



Response from the Rural Housing Service

The aim of the Rural Housing Service is to improve affordable housing opportunities in rural Scotland. As such we have particular interest in rural housing policy and the potential for the planning system to enable the development of housing to meet need in rural communities.

In three recent reports planning has been highlighted as the major stumbling block to rural housing and rural development. The Scottish Parliament Rural Affairs and Environment Committee highlighted that *“there is an over-cautious planning culture in much of rural Scotland that has effectively entrenched a presumption against development, including housing development in many areas”*.

The OECD review of Rural Policy in Scotland highlighted the *“rigid regulation of land use that acts as a constraint of an otherwise very abundant physical resource and limits the opportunities for the diversification of activities and for living in rural areas”* and that *“Physical space is not a scarce good in Scotland, but is made scarce by the restrictive and rigid regulation that governs its use”*. The report goes on to stress that rural housing and planning is the key issue which public policy needs to address in the future.

Echoing the findings of the OECD report the Royal Society of Edinburgh report recommended that *“The Scottish Government ... should urgently review their planning policies to make them less restrictive on the building of new housing in rural areas, with emphasis instead on design, environmental footprint and landscape compatibility”*

This SPP provides an opportunity to embed policy to enable the development of rural housing and wider rural development. The Scottish Parliament Rural Affairs and Environment Committee Inquiry noting Government plans to consolidate existing planning guidance called upon *“the Government, as part of that work, to conduct an audit of all aspects of planning guidance (for instance on transport or sustainability) to ensure that Guidance consistently supports appropriate housing development in rural areas, including outside recognised settlements”*

Unfortunately this Consultative Draft fails to do this; through the need to be concise much of the detail required to ensure that housing development in rural areas is supported is lost. In losing this detail the policies relating to rural housing development are being changed. The introduction insists, *“changes in wording do not, in most cases, represent a change in policy”*. Our concern is not that the wording is being changed but that the wording is being omitted altogether resulting in policy changes by omission; e.g. in relation to SPP3 support for affordable housing designation on edge of villages or new build adjacent to rural rehab projects.

The main plank of Scottish Planning Policy for Rural Development SPP15 has been distilled from 43 paragraphs to 4 with many of the supportive statements regarding rural housing development omitted. This is of great concern to us as many local authorities have been lax in their implementation of SPP15 with some overtly hostile to the ambitions set out in its

text. In the consolidated SPP the ambitions have been watered down to the extent that local authorities can even more easily ignore them.

The Government's ambitions for rural development need to be embedded in this consolidated SPP not confined to 4 paragraphs. Our commitment to our rural communities requires a cross cutting approach, to ensure that planning policy is sufficiently rural proofed. This Consultative Draft requires revision to ensure that the needs of rural communities are rooted in every subject area.

We welcome the opportunity to comment on the Consultative Draft to highlight those areas we believe there should be changes made.

Key Points

- Some of the specific provisions relating to rural housing development contained in SPP3 Planning for Housing and SPP15 Planning for Rural Development have been omitted from this Consultative Draft. This will enable more conservative planning authorities to further entrench their opposition to rural housing development.
- The revised SPP3 Planning for Housing enshrined guidance from PAN 74 Affordable Housing that *“Planning authorities should also consider allocating sites specifically for affordable housing to meet requirements identified by the HNADA and LHS. This approach is most likely, but not exclusively, to be appropriate for small-scale sites within or adjoining existing villages to provide for locally arising need”*. In the Consultative Draft this provision is omitted. Some local authorities had indicated that the inclusion of this in SPP3 would enable its operation whereas guidance from PAN 74 was not strong enough. Our concern is that it is now omitted from planning guidance less than a year after its inclusion.
- Statements in both SPP3 and SPP15 designed to enable the development of new build alongside rehabilitation to increase project viability have been lost in the new draft: *“Some limited new housing, along with converted or rehabilitated buildings, may be acceptable where it results in a cohesive grouping that is well-related to its landscape setting”* (SPP3) and *“Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so”* (SPP15)
- The draft should be “rural proofed” - to integrate the rural dimension in to the discussion of a variety of topic chapters. This happens on occasions but needs much greater strength in places. For example the statement “Planning authorities should be realistic about the availability or likely availability of public transport services in rural areas” para 127 should appear within the Housing chapter at paras 60 and 61. Rural qualifications regarding the sustainability of locations need to be more frequent across the document.
- The Transport chapter in particular requires rural proofing beyond the last sentence of para 127. We have grave concerns that the text of para 125 will serve to limit rural development. It contradicts statements in other parts of the document such as

