

PLANNING

Cairngorms National Park  
Local Development Plan

**POLICY 1 - NEW HOUSING DEVELOPMENT**  
Non-statutory Planning Guidance

**Cairngorms National Park Local Development Plan  
Policy I – New Housing Development  
Non-statutory Planning Guidance**

This non-statutory Planning Guidance provides further information and detail on how to comply with **Policy I – New Housing Development** in the Cairngorms National Park Local Development Plan 2015.

This document is available in large print on request. Please contact the Cairngorms National Park Authority on 01479 873535. It is also available to view at **[www.cairngorms.co.uk](http://www.cairngorms.co.uk)**

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# Policy I New Housing Development

## Planning Guidance

Policy Requirements	Information Required
Housing development in settlements	<ul style="list-style-type: none"> <li>• Select a site within an identified settlement boundary</li> <li>• A statement confirming that the design makes best use of the selected site</li> </ul>
Housing development in existing rural groups	<ul style="list-style-type: none"> <li>• Confirm the number of buildings that make up the group</li> <li>• Ensure a design which enhances and reinforces the character of the existing group</li> </ul>
Other housing in the countryside	<ul style="list-style-type: none"> <li>• Details of the operational and viability needs of the business which justify a new house</li> <li>• Justify the need to locate the house on the selected site</li> </ul>
100% affordable housing	<ul style="list-style-type: none"> <li>• Provide information demonstrating the need and location for the development</li> </ul>
Affordable housing provided using cross subsidy	<ul style="list-style-type: none"> <li>• Provide information to demonstrate the need and location for the development</li> <li>• Provide financial information to support the amount of open market units proposed</li> </ul>
Alterations to existing houses (any location)	<ul style="list-style-type: none"> <li>• Ensure the design protects the character of the existing house and its setting</li> <li>• Retain garden space appropriate to the size of the extended property</li> <li>• Retain access and parking provision appropriate to the size of the extended property</li> </ul>
Conversions	<ul style="list-style-type: none"> <li>• Provide a structural survey showing that the proposed works can be fitted into the existing property without the need for demolition</li> <li>• Ensure the design complements the original in terms of style and character</li> </ul>
Replacement houses	<ul style="list-style-type: none"> <li>• Provide a structural survey confirming the existing house is unsound and incapable of rehabilitation; or is of non-standard construction</li> <li>• Justification for the selected site if not including the original footprint</li> </ul>
Housing for gypsies and travellers and travelling showpeople	<ul style="list-style-type: none"> <li>• Demonstrate the need identified based on the relevant housing strategy</li> <li>• Justification for the selected site considering the impact on neighbouring land uses</li> </ul>

## Meeting the requirements of the policy

1. Most large scale housing development proposals should be located on allocated sites or within strategic settlements as identified in the Local Development Plan. Housing proposals on other windfall sites will also be considered. These are generally smaller sites which provide good opportunities for single or smaller scale housing developments. Existing houses may also be extended or altered to create the living space required by the occupant.

## Housing in settlements

2. Your development must be located within the settlement boundary as set out in the Local Development Plan. It must be designed to ensure the character of the settlement is reinforced, making best use of the land available.

## Housing development in existing rural groups

3. You must be sure that the site is within a defined rural building group. The group must include three or more buildings, one of which must be an existing house. Ancillary buildings to the existing house are not included in this calculation. These include kennels, outbuildings, garages and sheds.
4. Each building group has its own individual identity. Where both natural and man-made boundaries exist, natural boundaries take precedence over man-made boundaries when defining the extent of a building group. You should ensure that your development fits

with the group and adds to the cohesive pattern of built form within its landscape setting. Your development must not extend the existing group by expanding into previously undeveloped fields; particularly where a definable natural boundary exists between the field and the existing group.

5. Where a group consists of a row of houses fronting a road, infill or additions using gaps of an appropriate size may provide opportunities for new dwellings. In such cases, new houses should be of a scale appropriate to the others in the locality.
6. Your application must include a description of the group which you are adding to, detailing the number of buildings in the group and an explanation of how your development adds to the relationship between the buildings. You must not extend the boundaries of the group past any existing defensible boundary or feature.
7. New development must not cause a group to increase in size by more than one third during the Plan period. This includes extant permissions which are yet to be completed.

### **Other housing in the countryside**

8. If your development proposal is located outwith a settlement boundary, and is not within a rural building group then you must consider:
  - why the proposal is necessary for, or improves, the operational and economic viability of an active business. This business must demonstrate a valid locational need to be in the countryside. This includes land management operations, and tourism and recreation pursuits; or
  - whether the site is on rural brownfield land; and
  - how it conserves the existing pattern of development. It should not erode the settlement hierarchy, and should not create a new form of development in the landscape which is at odds with existing built and landscape character.
9. You must include information to support the need for the house in the chosen location.
10. The contribution the house makes to the business it is to support will be considered by the planning authority. This can be either a new business venture or an existing one. However, you must be clear in the information provided that the business will rely on the house to ensure its economic success. In the case of a new business, it is required that the business element of the proposal is in place prior to the construction and completion of the house.
11. In the design of the development you must show how your proposal helps conserve the existing built form in

the area. You should not propose a development which is at odds to the existing built form. You should also ensure that the settlement hierarchy is not eroded. This includes adequate consideration of alternative locations for your development, particularly where there is an existing building group in close proximity to your proposed development site.

