

<b>Date:</b>			
<b>Issue:</b>	<b>Policy 23 – Housing Development in Rural Building Groups</b>		
<b>Objector(s):</b>	Mr and Mrs Duncan	<b>Objection ref(s):</b>	037k
	Little Tolly Properties Ltd		039
	Lorna Fraser		352
	Rosslyn Oakes and Garry Fowler		353
	Alvie and Dalraddy Estate		439t

<b>Reporter</b>	Mrs Jill Moody / Mr Hugh Begg
<b>Procedure:</b>	Written representation

## 1.0 Overview

- 1.1 This statement sets out the Cairngorms National Park Authority response to the objections raised to the Deposit Local Plan as modified (CD6.12 and CD6.13) in respect of Policy 23: Housing Development in Rural Building Groups, and supplements the response made to those objections by the Cairngorms National Park Authority in its reports to Committee (CD7.3,4 and 5). It suggests a further modification is made to the Plan in respect of this policy to clarify the position regarding ribbon development.

## 2.0 Provision of the Local Plan

- 2.1 Policy 23 within the Deposit Local Plan as modified gives policy guidance to allow a consistent framework for development of proposals and for the assessment of applications which are for new housing development in Rural Building Groups. During the current transitional arrangements set out in the Planning etc. (Scotland) Act 2006 (Development Planning) (Saving, Transitional and Consequential Provisions) Order 2008, the policy is intended to provide an appropriate level of guidance to meet the requirements of SPPI (CD2.2 para 37-38) and Scottish Planning Policy (CD2.1 para 15-18) and ensure that applications for such development within the National Park are adequately consider in a consistent manner.
- 2.2 The Policy (previously Policy 25 of the Deposit Local Plan CD6.11) has been modified in the 1<sup>st</sup> modifications to the Deposit Local Plan to give additional clarity on the size of the group covered by the policy, and the scale of development that might be considered appropriate to add to such a group.
- 2.3 The background text supporting the policy has also been modified to clarify the role of the policy, how it will be implemented, and how it will be monitored.
- 2.4 In considering the objections, modifications made to the policy, and how the policy will be implemented on adoption, it is now considered that the background text in relation to ribbon development does not give recognition that in some instances this form of development was traditional to the area, and could therefore be considered under this policy. To provide for such development, the reference to ribbon development within para 5.63 should therefore be removed.

### **Paragraph 5.63:**

*For a development proposal to form part of a small rural group it must be demonstrated by the developer that it is connected to the existing building group through integration with existing built form, settlement pattern and landscape features. ~~(and therefore will not lead to ribbon development)~~*

This is an officer recommendation which has not been endorsed by the CNPA Board.

### 3.0 Summary of Objection(s)

3.1 Five objections raising four issues have been lodged to this policy and wish to have their objections considered by written representation:

- Since the groups are not identified within the proposals maps, additional clarity is needed on how to define a group. **(352, 353)**
- The size of the groups should be reduced to provide additional opportunity for growth **(039, 439t)**
- The degree by which a settlement can expand should be increased to support housing need, local communities and the local economy. **(439t)**
- New development should enhance existing settlements. **(037k)**

### 4.0 Summary of Cairngorms National Park Authority Response

- The National Park Authority will prepare a draft guide to Rural Groups which will be used to supplement the wording of the policy, and used as a protocol note for both applicants, and officials in the decision making process. (CNPA Committee Report 3<sup>rd</sup> February 2009 agenda paper 1) This will provide the additional clarity sought on the definition of a rural group, and together with the policy, is now considered to provide the appropriate level of clarity and guidance. No further change is therefore proposed **(352, 353,)**
- The 1<sup>st</sup> modifications to the policy modified the size of the group, to provide additional opportunity for development. This change is considered to have addressed the objection. **(039, 425p, 439t)**
- The 1<sup>st</sup> modifications to the policy modified the degree to which the group can grow. It is however considered appropriate to give a clear indication of the degree to which rural groups would be expected to grow within the Plan period, to ensure that the scale of growth is not excessive to the scale of the original. Where the development supports a community need in terms of affordable provision, this would be supported by Policy 21. **(439t)**
- The policy is intended to provide opportunity for some growth within settlements. The nature of that development will have to comply with the other policies of the plan, in line with Para 1.20, and adequate protection is therefore provided by the Plan as a whole. **(037k)**

### 5.0 CNPA Commendation to Reporter

5.1 It is commended to the Reporter that all objections are rejected subject to the inclusion of the further modification above, which is proposed to take account of traditional building patterns found in some areas of the National Park and to ensure no conflict between policy and supporting protocol note

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### 6.0 Assessment / Scope of Evidence

6.1 **037k** objects to new development that is out of keeping with the existing group or settlement.

6.2 **Response:** The policy is drafted in a way to ensure that new development reinforces and enhances the existing group or settlement, and the issue is therefore considered to have been addressed.

6.3 **039** objects to the size of the group and suggest a modification in line with the approach used by Aberdeenshire Council, based on 5 houses in a group.

- 6.4 **Response:** The 1<sup>st</sup> modifications have reduced the size of the group to 3 houses in a group and as a result this objection is considered to have been addressed.
- 6.5 **352** and **353** object to the policy as it does not provide sufficient clarity to meet with government guidance regarding the form and content of local plans.
- 6.6 **Response:** The appendix to CNPA Committee Report 3<sup>rd</sup> February 2009 agenda paper 1 clarifies what constitutes a building group, and also clarified the position regarding ribbon development where it forms the traditional building pattern. The modification above is also intended to address this objection.
- 6.7 **439t** objects to the policy as being too restrictive, and proposes an alternative policy to presume in favour of houses in the countryside where they are associated with a land holdings or businesses.
- 6.8 **Response:** This issue is addressed through policy 24 where the policy supports housing where there is a locational need based on a business. No further change is therefore proposed.

## **7.0 List of documents (including Core Documents)**

- CD2.1 Scottish Planning Policy 2008 Parts 1 and 2
- CD2.2 SPPI The Planning System
- CD6.11 Deposit Local Plan
- CD6.12 Deposit Local Plan 1<sup>st</sup> modifications
- CD6.13 Deposit Local Plan 2<sup>nd</sup> modifications
- CD7.3 CNPA Committee Report Consultation May 2008
- CD7.4 CNPA Committee Report 1<sup>st</sup> Modifications October 2008
- CD7.5 CNPA Committee Report 2<sup>nd</sup> Modifications February 2009
- CNPA Committee Report 3<sup>rd</sup> February 2009 agenda paper 1