“Development plans should promote the development of rural communities” para 63, and para127, suggesting that planning should not be given for developments further than 400m from a bus stop even where there is a path to it. We don’t consider 400m to be a large enough distance in rural areas. The use of terms without definition such as “significant travel generating uses” should be avoided – does this mean housing? “unsustainable locations” is another term with no definition in the text.

- Critically for affordable housing developments, the requirement for planning authorities to “apply appropriate standards to access roads to enable small development to remain viable” from SPP15 is lost in the consolidated SPP. Some affordable rural housing developments fail due to unreasonable strictures and costs applied to them for roads, pavements and street lighting. The SPP15 qualification should remain in the consolidated SPP.
- The statement “small-scale development, including housing directly linked to rural businesses may also be permitted”, is too restrictive and does not reflect the need for affordable housing in small rural communities which may have to take place on sites on the edge of villages which may well be prime agricultural land. Small affordable housing developments on the edge of villages where a need has been demonstrated should also be permitted.
- We are pleased to see the requirement for Development Plans “to allocate a generous supply of land to meet housing requirements including for affordable housing applies equally to rural and urban areas”. Our concern however is that the current methodologies proposed by the Scottish Government’s Housing Need and Demand Assessment guidance are not sufficiently detailed to recognise rural housing need.

Rural Housing Service responses to specific questions.

Q1. Overall, is national planning policy clearer and easier to understand in the consolidated SPP compared with existing SPPs and NPPGs?

The ambition to simplify and streamline national planning policy is one we support, however in the proposed text the national planning policy regarding rural housing and rural development is made more confused and open to interpretation than in the preceding SPPs. The distillation of SPP15 from 43 paragraphs to 4 results in planning policy that has changed significantly from that in SPP15 by the omission of several policies. The language leaves much more to the interpretation of individual planning authorities, assisting those wishing to ignore rural development policy and contrary to the recommendations of the Scottish Parliament RAEC Rural Housing Inquiry which wished to see national planning policy strengthened.

Any qualifications from overall policy for rural areas are not given sufficient prominence or weight, and there is little rural proofing in key chapters on Housing, Transport and Sustainable Development. Many of the terms used lack definition.

The consolidated SPP text should endeavour to fully reflect the policy statements in SPP 15 and SPP3 and therefore the key paragraphs we identify in our response should be retained in the revised statement.

Q2. Do you support the proposed structure and format of the consolidated SPP?

Yes, however we believe that the consolidated SPP text needs to be revised to ensure that there is no loss of planning policy and the clarity of Government planning policy is not compromised.

Q3. Do you agree with the removal of advice and background information from the consolidated SPP?

No this provides valuable detail regarding the intention of Government planning policy.

Q4. Does this paragraph provide a clear overview of the expectations for community engagement in the modernised planning system?

No, clear guidance should be provided to planning authorities in the preparation of participation statements, to set out how communities can be **effectively** engaged in the planning system

Q5. Is the status of this section in relation to the Planning etc. (Scotland) Act 2006 sufficiently clear?

Yes, however the importance of “fair social outcomes” to sustainable economic growth is not sufficiently stressed in the consolidated SPP.

Q6. Is the role of the planning system in assisting climate change mitigation and adaptation clearly highlighted throughout this SPP?

Yes, however it is rather a one size fits all policy, with little or no mitigation to address the different scale and circumstances of rural Scotland. Much of the rhetoric in the document regarding sustainable places contradicts stated ambitions to “promote development in rural areas”.

There is also no consideration of the impact which alternative transport and building solutions and working patterns can have in carbon mitigation and off setting the impact of what may appear on paper “unsustainable locations”.

Q7. Is the contribution of the planning system to sustainable economic growth, as explained in this section, clear and easy to understand?

Yes.

Q8. Have the main elements of national planning policy relating to town centres and retailing been included and are they clearly explained?

No Comment.

Q9. Have the main areas of national planning policy relating to housing been included and are they clearly explained?

No. A key policy with the potential to enable affordable rural housing has been omitted from the document. Also much of the detail in SPP3 has been lost and this needs reinstated particularly to enable the development of affordable rural housing.

The revised SPP3 Planning for Housing enshrined guidance from PAN 74 Affordable Housing that *“Planning authorities should also consider allocating sites specifically for affordable housing to meet requirements identified by the HNADA and LHS. This approach is most likely, but not exclusively, to be appropriate for small-scale sites within or adjoining existing villages to provide for locally arising need”*. In the Consultative Draft this provision is omitted. Some local authorities had indicated that the inclusion of this in SPP3 would enable its operation whereas guidance from PAN 74 was not strong enough. Our concern is that it is now omitted from planning guidance less than a year after its inclusion. This should be reinstated.

Statements in both SPP3 and SPP15 designed to enable the development of new build alongside rehabilitation to increase project viability have been lost in the new draft: *“Some limited new housing, along with converted or rehabilitated buildings, may be acceptable where it results in a cohesive grouping that is well-related to its landscape setting”* (SPP3) and *“Planning authorities should not unreasonably constrain such modernisation and steading conversion within the original footprint or height limit unless there are compelling design or conservation reasons for doing so”* (SPP15) The ability to include new build alongside conversions can be critical to the financial viability of rural housing projects particularly those involving affordable housing development.

The Housing chapter should be rural proofed to qualify statements such as “sustainable locations” para 52, “dependence on car” para 60, and the settlement strategy set out in para 59.

In para 53 the particular needs of rural areas should be recognised. HMA level analysis tends to obscure small settlement level patterns.

At para 55 recommendations from the RAEC Rural Housing Inquiry regarding the use of Compulsory Purchase Orders should be incorporated to ensure land is not withheld. Also at para 58 consideration should be given to incorporating RAEC recommendation regarding a “use it or lose it” approach to ensure planning permissions are taken up.

The commitment at para 63 that “Development plans should promote the development of rural areas and aim to support fragile and dispersed communities through appropriate housing development” is a welcome statement. However it is not only fragile and dispersed communities which need support but rural communities in general, therefore the statement could be more concise with the replacement of “fragile and dispersed” with rural. “Appropriate housing development” could also be clarified to enable development to meet housing need.

Q10. Have the main areas of national planning policy relating to rural development been included and are they clearly explained?

No, in an effort to be concise clear policy elements of SPP15 have been lost.

SPP 15 was a very welcome document providing support for rural housing and wider rural development. However through being distilled from 43 paragraphs to 4 many of the

supportive statements regarding rural housing development have been omitted. This is of great concern to us as many local authorities have been lax in their implementation of SPP15 with some overtly hostile to the ambitions set out in its text. In the consolidated SPP the ambitions have been watered down to the extent that local authorities can even more easily ignore them.

The Government's ambitions for rural development need to be embedded within this consolidated SPP not confined to 4 paragraphs. Our commitment to our rural communities requires a cross cutting approach, to ensure that planning policy is sufficiently rural proofed. This Consultative Draft requires revision to ensure that the needs of rural communities are embedded in every subject area.

Specifically support for new build alongside renovated housing has been omitted; the requirement for planning authorities to provide supportive policies has been lost; the statement in SPP15 that the new housing in the countryside might provide a net environmental benefit is absent; detail on not constraining renovations to original footprints and heights is lost.

Critically for affordable housing developments the requirement for planning authorities to "apply appropriate standards to access roads to enable small development to remain viable" is lost in the consolidated SPP. Some affordable rural housing developments fail due to unreasonable strictures and costs applied to them for roads, pavements and street lighting.

Whilst much has been lost from the original SPP we are pleased to see that the requirement for Development Plans "to allocate a generous supply of land to meet housing requirements including for affordable housing applies equally to rural and urban areas". Our concern however is that the current methodologies proposed by the Scottish Government's Housing Need and Demand Assessment are not sufficiently detailed to recognise rural housing need.

We have concerns regarding the statement "*The aim is not to see small settlements lose their identity nor to suburbanise the Scottish countryside but to maintain and improve the viability of communities and to support rural businesses*" para 72. A simple "*The aim is to maintain and improve the viability of communities and to support rural businesses*" should be sufficient.

As with the Housing chapter we believe that much more detail is required in the Rural Development section to enable the Government to fully set out its ambitions for rural Scotland and for these to be reflected in the subsequent Development Plans.

**Q11. Do you support the proposed policy on protection of prime agricultural land?
Prime Quality Agricultural Land**

We have concerns regarding the blanket use of the MacAuley definition and believe that assessment should be site specific.

The statement "small-scale development, including housing directly linked to rural businesses may also be permitted", is too restrictive and does not reflect the need for affordable housing in small rural communities which may have to take place on sites on the edge of villages which may well be prime agricultural land. Small affordable housing developments on the edge of villages where a need has been demonstrated should also be

permitted.

Q12. Do you support the removal of the specific requirement for development plans to classify coastal areas as developed, undeveloped or isolated?

No Comment

Q13. Have the main elements of national planning policy relating to fish farming been included and are they clearly explained?

No Comment

Q14. Have the main elements of national planning policy relating to the historic environment been included and are they clearly explained?

No Comment

Q15. Do you agree with the principle of limiting local non-statutory designations to two types?

No Comment

Q16. Have the main elements of national planning policy relating to landscape and natural heritage been included and are they clearly explained?

No Comment

Q17. Have the main elements of national planning policy relating to open space been included and are they clearly explained?

No Comment

Q18. Have the main elements of national planning policy relating to green belts been included and are they clearly explained?

No Comment

Q19. Do you support the retention of the policy on the use of maximum parking standards and the relocation of national maximum parking standards into advice?

No Comment

Q20. Have the main elements of national planning policy relating to transport been included and are they clearly explained?

No, this section is not sufficiently rural proofed – particularly para 125. The policies on Rural Accessibility para25 SPP15 should be included here.

Q21. Do you agree with the integration of policy on spatial frameworks for wind farms over 20 megawatts generating capacity with general planning policy on wind farm development?

No Comment

Q22. Have the main elements of national planning policy relating to renewable energy been included and are they clearly explained?

No Comment

Q23. Have the main elements of national planning policy relating to flooding and drainage

been included and are they clearly explained?

No Comment

Q24. Have the main elements of national planning policy relating to waste management been included and are they clearly explained?

No Comment

Q25. Have the main elements of national planning policy relating to mineral extraction been included and are they clearly explained?

No Comment

Q26. Have the main elements of national planning policy relating to opencast coal extraction been included and are they clearly explained?

No Comment

Q27. Have the main elements of national planning policy relating to telecommunications been included and are they clearly explained?

No Comment

Q28. How might the consolidated SPP impact positively or negatively on equalities groups?

No Comment

Q29. Will any groups not identified already in the partial EqIA be affected by the consolidated SPP?

No Comment

Rural Housing Service

The Rural Housing Service is a Scottish charity that supports rural communities to develop practical solutions to local housing problems. We provide advice and information on housing issues and help create new housing opportunities for local people by utilising all of the options available. The Rural Housing Service works with rural communities across Scotland and has helped communities such as Gigha, Laggan and Durness create affordable housing solutions. We are a free service and work with any rural community in Scotland to resolve local housing issues.

The Rural Housing Service is a membership organisation with members from across rural Scotland representing communities, local authorities, housing associations, trusts and others. The service is managed by a Board of Directors.

Derek Logie
Chief Executive
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