

REPORT TO: PLANNING & REGULATORY SERVICES COMMITTEE ON 1 JUNE 2010

SUBJECT: SUPPLEMENTARY PLANNING GUIDANCE: HOUSING IN THE COUNTRYSIDE

BY: DIRECTOR OF ENVIRONMENTAL SERVICES

1. REASON FOR REPORT

- 1.1 This report asks the Committee to consider comments received during a public consultation held on the draft supplementary guidance for housing in the countryside and the responses provided to these, and approve the finalised supplementary planning guidance as a material consideration in the determination of planning applications.
- 1.2 This report is submitted to Committee in terms of Section D(2) of the Council's Administrative Scheme relating to the review and preparation of strategic and local plans.

2. RECOMMENDATION

2.1 It is recommended the Committee:

- (i) consider the comments submitted during the consultation period on the draft supplementary guidance and approves the responses recommended to these;**
- (ii) authorises that such changes as are approved at this meeting will be accommodated into the final supplementary planning guidance and approves its publication;**
- (iii) agrees that the final supplementary guidance is a material consideration in the determination of planning applications for housing in the countryside.**

3. BACKGROUND

- 3.1 The Planning etc. (Scotland) Act 2006 advises that Local Plans should be slimmer, map based documents, with detailed policy aspects being contained within Supplementary Planning Guidance. The adopted Moray Local Plan 2008 followed this approach, and policy content of certain topics was reduced from that of previous plans.
- 3.2 One such topic was housing in the countryside. As a result of the reduced content of the Local Plan and the continuous emphasis on guiding new housing to appropriate locations in the countryside together with improved design guidance from the Scottish Government, Supplementary Guidance expanding on policies H7 (Re-use and Replacement of Existing Buildings in the Countryside) and H8 (New Housing in the Open Countryside) of the Local

Plan has been produced. The Planning & Regulatory Services Committee approved on 23rd June 2009 (para. 8 of the Minute refers) that a 6-week consultation be carried out to gauge the views of the public on the proposed guidance.

- 3.3 If approved, the Supplementary Guidance will be a 'material consideration' in the determination of planning applications for housing in the countryside.

4. SUPPLEMENTARY GUIDANCE PROPOSALS

- 4.1 Although the development strategy for Moray allows for some new housing in open countryside, the strategy clearly sets out that the majority of new rural housing should take place within existing Rural Communities to support their role as social focal points as well as the community facilities and employment they may provide to the surrounding countryside. This method of delivery adheres to the principles of sustainable development in terms of protecting the natural beauty and heritage of Moray's countryside, which is fundamental to sustaining the continuing growth of the tourism industry as well as the 'quality of life' enjoyed by residents.
- 4.2 This supplementary guidance provides advice on the interpretation of policies H7 and H8 of the Moray Local Plan, which deal with new housing outwith the Rural Communities. The guidance also addresses other important aspects such as design and energy efficiency, the profile of which has continued to be raised by the Scottish Government in recent years. In this respect, the guidance builds upon many of the good principles of design and energy efficiency contained within the award winning housing in the countryside supplementary planning guidance that accompanied the Moray Local Plan 2000. The new guidance will supersede the guidance which accompanied the Moray Local Plan 2000, should it be approved by the Committee.

Consultation

- 4.3 A 6-week consultation on the draft supplementary guidance took place from 16th November to 24th December 2009. The consultation was well advertised with articles placed in local newspapers and the material made available to view online. Letters were sent to key agencies (SNH, SEPA, HIE, Scottish Water, HITRANS), relevant stakeholders (developers, architects and agents), and Community Councils/associations.

Outcome of the Consultation

- 4.4 10 representations covering over 100 different aspects were received in response to the consultation (4 from developers/agents, 3 from members of the public, and 3 from other Council Services/departments/teams). No Community Councils/associations responded to the consultation.

4.5 In general, many of the representations welcomed the guidance in terms of its broad intention to provide further clarity on the interpretation of the relevant Local Plan policies and to improving the quality of housing design in the countryside. The representations were varied in their response to the guidance, for example, some considered that the guidance overly tightened up the policies whilst others considered that the guidance was too lenient an interpretation of the policies and should be more restrictive. Overall, there was a general consensus that the following matters should be addressed in the final supplementary planning guidance:

- More examples of innovative & contemporary design as well as good and bad illustrations;
- More clarity on matters concerning prominence and overt prominence;
- Re-visitation on the interpretation of linear extension;
- Definition of suburban characteristics;
- Further clarity on the interpretation of one-for-one replacement under the terms of policy H7;
- Requirement to convert a redundant building before additional new build will be acceptable;
- The attachment of conditions tying occupation of new build units to completion of a renovated building;
- Further advice on how to assess multiple house applications, where sole applications are submitted for individual houses located in close proximity to each other to avoid being advertised as a departure from policy H8.

4.6 These matters, and others which were raised, have been fully addressed in **Appendix 1**. To summarise, the text of the final document has been amended in accord with the response provided to each of the comments submitted as part of the consultation. For example, further advice has been provided on one-for-one replacement, prominence and overt prominence, multiple house applications and suburban characteristics. Additional illustrations will be added to the final document.

5 **SUMMARY OF IMPLICATIONS**

(a) Single Outcome Agreement/Service Improvement Plan

A key priority for the Greener Strategic Group is addressing the following national outcome of the SOA:

- (i) We value and enjoy our built and natural environment and protect and enhance it for future generations.

(b) Policy and Legal

Once formally approved, the supplementary planning guidance will be a material consideration in the determination of planning applications.

(c) Resources (Financial, Risks, Staffing and Property)

The consultation work has been carried out as part of staff workloads. Consultation material has been paid from the existing printing budget of Planning and Development Services.

(d) Consultations

Aileen Scott (Principal Solicitor), Lorraine Paisey (Principal Accountant), and the Planning and Development Manager have been consulted and are in agreement with the contents of this report.

6. CONCLUSION

- 6.1 Supplementary Guidance is required to expand on Local Plan policy and to provide a consistent basis for interpretation and application, when considering planning applications. Having addressed the matters raised through the public consultation, the finalised supplementary planning guidance will provide the basis on which to guide development in the countryside to the most appropriate locations that is not to the detriment of Moray's rural heritage and landscape.

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Background Papers:

Ref: