-site presence. If the labour calculations fall short of one annual labour unit then justification must be provided as to why a full-time on-site presence is essential.

3.7.6 Site Selection Sequential Approach means:

1. In areas within close proximity to large centres of population (e.g. up to a 5 minute drive) details should be provided to demonstrate why existing housing options have been discounted as unsuitable
2. Details of any historic and extant planning approvals for housing on the applicant land holding;
3. There are no buildings or brownfield sites on the land holding which lend themselves to conversion or redevelopment;

4. There are no opportunities for infill or rounding off of existing housing groups and/or farm buildings;
5. A suitable site is selected based on limiting landscape and visual impact and taking into account amenity considerations.

3.7.7 If the Council considers a sequentially preferable site is available or if there are historic approvals for new housing (including on the grounds of a rural business justification) on the land holding any new application is unlikely to be supported.

Tourism Accommodation in the Countryside

3.7.8 The Council recognises the significant contribution that the tourism sector makes to the Highland economy and is supportive of proposals which result in increased length of visitor stay/spend and promotes a wider spread of visitors, provided it is consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile' the guidance below; and the general policies of the Highland-wide Local Development Plan including siting and design considerations.

3.7.9 "*Tourism Accommodation*" is defined as

- A premises which is generally unsuitable for permanent residential use, by the virtue of its design, site layout, plot separation and the shared use of communal facilities (including, laundry facilities, parking and refuse collection points).
- A building which has its permitted development rights removed or planning conditions attached restricting its permanent habitation or the creation of private garden grounds.

3.7.10 Should the proposed accommodation be suitable for permanent residential occupation, it will be treated as a residential house and will need to meet one of the other criteria for housing within the hinterland area to be supported.

The Council's criteria to support small scale tourist accommodation developments in the countryside are:

- The premises complies with the above *Tourist Accommodation* definition;
- Evidence is provided to demonstrate how the business is to be funded and how it will be financially viable and sustainable for a period of at least 5 years;
- A Site Selection Report (incorporating a plan of the applicant's land holding) demonstrates that the site has been selected in accordance with the *Site Selection Sequential Approach*.

The Council's criteria to support Manager/staff accommodation related to larger scale tourist accommodation developments are:

- Demonstrate that manager/staff accommodation is essential;
- The house is located on-site or in very close proximity to the tourist accommodation;
- A Site Selection Report demonstrates that the *Site Selection Sequential Approach* has been followed.

3.7.1 Where tourism accommodation is supported, planning conditions will be used to ensure it is not used as a permanent dwelling and/or the associated tourism accommodation is completed prior to the manager/staff accommodation house being occupied.

3.8 Housing to Support a Retiring Land Manager | Taigheadas airson taic a chur ri Manaidsear Fearainn a' leigeil dhiubh an dreuchd

3.8.1 The Council will support a new house for a retiring farmer, their spouse; or for a person retiring from a rural business ("The Land Manager"), on the proviso that the house is on land managed by them for at least the previous ten years and providing it is consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance; and the general policies of the Highland-wide Local Development Plan.

The Council's criteria for supporting a new house for a retiring Land Manager are:

- Written evidence is submitted from a recognised professional, confirming that the Land Manager has managed the land for a period of at least ten years and intends to retire;
- Demonstrate that an ongoing full time on site presence is required to continue the operation of the existing business;
- Details of what will happen to the Land Manager's existing residential accommodation; and
- A Site Selection Report demonstrates that the *Site Selection Sequential Approach* has been followed.

3.8.2 The Council will only support one application for a house for a retiring Land Manager on a land holding within the Local Development Plan period. Given the reason for the house, it is expected that a detailed application shall be submitted.



4.0.1 Across much of Highlands, our rural communities have suffered depopulation brought about by the loss of housing affordable available for local workers and residents. In addition, many of these communities have been abandoned by the volume housebuilders and are instead served by a mix of smaller housebuilders and an emerging trend of community housing schemes.

4.0.2 Community housing schemes include a diverse range of solutions including; co-housing schemes, community-led schemes and rural groupings. These types of developments often deliver a welcome mix of house designs and provide accommodation for a range of occupants across a range of income thresholds. Community led schemes also have the ability to introduce burdens on the property titles to retain the homes in local ownership, a option currently unavailable to the planning authority and one which the Council is keen to support. As such, providing proposals are consistent with Section 2 'Requirements for all Proposals | Riatanasan airson Molaidhean uile', the following guidance, and the general policies of the Highland-wide Local Development Plan community-led housing schemes will generally be supported.

Within Growing Settlements

The Council's criteria for supporting Community-Led Housing within Growing Settlements are:

- The Community Housing Trust proposing the scheme will be required to demonstrate that they have a robust and sustainable business model in place recognised by an appropriate body, which includes future succession planning/long-term management.
- Community housing schemes should include a mixed tenure of owner occupation, shared ownership, mid-market and social rent;
- The new houses are of an exceptionally high-quality building design and energy performance standard. With the use of 'modern methods of construction', sustainable design and passive housing standards being strongly supported;
- At least 75% of the properties to include burdens on the property titles to retain the homes in local ownership and be recognised as 'affordable' as per the definition for 'affordable housing' in 3.6 'Affordable Housing | Taigheadas Neo-chosgail' Section above

Wider Countryside

The Council's criteria for supporting Community-Led Housing within the Wider Countryside are:

- Satisfies the requirements for Community-Led Housing in Growing Settlements;
- Proposal assessed with regards to the extent they will help support communities in maintaining their population and services by helping to re-populate communities and strengthen services in compliance with Policy 36 of the HwLDP.

Hinterland

The Council's criteria for supporting Community-Led Housing within the Hinterland are:

- Satisfies the requirements for Community-Led Housing in Growing Settlements and the Wider Countryside;
- It meets a demonstrable local affordable housing need, as identified by the Council or one of our partner agencies (including Communities Housing Trust);
- A Site Selection Sequential Approach has been followed, which has not identified opportunities for community housing development within nearby SDA's or Growing Settlements.
- All the properties must include burdens on the property titles to retain the homes in local ownership and be recognised as 'affordable' as per the definition for 'affordable housing' in 3.6 'Affordable Housing | Taigheadas Neo-chosgail' Section above

4.0.3 Community Crofting (including Woodland Crofts) schemes will also be required to conform to the criteria outlined in the Section 5 'Housing to Support Crofting | Taigheadas airson Taic a Chur ri Croitearachd' Section.



5.0.1 Crofting is an integral part of life and the landscape of Highland. It can deliver a wealth of benefits to crofters and wider communities. For these reasons the Council recognises that there is a genuine need to promote and support crofting communities and activities (including the creation of Woodland Crofts). However, we must also ensure that crofting-related development does not conflict with the Council's other policies and objectives or result in unsustainable development, particularly in our hinterland areas.

5.0.2 The identification of an appropriate location for a new croft house must examine traditional crofting related buildings 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. We will support proposals that maintain the the local traditional pattern of croft development and are not prejudicial to the running of the crofts; result in the loss of locally important croft land; or impede the use of remaining croft land by virtue of its location. The potential for new housing related to crofting must also meet the criteria set out in HwLDP Policy 47: Safeguarding Inbye/Apportioned Croftland, where appropriate Policy 48: New/Extended Crofting Townships, and all other relevant policies.

Within Settlement Development Areas and Growing Settlements

5.0.3 We appreciate that many of our more rural settlements may contain crofts and crofting land within their boundaries which form a key part of the settlement pattern and character. While we support proposals in these settlements we will also judge them in terms of how compatible they are with the existing pattern of development and landscape character and how they conform with existing land uses.

The Council's criteria for supporting a new (croft) house within an SDA are set out in Policy 34 of the HwLDP and within a Growing Settlement are set out within Policy 3 of the relevant Area LDP.

Wider Countryside

5.0.4 Proposals should 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 or impeding the use of the remaining croft land by virtue of its location.

The Council's criteria for supporting a new croft house within the Wider Countryside are set out in HwLDP Policy 36.

Hinterland Areas

5.0.5 The potential for new housing relate to crofting is restricted to new crofting townships, or significant extensions to existing crofting townships and meet the criteria set out in HwLDP Policy 48:New/Extended Crofting Townships. Proposals for single crofts/croft houses will be considered in line with the criteria for Housing to Support an Existing or New Rural Business in Section 3.7.

5.0.6 For the avoidance of doubt, proposals for new houses on croft land that are not related to crofting will require to meet with at least one of the other exceptions outlined and are not prejudicial to the running of the crofts; result in the loss of locally important croft land; or impede the use of remaining croft land by virtue of its location.

Supporting Information

The following information must be submitted with a formal application for a croft house or a house on croft land:

- Croft registration information including: reference number(s); size of croft; access to common grazing or woodland;
- Information on the croft land quality and how this has influenced the siting of the proposed house;
- A *Business Plan* and/or a *Woodland Management Plan* where relevant;
- A *Masterplan* for the entire development area for new or significantly extended crofting townships

5.0.7 Community Crofting (including Woodland Crofts) schemes will also be required to conform to the criteria outlined in the Section 4 'Community-Led Housing | Taigheadas fo Stiùir Coimhearsnachd' Section.

5.1 Woodland Crofts | Croitean Coille

5.1.1 The establishment of Woodland Crofts is an emerging land-use across Highlands and one the Council is keen to support.

The following information must be submitted with a formal planning application for the creation of a new Woodland Croft Township:

- Business Plan, setting out how the Community will control/manage the woodland crofts (including intended tenancy conditions). There will be no expectation of a full time income from operating the croft
- Masterplan for the entire development area, outlining the siting, density and layout and associated infrastructure and services.
- Woodland Management Plan to UK Forestry Standard (covering the whole area, not individual crofts)
- Ecological Reports (Bird, Squirrels, Bats & Badger)

5.1.2 If large areas of existing woodlands are to be felled an EIA may be required and further advice from the Council Planning Section should be sought.

6.1 Introduction

6.1.1 The erection of a new house within the countryside is a permanent feature that will affect the landscape and character well beyond the life of the developer. The Council therefore considers that this offers an opportunity to achieve exceptional innovative and ecologically sustainable design, and good siting and finish for all new residential developments. This guidance has not been developed to provide a list of acceptable designs or locations, nor will the Council expect every criteria to be satisfied; instead it provides a guide of important considerations which should be studied and utilised as necessary to achieve a fitting development and is relevant to all rural housing regardless of location.

6.1.2 The guidance is split into four categories:

1. Site Selection - Choosing the right site in the landscape, often dictates the success of the project.
2. Site Layout - The placing of the built development, infrastructure and landscaping within the chosen site.
3. Design Material Selection - The individual design characteristics of the buildings.
4. Building Detailing - The finer design aspect which can improve the overall building design.

6.2 Site Selection

6.2.1 Finding a good site takes time, patience and a great deal of consideration. The guidance below provides advice to assist applicants in choosing the right site, the advice is relevant to both houses located in the hinterland and wider countryside areas of Highland.

6.2.2 Highland landform is not uniform and extends from seaward Coastal areas right up to wild-land mountain ranges, corollary there is not a 'one solution fit all' approach to the identification of rural housing sites. Applicants should instead identify the main characteristics of the particular location and ensure the following considerations are taken into account:

Elevated or Exposed sites:

6.2.3 Modern building techniques allow houses to be built on almost any site, regardless of the surrounding physical landscape. This allows houses to be built on skyline locations or artificially elevated sites, resulting in the natural contours of the landscape being irrelevant to the construction of the building and thus often making them unduly prominent. Significant under-building further increases the visible mass of a building, contributing to its dominating detrimental effect.

Access & Servicing:

6.2.4 The provision of road access to and within the site and areas for car turning and parking often involves leveling, cutting and/or mounding, which can have as much impact as the house itself and, as such, full details should be included.

Biodiversity Impacts:

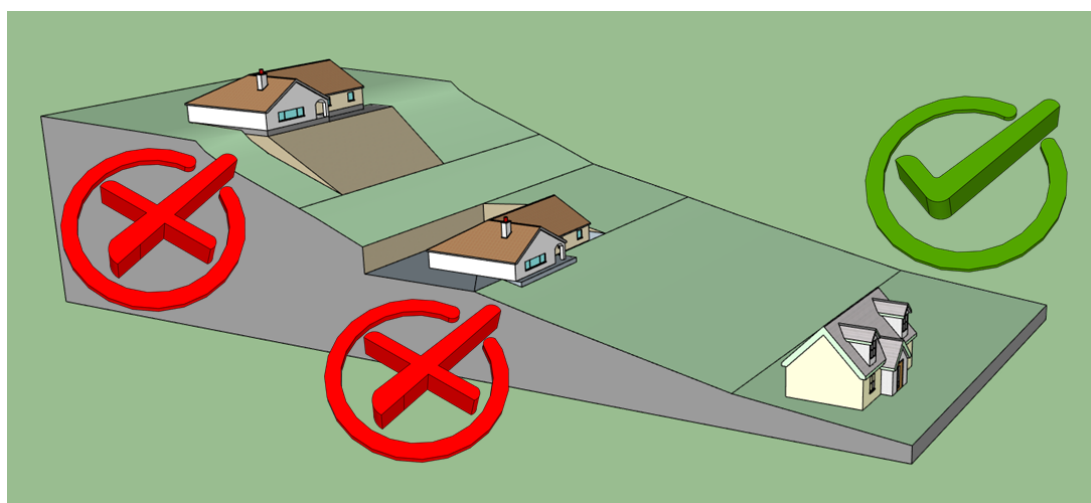
6.2.5 Rural sites provide feeding and living habitats for a large number of wildlife species and important habits for bio-diversity assets, the majority of which are offered a degree of protection under UK and European legislation. A full landscape and habitat impact review should be undertaken at an early stage to ascertain any likely negative impacts on biodiversity interests and mitigation proposed.

Site Prominence:

6.2.6 Housing positioned adjacent to main roads and tourist routes will be highly visible and therefore careful consideration need to be given to these types of sites, Sites in open fields devoid of any landscaping either within or bordering the site will lack natural enclosure and often results in obtrusive developments.

Development on Sloping Ground:

6.2.7 Housing on sloping ground should carefully consider the most appropriate location for the new house, to avoid the need for significant earthworks, whether mounding or cutting. The use of split levels designs can avoid the need for engineered solutions.