### **Contributions towards affordable housing provision**

12. All residential development must make a contribution towards affordable housing provision.
13. In the case of applications for Planning Permission in Principle where the finalised layout and content of a development proposal may not be known, then a rate for the site, normally on a rate per house unit, based on its location will be used. This will form the basis of a Planning Obligation, so that the planning application may be determined and a decision notice issued following completion of that obligation. All applications for full planning permission for housing development must be accompanied by details of the number of affordable units, and details of who will provide the affordable housing units – whether this is a private developer, registered social landlord or other party.
14. If a developer knows that the site on which they are seeking planning permission is included in either a Council or Registered Social Landlord investment programme, evidence of this must be submitted with the planning application.

15. If significant extraordinary development costs occur at a later stage which could not have been known at the start of the development, a pragmatic approach will be taken to the payment of contributions. Supporting evidence will be required.
16. Developments of four or more dwellings will be expected to provide a benchmark of 25 per cent affordable units within the development. However, if it can be demonstrated that an offsite contribution would better meet a community's housing needs, then an alternative solution will be negotiated with the developer. This may include a cash payment towards the provision of affordable housing at another location.
17. Where proposals are made for the development of less than four open market dwellings, a financial contribution will be sought that will be put towards the delivery of affordable housing in another location. This finance will be ring-fenced for the provision of affordable housing. The contribution will be put towards the provision of affordable housing in the relevant secondary school catchment area or housing market area if appropriate. In the first instance, this will be sought in the same settlement.
18. The value of the financial contribution will be specifically related to the value of the site being developed. The guide for this financial contribution is £25,000 per unit for developments of four houses or more. This may however vary due to the location and value (higher value sites requiring higher contributions) of the development, or the specifics of the site.
19. Where a development is of less than four houses, it is not reasonable to expect such a large contribution to be made. Therefore, a percentage of the £25,000 benchmark will be paid. In these cases the following will act as a guide:
- One house**  
5% of the £25,000 benchmark = £1,250
- Two houses**  
10% of the £25,000 benchmark = £2,500
- Three houses**  
15% of the £25,000 benchmark = £3,750
20. Where assessments demonstrate that the provision of affordable housing is more suited on a different site, this will be considered. A proposal that incorporates an element of offsite provision of the affordable housing will only be granted planning permission when details of methods of delivery have been agreed. The development of both sites will be subject to a legal agreement to ensure that the affordable housing element of the development is built within an agreed timeframe.

## **Affordable housing developments**

21. All 100 per cent affordable housing developments will be supported where they meet an identified local need. Applicants and those eligible for any form of affordable housing must be taken or nominated from the housing waiting lists of the local housing authority, housing associations or from another organisation with an allocations policy appropriate to the Cairngorms National Park.
22. Developments must meet an identified need within the local community. This need will be shown through local assessments, formal information from the local housing authority, or by any other robust information available. Affordable housing is broadly defined as housing at a reasonable quality that is affordable to people on modest incomes.
23. Independent assessments will be made of the required information to ensure the affordable development is required by the applicant, is of an appropriate size, and is in a location which is justifiable. You must provide the necessary information to allow an independent assessor to carry out an assessment in a timely way which does not delay the process of determining the application.

This includes:

- details to confirm the residents of the new development are in housing need. You may be asked for detailed financial information. This information will be considered in confidence by the independent assessors and will not be passed to the planning authority;
- details to confirm the residents of the new development have a need to live in the locality chosen;
- how the development is meeting a recognised need for affordable housing in the area;
- explanation of why existing properties or sites which are for sale on the open market do not meet the need identified. Personal preference is not considered to be a valid material consideration;
- floor plan details to allow comparison with Scottish Government benchmarks on house size standards;
- comparison costs to justify the affordability of the new development against the cost of existing housing stock;
- information from the relevant authority/ Registered Social Landlord to confirm the development will result in a reduction in their waiting list.

### **Affordable housing provided using cross subsidy from other housing**

24. Affordable housing which includes an open market element will also be supported. This open market element can provide an important subsidy to securing the affordable element. As with proposals for 100 per cent affordable housing development, independent assessors will be used to carry out an assessment to ensure the affordable element of the development is of appropriate size, and is in a location which is justifiable. You must provide the necessary information to allow an independent assessor to carry out an assessment in a timely way which does not delay the process of determining the planning application.
25. You should initially seek public funding to meet the burden of development costs. In the event that this is not available you may then consider including an element of open market development to subsidise the affordable element of the development.
26. Evidence that any open market element is the minimum required to fund the affordable element will need to be submitted. All affordable houses must meet a local need. Your application must include:
- information to justify the need for all affordable housing. Refer to the local housing authority to gather most up to date information. Any other community based studies may also be considered;

- where you include an open market element, information to demonstrate that public funding or other forms of finance are not available;
- information to demonstrate that the open market element is the minimum required to close the funding gap. This should include information on the costs of land purchase and construction of the affordable element. It should not include the cost of the land nor any part of the construction of the open market element;
- a design which is cohesive and creates a new or adds to an existing group of buildings. There should be no discernible difference in the appearance of the affordable and open market elements.

