

Issue 6	Policies - Housing	
Development plan reference:	Chapter 3 New Housing Development	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>209 Aberdeenshire Council 028 Alvie Estate 179 An Camas Mor LLP 159 Coast2Coast Architects 079 Mar Estate 185 Nethy Bridge and Vicinity Community Council 230 NHS Grampian 044 North East Mountain Trust 239 Ristol Ltd 061 The Cairngorms Campaign 070 The Crown Estate 043 The Highland Council 057 Tulloch Homes Group Ltd 090 Victor Jordan</p>		
Provision of the development plan to which the issue relates:	Chapter 3 - New Housing Development	
Planning authority's summary of the representation(s):		
<p><u>Housing in Settlements</u> Mar Estate (079) - Settlement boundaries need to allow for expansion if the policy is to work. Suggest in Braemar that the boundary is changed to allow for this.</p> <p>North East Mountain Trust (044) – Need more direction on how development might “reinforce and enhance the character of the existing settlement”. Regarding new housing development, include reference to landscape impact.</p> <p>The Cairngorms Campaign (061) – Question whether the first part of the housing policy which read a) or b) should in fact read a) and b) otherwise development could be supported regardless of the effect of the character of the settlement.</p> <p><u>Housing development in existing rural groups</u> Aberdeenshire Council (209) - The approach to rural housing groups proposed is more flexible than that used in the rest of Aberdeenshire which may encourage more development on the CNP side of the boundary to serve the needs of the county. However, in light of the remoteness of the park, and potential demand, this is not considered to be a significant issue.</p> <p>Mar Estate (079) - Housing in rural groups - support</p> <p>Ristol Ltd (239) - 1. Housing development in existing groups - there should not be a cap on the scale of new development within a building group, which instead should be determined by the landscape, character and services capacity of the</p>		

group to accommodate new development

Other housing in the countryside

Alvie Estate (028) – Disagree with restrictions on new development in the countryside.

Coast2Coast Architects (159) – There should be a policy exception for schemes that can demonstrate ‘exception design’.

Mar Estate (079) - Housing in the countryside - support aspect of the policy which allows a house to support a business
Generally support the approach

Nethy Bridge and Vicinity Community Council (185) - Policy should not restrict opportunities to build individual houses outside settlements where they may own land.

The Crown Estate (070) – In reference to page 17, Chapter 3 Other housing in countryside- support scope for housing on rural brownfield sites, but request this is defined in the Plan.

Contribution towards affordable housing provision

Alvie Estate (028) – Suggest rented housing is the most affordable and offers flexibility for labour force. Concerned that forcing developers to sell some of their houses at below cost will require the remaining to be sold at higher prices making them unaffordable. This policy approach is not supported.

NHS Grampian (230) - Supports emphasis on affordable housing particularly as a way of encouraging working age people to settle in the Park.

North East Mountain Trust (044) – Need larger requirement for affordable housing.

Ristol Ltd (239) - contribution towards affordable housing - there should not be a provision for developments under four units since this could make such projects economically unviable, thereby restricting the supply of rural housing, contrary to the policy objectives of the Scottish Planning Policy.

The Crown Estate (070) – In reference to page 17, Chapter 3 on contributions towards affordable housing, concerned 25% affordable housing target is unduly onerous and will stifle development- suggest a trigger level of 10 units should be set.

The Highland Council (043) - There is no definition of “affordable private rented”. Seek inclusion of a definition which is in line with THC definition “owned and/or managed by a private sector landlord to approved management and maintenance standards with equivalent Registered Social Landlords rents.”

Also the definition of affordable Housing in the glossary is inconsistent with the policy as the glossary definition includes Mid-Market rent as a form of affordable housing but this is not mentioned in para 3.9 of the policy. Seek removal of this from the glossary.

Tulloch Homes Group Ltd (057) - Object to the inclusion of a benchmark of 25% affordable housing contribution. This does not allow development viability and the availability of funding to be taken into account. There is no justification to support the 25% figure. The policy does not take into account flexibility as promoted by national planning policy, or the emerging SPP which sets a level of generally no more than 25% and the need to take into account the current economic climate.