Picture 6.1 Building on a Slope

Design Rules for Building on a Slope:

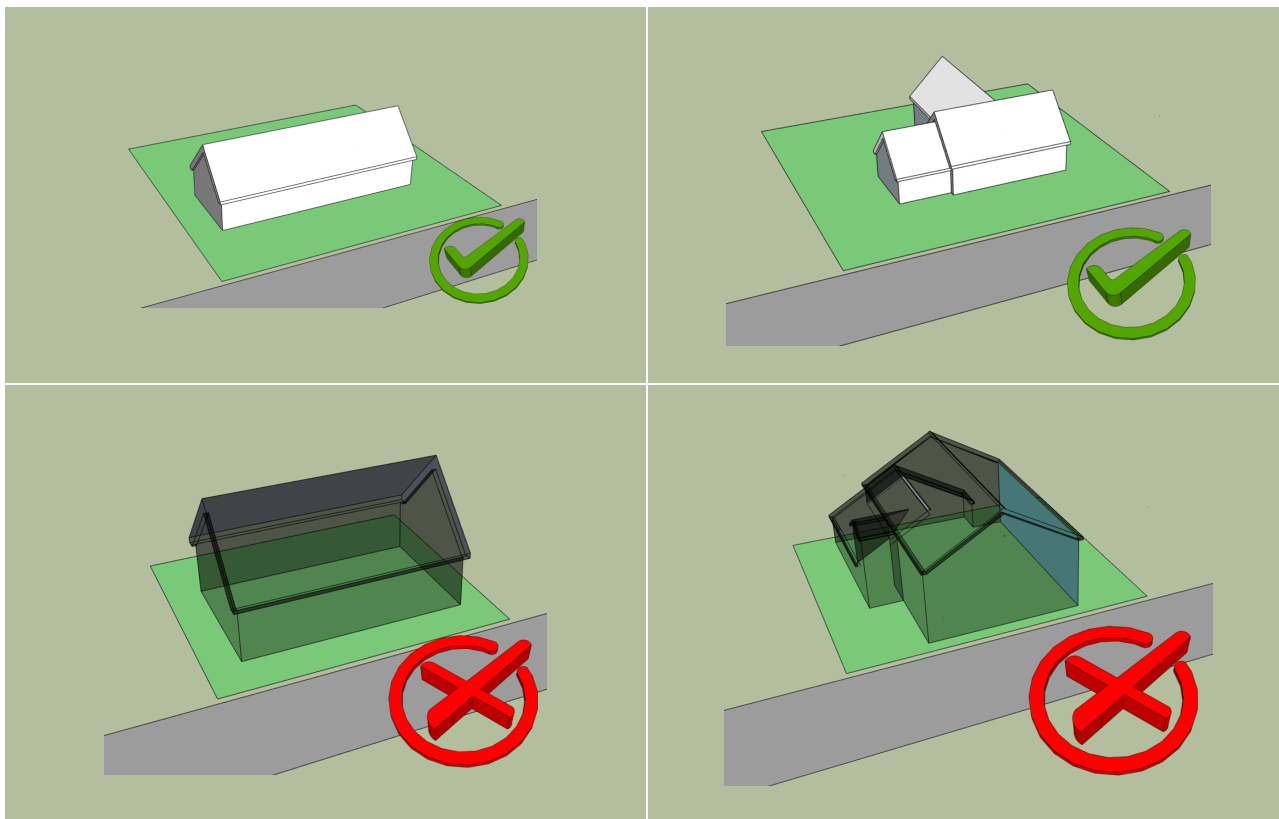
1. Avoid building on a skyline;
2. Avoid engineered 'platforms' or underbuilding to form a level site;
3. Avoid forming excessive 'cuts' into the landscape;
4. Avoid areas at risk of flooding;
5. Seek a naturally flat site;
6. Orientate the buildings with the contours to integrate the building into the setting;
7. Use split level buildings to work with the slope; and
8. Retain existing landscape for enclosure and backdrop.

6.3 Site Layout

6.3.1 Having selected the right site, it is then important to consider the most appropriate location to position the house on the parcel of ground, its orientation to both neighbouring uses and environmental constraints, the protection of existing landscaping and boundaries and the point of access/egress onto the site.

Plot Size

6.3.2 Rural buildings have traditionally enjoyed spacious grounds in comparison with urban sites. However, modern accommodation needs, construction techniques and increased wealth, has resulted in rural housing increasing in size over the traditionally scale of rural properties. Nevertheless, the spirit of spacious grounds should be upheld to retain the very character of the countryside. The plot size should also respect that of any residential neighbours and complement the local house to plot ratio.



Using Landform & Environmental Features:

6.3.3 The prevailing wind is from the south-west across much of Highlands and therefore developments on northern slopes often results in colder and damp sites which lack sunlight in the winter months. Low lying hollows in rural landscapes can be 'frost hollows' and ground at the base of a slope adjacent to watercourses can be marshy, both of which results in cold unattractive sites, which are difficult to develop. Southerly facing sites benefit from solar gains and deciduous tree crops to the south of the house offers shelter from the weather in the winter and shading in the summer.

Impact on Neighbouring Properties

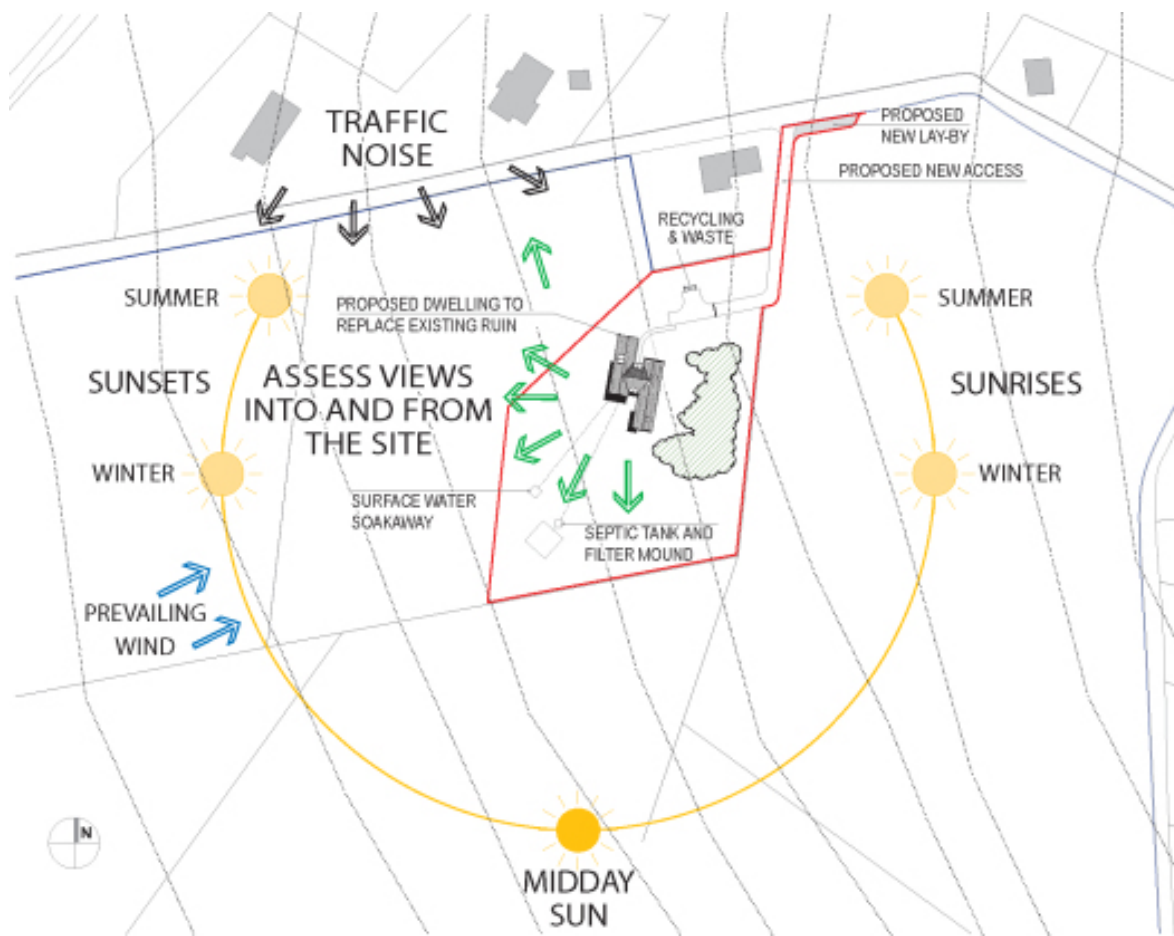
6.3.4 Proposals adjacent to or in close proximity to existing housing group or within garden ground will require the new house siting not to detract from the character and setting of the existing buildings or their surrounding area.

6.3.5 New buildings can often integrate with an existing housing group where careful attention is paid to layout, built form, building lines and landscaping taking account and incorporating the characteristics of neighbouring traditional properties.

Sustainable Design

6.3.6 In 2019, the Highland Council declared a Climate and Ecological Emergency through which it is promoting positive change and resource efficient planning. New housing plays an important part of this work and rural sites should reflect existing building patterns that have developed over time to take account of local climatic considerations, with more isolated sites observing how to best utilise a site in respect of weather patterns.

6.3.7 Houses should be designed and sited to maximise solar gains and shelter from the prevailing weather. It is also important to consider protection from 'overheating' from solar gains during the summer months, either with the use of native planting, landscape or man-made features. However, siting for solar gains does not negate the need to ensure compatibility with any the established settlement pattern or result in an overly prominent building in the landscape.



Site Assessment ©Highland Council

6.3.8 The discharge of surface water back into the natural water cycle is critical in rural areas to avoid onsite and offsite flooding. The use of permeable surface materials to accesses & parking areas will be expected.

6.3.9 Rainwater harvesting systems also reduce water demand and will be supported providing they are suitably engineered.

6.3.10 The use of renewable technologies such as solar panels, ground and air source heat pumps, and passive heating are now common place. Whilst the use of these technologies are strongly supported, consideration is required as to the most appropriate location of these to be sympathetic to the new building and avoid any conflict within neighbouring uses.

6.3.1 Due to the growth of recycling, most households now have to accommodate a number of refuse bins. As part of the site layout consideration should be given to the storage of these within the site and siting for collection purposes. These areas should be clearly annotated on the submitted documentation.

Safeguarding and Enhancing Nature

Invasive non-native Species (INNS)

6.3.12 Invasive Non-Native Species (INNS) are any non-native animal or plant that has the ability to spread causing damage to the environment, the economy, our health or the way we live. It is illegal to release, plant or allow to spread any invasive non-native species into the wild. In Scotland, four invasive plants cause the most damage:

- [rhododendron](#) (*Rhododendron ponticum*)
- [Japanese knotweed](#) (*Fallopia japonica*)
- [giant hogweed](#) (*Heracleum mantegazzianum*)
- [Himalayan balsam](#) (*Impatiens glandulifera*)

6.3.13 As such, a precautionary approach is required to be adopted, this requires every applicant and developer to undertake appropriate due diligence and carry out a risk assessment to determine if an INNS is present on site and if the works proposed might lead to the planting or spreading of a INNS. It is therefore recommended that you seek advice from an expert at an early stage. More information about the control and containment of INNS can be found in the Wildlife and Countryside Act 1981 and at: www.scotland.gov.uk/nonnativespecies. This Code contains some good practice guidance and this is designed to help you to take reasonable steps and exercise due diligence.

Wetlands Habitat Creation

6.3.14 Well-designed ponds and wetlands areas can provide valuable habitat for a rich diversity of plants and animals, including amphibians, birds, fish, insects and mammals and, as such, the Council will support their inclusion in any rural housing scheme. Moreover, their integration with SUDs schemes can often help in returning rainwater back into the natural water cycle sustainably and efficiently.

Food Growing

6.3.15 In recent years the UK has seen the resurgence in self sufficiency which has in turn led to a dramatic growth in private fruit and vegetable growing. There are many benefits to this phenomenon, including; sustainable food supply and consumption, improved physical and mental health and wellbeing, learning new skills, reducing food waste and carbon emissions associated with growing, transporting and selling food and enhancing the quality of the environment, as such the Council is keen to support this growth. Consequently, the inclusion of a fruit and vegetable growing area (including greenhouses and polytunnels) as part of any planting scheme will be strongly supported by the Council.

Hedgerow & Wildflower Meadow Protection and Enhancement

6.3.16 Hedgerows form a valuable habitat for biodiversity and strengthen habitat corridors, particularly within more intensive arable and grassland landscapes where the habitat network may be very weak, but since the end of the second world war the UK has lost approximately half of its hedgerows. Moreover, the use of hedgerows have been shown to improve air quality (<https://www.rhs.org.uk/science/articles/super-cotoneaster>). Therefore the Council strongly supports hedgerow retention and replacement/establishment, where proportionate species are used. The guide [Trees and Shrubs Native to Scotland](#) shows the range of native trees and shrubs approved by Scottish Natural Heritage for planting in the wild in Scotland and should be read in conjunction with the booklet [Hedgerow Planting: Answers to 18 Common Questions](#), which provides a useful introduction to hedge planting.

6.3.17 Highland historically had an abundance of meadows bursting with a variety of flowering plants, supporting butterflies, insects, farmland birds and other wildlife. But since the 1930s, we have lost over 99% of what are called 'unimproved grasslands', and those that are left are fragmented. As most rural housing sites have large plots, the creation of a native wildflower meadow as part of any planting scheme will be strongly supported by the Council.

Nesting Boxes

6.3.18 There is a shortage of natural nesting sites for birds and this has played a part in their decline across the UK's. Therefore the additional of nesting boxes and nesting bricks within any developments offer enhanced nesting opportunities for birds, as such their inclusion is strongly supported.

Carbon Rich Soils

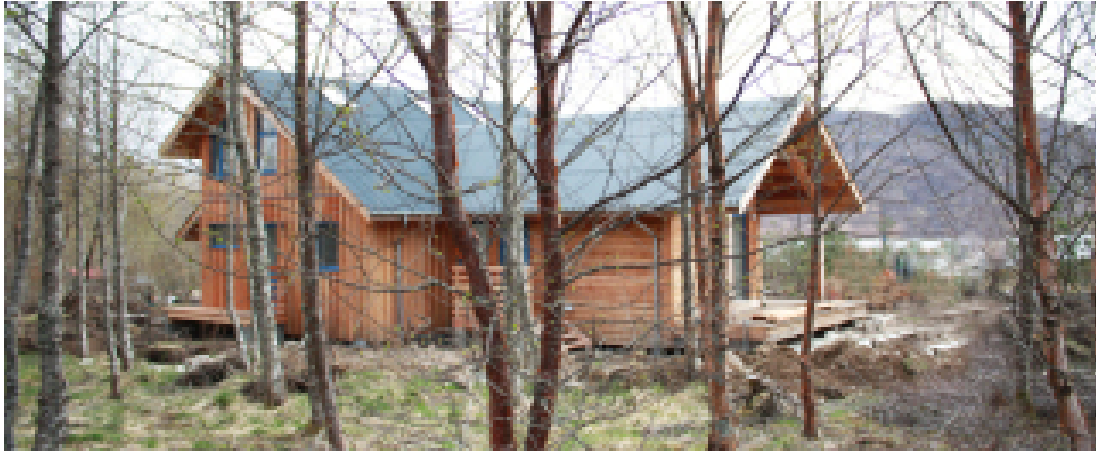
6.3.19 HwLDP Policy 55 (Peat & Solis) should be respected, with all built development sited to avoid unacceptable disturbance, degradation or erosion of peat and carbon rich soils.

Trees & Woodland

6.3.20 Retained trees/ woodland and new planting can significantly help to integrate a new house into the rural landscape. Carefully sited houses can be located in reasonably close proximity to woodlands or shelter belt of trees to provide weather protection to the house. These locations can offer the house an immediate enclosure, backdrop and screening from wider views. Existing tree cover and new landscape planting should therefore be fully considered at the outset and the planting selection should be appropriate to the locale and size of the development.

6.3.21 Existing trees and woodlands on or adjacent to a site should be retained and protected, and details of such should be included with the proposal from the outset, including protection of the root protection area of retained trees.

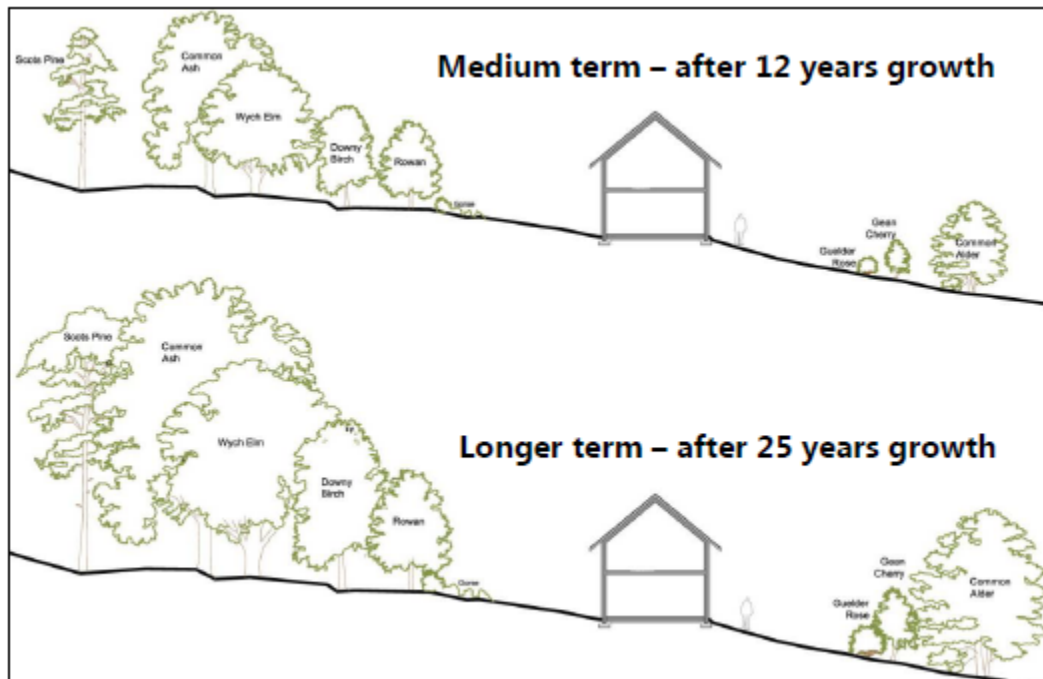
6.3.22 More information on landscaping protection is provided within the Council Supplementary Guidance: [Trees, Woodlands and Development](#)



Protection of Trees ©Highland Council

6.3.23 A mix of native species with varying canopy covers and growth rates can ensure that the house remains integrated in the landscape over the year and its lifespan, as faster growing trees with shorter life spans, are replaced over time with slower growing trees with longer life spans.

6.3.24 The potential size of any tree should also be fully considered when proposing and undertaking planting and species selected on the basis of their future growth potential and impact in the medium and longer term. The diagram below 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.



Tress and Development ©Highland Council

6.3.25 The following criteria should be followed when considering site landscaping:

- Ensure all planting/fencing is clear of visibility splays from access points.
- Consideration needs to be given to the falling distance of existing and newly planted trees in relation to habitable buildings;
- Retain, incorporate and sensitively add to any existing landscape features. Setting a building against an existing backdrop 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. In certain circumstances the planting of non-native species may be acceptable.

6.3.26 Existing landscaping on or adjacent to a site should be maintained and protected wherever possible and details of such should be included with the proposal from the outset, including consideration to protect the root area of retained landscaping.

6.4 Design & Materials

6.4.1 Historically, the local climate and availability of local materials have influenced the traditional design and forms of rural homes. As materials supply has become standardised, coupled with the growth of Kit House Companies, house design has become homogeneous. The Council are however, committed to promoting distinctive and responsive developments which relative to their local setting.



The traditional Highland building form can be characterised as follows:

- 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.

6.4.2 With a tendency against:

- Complex and delicate forms;
- Fussy detailing; and
- Ornamentation.

Scale

6.4.3 Scale is the comparison of the size and proportions of one object to those of another. It is important that buildings are appropriately scaled to both their landscape setting and plot size, but also to any surrounding buildings.

Massing

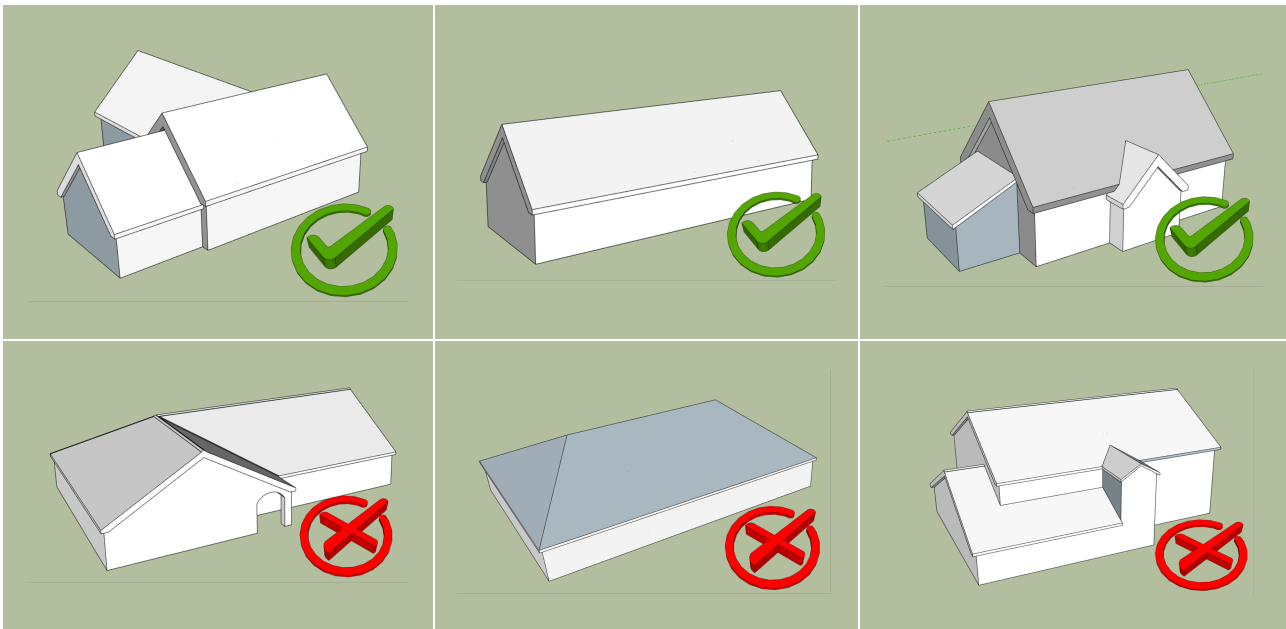
6.4.4 Many of the newer one and a half storey kit houses have been designed to imitate the proportions of a traditional house - e.g. symmetrical, 1 ½ storeys, dormer windows, traditional style porch and vertical windows. However, modern living standards result in much larger footprints than were traditionally built. This results in houses with wide gables, large roofs and dormers which look out of place when viewed alongside their smaller traditional neighbours.

6.4.5 To overcome this, and produce a more successful and realistic replica of the traditional house, whilst allowing for the larger floor area, it is often better to break larger buildings into smaller elements. This can be achieved with the use of:

- A central single or one and a half storey core;

Section 6 Siting and Design | Suidheachadh is Dealbhadh

- Single storey projecting porches which are considered traditional features of many rural houses and perform a variety of functions including reducing draughts, shoe, boot, coat, bag and pram storage;
- Subservient sunrooms and conservatories extensions to the side and rear elevations – these should be sited to benefit from natural daylighting and solar gains;
- Single storey buildings can be arranged in the same way as typical farm steadings and outbuildings which would result in a smaller mass and a lower building, better able to nestle into the landscape.



House Design & Plot Layout

Walls	Roofs
<p>Within Highland, a fairly limited number of external wall finishes was historically used, including; natural stonework (coursed in different ways, from random/coursed rubble</p>	<p>Highland roofs tend to be steep, with slopes between 40° - 50°, as steeper pitches are less prone to letting wind-driven rain or snow into the roof space and water quickly drains down the slope, making it less likely to ingress. Given</p>

walling to dressed ashlar), wet dash renders, harl and timber cladding. Colouration of the finish should reflect the locality.

New houses will generally be expected to conform to and complement these traditional materials. Modern contemporary materials will be supported where justification for their use is provided.

Corner quoins, overly decorative basecourses and heavy window detailing are not considered to be a traditional element of rural housing and, as such, will be discouraged.

this, the use of low pitch, flat, hipped and mansard roofs will strongly be resisted as these are non-traditional rural building features.

Where multiple roofs are proposed (dormers and projecting extensions) as far is reasonable practical, all roofs should respect the pitch of the principal section.

Natural slate, corrugated iron, thatch, turf, timber shingles, lead and stone slabs are all traditional roof materials. The use of modern alternatives (roofing tiles, zinc, metals) should be justified in its approach.



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Garages and Outbuildings

Detached garages and outbuilding are common features of traditional rural plots and are often sited to offer a degree of protection to the main house. They are normally subservient in nature and are sited behind the front building line of the house, to the side or rear; achieving a natural reduction of the dominance of the car.

Their design should respect the main house in terms of proportions and roof pitches – flat roofed garages will generally not be supported.

Material finish should generally reflect the main house or use of traditional materials

Parking

Parking should be positioned to screen it from public view either to the side or rear of the main house.

Parking provision should be sufficient and meet the Council Standards - Council Supplementary Guidance: [Access to Single Houses and Small Housing Developments](#)⁽¹⁾

A turning area should be provided to allow entry and exit of the site in a forward gear.

Surface finish should avoid hard surfaces and instead use permeable, locally sourced materials.



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Access

New rural developments offer the opportunity to develop creative solutions to securing a safe and suitable access.

1. The use of existing access points is preferred, but may require additional improvements to improve visibility splays.
2. Where a service bay is required avoid using concrete kerbing. Overly defined bays look out of place in a rural landscape.
3. Entrances should avoid being overly elaborate or engineered and should use

Boundaries

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.

suitable materials that link to wider boundary treatments.

Further guidance on rural accesses is contained within the Council Supplementary Guidance: [Access to Single Houses and Small Housing Developments](#)⁽²⁾

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 repair existing landscape features such as stone walls and hedges;
- Avoid concrete, rendered walls, timber ranch style/panel fencing or hedges of a non-native species. Wooden fences should be left in a naturally coloured state;
- Down takings from derelict buildings within the site can often be incorporated in boundary treatments, e.g. creation of stone boundary walls;
- Use a consistent boundary treatment alongside roads.



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1. https://www.highland.gov.uk/directory_record/712043/access_to_housing_developments
2. https://www.highland.gov.uk/directory_record/712043/access_to_housing_developments

6.5 Building Detailing

6.5.1 The finer detail of any building can significantly aid its integration into its setting and, as such, getting these details right is fundamentally important in ensuring the success of new developments. The following table outlines important considerations which should be taken into consideration with new schemes.

Windows and Doors	Lighting
<ul style="list-style-type: none">• Windows to have a vertical emphasis• Windows & Doors to be recessed back from the face of the building to offer protection from the elements.	Light Pollution significantly affects the rural countryside, from disturbing the way animals and plants perceive daytime and nighttime to

- Large glazed gables on exposed or elevated sites will generally not be supported due to light pollution and their reflective nature across the landscape.
- Ground floor bay window arrangements are not traditional in the countryside and will therefore be resisted.
- Dormer windows should respect the symmetry of the property and be as far as practical located directly above ground floor openings.
- The use of timber windows and doors is preferred.

making developments visible across wide areas. The following points can significantly reduce the effects of light pollution:

- Use of LED lighting to provide a focused area of illumination
- External lighting should be controlled by PIR sensors and angled in a downward direction.



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Eaves and Verges

Overhanging eaves and projecting verges are part of the traditional rural architecture and will be encouraged where they follow the surrounding traditional design characteristics.


Gables and chimneys

- Chimneys stacks should normally be located on gable ends and breach the roof slope close to the ridgeline to avoid long slender stacks exposed to the weather. This is not applicable to Multi Flue Stoves Flues.
- Skew tabling is widely used to offer edge protection to roofs within the rural setting and there inclusion is generally supported.



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Section 7 Appendix 1 - Stages of Rural Building Dereliction

Description of Decay	Photo/Diagram	HwLDP Hinterland Policy Consideration
Stage 1: Building in Active Use		
<p>Building in regular use and is actively maintained, with no major structural defects, or evidence of any decay.</p>		<p>The Council supports the retention of existing buildings in active use and would only support their replacement where net environmental, locational or character improvements can be achieved.</p>
<p>All windows and doors secure and rainwater goods working effectively. Internal rooms are habitable and services are connected.</p>	<p>©Highland Council</p>	<p>The extension and alteration of existing building will generally be supported, where the proposal is sympathetic to the design & character of the original building and does not impact on the amenity and privacy of any adjacent users.</p>
<p>Garden ground well maintained and boundaries secure.</p>		
Stage 2: Unused Wind & Water tight Building		
<p>Disused building which is still secure, wind and water tight.</p>		<p>Policy 35 (Housing in the Countryside (Hinterland Areas)) supports the reuse of</p>
<p>Doors & windows in place; although could be boarded up for security purposes.</p>		

Section 7 Appendix 1 - Stages of Rural Building Dereliction

Garden ground unkempt and boundary treatment beginning to fail.

traditional buildings which make a positive contribution to the landscape setting.

Stage 3: Complete Building in early state of failure

Where a building's main structure is substantially complete, albeit in a dilapidated or derelict state.

Easy access for vandalism, theft, water ingress, or animals' infestation.

Garden ground and boundaries indistinguishable from surrounding landscape.

Substantially complete traditional vernacular buildings should be sensitively renovated, converted and/or extended rather than wholesale demolition and replacement.

If it is demonstrated that the building is unfit for rehabilitation, the Council will consider demolition and replacement of the existing building with a new house in line with the criteria outlined in Conversion/Reuse section of this guidance



©HES

Stage 4: Building Shell

Section 7 Appendix 1 - Stages of Rural Building Dereliction

Building walls remains standing to at least ground floor wall head height. The former use is still clearly evident.

Loss of roof structure or partial collapse of one gable without affecting integrity of built form.

Decay and failure occurring rapidly. Planting beginning to take hold, including at wallheads and within the structure.



