

Agenda Item	10
Report No	ECI/49/24

The Highland Council

Committee: Economy and Infrastructure

Date: 14 November 2024

Report Title: Rural Housing Planning Policy Update

Report By: Assistant Chief Executive - Place

1 Purpose/Executive Summary

- 1.1 This report presents an 'Explanatory Note' in **Appendix 2** which clarifies how the Council's Rural Housing Supplementary Guidance (RHSG), adopted December 2021, will be considered in light of Scottish Government's National Planning Framework 4 (NPF4) and the Council's recently adopted Inner Moray Firth Local Development Plan (IMFLDP). This is aimed at ensuring a clear and consistent understanding and implementation of the combination of policies for rural housing set out in NPF4, the Council's RHSG and the adopted Development Plan. It also confirms how recent work on 'local living' can apply to rural housing applications. In clarifying the approach to delivering appropriate rural housing this report demonstrates how such housing can play a role in supporting the rural economy and addressing the Housing Challenge.
- 1.2 Subject to Committee approval, the Explanatory Note will sit alongside the adopted RHSG and Development Plan and will be used in decision making for all current and future rural housing planning applications.

2 Recommendations

- 2.1 Members are asked to:-
- i. **Consider and agree** the Rural Housing Supplementary Guidance – Explanatory Note contained in Appendix 2; and
 - ii. **Note** that, from the point of approval by Committee, this Explanatory Note will inform all planning advice and decisions.

3 Implications

- 3.1 **Resource** - The drafting and publishing of the Explanatory Note has been resourced through the relevant service budget and no additional resources have been/are required to finalise the project. The document will be published on the Council webpage and will only be printed at the explicit request from a member of the public, thus avoiding publishing costs.

- 3.2 **Legal** - The approach set out in the RHSG and Explanatory Note are considered to be consistent with National Planning Framework 4 (NPF4) and the Council Adopted Local Development Plans.
- 3.3 **Risk** - There are no anticipated risks associated with applying the RHSG and Explanatory Note.
- 3.4 **Health and Safety** (risks arising from changes to plant, equipment, process, or people) - There are no anticipated Health & Safety issues associated with the acceptance of this Explanatory Note.
- 3.5 **Gaelic** - Gaelic headings and subheadings will be included in the published Explanatory Note, in accordance with the Council Gaelic requirements.

4 **Impacts**

- 4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children’s Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities, and Data Protection. Where identified as required, a full impact assessment will be undertaken.
- 4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.
- 4.3 **Integrated Impact Assessment - Summary**
 - 4.3.1 An Integrated Impact Assessment screening has been undertaken on 4 October 2024. The conclusions have been subject to the relevant Manager Review and Approval.
 - 4.3.2 The Screening process has concluded that this work does not require a Full Impact Assessment, as it provides guidance updates on the interpretation of existing planning policies, rather than the establishment of new policies. Members are asked to consider the summary in **Appendix 1** to support the decision-making process.

Impact Assessment Area	Conclusion of Screening
Equality	<ul style="list-style-type: none"> • Children and Young People – <i>no impact</i> • Children affected by disability – <i>no impact</i> • Older adults – <i>no impact</i>
Socio-economic	<i>no impact</i>
Human Rights	<i>no impact</i>
Children’s Rights and Well-being	<i>no impact</i>
Island and Mainland Rural	<i>Positive</i>
Climate Change	<i>Positive</i>
Data Rights	<i>no impact</i>

5 Rural Housing Background & Key Changes

- 5.1 Members will recall that at the Economy and Infrastructure Committee on 1 September 2021 ([ECI/34/2021](#)) it was agreed to adopt the finalised version of the [Council Rural Housing Supplementary Planning Guidance](#) (RHSG).
- 5.2 This RHSG is 'hooked' on to Policy 35 (Housing in the Countryside (Hinterland Areas)), Policy 36 (Development in the Wider Countryside), Policy 47 (Safeguarding Inbye/AppORTioned Croftland) and Policy 48 (New/Extended Crofting Townships) of the Highland-wide Local Development Plan (HwLDP), adopted April 2012.
- 5.3 Since the adoption of the RHSG, it has been used as a material consideration in the determination of planning applications and has provided a supportive approach to rural housing throughout Highland, to help communities thrive and people live and work in healthy, high quality sustainable environments.
- 5.4 Members will also recall from [ECI/41/2023](#), that the Scottish Ministers published and adopted [National Planning Framework 4](#) (NPF4) on 13 February 2023. Following its adoption, and for the first time, NPF4 became part of the 'adopted development plan' and it's 33 national planning policies are now used in the planning application decision-making process.
- 5.5 Alongside NPF4 the Scottish Government's Chief Planner confirmed in their [letter of February 2023](#) that "LDPs already adopted will continue to be part of the development plan...". However, the Chief Planner letter also notes that in the event of any incompatibility between the provisions of NPF and an LDP, the most recent plan and policy position prevails.
- 5.6 Within NPF4, **Policy 16 (Quality Homes)** and **Policy 17 (Rural Homes)** are the most relevant to the assessment of rural housing, with the lead policy being Policy 17. This policy outlines, under a number of 'branches' (A-D), the requirements and locations where rural homes will be acceptable.
- 5.7 These 'branches' utilise the Scottish Government Urban-Rural 6-fold Classification 2020 mapping to define differing parts of the rural landscape. Areas within a 30-minute drivetime to a settlement with over 10,000 residents (Inverness, Fort William and Nairn) are identified as 'accessible rural' and areas beyond that are classified as 'Remote Rural' (Refer to the Map in **Appendix 3**).
- 5.8 Within the 'remote rural' area, the policy provides support for rural housing that reverses depopulation and, as such, housing development in such locations in Highland are generally considered favourably subject to site specific siting and design requirements (branches a, b & c of Policy 17). Within pressured 'accessible rural areas', which are more easily accessible to urban centres, NPF4 Policy 17 is intended to be more restrictive to prevent suburbanisation of the countryside and for sustainability reasons, although the policy still provides support for proposals that meet certain defined objectives (branches a & b of Policy 17).

