

APPENDIX I – NATIONAL AND LOCAL PLANNING POLICY

National Planning Policy is contained in Scottish Planning Policy which requires Development Plans to support opportunities for rural housing. This has been achieved in the Cairngorms National Park through our housing policies which set out the circumstances where rural housing will be supported.

In relation to affordable housing Scottish Planning Policy (SPP) sets out that there are different forms of affordable housing from social rented accommodation to low cost housing without subsidy.

Policy highlights that affordable housing needs should be met where possible within the housing market area where it arises. SPP stresses the need for Planning Authorities to be clear on the scale and distribution of affordable housing for their area, and to highlight any differences in approach between urban and rural areas as necessary. SPP concludes that where it is considered that housing built to meet an identified affordable housing need should remain available to meet such needs in perpetuity, then the measures to be used to ensure this should be set out in supplementary guidance.

Affordable housing is defined in Planning Policy as housing of a reasonable quality that is affordable to people on modest incomes. It may be in the form of social rented accommodation, mid-market rented accommodation, shared ownership, shared equity, discounted low cost housing for sale including plots for self build, and low-cost housing without subsidy. It includes discounted low cost housing for sale (including plots for self build) and low cost housing without subsidy.

In addition to this policy background, a recently issued **Scottish Government circular on Planning Obligations and Good Neighbour Agreements** (Circular 3/2012 updating previous 2010 Circular) restates advice previously provided by the Scottish Government Chief Planner that there is only a limited role for obligations to restrict the use of land or buildings. The circular sets out that these type of restrictions have been historically used in respect of housing in rural areas and are rarely appropriate and so should be generally avoided as they are considered to be resource intensive, difficult to monitor and enforce, and can introduce unnecessary burdens or constraints. The Circular explains that it *is* appropriate to consider the need for a development in a particular location but when the Authority is satisfied that an adequate case has been made then it should not be necessary to use a planning obligation as a formal mechanism to restrict occupancy or use.

Local Planning Policy reflecting this national background is contained in the Cairngorms Local Plan (2010.) In relation to affordable housing in the countryside policy is set out in “Policy 22: Housing outside settlements “which states as follows:

- *Affordable Housing outside Settlements: Developments for new affordable housing outside settlements will be considered favourably where there are no suitable sites within settlements, where the development does not detract from the landscape setting, and they meet a demonstrable local need in the rural location.*

This policy is intended to allow for development of affordable and essential housing outside settlements and building groups and to maintain thriving communities.

Further guidance on the interpretation of the policy is contained in the supporting text which sets out that for affordable housing outside settlements, the policy will be used to allow the development outside settlements and building groups where there is a clear local need and no suitable sites exist within nearby settlements. The use of community needs assessments, housing needs and demand assessments and other information will be used in the justification of affordable housing under this policy

The supporting text goes onto explain that in considering the use of the policy for other housing outside settlements applicants should demonstrate that other sites, including those within settlements, open market dwellings in the area and land within allocated sites contained in the Local Plan for housing have all been considered and discounted. The reuse of existing buildings on the site should also be considered and discounted before new buildings will be permitted.

In addition the CNPA currently have supplementary planning guidance on affordable housing although it is worded to address larger housing developments and refers to the use of a development appraisal toolkit for all proposals for three or more dwellings on any one site. This guidance notes that development of sites solely for affordable housing will be supported provided the requirements of other policies are met.