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Table 2 Stages of Rural Building Dereliction

Section 8 Appendix 2 - Supporting Information to Accompany a Planning Application

Hinterland Housing Exception	Supporting Information Required to Accompany a Planning Application
Housing Groups:	<ul style="list-style-type: none"> ✓ Plans and illustrations clearly identifying the existing housing group, including its characteristics and boundary extent. ✓ Details demonstrating how the new development respects the character, layout and building pattern of the housing group.
Garden Ground:	<ul style="list-style-type: none"> ✓ Details of the existing site boundaries and extent of formal garden ground. ✓ Details of the scale and proportions of the 'parent property'. ✓ Applications for detailed planning permission are preferred.
Conversion & Reuse of Traditional Buildings:	<ul style="list-style-type: none"> ✓ Evidence that the building is substantially complete and meets one of the 'Stages of Rural Building Dereliction'. ✓ Drawings and details of the unaltered structure. ✓ Site Analysis demonstrating established boundaries, existing landscape and historic land-uses. ✓ Appropriate Contaminated Land Investigation and Remediation Plan (where required). ✓ Applications for detailed planning permission are preferred.
Demolition & Replacement of Traditional Buildings:	<ul style="list-style-type: none"> ✓ Evidence that the building is substantially complete and meets one of the 'Stages of Rural Building Dereliction'. ✓ Structural Report from a suitably qualified professional demonstrating that conversion or rehabilitation cannot be achieved and the justification why. ✓ Drawings and details of the structure(s) to be demolished.

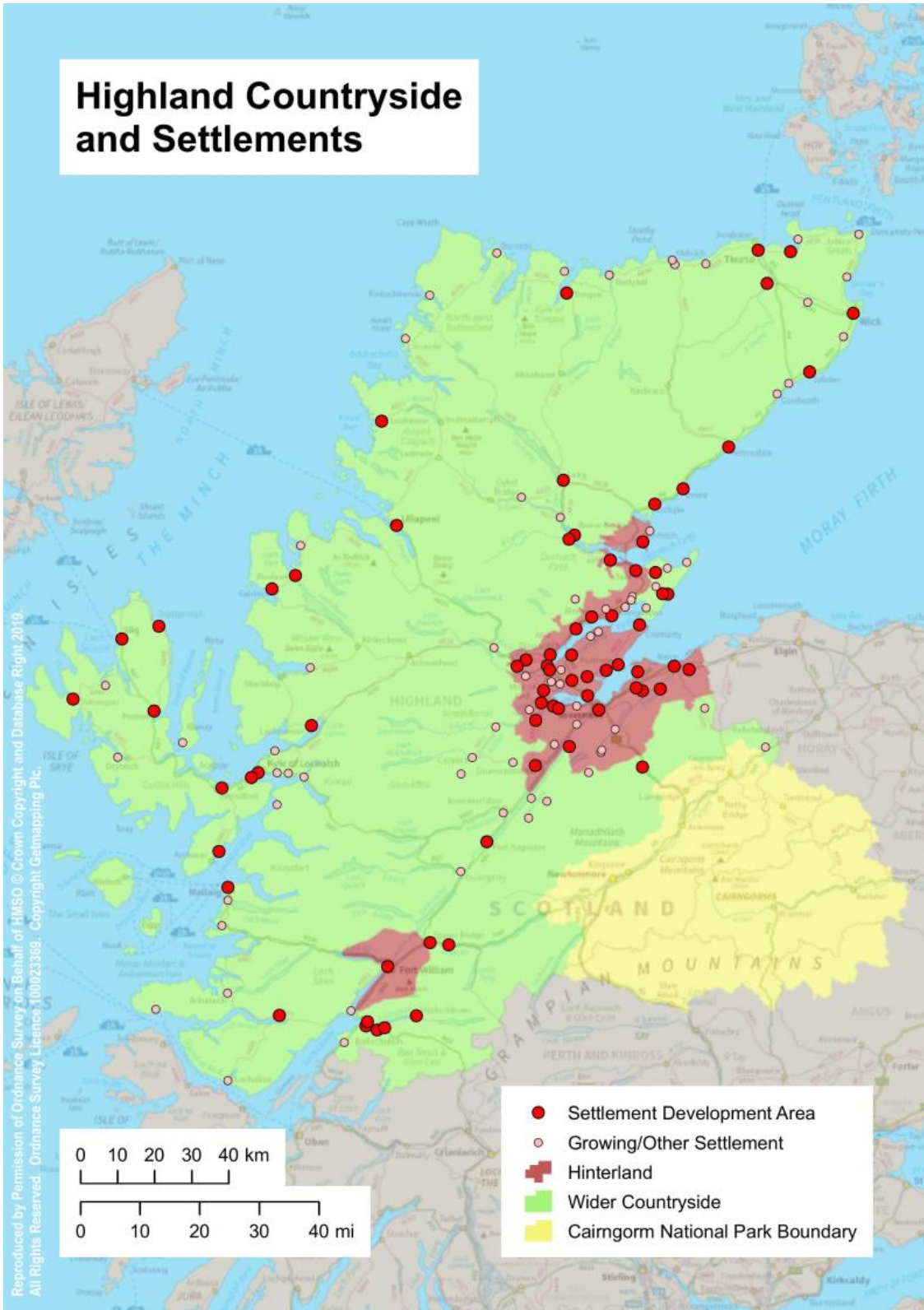
Section 8 Appendix 2 - Supporting Information to Accompany a Planning Application

	<ul style="list-style-type: none"> ✓ Site Analysis demonstrating established boundaries, existing landscape and historic land-uses. ✓ Details of any down takings reused as part of the redevelopment. ✓ Appropriate Contaminated Land Investigation and Remediation Plan (where required). ✓ Applications for detailed planning permission are preferred.
Replacement of an Existing House:	<ul style="list-style-type: none"> ✓ Evidence that the building is substantially complete and meets one of the 'Stages of Rural Building Dereliction'. ✓ Details of the building previous use and confirmation as to when it was last used as a dwelling. ✓ Site Analysis demonstrating established boundaries, existing landscape and the site original layout/house position. ✓ If the property has become uninhabitable because of a natural occurrence or accident, details of the event and any Structural Report related to the event. ✓ Applications for detailed planning permission are preferred.
Previously Developed Sites:	<ul style="list-style-type: none"> ✓ A Statement detailing the history of the site, how long it has been disused, why it is no longer fit for purpose, why it can not be used for another non residential use and why it can not be left to naturalise. ✓ Historic mapping and historic and current photographs of the existing land/buildings. ✓ Appropriate Contaminated Land Investigation and Remediation Plan (where required).
Affordable Housing:	<ul style="list-style-type: none"> ✓ Demonstration of a local affordable housing need.

Section 8 Appendix 2 - Supporting Information to Accompany a Planning Application

	<ul style="list-style-type: none"> ✓ Evidence of the involvement of a Registered Social Landlord or the Council. ✓ A statement of evidence that details how the sequential approach to site selection has been satisfied.
Housing to Support an Existing or New Rural Business:	<ul style="list-style-type: none"> ✓ A statement of evidence that details how the sequential approach to site selection has been satisfied. ✓ A statement of evidence demonstrating compliance with the criteria outlined ✓ A planning application (if required) to expand or establish a rural business is in place before or submitted concurrently with any worker accommodation proposal. ✓ A plan identifying the extent of the applicants land holding and details of any previous planning approvals for new housing on the holding. ✓ Applications for detailed planning permission are preferred.
Retiring Land Manager:	<ul style="list-style-type: none"> ✓ Evidence from a chartered accountant or solicitor that the land manager has managed the land for at least ten years and intends to retire, including information on the future management of the landholding. ✓ Evidence to demonstrate that an ongoing full time on-site presence is required to support the business.
Crofting:	<ul style="list-style-type: none"> ✓ Croft registration information including reference number(s); size of croft; access to common grazing; ✓ Information on the croft land quality and how this has influenced the siting of the proposed house.

Section 9 Appendix 4 - Highland Countryside & Settlement Map





**The Highland
Council
Comhairle na
Gàidhealtachd**

Appendix 2 - Economy and Infrastructure Committee

Rural Housing Supplementary Planning Guidance - Public Consultation Feedback Summary and Council Consideration.

Public Comment	Officer Discussion	Action
General Questions/Headline Issues		
<p>Email C. Campbell My concern is maintaining a safe environment for wildlife which seems to be disregarded and keeping the number of new developments down so that tourism, the only major industry in the Highlands is not impacted as the Highlands slowly loses its appeal!</p>	Wildflower meadows /hedge promotion etc	Include in new Nature Section in S&D
Question 1. Aims & Objectives:		
Agree with no further comment - Person ID (Comment ID)		
988044 (8), 967723(22), 1254386(113), 1254978(158) & 1255031(220)		
<p>953627(43) (Yes) Scottish Water continues to support the Aims & Objectives outlined in both this supplementary guidance and more generally when considering the Council's position on maximising the usage of existing infrastructure and treatment capacity. Whilst this approach clearly has a positive environmental benefit, it also benefits the demand placed on public financing during the current times of uncertainty, allowing those finances to be spent more effectively and more widely, thus enabling more sustainable development across Scotland.</p>	Noted	No change
<p>1252634(30) (No) Encourage car based developments as this helps reduce infection risks. Hinterland green spaces are important and development in these areas should be resisted. Consider noise impact on neighbours from small to medium scale developments. Protect croft and agricultural land as once lost to food production it cannot be recovered, food production and supply will be an issue in the future and we potentially will starve our future generations if this is ignored</p>	While car-based developments may aid social distancing, this does not outweigh the C&E emergency, health and environmental implications arising from car based development. It is also acknowledged that much of our countryside is reliant on private cars for transport.	No change req - Balanced approach taken – spatial strategy directions most housing to SDA's, but THC accepts rural housing is a large part of THC life.
<p>1203884(72) (Yes) The aims are good, however where communities have developed a place plan and identified important features these need to be taken into account. We have seen a recent UK wide desire to move to the countryside so Highland Council need to strike the right balance with policies</p>	LPP to be reflected – but they do not result in presumption in favour	LPP note added to Introduction
<p>1254333(88) (Yes) On behalf of The West Highland Woodlands, a long established company with significant forestry, renewables and property interests within the Fort William hinterland, the aims and objectives are agreeable although their interpretation should take into account developments already implemented under previous planning policy. The Fassfern Estate has undertaken residential development to a high quality over the past 10 years and the associated sewage treatment plant has been designed to accommodate a further 70 houses. This positive outlook over</p>	Historic issues regarding potential allocation (was removed at examination) for WestPlan 2010. Any further proposals would	No change required

<p>10 years ago was taken when the Lochaber Local Plan was looking at options for a creating a new community of around 500 houses, local facilities and primary school in four locations within the hinterland area. Fassfern was identified as one of these, being well serviced by the A830 road and railway, suitable land with existing woodland screening, the possibility of district heating via the estate's own biomass plant and building on the existing housing groups. The landowner has a proven track record in delivering development projects to a high standard and would aim to continue to support the development of rural and affordable housing if this is consistent with the revised aims and objectives of the Highland Council.</p>	<p>require to be addressed under current policy.</p>	
<p>1254353(107) In general, if development can take place more towards the centres of the existing villages, that could be beneficial to local communities rather than houses scattered in the countryside. Steps which could allow to free land which is not currently used within the boundaries of an existing settlement would be much appreciated.</p>	<p>This guidance does not apply within villages with an SDA boundary or within Growing Settlements.</p>	<p>No change required</p>
<p>997567(240) There is no mention in this whole document of the potential effect, either positive or negative, of rural planning policy on the health of Gaelic as a community language. This is a major omission, especially when compared to planning policies in Wales and Ireland.</p>	<p>Supportive of HiC in wider area, which supports rural repopulation and Gaelic provision.</p>	<p>No change required</p>
<p>1217486(180) (No) The aims and objectives are generally supportive and realistic towards new rural housing throughout Highland, however, under "in the wider countryside" the first bullet point refers only to single houses outwith settlements. No reference is made to development opportunities for more than one house.</p>	<p>Agreed</p>	<p>Omit 'single' from 1st BP</p>
<p>1220168(168) (Yes) We agree with the revisions to the guidance throughout this document, and we have found from the community council point of view, that the planning department use the guidance well when deciding on planning applications for new houses in the hinterland. The problem we have seen several times in our CC area is where councillors go against the guidance and grant planning on applications that the planners have recommended for refusal. This of course is not a fault with the Housing in the Countryside Guidance. As such, our general comment for this consultation is that we could question this powerful veto and request a review of its parameters and justifications.</p>	<p>Noted</p>	<p>No change required</p>
<p>1248765(133) (Yes) But.... Fails to recognise that Covid 19 has caused/created a new work from home paradigm. No consideration of this monumental change. No recognition of the current housing crisis, spiralling private rents, lack of affordable housing and the rapid expansion of short stay holiday accommodation previously used as dwellings. Each of these factors creates a classic example of the laws of supply and demand. In attempting to restrict development to such an extent in the hinterland, the council are inadvertently but directly adding to these problem "1.1 In Hinterland areas: Guide most new development to locations within or adjacent to settlements; Protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside;" This is at odds with the expansion of existing hinterland villages where the number of new houses far exceeds the availability of employment in that locality and directly creates unsustainable commuting.</p>	<p>Comment noted, but balanced approach to housing acceptance is proposed.</p>	<p>No change required</p>

<p>1217486(154) (Yes) A general comment, the document reads well and is easy to use and cross reference. It comes across positively particularly with the encouragement for contemporary design.</p>	Noted	No change required
<p>1254592(153) (Yes) (1) We agree with these aims and objectives in general, but it should be noted that on occasion, especially when building for rural businesses and specifically employee and holiday accommodation, that close to a settlement is not always an appropriate location.</p>	Noted – policy guides the majority, allow a small number of exceptions	No change required
<p>1254592(153) (Yes) (2) Also, the aims at 1.1.1 to not place additional burden on public services and infrastructure and protect against unsustainable growth in car-based commuting could be deemed contradictory. Public transport in rural locations is not extensive enough to make it a realistic option for many. With the growth in EVs and Government policy to phase out the internal combustion engine, it is perhaps short-sighted to rule out car-based travel in rural communities.</p>	This is not just about cars – more about – gritting, schools, health etc – therefore balance need to be struck	No change – clarified in 3.0.1
<p>1255027(200) (Yes) Collective experience on Kirkhill & Bunchrew Community Council is that the policy is generally ok, but problems arise with the lack of consistency in interpretation of the policy by individual planning officers.</p>	Noted	No change required
<p>1255061(241) Scottish Land and Estates (SLE) is a member organisation representing the interests of Scottish landowners, farmers and estates. Our vision is for profitable land-based businesses able to contribute to resilient rural economies helping rural Scotland thrive. We consider the planning system is a key aspect of enabling the diverse mix of businesses in which our members are engaged. We welcome the opportunity to respond to the Highland Council draft housing in the countryside supplementary guidance. It is our view, that in order to meet changing demands and challenges of the twenty first century, planning authorities should be empowered to apply flexible policies that enable appropriate development rather than restrict it. We believe an enabling approach to housing development in the countryside is required to help stimulate more diverse and resilient rural communities. SLE is therefore pleased to see the Council is supportive of new rural housing throughout Highland which supports sustainable communities thrive and enables people to live and work in a high-quality environment. In general, SLE is supportive of the aims and objectives as drafted in the proposal. We particularly welcome the aim of the policy to encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing the environment. This objective will be particularly important in meeting the triple-challenges of COVID, the prospect of a no-deal Brexit and the climate emergency. However, we are concerned with the inclusion of the objective to, protect against an unsustainable growth in car-based commuting in Hinterland areas. In our view, it is especially true in remote areas that public transport is not viable and cannot sustain communities more often than not, the only sustainable option is for car-based commuting. We therefore do not consider it realistic or appropriate to discourage housing development that would rely on car-based transport in these areas.</p>	Noted - Balanced approach taken – spatial strategy directions most housing to SDA’s, but THC accepts rural housing is a large part of THC life.	No change required
<p>1257321(256) (Yes) This is of interest to our community</p>	Noted	No change required
<p>Question 2. Relevance of Guidance:</p>		