- 5.9 In essence there is similarity between NPF4 Policy 17 and HwLDP Policies 35 & 36, both in terms of the area where the policies apply ('accessible rural' (NPF4) and Hinterland (HwLDP)) and the type of applications acceptable within the accessible rural and Hinterland areas (NPF4 Policy 17 a) and HwLDP Policy 35).
- 5.10 However, within the accessible rural area the opportunity to expand a defined 'Housing Group' (a HwLDP Policy 35 exception) is notably missing from branch a) of NPF4 Policy 17. Consequently since NPF4 adoption, the expansion of a housing group has not been used by the Council in the decision-making process due to its incompatibility with NPF4.

6 Interpretation and implementation of policy with IMF2LDP Plan area

- 6.1 Following the adoption of the Inner Moray Firth Local Development Plan 2 (IMF2LDP) ([June 2024 - HC/20/24](#)) and the housing challenge declaration ([HC/21/24](#)), further clarification is needed on the inter-relationship between the policies and the weight that can be attributed to each.
- 6.2 In preparing and adopting the IMF2LDP, careful consideration has been given to the role of rural housing. In particular, the spatial strategy provides clear and explicit support for the expansion of 'housing groups' (as defined by the RHSG).
- 6.3 Additionally, the boundary of the IMF Hinterland was reviewed and very slightly enlarged as part of IMF2LDP process. The difference between the approved IMF2LDP Hinterland boundary and the Scottish Government 'accessible rural area' is shown in **Appendix 3**.
- 6.4 As IMF2LDP is now newer than NPF4, and with its spatial strategy confirming explicitly the suitability of the expansion of a 'housing group', it is considered that across the IMF2LDP area this particular form of development is again suitable and appropriate when all relevant and up to date policy considerations are considered.
- 6.5 To allow the appropriate consideration of applications proposing the expansion of a Housing Group, the Explanatory Note proposes to utilise the definition, and requirements outlined in the RHSG.
- 6.6 Furthermore, with regard to the differences in the Hinterland and accessible area boundaries, in order to provide the most support for rural housing and deliver on the Housing Challenge, it is proposed that the more restrictive provisions of Policy 17 a) are only applied to the smaller 'accessible rural area' and not the larger Hinterland area, thus reducing the area of the most restrictive policy extent applies.

7 Interpretation and implementation of the policy outwith IMF2LDP area

- 7.1 As the Council's two other adopted area Local Development Plans (WestPlan & CaSPlan) remain older than NPF4, it is considered reasonable and appropriate that the above interpretation should only apply within the 'accessible rural area' in the IMF2LDP area and not the Fort William 'accessible rural area'.

- 7.2 Within the Fort William accessible rural area, the Explanatory Note sets out the consideration for acceptable housing in relation to NPF4 Policy 17 branches a) & b). This includes utilising the Council recently published 'Local Living' mapping resource (full details of which are included in the Highland Local Development Plan (HLDP) 'Placemaking Unique Challenge Paper' as a separate paper on today's agenda but summarised below) as a way of assessing rural housing proposals against NPF4 Policy 17 b).

Local Living

- 7.3 As part of the early evidence gathering work for the new Highland Local Development Plan, the Council has considered how the 'Local Living' agenda, which is promoted through National Planning Framework 4 (NPF4), can be applied within Highland. This provides useful evidence to inform the Council's consideration of rural housing development.
- 7.4 Taking account of analysis of services and communities across Highland, and research that [considers the local living concept in a Highland context](#), officers have developed a map-based tool to plot the location of 17 different services including shops, greenspace, leisure and learning across all Settlement Development Areas and Growing Communities. The tool then calculates the actual ten-minute walking radii (800m) around each service, with each of the 17 services 'weighted' according to importance. These weightings are then amalgamated to provide a numeric result for over 500,000 50metre hexagon cells across our communities. These 'cells' are then coloured coded to illustrate the findings in an easy-to-use interactive map, which is available on the [Council webpage](#).
- 7.5 The methodology used to develop this local living tool, has been subject to public consultation as part of the HLDP Evidence Gathering and the consultation responses are summarised in the separate item to this Committee on the Highland Local Development Plan Evidence Gathering under "Design, Wellbeing and Placemaking".
- 7.6 As this work has now been published and has been subject to public scrutiny it is proposed to use the list of 17 mapped services in the Rural Housing Explanatory Note as a means of assessing rural housing applications outwith IMF2LDP areas. This will test their suitability against the requirements of 'Local Living' as set out in branch b) of NPF4 Policy 17.

8 Future Rural Housing Planning Policy Direction

8.1 Subject to Committee approval, it is proposed that the above position be adopted and applied to all relevant planning advice and decisions. As explained in the separate paper to this Committee, the Council's work to prepare the new Highland LDP will include consideration of its approach to rural housing to support the rural economy and communities across Highland, to create resilient and high-quality sustainable communities and to address the Highland Housing Challenge.

Designation: Assistant Chief Executive - Place

Date: 11 October 2024

Author: Matthew Hilton, Urban Designer / Planner

Background Papers: Rural Housing Development [Guidance](#)
National Planning [Framework 4](#)
Highland Wide Local Development [Plan](#)
Inner Moray Firth Local Development [Plan 2](#)

Appendices: Appendix 1 – Integrated Impact Assessment
Appendix 2 - Rural Housing Planning Policy Explanatory Note
Appendix 3 - Scottish Government 6-Fold Urban Rural
Classification Map & Council Hinterland Map

Integrated Impact Assessment Screening

About proposal

What does this proposal relate to? Updated Planning Policy Guidance on Rural Homes

Proposal name: Updated Planning Policy Guidance on Rural Homes

High level summary of the proposal: Guidance note to ensure a clear and consistent understanding and interpretation of the combination of policies for rural housing as set out in National Planning Framework 4 (NPF4) & the Council's adopted Development Plan.

Who may be affected by the proposal? Those seeking advice for rural housing or submitting relevant planning applications

Start date of proposal: 14/11/2024

End date of proposal:

Does this proposal result in a change or impact to one or more Council service? No

Does this relate to an existing proposal? Yes

Provide details of the existing proposal: Guidance note to be read alongside the Council's adopted Rural Housing Supplementary Guidance

Author details

Name: Matthew Hilton

Job title: Urban Designer / Planner

Email address: Matthew.Hilton2@highland.gov.uk

Service: Place

Responsible officer details

Name: Scott Dalgarno

Job title: Development Plans Manager

Email address: Scott.Dalgarno@highland.gov.uk

Sign off date: 2024-10-04

Equalities, poverty, and human rights

Protected characteristics

Select what impact the proposal will have on the following protected characteristics:

Sex: No impact

Age: No impact

Disability: No impact

Religion or belief: No impact

Race: No impact

Sexual orientation: No impact

Gender reassignment: No impact

Pregnancy and maternity: No impact

Marriage and civil partnership: No impact

Protected characteristics impact details:

Poverty and socio-economic

What impact is the proposal likely to have on the following?

Prospects and opportunities: No impact

Places: Positive

Financial: No impact

Poverty and socio-economic impact details: The new guidance seeks to provide support for housing in appropriate rural locations, which in turn supports the local construction industry and helps address the rural depopulation agenda.

Human rights

Which of the below human rights will be affected by this proposal?

What impact do you consider this proposal to have on the human rights of people? Positive

Human rights impact details: The new guidance seeks to support rural housing in appropriate locations. However, with any planning policy guidance a number of planning applications will be refused based on the guidance and in all cases a clear rationale is provided for any planning decision.

Equalities, poverty and human rights screening assessment

What impact do you think there will be to equalities, poverty and human rights? No impact

Is a Full Impact Assessment required? No

Children's rights and wellbeing

What likely impact will the proposal have on children and young people?None

Which of the below children's rights will be affected by the proposal?No children's rights will be affected

Explain how the children's rights selected above will be affected:The new guidance purely relates to the provision of new rural homes and planning application applicants are over 18.

Children's rights and wellbeing screening assessment

What impact do you think there will be to children's rights and wellbeing?No impact

Is a Full Impact Assessment required? No

Data protection

Will your proposal involve processing personal data? No

Data protection screening assessment

What change will there be to the way personal data is processed?New data will be processed

Is a Full Impact Assessment required? No

Island and mainland rural communities

Does your proposal impact island and mainland rural communities? Yes

Could people in island and mainland rural communities be affected differently?Yes

How could the impact differ? The new guidance seeks to support rural housing in appropriate locations. It does this by setting a more positive policy landscape within 'remote rural' areas over 'accessible rural' areas (based on the SG 6-fold Urban-Rural Classification 2020).

Have any negative impacts been identified?No

Island and mainland rural communities screening assessment

What impact do you think there will be to island and mainland rural communities?No difference

Is a Full Impact Assessment required? No

Climate change

Does the proposal involve activities that could impact on greenhouse gas emissions (CO₂e)? Yes

Does the proposal have the potential to affect the environment, wildlife or biodiversity? Yes

Does the proposal have the potential to influence resilience to extreme weather or changing climate? No

Provide information regarding your selection above: New Rural Housing by its very nature will create greenhouse gas emissions during its construction and the loss of undeveloped land, wildlife & biodiversity during construction. However, planning policies have been established to consider and mitigate these.

Climate change screening assessment

Have you identified potential impact for any of the areas above or marked any as not known? No

Is a Full Impact Assessment required? No

RURAL HOUSING PLANNING POLICY EXPLANATORY NOTE (**Front page to be added before publication**)

Contents

1.0	Introduction.....	3
2.0	Adopted Local Development Plan & Supplementary Guidance:.....	4
2.1	National Planning Framework 4 (NPF4).....	4
2.2	Highland-wide Local Development Plan (HwLDP).....	4
2.3	Inner Moray Firth 2 Local Development Plan (IMF2LDP):.....	4
2.4	Rural Housing Supplementary Guidance (RHSG).....	4
3.0	New Housing on non-allocated sites within a Settlement:.....	5
4.0	New Housing outwith a Settlement:.....	5
5.0	Policy Interpretation:.....	5
5.1	NPF4 Policy 16 (Quality Homes) & 17 (Rural Homes):.....	5
5.2	NPF4 Policy 17 Branch a):.....	6
5.3	NPF4 Policy 17. Branch b):.....	6
5.4	NPF4 Policy 17. Branch c):.....	7
5.5	NPF4 Policy 17. Branch d):.....	7
5.6	HwLDP Policy 35 (Housing in the Countryside (Hinterland Areas)) & Policy 36 (Development in the Wider Countryside):.....	7
Appendix 1 - Map Of The Council Hinterland Area & Scottish Government’s 6-Fold Urban Rural Classification 2020.....		9
Appendix 2 - Map Of The Council Hinterland Area & Scottish Government’s 6-Fold Urban Rural Classification 2020 – Inner Moray Firth Area.....		10
Appendix 3 - Map Of The Council Hinterland Area & Scottish Government’s 6-Fold Urban Rural Classification 2020 – Fort William Area.....		11
Appendix 4 - NPF4 Policy 17: Rural Homes Assessment Flow Chart.....		12
Appendix 5 - NPF4 Policy Extract.....		13
Appendix 6 - Highland-wide Local Development Plan Policy Extract.....		16
Appendix 7 - Inner Moray Firth 2 Local Development Plan Policy Extract.....		18
Appendix 8 – List of Growing Settlements as outlined in the Council Local Development Plans.....		21