The policy does not set out what financial contribution may be payable. It is not clear how the figure will be calculated and by whom.

The policy does not clarify that the % does not apply to existing allocations which have been carried forward and for which permission already has been issued.

Victor Jordan (090) - Contribution towards affordable housing provision on page 17 - Policy text amendment requested: The 1st para should be amended to read as follows "Developments of four or more open market houses will be required to incorporate 25% of the total units as affordable housing except where another percentage is specified in the development plan for a particular area" since it is government that the percentage is specified in the development plan. The words in the proposed plan "based on a benchmark of 25%" would allow the planning authority to ask for a higher percentage which could affect the viability of the development. When making their financial appraisal of a site and comparing it with others, developers need to know what their maximum liability would be. Paragraph 88 says that authorities may seek a percentage where this is included in the development plan. This recognizes that the power to impose conditions is not unlimited and a developer may therefore, in any event, successfully argue for a lower percentage in the circumstances. If a different percentage is required locally paragraph 88 indicates that the percentage should be identified in the development plan.

Affordable housing provided using cross subsidy from other housing

The Cairngorms Campaign (061) – Question the policy approach which requires cross-subsidy from open-market units to fund affordable homes.

Victor Jordan (090) - Affordable Housing provided using cross subsidy on page 18 - Amendment requested: This section should be removed since it is unnecessary in view of the possibility of offsite contributions mentioned in the third paragraph of the section headed "Contributions towards affordable provision." on page 17 and could lead to numbers of unneeded market houses.

Amendment requested: If the above amendment is not made subparagraph c) the words "not more than" be inserted immediately before the words "the minimum" to avoid ambiguity

Changes Sought:

- (a) the proposed plan be reissued for consultation in a form which sets out the housing requirement(s)
- (b) the proposed plan be amended as requested in paragraphs 4,6,8,10 and 12 of my representation on chapter 3

Replacement houses

Coast2Coast Architects (159) – Replacement houses, suggest criteria a) is not required- it should not be necessary to demonstrate a building is structurally

unsound or incapable of rehabilitation before allowing it to be replaced. CNP should be a showcase for good design.

Design

Alvie Estate (028) – Concerned recent development in Badenoch and Strathspey meet and increase demand for second, holiday and retirements homes, and are of suburban design compromising the character of villages.

Delivery

An Camas Mor LLP (179) – regarding new housing development, feel LDP must move beyond enabling to delivery on ground and focus on the delivery of housing of all tenures.

General approach to housing policy

Alvie Estate (028) – Concerned recent development in Badenoch and Strathspey meet and increase demand for second, holiday and retirements homes, and are of suburban design compromising the character of villages. New development should support local economic activities rather than speculative ventures.

Demand for housing

The Cairngorms Campaign (061) – Suggest large allocations will result in uniform estate development not befitting a National Park.

Suggests demand for housing in the Park will always exist and should not be met because of landscape, wildlife and biodiversity impacts.

Victor Jordan (090) - Omission of housing requirements - SPP makes it clear that the housing requirement for an area should be identified in the development plan. This proposed plan does not do this. The information is supplied in the evidence report but as this is not the LDP it does not comply with the requirements. This makes the readers understanding of the contents of the plan very confused.

The information provided in the evidence tables regarding Aberdeenshire are confusing. It appears for this area, and Perth and Kinross there is no housing requirement for market housing, just a requirement for affordable dwellings. There is no explanation why some open market houses between 2010 to 2029 have been omitted. This is further complicated when comparing the original evidence report.

For both Aberdeenshire and Perth and Kinross no requirement is given in Table 12 on page 27 of the Evidence Report for 2015 to 2019. Instead the words "Based on established Housing Land Supply" are inserted which seem like nonsense.

