

Supplementary Guidance Rural Development 1: Housing and business development in the countryside

1. Introduction

- 1.1 This paper is intended to review the Aberdeenshire Local Development Plan Supplementary Guidance *SG Rural Development1: Housing and business development in the countryside* (SGRD1) and propose changes in view of amendments to national policy and local context.
- 1.2 The main aim of SGRD1 is to deliver development that is of appropriate design and scale to its surroundings. LDP Policy 3 *Development in the countryside* has introduced a more welcoming approach to rural development, where previously it was more restricted, as it is acknowledged that it plays an important role in the social and economic sustainability of rural communities.

2. Background

National Policy

- 2.1 The Scottish Planning Policy's (SPP, 2010) Rural Development advice asserts that taking a positive approach to rural development is central in providing the right conditions for rural communities to prosper. The SPP encourages the enabling of development in all areas that contribute to rural social and economic sustainability whilst continuing to protect and enhance the environment.
- 2.2 More specifically, the SPP states that '*Development plans should promote economic activity and diversification in all small towns and rural areas*' (Para 93) adding '*In more accessible and densely populated rural areas most new development should be in or adjacent to settlements*' (Para 95).
- 2.3 The SPP supports the proposals in the countryside which provide employment and community benefit, '*particularly where they involve the imaginative and sensitive re-use of previously used land and buildings*' (Para 93).

Strategic/Regional Policy

- 2.4 The current draft of the Aberdeen City and Shire Strategic Development Plan (2013) identifies much of rural Aberdeenshire as within the local growth and diversification area. These areas lie outwith the strategic growth areas which is where the majority of development is focused.
- 2.5 The SDP states that growth of rural settlements must reflect local need and this is expected to vary between settlements. There should be a focus on providing a range of housing, particularly smaller homes for purchase or rent as well a substantial amount of affordable housing.
- 2.6 It is acknowledged that within the local growth and diversification areas, that there will continue to be pressure for rural housing outwith existing settlements. However the plan stipulates that '*local development plans, in line with Scottish Planning Policy, should approach this by focusing new housing in, or as an extension to, existing settlements, particularly those which are well served by public transport. This will help to create and maintain successful places and be more sustainable*'.

3. Approach

- 3.1 SGRD1 has adopted a hierarchical approach to rural development based on proximity and accessibility to Aberdeen. The hierarchy comprises three tiers, which are identified as the Greenbelt, the Aberdeen Housing Market area (AHMA) and the Rural Housing Market Area (RHMA). A different level of control is exercised in each of these three areas with strict controls in the Aberdeen City Green Belt and a much more relaxed and permissive approach in the RHMA.
- 3.2 Part A of SGRD1 stipulates housing and business development which is permissible in the AHMA, which under part A1 includes proposals which would be compliant with the greenbelt policy (Special Types of Rural Land 2). Within the green belt only essential rural uses and the conversion or change of use of worthy buildings is permitted. The policies operating in the green belt are reviewed separately.
- 3.3 Within the Aberdeen Housing Market area this is extended to include any previously used sites under part A2 of SGRD1. Proposals for the refurbishment or replacement of existing or disused building or which are on land that has previously been developed are supported in principle. This criterion is intended to encourage the re-use and re-development of existing or disused buildings in order to reduce brownfield land and loss of greenfield sites.
- 3.4 In addition, it permits proposals that contribute to the organic growth of a settlement identified in Appendix 1 of SGRD1. This allows small scale proposals (defined as up to 3 houses for the purposes of the policy) up to 400m from the edge of the built up area of the settlement. This is aimed to allow the more natural expansion of small settlements (with a limit of 20% growth within the plan period), however proposals must connect well to the existing settlement.
- 3.5 The final criterion of part A(4) allows one-off housing that is associated with the succession of a viable farm holding. This is aimed to permit an additional house, where no other suitable alternative is available, for a retiring farmer on his farm or for his related farm successor. This is aimed to allow a retiring farmer to remain on their farm to continue to assist with its everyday running whilst the new farmer is in place.
- 3.6 Part B of the policy is only applicable to the RHMA. It permits proposals for employment use which are less than 0.5 Ha or employ fewer than 5 people. This is in principle where the business is compatible with its surrounding area. In addition, part B permits houses (small-scale) which are an appropriate addition to a cohesive group of at least 5 houses. This is intended to encourage social sustainability within more remote rural areas.
- 3.7 SG RD1 has produced a more flexible approach to small-scale housing and business development in the RHMA, allowing development associated with business, or limited expansion of cohesive groups, on the basis that it makes a greater contribution to the overall sustainability of at risk communities. There is greater focus on locating new housing in or adjacent to existing settlements within the AHMA which is in closer proximity to Aberdeen.
- 3.8 This approach is a considerable change from the previous Aberdeenshire Local Plan (ALP) housing in the countryside policy, which was more prescriptive and less flexible.