Version.	1.7 (draft)
Date.	Sept 2024
Author.	MH

1.0 Introduction

- 1.1 This **Rural Housing Planning Policy Explanatory Note** has been prepared to ensure a clear and consistent understanding and interpretation of the combination of policies for rural housing as set out in National Planning Framework 4 (NPF4) & the Council's adopted Development Plan. It aims to ensure that rural housing is supported in appropriate circumstances by clarifying how the Council's existing Local Development Plans will be used alongside NPF4.
- 1.2 This paper outlines the interim approach that will apply until the adoption of the new Highland Local Development Plan (HLDP). The evidence gathering stage of the new Highland Local Development Plan (HLDP) is underway and the Council in compliance with NPF4 will review the tailored approach to rural housing across Highland. The Council's latest [Development Plan Newsletter](#) outlines the timeframe for the preparation of HLDP and notes that the proposed plan stage will be reached by Q3 2025-26. With the finalised plan being adopted in Q3 2027-28.
- 1.3 In the interim, Highland-wide Local Development Plan (HwLDP) Policies 35 & 36 cannot be taken as providing Highlands 'tailored approach to rural housing' as allowed for in the 'Local Development Plan' section of NPF4 P17, as these are existing 'old style LDP' policies. NPF4 has been developed and written to support the implementation of the new planning act and specifically the introduction of the new style LDPs. This is confirmed in Annex A of Part 3 of NPF4 where under 'Local Development Plan' it outlines the 'expected role' LDPs will play and sets out the type of policies and their content they should include. Furthermore, the language utilised in all the 'Local Development Plan' sections of each policy and Annex A of NPF4 is clearly written based on what new style LDP policies will do, by using language such as 'should' and 'will', this form of language is clearly written in the future tense and thus by its very nature excludes existing LDP policies.
- 1.4 However, as HwLDP remains part of the adopted Local Development Plan landscape, with its policies, especially Policy 35 & 36 in this regard, carrying weight in the decision-making process and can be utilised to support rural housing in certain circumstances.
- 1.5 On 27th June 2024 the Highland Council declared a 'Highland Housing Challenge'. In doing so it recognised the issues facing the Council and its strategic partners in meeting the current and anticipated future demand for housing in the area and outlining a number of key strategic objectives:
- Increase social housing build rate by 40% etc in first 10 years
 - Increase local Housing Association build rate in rural areas
 - Increase external investment in housing in target areas
 - Improve existing stock to maintain progress to net zero and sustainable living standards.
- 1.6 The provision of Rural Housing has an important role to play in helping the Council addressing this challenge and this guidance has been prepared to help meet this challenge.
- 1.7 To help applicants determine the correct policy direction for any specific site or landholding, the Council has produced an interactive online mapping resource ([link to be added for publication](#)) alongside this document, which allows users to select any given point and for the relevant rural housing planning policies to be displayed. Once these have been determined, the advice in this guidance will help inform the acceptability of a house on that site.

- 1.8 With regards to applications for renewals, varying the commencement of development timeframe, or resurrecting an expired approval. As there has been a change in Local Development Plan policy types of applications will be determined in accordance with this guidance note, relevant planning history and affording the appropriate weight to the area LDPs, rather than relying wholly on the previous adopted policy position. This might result in several previously acceptable proposals now being unacceptable.
- 1.9 The guidance provided does not override any built, natural or cultural designations, or **NPF4 Policy 5 (Soils)** and all other relevant LDP Policies must be given due consideration.

2.0 Adopted Local Development Plan & Supplementary Guidance:

2.1 [National Planning Framework 4 \(NPF4\)](#)

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

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

2.2 [Highland-wide Local Development Plan \(HwLDP\)](#)

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

2.3 [Inner Moray Firth 2 Local Development Plan \(IMF2LDP\):](#)

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

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

2.4 Rural Housing Supplementary Guidance (RHSG)

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

3.0 New Housing on non-allocated sites within a Settlement:

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

3.2 In terms of this guidance the following is considered relevant:

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

4.0 New Housing outwith a Settlement:

4.1 NPF4 uses the [Scottish Government's 6 fold Urban Rural Classification 2020](#) to identify rural area, with NPF4 Policy 17 setting out which branches is applicable, as follows:

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

5.0 Policy Interpretation:

5.1 NPF4 Policy 16 (Quality Homes) & 17 (Rural Homes):

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

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

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

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

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

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

5.2 NPF4 Policy 17 Branch a):

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

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

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

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

5.3 NPF4 Policy 17. Branch b):

5.3.1 'Local Living' is covered under **NPF4 Policy 15 (Local living and 20-minute neighbourhoods)**, with the Scottish Government recently publishing planning guidance titled '[Local living and 20 minute neighbourhoods](#)' which defines local living as '...providing people the opportunity to meet the majority of their daily needs within a reasonable distance of their home...'. This document provides specific guidance on the rural context and also points to the '[Living Well Locally, 20 Minute Communities in the Highlands and Islands](#)', commissioned by HITRANS on what a 20 minute neighbourhood could be like in a rural and island context.

5.3.2 Inner Moray Firth Local Development Plan Area:

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

5.3.3 Other Area Local Development Plan Areas:

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

- the prevailing and historical settlement pattern and/or land-use of the area,
- the presence of the following:
 - Community facility/hall;
 - Long standing community memorial;
 - Religious venue;
 - Business premises (café, shop, garage etc), but not just a home office;
 - School (especially if it has a low or falling role);
 - Public service infrastructure (post-box, telephone box, community noticeboard);
 - Public transport connection (more than just being on a bus route, i.e. bus stop/shelter).
- The number of existing houses/buildings is such to create a ‘feeling of community’ / ‘sense of belonging’.
- The Council [Local Living Mapping](#) project.

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

5.4 NPF4 Policy 17. Branch c):

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

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

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

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

5.4.4 Criteria iii. - Use **RHSG** for assessing location, access, and environmental impact.

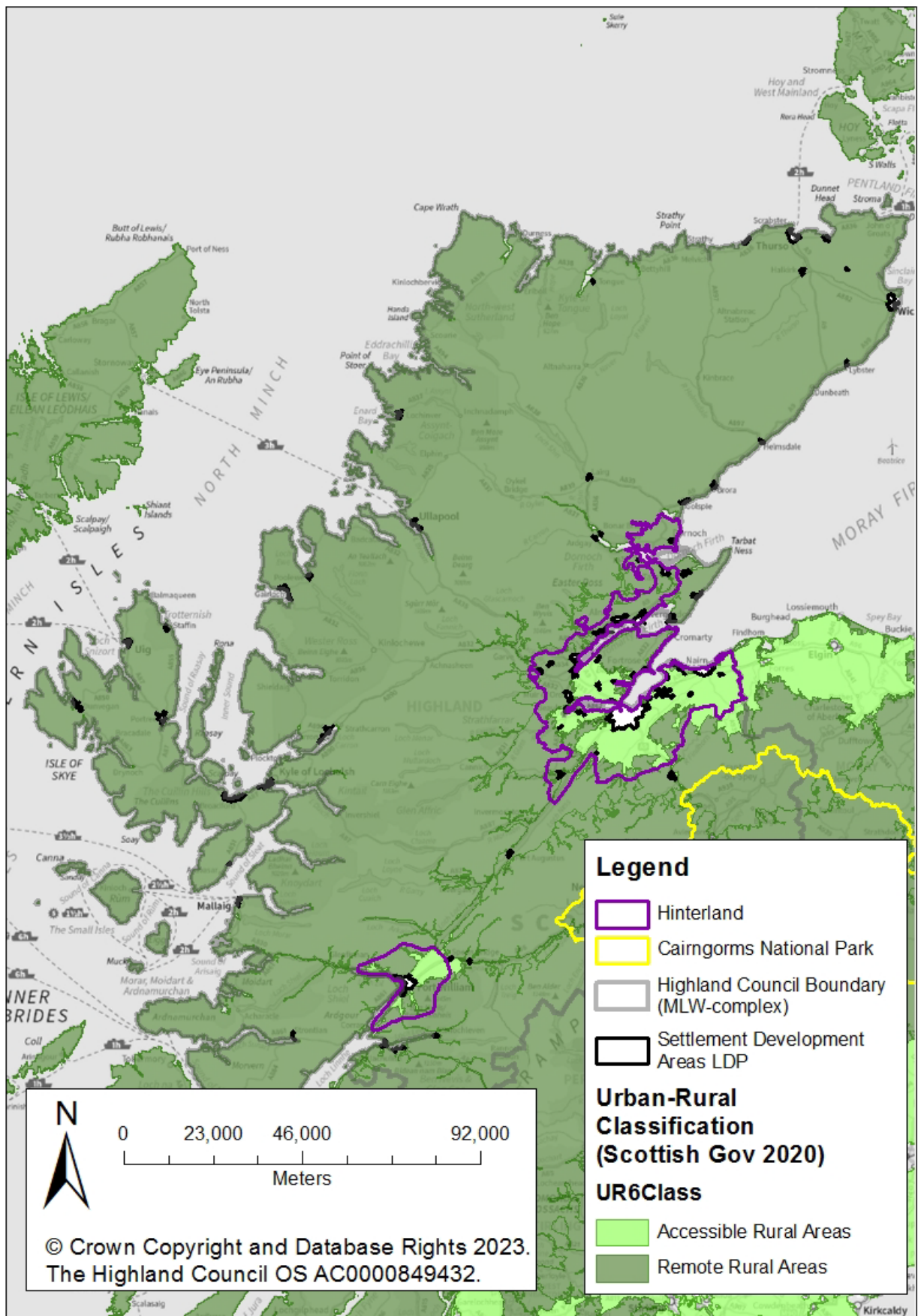
5.5 NPF4 Policy 17. Branch d):

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

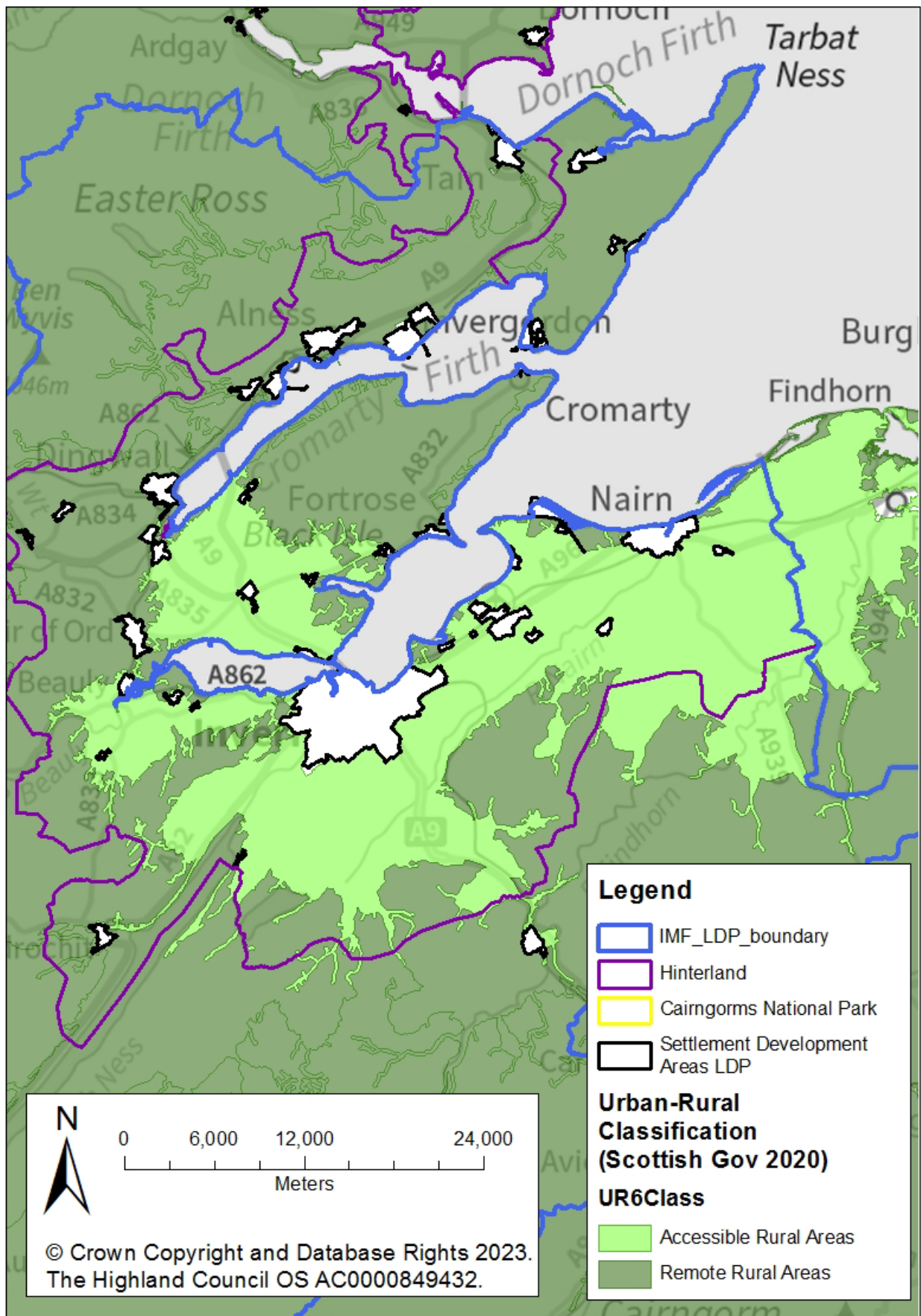
5.6 HwLDP Policy 35 (Housing in the Countryside (Hinterland Areas)) & Policy 36 (Development in the Wider Countryside):

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

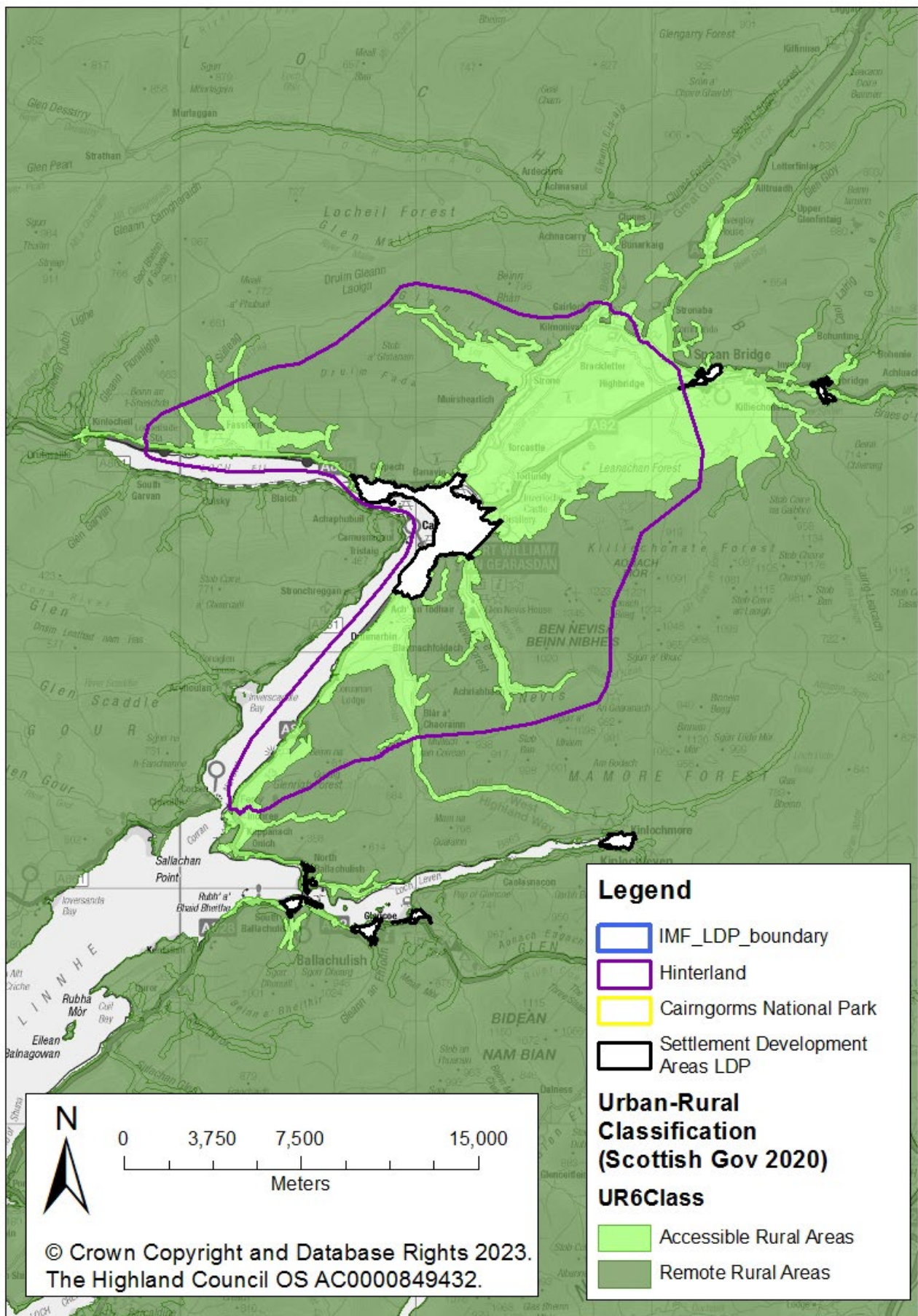
Appendix 1 - Map Of The Council Hinterland Area & Scottish Government's 6-Fold Urban Rural Classification 2020



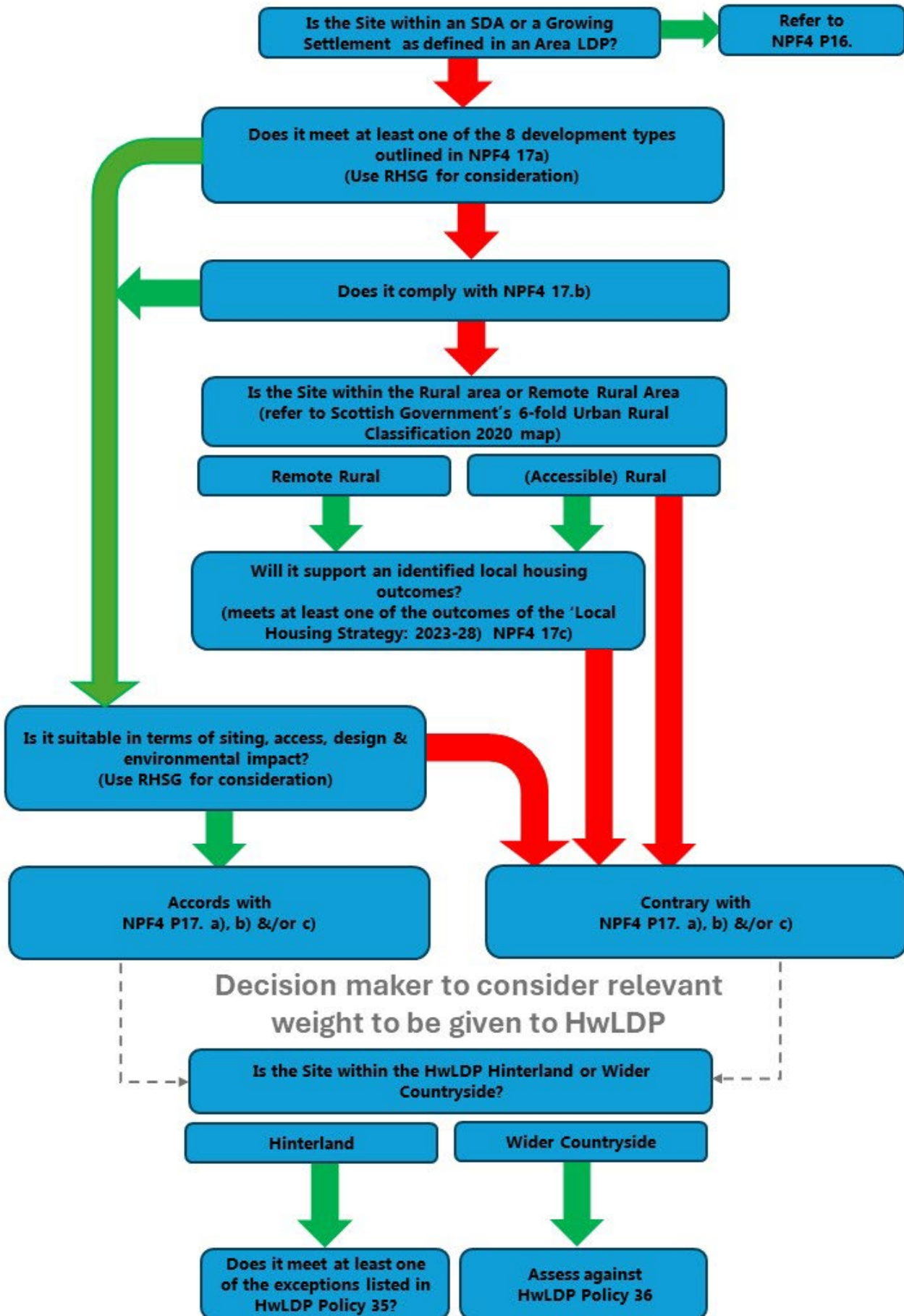
Appendix 2 - Map Of The Council Hinterland Area & Scottish Government's 6-Fold Urban Rural Classification 2020 – Inner Moray Firth Area



Appendix 3 - Map Of The Council Hinterland Area & Scottish Government's 6-Fold Urban Rural Classification 2020 – Fort William Area



Appendix 4 - NPF4 Policy 17: Rural Homes Assessment Flow Chart



Appendix 5 - NPF4 Policy Extract

NPF4 Policy 5 - Soils

- a) Development proposals will only be supported if they are designed and constructed:
- i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and
 - ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.
- b) Development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:
- i. Essential infrastructure and there is a specific locational need and no other suitable site;
 - ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
 - iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
 - iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and
- In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.
- c) Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:
- i. Essential infrastructure and there is a specific locational need and no other suitable site;
 - ii. The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets;
 - iii. Small-scale development directly linked to a rural business, farm or croft;
 - iv. Supporting a fragile community in a rural or island area; or
 - v. Restoration of peatland habitats.
- d) Where development on peatland, carbon-rich soils or priority peatland habitat is proposed, a detailed site specific assessment will be required to identify:
- i. the baseline depth, habitat condition, quality and stability of carbon rich soils;
 - ii. the likely effects of the development on peatland, including on soil disturbance; and
 - iii. the likely net effects of the development on climate emissions and loss of carbon.
- This assessment should inform careful project design and ensure, in accordance with relevant guidance and the mitigation hierarchy, that adverse impacts are first avoided and then minimised through best practice. A peat management plan will be required to demonstrate that this approach has been followed, alongside other appropriate plans required for restoring and/ or enhancing the site into a functioning peatland system capable of achieving carbon sequestration.
- e) Development proposals for new commercial peat extraction, including extensions to existing sites, will only be supported where:
- i. the extracted peat is supporting the Scottish whisky industry;
 - ii. there is no reasonable substitute;
 - iii. the area of extraction is the minimum necessary and the proposal retains an in-situ residual depth of peat of at least 1 metre across the whole site, including drainage features;
 - iv. the time period for extraction is the minimum necessary; and
 - v. there is an agreed comprehensive site restoration plan which will progressively restore, over a reasonable timescale, the area of extraction to a functioning peatland system capable of achieving carbon sequestration.

NPF4 Policy 15 - Local Living and 20 minute neighbourhoods

- a) Development proposals will contribute to local living including, where relevant, 20 minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:
- sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;
 - employment;
 - shopping;
 - health and social care facilities;
 - childcare, schools and lifelong learning opportunities;
 - playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;
 - publicly accessible toilets;
 - affordable and accessible housing options, ability to age in place and housing diversity.

NPF4 Policy 16 – Quality Homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
- i. meeting local housing requirements, including affordable homes;
 - ii. providing or enhancing local infrastructure, facilities and services; and
 - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
- i. self-provided homes;
 - ii. accessible, adaptable and wheelchair accessible homes;
 - iii. build to rent;
 - iv. affordable homes;
 - v. a range of size of homes such as those for larger families;
 - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
 - vii. homes for people undertaking further and higher education; and
 - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
- i. a higher contribution is justified by evidence of need, or
 - ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.
- The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
- i. the proposal is supported by an agreed timescale for build-out; and

ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;

iii. and either:

- delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
- the proposal is consistent with policy on rural homes; or
- the proposal is for smaller scale opportunities within an existing settlement boundary; or
- the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

g) Householder development proposals will be supported where they:

i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and

ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

NPF4 Policy 17 – Rural Homes

a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

i. is on a site allocated for housing within the LDP;

ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;

iii. reuses a redundant or unused building;

iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;

v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;

vi. is for a single home for the retirement succession of a viable farm holding;

vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or

viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location.

c) Development proposals for new homes in remote rural areas will be supported where the proposal:

i. supports and sustains existing fragile communities;

ii. supports identified local housing outcomes; and

iii. is suitable in terms of location, access, and environmental impact.

d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:

i. is in an area identified in the LDP as suitable for resettlement;

ii. is designed to a high standard;

iii. responds to its rural location; and

iv. is designed to minimise greenhouse gas emissions as far as possible.

Appendix 6 - Highland-wide Local Development Plan Policy Extract

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

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

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

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

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

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

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

HwLDP Policy 36 – Development in the Wider Countryside

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

- are acceptable in terms of siting and design;
- are sympathetic to existing patterns of development in the area;
- are compatible with landscape character and capacity;
- avoid incremental expansion of one particular development type within a landscape whose distinct character relies on an intrinsic mix/distribution of a range of characteristics
- avoid, where possible, the loss of locally important croft land; and

- would address drainage constraints and can otherwise be adequately serviced, particularly in terms of foul drainage, road access and water supply, without involving undue public expenditure or infrastructure that would be out of keeping with the rural character of the area.

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

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

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

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

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

Appendix 7 - Inner Moray Firth 2 Local Development Plan Policy Extract

IMF2LDP Policy 1 - Low and Zero Carbon Development

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

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

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

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

- All developments will be required to connect to an existing heat network where available. Where one does not already exist, Major Developments will be encouraged to create a new heat network.
- Where applications can demonstrate that connection to a heat network is not viable as part of the development, the proposal will need to be future proofed to allow connections to heat networks when one becomes available. In such cases an agreed network design will be required.
- Where the applicant can demonstrate that connection to a heat network is neither viable nor the most appropriate heating solution, both as part of the development and likely in the future, alternative low and zero carbon emitting heat arrangements will be required.
-

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

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

IMF2LDP Policy 2 - Nature Protection, Restoration and Enhancement

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

Local Developments

Local developments will only be supported if they include appropriate measures to integrate nature-based solutions and enhance biodiversity, in proportion to the nature and scale of the proposed development. All new local housing development, excluding householder alterations and extensions, and all other local development will be expected to deliver demonstrable net biodiversity enhancements above an agreed baseline. These enhancements can be provided onsite, or on other land within the applicant's ownership or control, and secured through planning conditions. Alternatively, a biodiversity enhancement developer contribution may be paid to facilitate collective biodiversity enhancements within the catchment of the closest main settlement of the proposed development.

National, Major and EIA Developments

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

To inform this, proposals should:

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

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

Planning Guidance

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

IMF2LDP Policy 8 – Placemaking

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

Therefore all proposals must follow a site design-led approach, which must be demonstrated by outlining which Design Tool(s) have been utilised and why; how the scheme has evolved and the changes adopted as a

result of using the Design Tool and feedback from the public consultation and/or consultees (if appropriate) within the Supporting Statement submitted as part of an application.

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

Appendix 8 – List of Growing Settlements as outlined in the Council Local Development Plans

Inner Moray Firth 2 Local Development Plan

Abriachan

Balnain

Barbaraville

Cannich

Cawdor

Contin

Farr/Inverarnie

Foyers

Garve

Gorthleck

Inchmore

Hill of Fearn

Inver

Milton of Kildary

Marybank

Portmahomack

Rhicullen/Newmore

Tomich

Whitebridge

West Highland and Islands Local Development Plan

Acharacle

Ardgour and Clouvullin

Arisaig

Auchtertyre

Aultbea

Balmacara and Reraig

Carbost

Dornie

Duror

Edinbane

Glenelg

Inverarish

Invergarry

Kilchoan

Lochaline

Morar

Plockton

Torridon

Caithness and Sutherland Local Development Plan

Bettyhill

Dunbeath

Dunnet

Durness

Embo

Invershin

John O' Groats

Keiss

Kinlochbervie

Latheronwheel

Melness

Melvich

Portskerra

Reay

Rosehall

Scourie

Thrumster

Watten

Appendix 3 - Scottish Government 6-Fold Urban Rural Classification Map & Council Hinterland Map