Housing to support the economy

Victor Jordan (090) - Amendment requested:

Para 3.2 in the first sentence the words "in turn supporting and growing the economy" should be replaced by "in accordance with the four statutory national park aims" since it is not right to single out just one of the Park Aims in this context.

Para 3.2 in the second sentence replace with the following "While such new

housing will mostly be in major settlements , the aim is that all communities should have the opportunity for new housing so far as compatible with the four national park aims" which follows from the objections made to housing requirement. There may also be a community where new housing is not appropriate, for eg because it would prejudice a future long term sustainable settlement strategy for the area.

Para 3.3 in the first sentence amend to read " The policy will enable good quality housing development that does not prejudice any long term sustainable settlement strategy that may be adopted for the area" which relates to objections made to housing requirement and objections regarding Ballater that there is no long term sustainable settlement strategy set out in the proposed plan for Ballater or any existing settlements.

Modifications sought by those submitting representations:

Housing in Settlements

Mar Estate (079) – allow flexibility around settlement boundaries.

North East Mountain Trust (044) - Include reference to landscape impact.; include higher percentage requirement for affordable housing; provide more direction on how development might “reinforce and enhance the character of the existing settlement”

The Cairngorms Campaign (061) - Request revisiting this policy approach.

Housing development in existing rural groups

Aberdeenshire Council (209) – none

Mar Estate (079) - none

Ristol Ltd (239) - Remove restriction on number of units to be added.

Other housing in the countryside

Alvie Estate (028) - Develop a different policy for housing and relax restrictions on housing development in the countryside.

Coast2Coast Architects (159) - Other housing in the Countryside section. Add an ‘exceptional design’ exception to the housing policy.

Change ‘protects’ to ‘reinforces’ in other housing and delete ‘and’ after development in first line in the policy

Mar Estate (079) - none

Nethy Bridge and Vicinity Community Council (185) – remove restrictions to one off development in the countryside for landowners.

The Crown Estate (070) – Define rural brownfield sites in the plan.

Contribution towards affordable housing provision

Alvie Estate (028) – review policy approach.

NHS Grampian (230) - none

North East Mountain Trust (044) – include larger requirement for affordable housing.

Ristol Ltd (239) - Remove requirement to make an affordable housing contribution

The Crown Estate (070) - Introduce a trigger for affordable housing units so only developments of ten or more units required to provide affordable housing.

The Highland Council (043) - Include definition for affordable private rented: “owned and/or managed by a private sector landlord to approved management and maintenance standards with equivalent Registered Social Landlords rents”. Amend glossary definition of affordable housing to remove mention of mid-market rent accommodation.

Tulloch Homes Group Ltd (057) - Amend policy to include reference to flexibility and the need to take account of current economic conditions. Remove reference to the use of development land value. Clarify that the % does not apply to sites which have been carried forward and for which planning consent has already been issues.

Victor Jordan (090) - Contribution towards affordable housing provision on page 17 - The 1st para amended to read "Developments of four or more open market houses will be required to incorporate 25% of the total units as affordable housing except where another percentage is specified in the development plan for a particular area"

Affordable housing provided using cross subsidy from other housing

The Cairngorms Campaign (061) - Request revisiting this policy approach.

Victor Jordan (090) - Affordable Housing provided using cross subsidy on page 18 - this section should be removed.

If the above amendment is not made subparagraph c) the words "not more than" be inserted immediately before the words "the minimum" to avoid ambiguity

Changes Sought:

(a) the proposed plan be reissued for consultation in a form which sets out the housing requirement(s)

(b) the proposed plan be amended as requested in paragraphs 4,6,8,10 and 12 of my representation on chapter 3

Replacement houses

Coast2Coast Architects (159) - Delete criteria a from replacement houses section of the policy.

Design

Alvie Estate (028) – review policy approach.

Delivery

An Camas Mor LLP (179) - Paragraph 3.2 should be amended as follows:

"We want to enable and deliver new housing, including that which is affordable and meets community needs, in turn supporting the growing economy. Whilst most growth is focussed in major settlements all communities should have some options for new housing and everyone should be able to see what those opportunities are in the next 5-20 years".

Reason: There should be a focus on delivery of all housing tenures.

Paragraph 3.6 should be amended as follows:

"In the next 5 years we will have delivered and created opportunities for the right type of housing, in the right place, that makes a positive contribution to communities. Developers will have confidence to invest. In turn communities will have the support they need to become and remain thriving places where people enjoy a sense of wellbeing".

Reason: There should be a focus on the delivery of new housing.

General approach to housing policy

Alvie Estate (028) – review policy approach.

Demand for housing

The Cairngorms Campaign (061) - Request revisiting this policy approach.

Victor Jordan (090) – revisit approach to ensure plan complies with the requirements of SPP

Housing to support the economy

Victor Jordan (090) – Para 3.2 in the first sentence the words "in turn supporting and growing the economy" should be replaced by "in accordance with the four statutory national park aims"

Para 3.2 in the second sentence replace with the following "While such new housing will mostly be in major settlements , the aim is that all communities should have the opportunity for new housing so far as compatible with the four national park aims"

Para 3.3 in the first sentence amend to read " The policy will enable good quality housing development that does not prejudice any long term sustainable settlement strategy that may be adopted for the area".

Summary of responses (including reasons) by planning authority:

Housing in Settlements

Mar Estate (079); North East Mountain Trust (044); The Cairngorms Campaign (061); Victor Jordan (090) – Regarding development in settlements, settlement boundaries are provided to indicate what is likely to happen during the life of the plan to both applicants and communities. Any flexibility to this would remove confidence and is not therefore supported by the CNPA.

Allocations are used within the Plan to provide land to meet the identified need and demand for housing, and indicate to communities where development is likely to happen during the life of the plan and beyond. The CNPA is committed to improving standards of sustainable design. Any removal of the option to provide infill or other development within settlements is not supported by the CNPA who considers existing settlements the most sustainable location for the

majority of development.

How development reinforces and enhances the character of an existing settlement is set out within the policy. Developments should maximise opportunities for infill, conversions, use of small scale developments, use derelict or underused land or redevelop land. Further information on design is included in Policy 5 Sustainable Design and its associated supplementary guidance. This includes the considerations which must be made to impact on the site and its landscape setting. The CNPA considers the level of guidance provided is sufficiently clear and does not therefore support any modification to this part of the policy.

Housing development in existing rural groups

Aberdeenshire Council (209); Mar Estate (079); Ristol Ltd (239) - Regarding housing in an existing rural group, the CNPA do not support the removal of a cap to the number of additions to the group. The CNPA considers there to be a need to manage the growth of small groups of houses in the countryside, allowing them to grow in an organic and sympathetic way. This allows communities to absorb new development in a more acceptable way. The CNPA also seeks through this cap, to provide clarity to applicants on exactly what is likely to be acceptable. The removal of any cap would provide no indication of what may be acceptable and this would result in confusion for applicants, and communities who would be unable to conceive what is likely or possible during the life of the plan.

Other housing in the countryside

Alvie Estate (028); Coast2Coast Architects (159); Mar Estate (079); Nethy Bridge and Vicinity Community Council (185); The Crown Estate (070) – Regarding housing in the countryside, the policy allows for a variety of options, including additions to a rural group, new housing to support an active business, brownfield development, and affordable housing. The CNPA considers these to provide sufficient choice to meet the demand for housing in the countryside in a way which can be justified and managed. The CNPA does not support the inclusion of text to provide for further exceptions to this.

The policy requires all proposals to protect the existing pattern of development. The amendment sought by (159) seeks to change the requirement from 'protect' to 'reinforce'. The CNPA accepts that the requirement to 'protect' may not allow sufficient flexibility to allow additions the existing pattern of development, and therefore agrees with the objector's suggested amendment. This clarity provides the applicant with an indication that new development can occur in a way which may result in a change, but this change must be reinforcement. The CNPA therefore supports the replacement of 'protect' with 'reinforce'.