4. Drivers of Change

- 4.1 SGRD1 has intentionally been produced to be less prescriptive in order to allow for greater flexibility and professional judgement to be exercised in the determination of whether rural development proposals are acceptable. However, this has created some ambiguity regarding how the policy should be interpreted and applied.
- 4.2 This is particularly notable in Part A)2 of the policy regarding the refurbishment or replacement of an existing building or previously used land. There have been a number of queries from Development Management (DM) regarding what constitutes an '*existing building*'. The reasoned justification states that previously developed land must be '*disused and redundant for its designed purpose*' however it is not stipulated that this applies to the '*existing or disused building*'. Whilst an '*existing building*', for the purposes of this policy, applies to a dwelling or building that is disused or redundant for its designed purpose, it can be interpreted as referring to any structure. A number of enquiries have been received for the replacement of an in-use agricultural shed or building to be replaced with housing. This was not the intended purpose of the policy and could lead to the unsustainable early abandonment of sound agricultural buildings. Whilst DM has taken a bullish approach to this to date, it remains an issue which requires to be addressed.
- 4.3 Some clarification has been provided through planning advice to expand the information provided in SG RD1. However this does not carry the same material weight in terms of decision making. Therefore, it may be prudent to consider an amendment to this part of the policy for the next plan.
- 4.4 There has also been an issue regarding replacement dwellings. The reasoned justification states that '*No restriction is placed on the size of replacement of existing buildings or of the footprint that such a building should occupy*'. However, there have been a number of enquiries regarding the replacement of a building on a completely different site indicating that further clarification may be required. One case which was approved by committee (APP/2012/2950), saw a replacement house located 750 metres from the remains of the original house, which is not the purpose or intended interpretation of the policy.
- 4.5 The purpose of this policy is to allow the on-site replacement of an existing / disused building. This ensures that houses and buildings are being replaced on previously developed sites and are not using up valuable green field land far from the original building. In addition, it is more likely that the site of the previous building is more appropriate for a new development in terms of access and infrastructure. It is therefore not considered appropriate for the replacement of an existing or disused building to be located on a completely different undeveloped site.

Traditional and Vernacular buildings

- 4.6 Concern has also been raised by Councillors at the Member Officer Working Group on 19th September 2012 in response to the first draft of the planning advice for SG RD1 that the policy will accelerate the loss of traditional and vernacular style buildings in the countryside. Whilst policy states that '*the retention and refurbishment of vernacular buildings...will always be preferred*', it is not a prerequisite. A number of proposals have come in for and been approved for the demolition of traditional cottages and buildings (APP/2012/1096, 2599, 3013, 2870, 3017, 3088, 2225, and 1897 are some examples). The policy encourages retention; however, there is currently no mechanism to enforce this.

- 4.7 It is considered that vernacular buildings are an important part of Aberdeenshire's cultural heritage and character and it is therefore important that they are not needlessly lost. In addition, the re-use of an existing building could be considered to be more sustainable as often vernacular buildings have greater longevity. Whilst it is understood that often these buildings are not of modern space or energy standards, re-modelling or converting them can improve this. This would therefore enable the creation of a modern home that reflects the past and continues to enhance Aberdeenshire's rural character.

Organic Growth

- 4.7 Part A3 of SGRD1 permits development that contributes to the organic growth of settlements (up to 20% of the existing size) listed in Appendix 1. The list comprises settlements in both the AHMA and RHMA. Within the RHMA, development is permitted where it is an appropriate addition to a cohesive group of at least 5 houses (again up to 20%). SG RD1 does not state an upper limit (planning advice advises a cohesive group maximum of 15 existing houses) meaning both policies will apply to some settlements causing confusion. A definition of when a cohesive group becomes a settlement or an upper limit on the number of new units that could be added to a settlement-sized "cluster" should be considered.
- 4.8 In addition, there has been some question as to why some settlements are not identified in Appendix 1 such as Auchnagatt (where an application (APP/2012/2703) which was recently recommended for refusal under this policy was overturned by Councillors) and Rora. It may be appropriate to review settlements identified in Appendix 1.
- 4.9 Finally, there is the question of whether the cohesive group policy achieves its intended purpose of creating more socially sustainable communities. It should be assessed whether 5 dwellings can be considered a 'sustainable community' and whether the policy helps to provide a mix of house to meet local need or is encouraging larger single house developments that do not necessarily contribute to sustainable rural places.

5. Recommendations

- 5.1 Whilst there are not yet exact statistics regarding numbers of applications considered under this policy, initial monitoring has indicated that SG RD1 is one of the most used policies. The recommendations are therefore intended to ensure greater clarity for those who are interpreting it.

Key recommendations;

- To amend the wording in part A2 of SGRD1 to allow for the 'refurbishment or replacement of an existing *dwelling* or disused building'.
- Regarding the 'replacement' of a house or building under A2, the policy should emphasise that the new building/s must be on the same site. Whilst this is mentioned in the reasoned justification, it is recommended that it should be contained and reinforced in the policy wording.
- To look at including a criterion within SG RD1 that places a greater requirement on the retention, redevelopment and re-modelling of disused traditional buildings and dwellings. This could include retaining a traditional building for non- residential uses, such as a garage or an annexe to the new house. This would be intended to promote the re-use and extension of derelict buildings rather than demolition.

- To review the settlements identified in Appendix 1 to establish any new settlements that could benefit from small scale growth.
- To remove altogether the cohesive group element of the policy or at least increase the minimum number of dwellings in a cohesive group from 5 to 10. It is considered that a higher number would provide greater opportunity for a group to be more socially sustainable.
- To simplify the organic growth (A3) and cohesive group (B2) policy. This could be done by only listing AHMA settlements in Appendix 1 and allowing the cohesive group policy to apply in the RHMA to all groups or settlements of over 10 houses.

6. Summary of Main Points

- 6.1 Following a significant change in approach from the previous Local Plan, the current Local Development Plan's rural development policies provide a much more welcoming approach to development in the countryside. This review has highlighted the need for some changes to policy *SG RD1: Housing and business development in the countryside* to improve clarity and deliver a more effective policy. It has been noted that the wording of part A2 of the policy which permits the refurbishment or replacement of an existing or disused building should be slightly amended to make it more concise. In addition, there is a need for greater emphasis to be placed on the location of a replacement house under this part of SG RD1. The review has also proposed that a policy relating to the re-development of vernacular style buildings be created in order to encourage the innovative re-use of traditional buildings. Finally, it is recommended that the policy regarding organic growth in the AHMA and cohesive groups in the RHMA are reviewed to provide a more transparent and understandable policy. The changes to the policy are aimed ensure a continued welcoming approach to development, whilst ensuring that it is not to the detriment of the countryside's character and environment.

References

Aberdeen City and Shire Strategic Development Plan Authority (2013) Current Draft of the Strategic Development Plan

Aberdeenshire Council (2012) *Aberdeenshire Local Development Plan 2012*

Scottish Government (2010) Scottish Planning Policy