

Date	18 December 2020
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Introduction

Scottish Land and Estates (SLE) is a member organisation representing the interests of Scottish land owners, farmers and estates. Our vision is for profitable land-based businesses able to contribute to resilient rural economies helping rural Scotland thrive. We consider the planning system is a key aspect of enabling the diverse mix of businesses in which our members are engaged.

We welcome the opportunity to respond to the Highland Council's draft housing in the countryside supplementary guidance. It is our view, that in order to meet changing demands and challenges of the twenty first century, planning authorities should be empowered to apply flexible policies that enable appropriate development rather than restrict it. We believe an enabling approach to housing development in the countryside is required to help stimulate more diverse and resilient rural communities.

SLE is therefore pleased to see the Council is supportive of new rural housing throughout Highland which supports sustainable communities thrive and enables people to live and work in a high quality environment.

Q1. Do you agree with these aims and objectives?

In general, SLE is supportive of the aims and objectives as drafted in the proposal. We particularly welcome the aim of the policy to encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing the environment. This objective will be particularly important in meeting the triple-challenges of COVID, the prospect of a no-deal Brexit and the climate emergency.

However, we are concerned with the inclusion of the objective to, "protect against an unsustainable growth in car-based commuting..." in Hinterland areas. In our view, it is especially true in remote areas that public transport is not viable and cannot sustain communities – more often than not, the only sustainable option is for car-based commuting. We therefore do not consider it realistic or appropriate to discourage housing development that would rely on car-based transport in these areas.

Q2. Does this section make guidance clear and easy to use? Do you have any other comments?

No strong view.

Q3. Do you agree with these requirements? Do they strike the right balance in meeting the Aims and Objectives?

Generally, the requirements are reasonable and do strike a balance with the Aims and Objectives. However, there is potentially a difficulty in balancing the requirement to avoid development in remote areas that places unacceptable pressure on infrastructure and services, and the aim of protecting against growth in car-based commuting.

If the two are taken together, this could be interpreted any development that relies on car-based commuting should not be approved. This is not realistic or appropriate, particularly in remote rural areas.

Q4. Do you agree with the definitions, criteria and thresholds set out above?

SLE is generally supportive of the definitions, criteria and thresholds set out. However, we would seek further clarity on the following points:

- Definition of a “building”. We are unsure why non-residential buildings granted permission after April 2012 cannot be defined as a building.
- Criteria for expansion of a housing group. We are unclear as to what constitutes “open land”.

Q5. Is the design advice clear and easy to use?

No strong view.

Q6. Do you agree with the definitions and criteria set out above?

No strong view.

Q7. Do you agree with the definitions and criteria set out above?

It may be useful to further expand on what is meant by ‘substantial’ external alterations. There should be appreciation that many traditional buildings will not be able to meet modern building standards for residential accommodation without external alterations.

The last two bullet points in the council’s criteria for conversion and reuse appear repetitive. If the bullet which says, “the character of a building is not altered by the development to an unacceptable degree”, relates to new extensions, then the point has already been made by the previous bullet. If it is a stand-alone statement referring to all conversion and reuse development, then it should be re-phrased to emphasize the point.

Q8. Is the design advice clear and easy to use?

No strong view.

Q9. Do you agree with the definitions and criteria set out above?

Yes.

Q10. Is the design advice clear and easy to use?

No strong view.

Q11. Do you agree with the definitions and criteria set out above?

Yes.

Q12. Is the design advice clear and easy to use?

No strong view.

Q13. Do you agree with the definitions and criteria set out above?

4.5.2 suggests that if sites can be left to return to a natural state, they will unlikely receive support for development. In our view, the council should be explicit about exceptions where they will consider proposals that can demonstrate biodiversity/landscape improvement on what was originally there, for example.

Q14. Do you agree with the definitions and criteria set out above?

Generally, yes. Although we would like to further understand what is intended by 'cost equivalent to a Registered Social Landlord'. SLE members are not social landlords but many do provide affordable housing. To allow them to do so, a certain level of flexibility is required to ensure viability of business models, and this should be considered when applying policy on affordable housing.

Q15. Do you agree with the definitions, criteria and thresholds set out above?

SLE understands the necessity to justify the need for housing related to existing or new businesses, but we would like to ensure that this approach is not overly burdensome and does not discourage growth of rural businesses – particularly in these extraordinary times when building resilient communities should be a priority.

To that end, local authorities should provide assistance to applicants, directing them to advice on how to pull together the appropriate information – for example, business gateway.

Q16. Do you agree with the definitions, criterion and thresholds set out above?

Yes, similar to our answer to question 15 there should be clear signposting to support, providing the appropriate information.

Q17. Do you agree with the criteria set out above?

We strongly support the inclusion of a policy which allows new housing for a retiring land manager. We consider the criteria to be appropriate.

Q18. Do you agree with the approach we have taken to supporting crofting?

Yes.

Q19. The Siting & Design Section has been extensively revised to make it easier to use and to place more emphasis on achieving high quality sustainable developments and promote innovative proposals. Do you find this section helpful and / or agree that we will achieve higher quality design?

No strong view

Q20. Do you have any other comments to make on any part of the document or the guidance as a whole?

No strong view