The removal of the 'and' and any amendment to a) or b) would dilute the intention of the policy which is to provide some provision for growth in the countryside in a managed way. The removal of this is not supported by the CNPA.

The policy includes options which allow development in support of an active business which demonstrates a commitment to supporting local enterprise which requires accommodation.

The policy refers to rural brownfield land which is then defined in the glossary. The CNPA do not consider there to be a need to repeat here what appears later in the document.

The CNPA does not consider land ownership to be a key criterion to the appropriateness of a site for a new house.

The CNPA does not therefore support any modification to this part of the policy other than the change, as above, to read “reinforce” rather than protect.

Contribution towards affordable housing provision

Alvie Estate (028); The Crown Estate (070); NHS Grampian (230); North East Mountain Trust (044); Ristol Ltd (239); The Highland Council (043); Tulloch Homes Group Ltd (057); Victor Jordan (090)

– Regarding affordable development, the CNPA does not force developers to sell houses at a loss, and agrees with the comments made that renting offers improved flexibility. These two points link well together, and the CNPA are encouraged by developers who appreciate the value of building for the rented sector, rather than focusing on short term gains brought through open market development.

The CNPA considers that all developments should make a contribution to address the demand for affordable development. The CNPA consider one in four to be a reasonable lower trigger which would ensure some contribution from small scale developments which commonly occur in the smaller settlements across the Park. A standard of 10, as suggested would allow relatively significant developments to occur in these smaller settlements without making any contribution, thus doing nothing to help the identified problem. The trigger has been selected based on the normal size of developments built, and the CNPA remains convinced it is both reasonable and helpful.

Regarding the benchmark of 25% affordable housing, this is stated as a benchmark and not a fixed standard. It is taken from Government guidance and is in line with Scottish Planning Policy para 88. Para 3.10 of the supporting text clarifies that the policy will be applied using the Development Appraisal toolkit which will be used to ensure developments remain financially viable. This is further supported by supplementary guidance which goes into detail on the funds required, how they are calculated, how they are collected and how they would be spent. The CNPA consider the use of the benchmark along with the toolkit and supplementary guidance to provide sufficient clarity and flexibility to ensure development comes forward in a way which remains viable while meeting the objectives of the LDP. Any reliance on the open market element of development to provide affordable development is in recognition of diminishing public funds to provide 100% affordable housing.

The CNPA does not consider it necessary to include text to explain that the standards set out in the LDP do not apply to existing consents. It is the role of the LDP to provide a framework of policies to guide new applications. There is no role for the LDP to retrospectively influence extant permissions.

Regarding the definition of affordable housing, the CNPA has included a

definition in the glossary of affordable housing. It accepts that the list provided within that is not definitive, and accepts that the addition of private rented would provide additional clarity. The CNPA would support an addition to the glossary to the effect "It may take the form of social rented accommodation, private rented accommodation owned and/or managed by a private sector landlord to approved management and maintenance standards with equivalent Registered Social Landlords rents, shared ownership, shared equity, discounted low cost housing for sale including plots for self build, and low-cost housing without subsidy." The CNPA does not therefore support any modification to this part of the policy.

Affordable housing provided using cross subsidy from other housing

The Cairngorms Campaign (061); Victor Jordan (090) - regarding affordable housing provided using cross subsidy the CNPA consider this to be an important addition to the policy in the adopted Local Plan, making provision for innovative thinking when it comes to the methods of funding to provide affordable housing. It places at the fore the need to provide affordable housing, and to comply with this part of the policy, this should be the lead form of development. It is meeting a different part of the housing building sector, where proposals for affordable housing are not coming forward because of a lack of public sector funding. This is in contrast to the earlier part of the policy which is focused on open market housing making a contribution to the affordable housing pot. This cross subsidy is clear in its intent to limit market housing to that needed to secure the affordable development, and not exceed this minimum requirement, and is not therefore considered to be neither ambiguous or result in excessive amounts of market housing. The CNPA does not therefore support any modification to this part of the policy.

Replacement houses

Coast2Coast Architects (159) – Regarding replacement houses, the requirements to show existing housing stock to be structurally unsound or incapable of rehabilitation is included to ensure applicants do not seek removal of good quality housing stock, which, the CNPA considers to be unsustainable. The CNPA is committed to exemplar design, and this is demonstrated through Policy 5, Sustainable Design. It does not however, agree that the National Park should be a showcase for exemplar design in a way which is completely unmanaged, and is confident that the policy provides sufficient opportunity to find suitable sites on which to place such exemplar schemes without the need for an exception to the policy. The CNPA does not therefore support any modification to this part of the policy.

Design

Alvie Estate (028); North East Mountain Trust (044) – Regarding the design of recent developments, the CNPA remains committed to improving design standards for all developments. With initiatives such as design awards and a continued commitment to sustainable design through policy and supplementary guidance, the CNPA considers it is already demonstrating its focus on better design. The impact of development on the landscape is considered through policy 7 Landscape, and the CNPA does not consider it necessary to repeat that policy here. The CNPA does not therefore support any modification to this part of the policy.

Delivery

An Camas Mor LLP (179) – regarding the delivery of new housing, the CNPA agrees with the points made and considers recent changes to its Planning Service to create a post for two dedicated officers dealing with delivery to demonstrate this. In addition, the CNPA agrees that adding text to clarify the need to deliver appropriate development, and therefore considers the addition of text to para 3.2 would add clarity. The CNPA therefore would support a change in line with the request from the objector to read “We want to enable and deliver new housing”

General approach to housing policy

Alvie Estate (028) – Regarding the general approach to allocations, the number of second homes, holiday homes and retirement homes, the CNPA is sympathetic to the concerns of the objectors. The CNPA continues to lobby government on this issue which is not solely a National Park issue, but one commonly found in many rural parts of Scotland. The CNPA cannot, however, through planning policy, control to whom new houses are sold. It continues to use techniques to bring new development coming onto the market in a way which gives local residents an advantage in purchasing. This is done through condition and agreement with developers on a case by case basis. The CNPA is however, obligated to provide land for new housing to meet the identified need and demand. It is accepted that the demand element of this includes speculative development. The CNPA has considered, at length, options to restrict this but remains convinced that this would have a negative impact on the cost of existing housing stock, which makes up the bulk of housing stock in the Park. Any further increase in the cost of existing stock would exacerbate problems of affordability and would, as a result, have a negative impact on the whole of the housing market operating in the Park. The CNPA does not therefore support any modification to this part of the policy.

Demand for housing

The Cairngorms Campaign (061); Victor Jordan (090) – regarding the basis for allocations in the LDP, the CNPA must make provision for housing need and demand in accordance with Scottish Planning Policy. Scottish Planning Policy makes it clear that the Plan should be concerned primarily with land and infrastructure. The plan is not therefore the place to set out the calculations for housing land requirement, but rather is the place to demonstrate how that requirement is to be met.

Whilst the information in the evidence report may, by some, considered to be confusing, the CNPA has a difficult task to set out the needs and demands of the housing market areas across the Park, and weave a coherent basis for the five differing approaches adopted by our five constituent local authorities in their role as housing authority. Issues regarding housing land supply are dealt with under that topic.

Housing to support the economy

Victor Jordan (090) - Regarding the support housing provides to the economy, the CNPA in para 3.2 and 3.3 are making the link here between growth in the economy and the need to provide housing for workers. Para 1.8 to 1.13 sets out how the whole planning system in the National Park works within the need to deliver the four aims of the Park. The point made here is not the same and

removal of it would remove this clear link to explain why housing is needed if we are committed to a growing economy and maintaining the economic and social fabric of the National Park. The CNPA do not therefore support any modification to para 3.2 or para 3.3.

Reporter's conclusions:

Reporter's recommendations: