

Date:		
Issue:	Policy 25 Replacement Houses	
Objector(s):	Glenmore Properties Ltd	Objection ref(s): 453n

Reporter	Mr Hugh Begg / Mrs Jill Moody
Procedure	Informal Hearing

1.0 Overview

- 1.1 This statement sets out the CNPA's position in relation to objections raised to the Deposit Local Plan, as modified, in respect of Policy 25 Replacement Houses and supplements the response made to those objections by the CNPA in its report to Committee (CD7.3, 4 and 5). It recommends no further modification is made to the Plan in respect of this policy.

2.0 Provision of the Local Plan

- 2.1 Policy 25 Replacement Houses permits the replacement of an existing house with a new house where:
- a) the existing house is demonstrated to be structurally unsound or incapable of rehabilitation, and has been occupied at some stage in the previous twenty five years; and
 - b) the new house is located on the site of the existing house unless an alternative adjacent site would minimise any negative environmental, social or economic effects of development; and
 - c) the existing house is not a listed building.

If an adjacent site is permitted, the planning authority will normally condition the demolition of the existing house prior to occupation of the new house, unless the redundant building is to be used as part of the redevelopment scheme, or holds significant cultural heritage merit. The proposal should not normally increase the number of dwellings on the site. The replacement development must also reflect the siting and scale of the original and should salvage materials from the original to incorporate into the new development where appropriate.

- 2.2 The policy is intended to allow for the replacement of existing houses which are structurally unsound or cannot be rehabilitated and is only applicable to houses that have been permanently lived in at some stage during the past twenty five years. Proposals on abandoned house sites and ruins, which do not satisfy the criteria of this policy, will be considered as new housing development. This policy supports the National Park Plan's strategic objectives for Landscape, Built and Historic Environment and Housing.
- 2.3 The policy has been modified in the 1st and 2nd modifications (CD6.12 and CD6.13 respectively) of the Deposit Local Plan (and appears formerly as policy 28 in the Deposit Local Plan) (CD6.11) with additional and altered wording, including extending the period of occupation from 5 years to 25 years, introducing scope for the retention of existing houses and to further clarify instances when the policy can be applied. The policy has been significantly restructured.

3.0 Summary of Objection(s)

- 3.1 The 1 objections to Policy 25 cover the following issues:

- The policy should also allow for the replacement of a single house with one or more houses where the site would allow. The development of scattered housing in the countryside is typical of development in the Park's history, and the retention of a derelict building is not desirable. **453n**

4.0 Summary of Cairngorms National Park Authority Response

- 4.1 This Local Plan policy is intended to allow for the replacement of existing houses which are structurally unsound or cannot be rehabilitated, recognised to be in a state of dereliction: it is only applicable to houses that have been permanently lived in at some stage during the past twenty five years. It was considered that the terms of five or ten year occupancy were too rigid, and the options to amend this to a wider 25 years considered and adopted by the CNPA board within the modifications. This is considered reasonable and within the underlying principles of the policy, the formation of a set of 4-stage criteria would be overly prescriptive and inflexible.
- 4.2 The wording of the policy has been reviewed to ensure that it is in line with national guidance on the topic including SPP15 (CD2.11), striking an appropriate balance between development opportunities and protecting the special qualities of the area as identified as a National Park.

5.0 CNPA Recommendation

- 5.1 The CNPA recommend to the Reporter that the objection is rejected. The position regarding the policy has not altered.
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6.0 Assessment / Scope of Evidence

- 6.1 **453n** We support the principles of this policy but request that it allows the replacement of a single house with more than one house where the site allows such development. This could be on large sites where new development fits the landscape well or to replace larger than average houses. The Moray Local Plan operates a 4-stage recognition policy where replacement housing is considered acceptable. This ranges from actual evidence of a previous house i.e. evidence of all four walls although not fully intact to the house effectively still standing. We suggest that the CNPA adopt a similar policy. The National Park grew up over the years with housing scattered about the countryside. This is a key feature but many of these houses have been abandoned. We don't believe that the retention of derelict dwellings is desirable feature of the Park and where the location is acceptable then replacement of such dwellings could be appropriate. There should be no occupancy requirement in these cases.
- 6.2 Further comments received to the 1st modifications included: The modified policy requires that evidence is required to demonstrate that the house has been occupied at some stage in the previous 10 years. This will prove difficult to demonstrate on many sites – it should be sufficient that evidence of residential use of the building at some stage (such as existence of fireplaces and chimneys) is present.
- 6.3 **Response:** The comments are noted. The policy is proposed to allow for the replacement of dwellings which are structurally unsound or incapable of rehabilitation; it is not intended nor would not normally allow for the increase in the number of dwellings on the site. It is considered that justified and appropriate proposals will be permitted, and the policy enables the reuse of previously inhabited dwellinghouses as appropriate. This will be assessed on a site-by-site basis. The Local Plan directs development to the existing settlements within the Park, encouraging the

sustainable growth of communities, other policies such as policy 23 allow for the development of housing in rural building groups or policy 24 outside settlements.

- 6.4 The wording, including the period of time which the property has been occupied, has been reviewed to ensure that it does deliver the aim of the policy, and is not overly restrictive or onerous, but also provides an appropriate level of guidance for developers and people using the policy. The issue of occupancy in previous years was debated by the Board at the time of modifications. It is considered that the terms of a five or ten year occupancy may be too rigid, and the options to amend this to a wider 25 years were adopted within the modifications. This is considered reasonable and within the underlying principles of the policy, the formation of a set of 4-stage criteria would be overly prescriptive and inflexible. The policy is intended to renovate sites which have fallen into recent dereliction and not to allow new housing on all historic house sites throughout the park which goes against protecting the culturally significant landscape of this area. No modifications are proposed.

7.0 Strategic Issues

- 7.1 The National Park Plan 2007 (CD7.1) provides a number of strategic objectives, including Conserving and Enhancing the Park(5.1) – Landscape, Built and Historic Environment and Living and Working in the Park (5.2) – Housing and safeguarding the built heritage, the cultural heritage and the traditions of the area. All new development should promote the aims of sustainable development including recognition of the identity of the local built and historic environment, natural and cultural heritage issues and delivering economic, social and environmental benefits.

8.0 Other material considerations

- 8.1 SPPI5 Planning for Rural Development

9.0 List of documents (including Core Documents)

- CD7.1 Cairngorms National Park Plan 2007
- CD6.11 Cairngorms National Park Deposit Local Plan
- CD6.12 Deposit Local Plan 1st Modifications
- CD6.13 Deposit Local Plan 2nd Modifications
- CD7.3 CNPA Committee Report Deposit Local Plan May 2007
- CD7.4 CNPA Committee Report 1st Modifications October 2008
- CD7.5 CNPA Committee Report 2nd Modifications February 2009
- CD2.11 SPPI5 Planning for Rural Development

10.0 Cairngorms National Park Authority Witnesses for Formal Hearing

- Robert Grant – Planning Officer