### **Alterations to existing houses**

27. When designing an alteration or extension to an existing building particular care should be given to ensuring that the proposed alteration complements the appearance and character of the existing building and its surrounding area. This means that you must consider the massing, proportions, materials and general visual appearance of the existing building, its neighbours and the wider area. You must ensure that the proposed alteration does not have a significant and unacceptable detrimental effect on the residential amenity enjoyed by adjoining householders. This means considering where windows are placed and how levels of daylight will be experienced throughout daily and annual cycles. You must also ensure that adequate outside space is maintained for private garden ground, parking and access to the property.

## Conversions

28. Conversion of non-domestic buildings into housing not only brings buildings back to life but it also provides opportunities to conserve our built heritage and help to maintain the character and distinctiveness of places within the National Park.
29. The conversion and renovation of the buildings must be as faithful as possible to the existing scale, character and materials. Additions and alterations should generally be limited to those necessary to achieve Building Standards, the efficient use of space and an appropriate and coherent design concept.
30. You must consider how you will achieve adequate private garden space for the proposed domestic use of the converted building. Where the landscape setting is appropriate, and established boundaries such as walls and hedgerows relate well to the site, you may need to consider adjacent and intervening land for ancillary purposes, particularly to achieve adequate private garden space.
31. Where existing agricultural buildings are being converted away from agricultural use, you must provide information on any consequent need and proposals for siting new agricultural buildings to replace those which are redundant. Such buildings should not conflict with the residential use of the redundant buildings. If existing agricultural uses are to be retained in buildings close to the proposed residential uses, you will need to demonstrate that conflict or nuisance will not occur.
32. Conversion of traditional and vernacular buildings will be considered appropriate where the building is no longer required for its original use, and is unlikely to have a commercial or economic future in its current form. You must set out the case for this in your planning submission. Your conversion proposal should be designed to maintain the style and character of the original building in terms of form, scale, materials and detailing, where they contribute positively to the context and setting of the area. This means that the building, its setting and original design details must be carefully considered to ensure that the converted building remains in harmony with its setting.
33. You will need to demonstrate that:
  - the building is no longer required for its original use, and that it is unlikely to have a commercial or economic future in its current form; and
  - the development proposal maintains the original character of the building.

## Replacement houses

34. Before a proposal for a replacement dwelling is considered, you will be required to investigate the feasibility of re-using or renovating the existing dwelling. Only once this has been shown to be unfeasible will a proposal for the demolition of an existing building and the construction of a replacement dwelling be considered. In the case of surviving traditional ruins, these should be used to form the basis of a renovation project appropriate to the setting, rather than considering their complete replacement.

35. The replacement house should be similar in scale to that which it replaces and the setting of the new house should be similar to that of the existing house in terms of orientation and distance from road unless individual site conditions suggest that another position (within the site boundaries) would create a better landscape fit.
36. If the proposed new house does not occupy the footprint of the previous house, that footprint will not be accepted as a site for a future house-building proposal.
37. Your proposal will need to demonstrate that the existing house is located within an established site with a good landscape setting and landscape fit; has site boundaries capable of providing a suitable enclosure for a new house; and is in other respects acceptable in planning terms.
38. Your development must:
  - ensure that the original building is not a listed building;
  - demonstrate that the original is incapable of rehabilitation, being demonstrably unsound structurally or is of a non standard form of construction. This will usually be in the form of a qualified structural engineers report and financial appraisal;
  - be designed in such a way that the new development incorporates the original footprint of the building to be removed. The only exception to this is where an

alternative location close to the original would minimise any negative effects which exist or would result from the new development. If the proposed new house does not occupy the footprint of the previous house, that footprint will not be accepted as a site for a future house building proposal;

- incorporate existing buildings and/ or materials where possible. If such materials are not to be incorporated into the proposed dwelling then you must demonstrate (again through a qualified structural engineers report) why these materials cannot be salvaged and re-used on-site.

### **Housing for gypsies and travellers and travelling showpeople**

2. If your development is for housing specifically to meet the needs of gypsies and travellers and travelling showpeople you should consider site selection carefully. You must also demonstrate that the development is needed, and has been identified as such by the local housing authority.
3. In designing the development you should consider the impact on neighbours, and the needs of the residents, both in terms of access and amenity. Screening may be required depending on the nature of the site.
4. In your application you must include:
  - information on the need for the development;
  - clear justification for the site selection which matches the identified need.