<p>Agree with no further comment 988044(9), 967723(23), 1203884(73), 1254386(114), 1248765(134), 1257321(257)</p>		
<p>1252634(31) The guidance is clear, however emphasis should be made on protecting croft land from anything other than single unit developments.</p>	<p>The guidance does try to discourage this and allows single house under HWLDP 47.</p>	<p>No change required</p>
<p>953627(44) (Yes) The process seems clear and simple and the addition of interactivity provides a more definitive steer to applicants than a standalone map. Scottish Water would strongly agree with the Council's encouragement of utilising a 'Pre-Application' service which can often avoid stumbling blocks arising throughout the development process. As well as contributing to the Highland Council's Major Pre-Application process, as an organisation, Scottish Water also strongly encourages the use of our own early Pre-Development Enquiry (PDE) process This can be undertaken simply online at the following portal link. www.scottishwater.co.uk/portal As well as giving Scottish Water early advance notice of actual development as has been forecast in Local Development Plans, the portal also gives applicants some high level guidance on network availability, proximity to natural surface water options which may be of use in their discussions with the Council.</p>	<p>Agreed.</p>	<p>Add to 2.0.3 recommending consultation with utility providers.</p>
<p>1254333(89) (Yes) The concept of "Settlement" could have further definition or flexibility. Using the Fassfern Estate as an example, the new housing development has 16 houses including 4 affordable cottages; all mainly occupied by families who work in the locality or from home. There is a bus stop used by both residents and school children and a rail station within a short distance. A park with swings is within the housing area and woodland walks are adjoining. However, as there is no shop or community hall this area of housing is understood not to constitute a "settlement" within the current definition. Being within hinterland, the possibility for building on the existing development to establish a community that justifies the additional services is limited by the policy.</p>	<p>SDAs and settlement hierarchy are established as part of WestPlan and do not form part of the HiCSG review.</p>	<p>No change required</p>
<p>1254353(108) (Yes) Mallaig is classed as Settlement Development Area so the guidance would not apply to developments within the village. However, it seems unlikely, that major developments will be likely within Mallaig due to the restricted amount of ground available. It would therefore maybe make sense to also include the surrounding villages Morar and Arisaig as a Settlement Development Area.</p>	<p>SDAs and settlement hierarchy for these settlements are established as part of WestPlan and do not form part of the HiCSG review.</p>	<p>No change required. (Note. Morar and Arisaig are both growing settlements)</p>
<p>1217486(181) (Yes) The diagram is helpful and it presents an understandable relationship between the Housing in the Countryside Guidance and relevant Area Local Development Plans.</p>	<p>Noted</p>	<p>Map updated to show LDP boundaries and titles</p>
<p>1254978(159) (Yes) When the new guidance is agreed Map 1 should be made available for users to view at a higher resolution or larger scale so that it is possible to see in detail where the Hinterland boundary is.</p>		<p>Interactive online map link provided</p>
<p>1255027(201) (No) Kirkhill & Bunchrew Community Council (KBCC) remain unconvinced of the value of pre-application advice.</p>	<p>Noted</p>	<p>No change required</p>

<p>1255031(221) (No) The flow chart does not make it immediately obvious how to deal with the situation in a growing/other settlement that also affects land under crofting tenure (eg Kilchoan)</p>	<p>Noted. This topic is split between Policy 3 of Area LDP and Policy 47</p>	<p>Growing Settlements consideration added in Crofting Section</p>
<p>Question 3. Requirements for all Proposals:</p>		
<p>Agree with no further comment 967723(24), 1254333(90), 1254386(115), 1217486(182), 1248765(135), 1255027(202), 1255031(222), 1257321(258)</p>		
<p>1252666(4) (No) The criteria that new houses are to be compatible with adjacent land uses should specifically list forestry in addition to working farms and other rural industries already listed. I recommend 'Forestry' is added to this text: Be compatible with the existing pattern of development, adjacent land uses (including working farms, Forestry or other rural industries) and does not undermine the coordinated approach to the strategic future expansion of any settlement; There is a growing conflict between new house development within and around working forests which stems from home owners/residents lack of understanding regarding felling cycles and forest management. This is specifically highlighted when it comes time to haul timber on public roads or when trees are felled and replanted creating changes in light levels and local views from the new homes. Forestry is a long term management cycle and many new homes assume their setting will relate to the forest as it currently exists without considering the future felling and replanting cycles. It is also important for the reviewer to note that this is separate from the criteria for new houses to sensitively address site constraints including trees and woodland, which I also strongly support.</p>	<p>Agreed.</p>	<p>Add Forestry to adjacent land uses.</p>
<p>988044(10) (1) I think that Scale is very important - not too big or at least not appearing too big.</p>	<p>Noted</p>	<p>No change required</p>
<p>988044(10) (2) Could you add that ultra low energy design will be one of the aspects that would contribute to a positive outcome. Ditto for ultra low impact.</p>		<p>Reference to 'ultra low energy design' added in 6.3.6</p>
<p>1252634(32) (No) The phrase `Positive impact` is subjective and a set list of what the planners consider positive should be issued. Such as Positive-To address the housing crisis by building 100 houses. To reduce the environmental impact by building 5 wind turbines. If you lived near to these developments it would become a significant negative impact.</p>	<p>Agree</p>	<p>Change 'positive' to 'enhance'</p>
<p>953627(45) (Yes) Whilst Scottish Water's remit has limited if any daily input to most of these points, it does recognise in the broader planning sense, the importance of clear planning guidance and positive 'place-making', which is in-keeping with the surrounding character particularly in the rural setting. Specifically with regard to Point 5 and Scottish Water services, we would urge any developer prior to buying or bidding on any rural plot of land, to fully consider and investigate how and indeed if public services can be supplied to that plot and the potentially considerable cost to themselves of obtaining them where physically and financially possible. Similarly, when considering a private water supply in both remote and semi remote rural areas, applicants should ensure detailed investigation is undertaken in terms of water quality and ongoing security of its supply. If neighbouring surrounding boreholes are 'failing' or water quality is</p>	<p>Agree</p>	<p>Reference to 'private water supplies and drainage systems' added</p>

compromised, Scottish Water is unable to provide services in such locations outside of our supply zones.		
906306(70) (Yes) Welcome reference to avoiding flood risk and ensuring adequate infrastructure	Noted	No change required
1203884(74) (Yes) We believe there is scope for more individual houses to be carefully sited in existing woodland and a better balance needed with the tree protection policies to help this happen. We would discourage use of farmland as people become more aware of food miles	Balanced approach taken for protection of woodland and biodiversity.	No change required
1254353(110) When is a point reached where the Highland Council will provide a capacity assessment?	Assessed on case by case basis	No change required
1255061(242) Generally, the requirements are reasonable and do strike a balance with the Aims and Objectives. However, there is potentially a difficulty in balancing the requirement to avoid development in remote areas that places unacceptable pressure on infrastructure and services, and the aim of protecting against growth in car-based commuting. If the two are taken together, this could be interpreted any development that relies on car-based commuting should not be approved. This is not realistic or appropriate, particularly in remote rural areas.	Noted - Balanced approach taken – spatial strategy directions most housing to SDA’s, and THC accepts rural housing is a large part of THC life.	No change required
1254670(170) (No) The Aim and Objectives for Hinterland Areas and in the Open Countryside appear based on the single idea of concentrating population in or close to settlements. They do not, in our view, sufficiently address the realities of rural de-population (current and future) and of an ageing population; nor the challenges of the Climate Emergency and the need for innovative development as part of the Green Recovery from the Covid Pandemic. There is a need for policies that support: new and emerging economic activities in the countryside; re-peopling of rural areas; new land ownership patterns (including community ownership); dispersed settlement; the drive to create a Net Zero economy and new ways of living. The urban sustainability model of concentrating population will not revive and support the rural Highlands. An alternative approach is needed.	Hinterland is ‘accessible rural’ where we restrict development. In the ‘Wider Countryside’ where the ‘remote rural’ area applies a more positive approach to new housing is applied.	No change required
2. The aims and objectives for the Hinterland Area also generates a hard edge boundary that separates urban and rural. There is a need for a more dynamic urban fringe where a range of business developments which includes housing can take place. This would be a mixed use area providing opportunities for business location, including manufacturing businesses, allotments, horticulture, small-holdings, recreational activities and new woodland planting. Ambitious woodland expansion emerging from population centres, could form fingers or wedges to separate functions and developments, where necessary, thereby significantly improving amenity, biodiversity and carbon sequestration.	More relevant to LDP review rather than HiCSG	No change required
3. There is no need to segregate appropriate manufacturing business onto industrial estates or business parks. Such businesses can be successfully located in the Hinterland and in the Open Countryside allowing employees to walk or cycle to work. True mixed-use developments can successfully combine living and working.	Agree – HiC allows ‘appropriate’ rural businesses to start/expand	No change required
4. One particular requirement for housing in the countryside exemplifies the urban concentration policy, the requirement that development should: Be compatible with existing servicing and utilities. Isolated	Scotland has finite financial resources, private	No change required

development in very remote/inaccessible areas will be resisted to avoid placing unacceptable pressure on limited infrastructure and services, including bus provision and refuse collection.	developments which places an undue burden on these should be resisted	
5. This requirement appears to be based solely on the idea that concentration provides economies of scale to infrastructure and service providers. It is backward looking and fails to take account of recent (last 10 or more years), current and future developments in infrastructure and technical innovations relating to service delivery; particularly micro-renewables. Infrastructure advances can limit reliance on grid infrastructure (electricity, water supply and waste water treatment), or, indeed, allow total off-grid living. The Highlands is rich in the resources, such as wind, water and long hours of summer daylight, that fuel renewable energy, while the geology and climate of the region provide a plentiful fresh water supply through boreholes. With increased rainfall in the Highlands, forecast as a consequence of climate change, this basic resource is likely to grow. In terms of waste water treatments a wide range of environmentally positive off-grid systems are available supporting Circular Economy principles.	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required
6. Service delivery has also changed through developments such as distance learning (pioneered by the University of the Highlands and Islands) and tele-medicine. These developments, supported by the continued investment in rural broadband infrastructure, have gathered pace during the Covid Pandemic with increased home schooling (blended learning), and the wide adoption of services such as 'Zoom' for visual/audio communications. Life, post-pandemic, will incorporate many of these developments, it will not return to pre-pandemic normal.	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required
7. Other developments consistent with Scottish Governments drive for the Circular Economy are missing from this Guidance. Guidance should inform increased re-use, re-cycling and re-manufacture, and common practices in rural areas, such as composting, also show the nature of self reliant and resilient rural living.	Agreed	Include in new Nature Section in S&D
8. Rural life is also supported by a change of commercial services such as local producers regular box schemes and supermarket home deliveries to some rural areas (resembling in some ways the mobile shops of earlier times); and the rise in Internet shopping which continues to grow as a dominant retail channel.	Noted	No change required
9. Service delivery is constantly adapting and changing and should not be a barrier to rural development. So, life in the 21st century countryside is a viable alternative to urban concentration. And it should be remembered that an increased rural population will support the long term sustainability of the whole Highland population.	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required

<p>10. The planning system could support and foster positive change in the countryside through adopting more flexible and innovative policies that encourage rather than constrain development. The population concentration model is understandable to some extent as a means of potentially gaining economies of scale, but it is not the only way to achieve environmental and economic sustainability. Fresh models reflective of contemporary needs and desires and supporting Climate and Ecological Emergency action should be led by planning policy not dismissed by policy. We can look for inspiration to European urban fringe and dispersed rural models utilised in Austria, Switzerland, southern Germany, and in Scandinavia for examples. A Highland Council delegation should gather relevant examples by visiting these areas thereby informing contemporary sustainable development solutions.</p>	<p>A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.</p>	<p>No change required</p>
<p>11. Restrictive planning policies result in supply demand challenges, drive up development site prices and this, directly affects the quality - or lack of it - of individual housing and other developments. When a significant proportion of a development budget is allocated to securing often a small portion of land, compromises in specification quality result. This has wide ranging effects which include energy performance, uptake of on-site energy generation, and general decisions effecting quality outcomes.</p>	<p>A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.</p>	<p>No change required</p>
<p>1254978(160) (Yes) Presumably this section replaces the guidance under 5.2 in the current guidance? I agree with most of the content but the wording of the first bullet "have a positive impact on the setting of any settlement" is somewhat ambiguous. Further clarification is required.</p>	<p>See change above</p>	<p>See change above</p>
<p>Council Forestry Team Amend Bullet points 4 as below and add new 5th.</p> <ul style="list-style-type: none"> • Sensitively addresses site constraints including topography; natural, built and cultural heritage features; flood risk • 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; 	<p>Agreed</p>	<p>Change as suggested</p>
<p>Question 4. Housing Groups:</p>		
<p>Add in PDR change</p>		
<p>Agree with no further comment 1252666(5), 1203884(75), 1254386(116), 1257321(259)</p>		
<p>1252666(6) (Yes) I support the definition of building to not include forestry buildings permitted under prior notification/prior approval.</p>	<p>Noted</p>	<p>No change required</p>
<p>988044(11) (Yes) For this topic I think it is important that the houses in the group are not all the same design - and do not over use one design of off the shelf kit.</p>	<p>Agree - but possibly only relevant for multi-house proposals</p>	<p>Added</p>
<p>1252634(33) (Yes) It appears that commercial housing developers do not have to comply with these aims and can cause irreparable damage to countryside. Greenfield sites should be limited to single or small developments in accordance with these aims,</p>	<p>Comment relates to LDP designations and is therefore not relevant to the RHSG</p>	<p>No change required</p>
<p>953627(46) (Yes)</p>	<p>Noted</p>	<p>No change required</p>

<p>Scottish Water broadly supports the criteria as outlined. This is especially helpful to us in terms of investment planning and offers a framework for helping assess existing asset capabilities where relevant.</p>		
<p>1254333(106) (Yes) The inference is that the number of houses to be approved in one application will be in the region of 1-3 units in the hinterland. The inference that upto a 100% increase on the existing built or approved house number will be possible gives the prospect of more viable development where the extension of services requires investment and this would benefit from clarification (although pre-application enquiry may be the means to do so). For example, in a situation where the existing house number is 15-20 and other houses are within view then, in so far as the character, spacing, scale and amenity of the buildings in the group are reflected by the new housing then (especially to achieve local housing and economic recovery) the upper limit could benefit from a flexible interpretation depending on the site, affordability and developer contribution.</p>	<p>This will be the exception rather than the norm and can be dealt with through pre-app advice.</p>	<p>No change required</p>
<p>1217486(183) (No) Definitions - agree Criteria - agree Thresholds bullet point 2 – disagree. This threshold is generic and would benefit from more context. Reference to 'undeveloped fields' and 'open land' in the same threshold implies that all fields are in open countryside. Fields are often bounded by roads ranging from Trunk to minor roads and or residential and non-residential buildings. Could the words '(in general)' be inserted after the word 'field'?</p>	<p>Partial agreed</p>	<p>Add 'inappropriate' to second BP before 'intrusion'</p>
<p>1248765 (136) (Yes) But.. "4.16 No housing group will be permitted to increase in size by more than 100% of the number of houses built, under construction or with an extant planning permission as at 3 August 2011". Clarification is required and if 2011 relates to houses built and under construction this will be unnecessarily prescriptive.</p>	<p>Partial agreed</p>	<p>Reference added as to why the 2011 date is used</p>
<p>1254978(161) (No) Not entirely. The interpretation of housing groups is the most ambiguous part of the current guidance. This still appears to be the same in the draft new guidance. 4.1.2 I welcome the inclusion of buildings other than houses. The term "perceptible relationship" is wide open to interpretation. This can sometimes differ between Development Management officers. Some clear wording or explanation is required. 4.1.4 Should a residential caravan or other "temporary" accommodation be included in the criteria? Alternatively should it be considered for inclusion in 4.1.3? I dealt with a case recently whereby a residential caravan in garden ground was counted as a dwelling and therefore one of the reasons for refusal of a permanent home in the same garden ground. 4.1.5 Asking someone to submit a request for pre-application advice because they are uncertain about whether the proposal is within a housing group just serves to illustrate how ambiguous the guidance is. Having to submit a request for pre-application advice because of this, incurs more time and cost for prospective applicants. Some further explanation is required in the criteria for the acceptable expansion of a housing group. The diagrams in section 10 of the current guidance have helped to a certain extent, but a Planning officer often interprets this differently to the applicant/agent. Clearer guidance will help achieve more consistency and make it less ambiguous. The new guidance should be more rather than less prescriptive therefore. I understand that the</p>	<p>Given the requirements for housing groups outlined, it is considered Impossible to provide clear descriptive examples for each case and therefore individual assessment of each location is required.</p>	<p>No change required</p>

date of 3 August 2011 was used as a threshold for confirming whether an existing house is part of a group because this was the date of the Committee approval of the current guidance. It therefore follows that this date should change to when the new guidance is approved or adopted by the Council.		
1255027(203) (Yes) There is a lack of consistency amongst planning officials regarding what constitutes a housing group and how a group can be expanded.	Noted	No change required
1255031(223) (No) Conflict with building a house with croft grant assistance. This necessitates building within the inbye croft which is often the best agricultural land & will "create an intrusion into a previously undeveloped field". How will this be addressed?	Crofting has its own dedicated section - see below.	No change required
1254670(172) (No) 12 The policy is inherently reactive; restricting development where there is obvious demand (in hinterland areas). It is restrictive because of the perceived threats of: Suburbanisation of the countryside; Unsustainable growth in car-based commuting, and; Breaching of service network capacities.	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required
13. If the policy were set out to require that new development address these core concerns, through innovation and design, rather than through restriction and prescription (in terms of form, and numbers of dwellings) there would be more opportunities for Real sustainable growth; for: An increase in nature-based livelihoods, and opportunities for young people to stay in the Highlands; Creative re-imagining of the purpose and potential of our "countryside" in accordance with the needs of our 21st century society; An increasing in health, well-being and resource efficiency.	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required
1255061(243) SLE is generally supportive of the definitions, criteria and thresholds set out. However, we would seek further clarity on the following points: - Definition of a building. We are unsure why non-residential buildings granted permission after April 2012 cannot be defined as a building. - Criteria for expansion of a housing group. We are unclear as to what constitutes open land.	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required
Question 5. Housing Group Design Advice:		
Agree with no further comment 967723(25), 988044(12), 1252634(34), 953627(47), 1203884(76), 1254333(91), 1217486(190), 1248765(137), 1257321(260)		
Disagree with no further comment		

1254386(117)		
1254978(162) (Yes) Yes, but what has happened to the other diagrams that were included in section 10 of the current guidance? In particular, the one for more dispersed groups, which is more in keeping with crofting areas, some of which do exist in the Hinterland.	Reconsider what diagrams are actually showing. Generic diagrams can only illustrate so much and in practise all groups will be different.	Diagram reviewed and considered appropriate and acceptable.
1255027(204) (No) The guidance is rather primitive and basic and likely to be subject to inconsistent interpretation by planning officials. Other examples of housing groups could be possible and the expertise of landscape architects should be relied upon when defining these.	Reconsider what diagrams are actually showing. Generic diagrams can only illustrate so much and in practise all groups will be different.	Diagram reviewed and considered appropriate and acceptable.
1255031(224) (No) Doesn't satisfactorily address crofting townships which are usually linear in nature	This is acknowledged in the text accompanying the Linear Development diagram.	Diagram reviewed and considered appropriate and acceptable.
Question 6. Garden Ground:		
Agree with no further comment 1252634(35), 967723(26), 1254333(92), 1217486(191), 1254978(163), 1255031(225), 1257321(261)		
Disagree with no further comment 1254386(118)		
1252666(7) (No) 4.2.3 notes that Garden ground does not include "woodlands/felled woodlands". This can be confusing when carrying out future tree works within wooded gardens given the Scottish Forestry felling guidance allows felling permission exemptions for "Trees in orchards, gardens, churchyards, burial grounds, and public open spaces." Please clarify this further.	Discuss with Council Forestry Team	Text reviewed and further updated as appropriate
1203884(77) (No) In the countryside it is quite feasible to have garden ground that includes both a section of woodland and used for native ponies	Discuss with Council Forestry Team	Text reviewed and further updated as appropriate
953627(48) (Yes) Scottish Water broadly agrees with this definition of 'garden ground' and the arrangement detailed. The statement detailed below is clear but we would clarify where services for water and foul run through land in the ownership of the original household, any new householder should ensure legal agreements or way-leaves are in place within the title deeds. all infrastructure/services (e.g. foul drainage/surface water soakaways) must be contained within the plot associated with the proposed new house It is generally accepted that such new households are often for family members or holiday letting and therefore such legal considerations are not always undertaken at the time. However should these properties subsequently be sold outside the family setting, issues can arise when maintenance of these structures is required by the new householder.	Discuss with Council Legal Section	Reword e.g. infrastructure/services should in the first instance be contained within the plot associated with the proposed new house. Where this is not possible the applicant should ensure that appropriate legal agreements are in place before planning permission may be granted

1248765(138) In relation to the requirement for infrastructure to be contained within the plot, an exception should be allowed where off-site provision can be made (eg for soakaways) under legal agreement (to be evidenced through planning condition or other instrument).	Discuss with Council Legal Section	As above
1255027(205) (No) The use of garden ground in urban settings is ok but to restrict new houses to garden ground in a rural setting is likely to lead to inappropriate siting.	While the word 'siting' is not used the first two criteria relate to siting and any inappropriate siting will likely be refused	No change required
Council Forestry Team Add 'trees or' after 'existing' in 3 rd BP	Agree	Change as per suggestion
Question 7. Conversion & Reuse:		
Agree with no further comment 988044(13), 1252634(36), 1203884(78), 1254333(97), 1254386(119), 1217486(192), 1248765(139), 1255031(226), 1257321(262)		
1255061(244) It may be useful to further expand on what is meant by "substantial" external alterations. There should be appreciation that many traditional buildings will not be able to meet modern building standards for residential accommodation without external alterations. The last two bullet points in the council's criteria for conversion and reuse appear repetitive. If the bullet which says, the character of a building is not altered by the development to an unacceptable degree, relates to new extensions, then the point has already been made by the previous bullet. If it is a stand-alone statement referring to all conversion and reuse development, then it should be re-phrased to emphasize the point.		Text reviewed and further updated as appropriate
1254978(164) (Yes) Unfortunately, the example shown on the opposite page (13) is not a particularly good one to use as it is a significant expansion of the old building that was on that site that goes against most of the conversion and reuse criteria (blue box) and design advice listed in the green box.	Agree	Photograph updated
1255027(206) These should be considered on a case by case basis. Access needs to be appropriate. Who ultimately decides if a proposal is acceptable - are Council planners qualified in architecture? The current situation appears to result in subjective decisions by individual planners.	Noted	No change required
Question 8. Conversion & Reuse Design Advice:		
Agree with no further comment 967723(27), 953627(49), 1203884(79), 1254386(120), 1254333(105), 1217486(193), 1248765(140), 1255031(227), 1257321(263)		
988044(14) (No) Why are modern buildings not considered suitable for re-use - that doesn't seem a very climate emergency attitude. Perhaps you might consider a sub category for new buildings so that you can deal with scale and character but allow reuse of resources.	Policy is seeking to avoid modern large agricultural buildings which are not overtly easy to converted coming forward - that said some modern smaller scale agr buildings might be appropriate	Wording updated
1252634(37) (Yes)	Noted	Added to S&D

Consideration should be given to adjusting planning requirements to take in to account energy reduction needs		
1254978(165) (Yes) As with my comment under 7 above, the illustration on page 13 is not a good example of how to apply the criteria. Most of this building is not even a house, as it is a rural retreat and therapy centre for a religious group and was never 2 storeys in height.		No change required
1255027(208) (Yes) This work is of a sensitive nature and should be carried out by an experienced and qualified professional.	The Council can not control who an applicant uses in terms of making applications.	No change required
Question 9. Demolition & Replacement:		
Agree with no further comment 953627(50), 1254333(93), 1254386(121), 1248765(141), 1255031(228), 1255061(245), 1257321(264)		
988044(15) (Yes) Could you add that ultra low energy design will be one of the aspects that would contribute to a positive outcome. Ditto for ultra low impact.	As above.	Added to S&D
1254670(173) (No) 14. It must not be assumed that the form, size, orientation and materials of houses that have fallen into ruin are in any way desirable, appropriate, or superior to those architects , designers and organisations , skilled in sustainable design and equipped with knowledge of best practise in terms of delivering Net Zero Carbon outcomes for the Built Environment. 15. To restrict the potential emergence of relevant and well designed buildings fit for the 21st century and the challenges we face within the proposed criteria: building within the curtilage of the ruined building; re-using the materials from the ruined building, and; respecting the form and scale of the former building; ...points to an unfortunate lack of imagination and confidence in our collective abilities to derive innovate, contemporary and robust Highland buildings. The form of a building is the consequence of its programme, process of delivery and pragmatic context. Why should we not aspire to a new Highland vernacular relevant to our own time and the challenges we face.	The HiC SG is not attempting to prevent sustainable design which is ‘..innovate, contemporary and robust..’, instead it is trying to prevent inappropriate design.	Added to S&D
1255027(207) (Yes) Traditional steading buildings are often small and need adaption for modern living. This work should be carried out by experienced and qualified professionals. The photograph in the consultation of a farm steading with a modern building sited in the courtyard is a dreadfully poor example to have been included in this consultation document.	The Council can not control who an applicant uses in terms of making applications.	No change to text – Photo Updated.
Question 10. Demolition & Replacement Design Advice:		
Agree with no further comment 1203884(80), 1254333(94), 1254386(122), 1248765(142), 1255031(229), 1257321(265)		
1254670(175) (No) 16. It is (potentially) contradictory and confusing. We would suggest the priorities here are: Enable dwellings to maximise solar gains and protection from the prevalent weather; Encourage contemporary design and intelligent, resource efficient, and sustainable construction methods and materials. Promote on-site renewable energy generation and use. Accept that fossil fuels, concrete, travel and industrial agriculture is causing a climate and ecological crisis and act accordingly. Encourage		Wording reviewed and updated accordingly

homes to be located close to places of work to allow walking and cycling. Set ambitious short-term carbon reduction targets for the built environment, medium term Net Zero targets and Net Positive (regenerative) long term targets and derive planning policy to deliver on these. 17. We don't believe that it is necessary to prescribe the other points; including: Re-using existing material (most typically stone, which would require strip concrete foundations); Form and scale of existing building to be maintained; The use of existing site features, boundaries and access points should be adopted (again, only if relevant; this doesn't need to be prescribed).		
1255027(209) (No) The advice has conflicting approaches to what is acceptable.	Not accepted	No change required
1254978(166) (Yes) Again the illustration is not a good example of the replacement of an existing house that meets all of the criteria listed. The building in question was last used as a house more than 40 years ago and has been used as an agricultural store since then. Its size is about one third of the house proposed on the site. It would not have been approved under the current or proposed guidance. In particular it is not in line with the criteria listed at 1, 2 and 3. I suggest that another example is used. Notwithstanding, it is a very good example in terms of its overall design as it meets most of the other criteria.		No change to text – Photo Updated.
Question 11. Replacement House:		
Agree with no further comment 953627(51), 1203884(81), 1254333(104), 1254386(123), 1248765(143), 1255061(246), 1255031(230), 1257321(266)		
988044(16) (No) Justification for demolition should include for why the building can not be re-used in some detail. Re-use should be the default now. Demolition is easier for a builder or developer and can allow lesser skilled but more wasteful development.	Agree	Same wording from 'replacement of traditional building' used
1254978(167) (No) There are circumstances where an existing house does not meet the standards for modern living, home working, energy performance and foundations. This will often require expansion and questionably excessive beyond the current footprint. The illustration on page 15 at Newton Kinkell is such an example, which is three times the original footprint and is not detrimental to the wider landscape. Planning officers often get "hung up" on developments of this scale which can clearly achieve a good design solution for the redevelopment of a site and remove dereliction in the process.	Use of carbon assessments to justify? The bullet point does allow for significant increase in size where it is not detrimental to the landscape setting	Added 'where it would be' before detrimental in 6th BP
1255027(210) (No) Again this advice is conflicting.	Not accepted	No change required
Question 12. Replacement House Design Advice:		
Agree with no further comment 953627(52), 1203884(82), 1254386(124), 1254333(103), 1248765(144), 1255031(231), 1257321(267)		
1254978(169) (Yes) As with my comments at question 11 above there are often practical and Building Standards reasons why a replacement house might need to be of a slightly different form and scale relative to its original.	Agree	Criteria updated to promote more modern architectural forms/MMC
1255027(211) (No)		

The guidance should allow for modern standards to be applied in a new house.		
Question 13. Previously Developed Land:		
Agree with no further comment 1203884(83), 1254333(95), 1254386(125), 1248765(145), 1255031(232), 1257321(268)		
953627(53) (Yes) Where previous land use, albeit in a rural setting, involved a chemical process, sheep-dipping, fuel storage such as heating oil tanks and rural petrol stations, any development requiring a public water supply would require soil investigation reports and some form of protective pipework, Eg. UPVC 'Barrier Pipe' or ductile iron depending on soil analysis.	Agree	Add in ref in last BP
1254978(171) (Yes) Clearer than the current guidance.	Noted	No change required
1255027(212) (No) Wooden buildings can be permanent structures as well as temporary.	Current criteria does not exclude Timber Buildings	No change required
1255061(247) 4.5.2 suggests that if sites can be left to return to a natural state, they will unlikely receive support for development. In our view, the council should be explicit about exceptions where they will consider proposals that can demonstrate biodiversity/landscape improvement on what was originally there, for example.		Added in BP noting redevelopment should bring about positive biodiversity and landscape improvements.
Question 14. Affordable Housing:		
Agree with no further comment 967723(28), 953627(54), 1203884(84), 1254386(126), 1255031(233), 1257321(269)		
988044(17) (No) The need should be by the council, partner agency or local constituted group or community company - the council and local agencies have certainly let many villages on Skye down with assessment of the need for housing provision for instance. I am sure it is not the only area in Highland where this is the case.	CDC are a developing market and is not precluded from HwLDP Policy 35, therefore suggest inclusion – discuss with Housing/Legal	Community Led Housing Section established to reflect this growing sector
1254333(96) (Yes) Suggest flexibility to the possibility the provide affordable house commitment on a separate site located within an existing rental group of houses close to existing transport routes and services where the proposed development is not so linked or suitable for such occupiers (or a developer contribution to a Housing Association)	A balanced approach has been taken of the protection of the rural landscape (both accessible rural/Hinterland & remote rural/Wider countryside), expansion of settlements and the C&E Emergency declaration.	No change required
1248765(146) (Yes) But.. "4 .6.3 Any proposals justified under this part of the guidance must be for entirely affordable housing. Any element of open market housing is unlikely to be supported." This requires to be changed to reflect the very real need at times to part fund AH development. Government funds are likely to be slashed again after the effects on the public purse of the pandemic, so innovative solutions should not be precluded.	Stand alone AH within the Hinterland is dictated by HwLDP Policy 35 and we are unable to change this.	No change required

<p>1255027(213) (No) Why is affordable housing restricted to that controlled by social landlords? Why can't people of modest means e.g. a young couple, build a small house that meets their needs and is affordable to them? How can it be guaranteed that the housing is for local people?</p>	See above addition of CDC	No change required
<p>1255061(248) Generally, yes. Although we would like to further understand what is intended by "cost equivalent to a Registered Social Landlord". SLE members are not social landlords but many do provide affordable housing. To allow them to do so, a certain level of flexibility is required to ensure viability of business models, and this should be considered when applying policy on affordable housing.</p>	Community led housing is Section established to allow support more affordable community housing.	Community Led Housing Section established to reflect this growing sector
<p>1254978(174) Yes) However, I question why the fact that it is for affordable purposes should be the only reason for setting aside all the other criteria for a house in the countryside. Siting houses without any relationship to the existing settlement pattern or in an area where there are no services or facilities is surely contrary to the principles of sustainable development. I suggest that the affordable housing exception should only be used where it supports the retention of an existing rural facility such as a school, community hall, shop, bus service or other vital service.</p>	This exception does not preclude good siting and design. That would require a change in the parent policy which we are unable to achieve at this time.	No change required
Question 15. New and Expanding Business:		
<p>Agree with no further comment 953627(55), 1203884(85), 1254333(101), 1254386(127), 1255031(249), 1257321(270)</p>		
<p>955042(155) (No) We have concerns relating to the Operational Needs Assessment at 4.7.2. 1.d, in particular. The method for calculating this and establishing need based on a formula requiring a full-time on-site presence is contrary to the interests of crofting, as a smaller-scale but important rural enterprise. It is noted that in the subsequent section, it is stated that crofting is an integral part of the life and landscape of the Highlands. That appears to be the obverse of how it is considered in this regard. While recognising that crofting is integral to the life and landscape of the Highlands, it should also be noted that it is more than an agricultural system, hence the inadequacy of the proposed mechanism. Along with crofting's land use component there is a vital land settlement aspect. The Land Settlement Act 1919 - the centenary of which has just passed - is an obvious reminder of this within its very title. It is inappropriate not to duly recognise this important crofting dimension and make appropriate provision within this guidance. In this context, it would be more appropriate to recognise the crofting scale of a business and operate more in line with how the Scottish Government Rural Payments and Inspections Division assess the need for a house on a croft. In that respect, there already is an appropriate formula that acknowledges the more appropriate crofting scale of the enterprise.</p>	THC supports the expansion and appropriate new businesses within the countryside and accepts that the ONA assessment might not be suitable for all types of business. However, to ensure the business is essential for the rural location and that a house is required to support the business a strong evidence base is required.	Criteria Updated to remove direct reference to the ONA and instead outline the type and level of evidence required to be submitted.
<p>1248765(147) (Yes) The provisions around confidentiality of commercially sensitive information are important to maintain. Presumably the Council will have a process for informing interested parties that the viability criteria have been met for any given planning application.</p>	Confidential documents will be redacted according to legislative requirements.	No change required
<p>1254670(176) (No) 18. The Council's criteria for supporting housing related to an existing or new rural business runs counter to the general objective of rural re-</p>	This policy only applies within the Hinterland, whereas	No change required

<p>population that many organisations and individuals regard as fundamental to the long-term health and sustainability of both the environment and economy of the Highlands. The Guidance is prescriptive and onerous (e.g. the need for Operational Needs Assessments and Business Plans) and will have the effect of discouraging development and population growth.</p> <p>19. The focus of the policy seems to be agriculture, a sector in which its key component in the Highlands “ sheep farming “ is in long term decline and which is currently facing the loss of key markets as a consequence of Brexit. Other aspects of agriculture, e.g. regenerative agriculture based on new patterns of small land holdings, have growth potential and should be actively encouraged. It is widely accepted that the future agricultural model in Scotland will require to balance public goods and climate responsive methods of food production such as agro-forestry and other regenerative carbon conscious husbandry. 20th century agricultural methods and approaches are in the process of being replaced and the planning system and its policies require to be agile to this change. At present policy stands in the way of change and this can only lead to significant undermining of the planning system in the eyes of communities.</p> <p>20. But in addition to agriculture a wide range of economic activities should be included in this policy including manufacturing, forestry, tourism, and education. The Green Economy is evolving new economic activities linked to Net Zero Carbon in areas such as forestry, peatland restoration, and eco-tourism.</p> <p>21. Manufacturing is still often regarded as a bad neighbour, a view that is linked to the heavy industry of the 19th and 20th centuries. Manufacturing should be welcomed back into the countryside especially when it is nature-based, e.g. food processing and timber processing. Manufacturing is an important sector in terms of diversifying the economy (the Highland economy is service dominated) and key to increasing wage levels and economic resilience. All economically and resilient economies feature manufacture as a core economic activity.</p> <p>21. The requirement to have a house on-site is an unnecessary constraint on how people operate businesses and live their lives. In some instances on-site housing will be required, while in others a house (or houses) nearby will be more appropriate depending on the individual characteristics of the site, the operational needs of the business and personal circumstances of the people involved.</p>	<p>the SG Repopulation agenda primarily relates to remote rural – these areas are outwith the Hinterland areas</p>	
<p>1254978(184) (No)</p> <p>The planning system is complex and onerous enough for parties who have genuine reasons for siting a house in the countryside on their land holding. The provision of a Site Selection Report is yet another requirement to add to the long list of supporting information to be provided with an application. This all adds to the time and cost to be spent in advance of making an application on top of the processing period for an application, which many applicants baulk at. In respect of a Business Plan having to " demonstrate how the business is to be funded and how the business is to be financially viable and sustainable for a period of at least 5 years", this is often not possible. This might be because the applicant might not need funding for an existing business. It is also not possible to predict how a business might perform 5 years down the line. With the ongoing uncertainties over the exit from the European Community, for example, most agricultural businesses do not</p>	<p>It is accepted that starting a business is risky, but building a house within the rural setting creates a permeant feature and whilst the Council does not want to preclude economic development, it shouldn't be seen as a way to circumvent the planning system for a new house in</p>	<p>No change required</p>

know how their income will be affected in the next 5 months never mind over 5 years.	the Hinterland area. As such on balance the suggested approach is considered reasonable and proportionate.	
1255027(214) (Yes) Of all the routes to achieve permission for a house in the countryside this is the most onerous. KBCC experience is that there is no accountability from the Council when they challenge independent reports produced by Scottish Agricultural College.	This exception is designed to support appropriate new and expanding business and a robust set of evidence is therefore required.	No change required
1255061(249) SLE understands the necessity to justify the need for housing related to existing or new businesses, but we would like to ensure that this approach is not overly burdensome and does not discourage growth of rural businesses “particularly in these extraordinary times when building resilient communities should be a priority. To that end, local authorities should provide assistance to applicants, directing them to advice on how to pull together the appropriate information “for example, business gateway.	Agreed as the Council does not want to preclude economic development	Document updated to include details of body/agencies who could help prepare appropriate docs.
Question 16. Tourism:		
Agree with no further comments 1254333(101), 1254386(128), 1255027(215), 1255031(235), 1257321(271)		
988044(18) Yes) I think there should be a requirement to show that the development will not result in overloading of facilities and show that facilities are not already overloaded. As I know Skye - anywhere on the single track route to Neist Point for instance should not be allowed to use this rule for holiday accommodation.	This is beyond the remit of Policy 35/HiCSG and will be covered by NPF4 and Area LDPs.	No Change required
953627(56) (Yes) Scottish Water would ask that any proposals for existing and new businesses and housing are brought to our attention as soon as possible. Even though such a proposal may be included within an LDP, it is prudent to contact us as early as possibly to discuss likely demands from any processes and likely associated housing numbers where relevant.	Check with PSO’s what the current practise is for consulting Scottish Water on applications.	Include suggestion that business apps contact other bodies (i.e. SW/SSE etc) for advice
1254353(111) Tourism causes many issues not only in Hinterland areas, so the guidance could address this issue in a general overarching section. How to deal with houses which are being used for living and tourism (Airbnb)?	This is beyond the remit of Policy 35/HiCSG and will be covered by NPF4 and Area LDPs.	No Change
1248765(148) (Yes) There is evidence that, in our area, privately rentable housing stock is being 'diverted' to the tourism sector. The proposed criteria will provide a degree of control over such instances.	This is beyond the remit of Policy 35/HiCSG and will be covered by NPF4 and Area LDPs.	No Change
1254670(177) (Yes) The Council’s policy of continuing to support tourism accommodation is welcomed. An increasingly important part of the sector is eco-tourism which will be part of the Green Recovery. It directly links the environment and natural world with the economic and broad educational		No change

benefits of tourism. Of particular importance is self-catering accommodation. Importantly, this sector has proved to be one of the most economically resilient parts of the tourism industry during the pandemic.		
1254978(185) (No) No, see response to Question 15. This could be quite complex for farmer who is seeking to undertake development as part of a farm diversification scheme. It seems over the top for a small scale camping pods or campervan sites. The amount of work required and the need to engage specialist consultants for this scale of development will put off farm or croft owners at a time when more help is needed to support the local economy.	Is this policy aimed at preventing this form of dev't?	Note. 2nd BP refers to 'house site'
1255061(250) Yes, similar to our answer to question 15 there should be clear signposting to support, providing the appropriate information.	Agreed as the Council does not want to preclude economic development	Document to be updated to include details of body/agencies who could help prepare appropriate docs.
Question 17. Retiring Land Manager:		
Agree with no further comments 1254333(100), 1254978(186), 1255027(216), 1255031(236), 1257321(272), 1255061(252), 1257321(273)		
Disagree with no further comments 1254386(129)		
1248765(149) (Yes) But: There should be a degree of confidentiality in how the supporting information to such applications is treated. and "4.8.1 The Council supports housing to support a retiring farmer and their spouses; or for a person retiring from other rural businesses on land managed by them ("The Land Manager") for at least the previous ten years providing it is consistent with Section 3 'Requirements for all Proposals'" This manifestly discriminates against retiring farm workers who generally lose their accommodation upon retiral. The same 10 year rule should be applied to them.	The wording matches HwLDP Policy 35, therefore unable to add 'farm worker' into this list.	Note added regarding document confidentiality
1255061(251) (Yes) We strongly support the inclusion of a policy which allows new housing for a retiring land manager. We consider the criteria to be appropriate.	Noted	No change required
Question 18. Crofts:		
Agree with no further comments 953627(57), 1254333(99), 1248765(150), 1254386(130)		
Disagree with no further comments 1254386(130)		
1252666(3) (No) The criteria for supporting a new croft house to include a Woodland Management Plan where applicable should include an area threshold whereas woodlands less than 10 ha do not require a Woodland Management Plan.	Discussed with WC working group.	New Section on Woodland Croft established with the criteria outlined agreed with the WC working group
988044(19) (No) It should not just be for crofting but for any small scale agricultural enterprise. For any it should be only on condition that the current or proposed resident is using the land for agricultural or similar purposes - re-wilding, forestry etc too. There should be conditions that the domestic use of the house is only permitted where this continues for a time period	This section relates primarily to crofting	No change required.

<p>eg 20 years. It should be clear that it is not relevant to absentee crofters or crofts where others run the agricultural business. Crofting in some townships involves many of the land occupants, in others very few.</p>		
<p>955042(156) (No) While it may not be intended, it is questionable how elements of this section are supportive of crofting. The concerns relating to proper recognition of crofting scale within the Hinterland areas, as already indicated, are relevant in this section also. While there is a rationale set out for the Hinterland Area, albeit the assessment mechanism discriminates against crofting, there is no rationale provided for the distinction between a croft house in a Settlement Development Area and that in the Wider Countryside.</p> <p>It has to be considered that many, if not most, of the crofting townships in the Highland area will be located in the Wider Countryside, including what are termed as Growing/Other Settlements. This proposal appears to demand a higher threshold for a croft house in these areas than it does in Settlement Development Areas. This appears paradoxical, as the speculative and development pressure on croft land is much more likely to result in a Settlement Development Area than in a crofting township out with such an area.</p> <p>Whatever the purpose of the distinction - and it has not been set out - it does not appear to be consistent with interests of crofting or take proper account of its geographic spread and importance to maintaining rural population and development. We would question the distinction made here and advise of the need for clarification and a clear rationale for such.</p> <p>In terms of the criteria required, it is noted that croft registration details are a requirement. If it is the case that this registration detail is from the Registers of Scotland Crofting Register this should be made clear. However, we would advise that not every croft is on that register and entry is primarily dependent upon trigger events for croft transactions that require registration. That does not entail that a separate registration cannot take place if there is a requirement for planning purposes. In many respects, this is a sensible proposal, as the Croft Register will provide on-line a map of the croft and details of developments within the last 20 years. We would not disagree with the other information that could be requested on the croft, but note that the assessment could be subjective.</p> <p>It is not clear when the provision of business plan and woodland management plan would be applicable or does the "where applicable" just refer to a woodland management plan? If a business plan were to be a requirement for a croft house on a croft, other than in specific circumstances, that appears to be excessive. There would also be concern as to what criteria would be used to assess any such plan, We would be particularly concerned if a business plan assessment required similar justification for a croft house as that currently required in the Hinterland Area. That would appear perverse in the overall context of crofting and the values ascribed to it within the consultation. While there is merit in some of the criteria, it is questionable why there is a distinction between crofts located within the Wider Countryside and</p>	<p>Croft houses within SDAs are considered under Policy 34 which is generally supportive of development – need to rely on Policy 47 to protect croft land within SDAs.</p> <p>Happy to accept details from either the Parish Register or RoS - key is that it is a registered croft!</p> <p>Look at ways to clarify wording.</p> <p>Make distinction between croft house and house on croft land clear – including</p>	<p>Better clarify policy distinction between SDA (Policy 34), Hinterland (Policy 35) and Wider Countryside (Policy 36).</p> <p>Change ‘where applicable’ to ‘where relevant’</p>

<p>those within Settlement Development Areas. It might also be noted that use of the term "croft house" can lead to confusion. Our understanding of a croft house is the house in which the crofter resides, and is associated with the cultivation and purposeful use of the croft. As such, there is a distinction between someone seeking a croft house and someone seeking to build a house or houses on a croft.</p>	<p>support for croft houses. But we couldn't refuse a house on croft land unless it did not comply with Policy 47 (or other relevant policies).</p>	
<p>1254978(187) (No) Yes, in Hinterland areas, but question the need to apply to Settlement Development Areas and the Wider Countryside. In respect of the latter, housing development should be encouraged in remote rural areas where it helps to underpin remaining rural services. In Settlement Development Areas surely the principle of housing is acceptable. It will then be up to the Crofting Commission to determine if a further house on the croft is appropriate in relation to the management of the land. In Wider Countryside areas new houses are often required on croft land for succession or health/social care reasons by younger family members. Older crofters should be allowed to live out their remaining years on the croft with family on hand to look after them.</p>	<p>Add note for succession in line with retiring farmer and Policy 47</p>	<p>Clarified distinction between Policies 34, 35 & 36 and that these are set as part of HwLDP not this guidance.</p>
<p>1255027(217) (Yes) What is a woodland croft - where is this defined?</p>	<p>Noted</p>	<p>New Section on Woodland Croft established with the criteria outlined agreed with the WC working group</p>
<p>1255031(237) (No) Utilise the common grazings! Poorer agricultural land should be used rather than within in bye croftland . viability of the croft will be threatened by taking up good ground for house sites</p>	<p>Potential issues around communal land ownership</p>	<p>No change required</p>
<p>Question 19. Siting & Design Advice:</p>		
<p>Agree with no further comments 967723(29), 953627(58), 1203884(86), 1254333(98), 1255031(238), 1257321(274)</p>		
<p>Disagree with no further comments 1254386(131)</p>		
<p>988044(20) (Yes) In general there are some aspects which are too prescriptive and I understand that they might be helpful to control weak designers but they should not apply to all. An eg is that flues should be on the gables. In terms of low energy design that is completely wrong. 6.3.10 Passive heating is not in the same category as solar panels etc. It should be supported as a design technique in a separate place - to be clear a low energy and low impact building needs a combination of low impact natural materials with low levels of manufacturing sophistication and with good insulation - around 0.1 U value, windows and doors at U = 0.6 or a little more, most windows south facing, lots of thermal mass - that'll give a building which if properly detailed with no cold bridging will perform to zero carbon levels when paired with solar PV. The thing about low energy houses overheating is a partial mistake - certainly poorly designed kits will but you don't need solar shading in our climate triple glazing and a little attention to the properties of the glazing will protect against overheating. On design, there is no inclusion of the black</p>		<p>Flues – advice refers to chimneys, not flues – updated to clarify</p> <p>Passive heating – updated</p>

<p>house form - low walls, rounded and battered with low wind resistance and well tucked in from the wind. This is a very useful historical form. Materials here include the use of earth fills, thatch and turf. I note that access is included in this section. The current transport policy and particularly the execution of rural roads is for motorists. This is unsustainable and an opportunity might be taken to allow for inclusion of non-motorist friendly changes wherever there are any changes made for new developments - if in doubt on this please discuss with Sustrans.</p>		
<p>906306(71) (Yes) Many of the houses built in the countryside, especially on the west, will be on sites with peat or carbon rich soils. National policy continues to strengthen in relation to minimising impacts on peat wherever possible. We ask that a new peat section is added of section 6.2. It should include simple guidance directing applicants away from sites with peat if at all possible but when there are no alternatives, ensuring that the deepest areas of peat on a site are not excavated and left as open space.</p>	<p>Agreed</p>	<p>Included in new Nature Section in S&D.</p>
<p>997567(157) The Highlands of Scotland is the last major area in western Europe where dark skies can be enjoyed and appreciated to the full, as our ancestors have done from the beginning of humankind - up until about 70 years ago. This is a major asset and a unique selling point for the area, for tourism and as a place to live. Yet this small section, 6.5.1 is the only mention of lighting and light pollution in the whole document. The advice on light pollution needs to be strengthened. For example, any application should have to take into consideration whether the proposal is in an area where light pollution is currently low, and if so, asked to state how that has been taken into consideration in the application. As regards affordable housing, the current practice of providing even very small developments by default with street lighting, left on all night, is harmful, wasteful, and most often strongly disliked by the residents themselves. The advice in 6.5.1 that lighting should be controlled by PIR sensors, angled in a downward direction and focused is especially welcome. These simple measures can make a huge difference. This ought to be written in to planning consents and enforced. The advice that large glazed gables on exposed or elevated sites will not always be supported is not nearly strong enough. There should be a strong presumption against over-large glazed areas of any kind on any site. Not only are they bad from a light pollution point of view, and from the effect of their reflective nature on the countryside, but they are a major heat loss, even if double-glazed, etc. They are also impractical for year-round Highland living, being often soaked with moisture in the winter a cause of overheating in the summer. They are very often an indication that the house is aimed at the AirBnB or second-home market than for local needs.</p>	<p>Partially agreed.</p>	<p>Included in Section in S&D</p>
<p>1248765(151) (Yes) The design guidance is helpful and should help deliver a higher standard of built environment than may have prevailed in the past. However, guidance should still allow for diversity and innovation by skilled designers where site conditions allow. The pre-application process is important here and emphasis should be placed on this in the guidance. If only guidance could encourage applicants to appoint agents based on their design skills rather than simply to secure the necessary consents at lowest cost!</p>	<p>Partially agreed.</p>	<p>Note added regarding preapp advice can be on design as well as siting.</p>

<p>1254670(178) (No)</p> <p>23. Much of the new guidance makes sense, in terms of orientating buildings to maximize the benefits of passive solar gains, using landscaping sensitively, and siting houses carefully with respect to topography, as well as allowing for buildings to be nestled into woodland.</p> <p>24. There is still, however, an underlying presumption that we need to preserve the landscape character, that we need to replicate the traditional Highland house form; to quote (6.4.5) "To... produce a more successful realistic replica of the traditional house..."</p> <p>25. All forms (and patterns of development) arise in dependence on conditions; social, economic, climatic and legislative conditions. Our 'traditional' Highland form has grown out of a a number of such conditions, including materials available, and construction techniques.</p> <p>26. When we attempt to fix the form, and don't allow new forms to emerge out of the actual, real and current needs and conditions, we end up, with a feeling of falseness; 'out of placeness' " like we're trying to shoehorn ourselves into old boots- and this, we all perceive, is unsatisfactory " the forms lack an inherent quality.</p> <p>27. It seems this current policy is trying to address this unsatisfactoriness, but it is doing so by placing more limits on scale, massing, etc.</p> <p>28. The multifaceted challenge we face in this 21st century, of our climate emergency, housing crisis, economic uncertainty, degradation of our soil as a result of industrialised farming methods, poverty and growing mental ill-health is no doubt daunting, but, architecture and good design, can confidently offer appropriate and necessary responses to these challenges, and the legislative framework should be welcoming of innovative new forms which are arising out of our current conditions.</p> <p>29. Allowances should be made for emerging innovate forms of land tenure, housing groups, new business models, and land management. 30. We must find the courage to embrace robust design frameworks which enable this progression, rather than continuing to attempt to fix new forms within the architectural expressions of the 18th /19th or even 20th century. We need designs of our time and place.</p>	<p>Partially agreed.</p>	<p>Note added re MMC and emerging design processes</p>
<p>1254978(188) (Yes)</p> <p>As commented on previously I question the use of the illustration under paragraph 6.3.7. This site was selected purely on the grounds that the existing building on it used to be a house more than 40 years ago. The proposed footprint does not meet the criteria that restricts significant expansion of the footprint of the original building.</p>		<p>Diagram reviewed and considered appropriate and acceptable.</p>
<p>1255027(218) (Yes)</p> <p>Over dense siting in the countryside is not suitable. This guidance is not being applied currently. Qualified and experienced professionals should be engaged to undertake this work.</p>	<p>Noted</p>	<p>No Change required</p>
<p>Council Forestry Section – change 6.3 to:</p> <p>Trees and Woodland</p> <p>6.3.12 Retained trees/ woodland and new planting can significantly help to integrate a new house into the rural landscape. Carefully sited houses can be located in reasonably close proximity to woodlands or shelter belt of trees to provided weather protection to the house. These locations can offer the house an immediate enclosure, backdrop and screening from wider views. Existing tree</p>	<p>Agreed</p>	<p>Section to be updated as per THC FS comments</p>

cover and new landscape planting should therefore be fully considered at the outset and the planting selection should be appropriate to the locale and size of the development.

6.3.13 Existing trees and woodlands on or adjacent to a site should be retained and protected, and details of such should be included with the proposal from the outset, including protection of the root protection area of retained trees.

6.3.14 More information on landscaping protection is provided within the Council Supplementary Guidance: Trees, Woodlands and Development⁽¹²⁾.

6.3.13 A mix of native species with varying canopy covers and growth rates can ensure that the house remains integrated in the landscape over the year and its lifespan, as faster growing trees with shorter life spans, are replaced over time with slower growing trees with longer life spans.

6.3.14 The potential size of any tree should also be fully considered when proposing and undertaking planting and species selected on the basis of their future growth potential and impact in the medium and longer term. The diagram below 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.

6.3.15 The following criteria should be followed when considering site landscaping:

- Ensure all planting/fencing is clear of visibility splays from access points.
- Consideration needs to be given to the falling distance of existing and newly planted trees in relation to habitable buildings;
- Retain, incorporate and sensitively add to any existing tree or woodland features. Setting a building against an existing backdrop 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. In certain

<p>circumstances the planting of non-native species may be acceptable.</p>		
<p>Question 20. Any Other Comments:</p>		
<p>No further comments 1248765(152), 1254386(132), 1255031(239), 1257321(275)</p>		
<p>988044(21) I would hope that design to have the lowest possible impact on the nature and climate emergency should be a key point. This includes construction methods - destroying the ground and surroundings by excavation, over prolonged storage of piles of topsoil [destroying it's goodness and putting out CO2] and the laying of large areas of imported and mind hardcore for construction purposes. All of these should be discouraged. When you talk about native trees - these are not the only appropriate trees as regards ecology, natural diversity and appearance. For instance Lodgepole pine fits in. Amerlanchier in a garden or certain settings can fit in. Just a couple as examples.</p>	<p>Noted</p>	<p>No change required.</p>
<p>1216531(1) Broadly supportive of these proposals, with the following observations: The Highlands is not a 'wilderness area' it is a depopulated area. A large part of its economic vulnerability is its over-reliance upon tourism, which also defines it as little more than a leisure facility for other parts of the UK. Many such tourists arrive in camper vans and caravans, putting little or nothing into the local economy. Emphasis should be placed on attracting 'clean' business and industry to the area, balancing its scope of economic diversity, increasing the population and so providing enhanced tax revenue to facilitate improved/extended public services and communications infrastructure.</p>	<p>Noted</p>	<p>No change required.</p>
<p>953627(59) Scottish Water is fully supportive of both sustainable design and indeed sustainable development in general. We note the Council's direction towards the consideration of rainwater harvesting in Section 6.3.9 and as an organisation we have explored, researched and implemented rainwater harvesting in trials. This has ranged from basic rain-barrels for gardening, as well as roof runoff collection to supply separate grey water systems in housing development for non-potable uses such as toilet flushing. Indeed, our own Stepps office uses rainwater for toilet flushing. All of this was conducted under our water efficiency programme which successfully identified the environmental and household cost saving merits of water efficiency in both rural and urban settings. However we would advise carefully regulated pipe materials and installations must be adhered to as is detailed in current Building Standards, particularly when the property benefits from a public supply in tandem within the property to avoid 'cross connection' risks.</p>	<p>Agreed</p>	<p>Note added ensuring compliance with BS & SW requirements.</p>
<p>1254670(179) 31. The Supplementary Guidance as written appears to be designed to channel housing to large land-banked sites only relevant to large developers and constrain development on relatively small sites as these are rarely allocated. Our key suggestion is for an alternative approach "creation of a strategy that positively encourages development and growth in the countryside. Such a strategy would be designed to support the Green Recovery and drive for a Net Zero Carbon Highlands and would focus on: i. Re-population of the countryside. ii. New land uses, land ownership patterns, and management approaches to enhance</p>	<p>The RHSG as written is designed to set out circumstances where we would likely support new housing outwith allocated sites... such 'large land banked sites' are generally within SDA where this SG</p>	<p>No change required.</p>

<p>biodiversity and increase carbon sequestration. i,· Diversification of the rural economy to create more opportunities and choice, especially for young people. i,· Supporting young people to stay in rural areas and encouraging the in-migration of young people, especially young families. 32. The planning system should create a framework for, and foster, new approaches to development and living. Greater diversity in the ways that we live and work will be required to meet the ever quickening pace of the environmental and economic changes that we all face.</p>	<p>doesn't apply (crofting within SDA for informative purposes).</p>	
<p>1254978(189) Question whether the Council will accept the redevelopment of buildings at Stages 3 and 4 of Rural Building Dereliction. I have been involved in a number of cases where the stance taken by Planning officials is very negative and there has been no understanding of the need to demolish such buildings to replace them with new well designed houses that meet Building Standards, particularly in respect of foundations, structural integrity, energy performance, ventilation and insulation. I had one development that is virtually identical to the example given for Stage3: Complete Building in early state of failure where the Planning officer would not regard it as a house and then reeled off various other criteria and policies to recommend refusal. The result is a building which continues to decay and become even more of an eyesore to the detriment of the local landscape. Yet on the other hand the Council is happy to support vast featureless volume build housing developments of little square boxes sprawling across the open countryside edges of our settlements.</p>	<p>Providing the table should hopeful assist applicants and officers to take a consistent approach.</p>	<p>No Change</p>
<p>1255027(219) KBCC experience generally is that planning policies and guidance is not consistently applied by planning officials. Planning officials need to meet applicants on site to discuss proposals. There needs to be a reasonableness of approach from planning officials and they need to start supporting applicants in interpreting the policy. There needs to be a clear definition of the neighbour notice procedure.</p>		<p>No Change</p>