



DUMFRIES AND
GALLOWAY COUNCIL

Local Development Plan

Supplementary Guidance

Adopted 20th August 2015



Housing in the Countryside



Introduction

The purpose of this Supplementary Guidance is to provide further detail on the criteria contained in Local Development Plan Policy H3: Housing in the Countryside.

In accordance with SPP, PAN 72 and PAN 68 the Council’s Vision is to provide opportunities in the rural area for economic development, housing and recreation whilst recognising the need to protect the high quality distinctive landscapes in Dumfries and Galloway. The aim of the policy is to support a long-term sustainable pattern of development that balances needs, aspirations and demands for development in rural areas outwith settlements

Policy H3: Housing in The Countryside

The Council will support housing proposals in the countryside where the proposal meets one or more of the following criteria:

- Is within or well related to a small building group which is either identified on lists contained in supplementary guidance or is defined as three or more separate habitable or occupied houses which are well related to each other and which create a sense of place;
- Is essential for the needs of agriculture or other business requiring a rural location that cannot be met in a nearby settlement;
- Is a single house associated with the retirement succession of a viable farm holding where there are no buildings suitable or economically viable for conversion to residential use on the farm unit;
- Beneficial redevelopment of a brownfield site;
- Replace or renovate an existing house with a house of an appropriate scale within the same curtilage;
- Conversion of a traditional building.

Proposals for single houses in the remote rural area identified in supplementary guidance will need to demonstrate that the proposal is:

- Well related to its landscape setting; and
- Of an appropriate scale and design to its location; and
- It would provide a low carbon house and lifestyle.

This policy is supported by supplementary guidance.

All proposals will also need to meet the following criteria:

- The proposed development should comply with the relevant policies and overarching principle contained in the LDP;
- Proposals should comply with the Conversion of Traditional Agricultural Properties Supplementary Guidance, Design Quality of New Development Supplementary Guidance and any subsequent pieces of guidance;
- Proposals that are adjacent to or within the immediate vicinity of a working farm will only be approved where a satisfactory residential environment can be created, and where it would not compromise the working of the farm;
- Existing on-site materials, particularly stone and slate, should be reused in the house and / or boundary treatment, in order to reflect local character and contribute to sustainability;
- Satisfactory access and services should be available or capable of being provided by the developer;
- Proposals will be encouraged to incorporate measures to facilitate home working;
- Pre-application discussion is recommended.

In determining development proposals for housing in the countryside the planning authority will consider whether permitted development rights in respect of extensions, outbuildings and means of enclosure etc should be removed to protect the rural character of both the building and the curtilage of the new house(s).

Policy Criteria

This section provides further explanation of each of the policy criteria and provides guidance on how they will be applied.

Small Building Groups

A small building group is defined as three or more separate habitable or occupied houses which are well related to each other and which create a sense of place. A small building group should also be capable of being viewed as a group in its landscape setting.

The current list of small building groups that meet the above definition are available on the Council's website at www.dumgal.gov.uk/ldp (click on the link to supplementary guidance). This list will be updated to include new groups which meet the definition and where planning permission has been granted for additional development within the group.

The inclusion of a small building group on the list does not mean that development proposals will be considered acceptable, proposals will need to meet the guidance set out below.

Proposals within all small building groups will need to accord with and enhance the character of the group and not have a detrimental impact on the landscape to be considered acceptable.

Proposals on sites which are naturally contained by established boundaries such as woodland, a hedge, a dry stane dyke or a slope that would form a backdrop to the site and infill sites will be considered favourably. An infill site can be defined as a small gap in a continuous line of built development where it is possible to locate one or two houses. If a group consists simply of frontage houses along a road, infill development will be supported

where gaps for adequate plots exist.

Ribbon development is a line of buildings extending along a road, or private lane generally without accompanying development of the land to the rear and often served by individual accesses. A common feature of some small building groups is groups of houses built using the road frontage edge of what were previously fields. Whilst there will be opportunities to complete or "round off" these groups (for example, by developing on sites that complement existing buildings on the opposite side of the road) ribbon development can become a problem when it results in the rural character being lost with development dominating otherwise rural views.

Continuous linear development leads to suburbanisation and a loss of rural character for example, through the introduction of pavements and street lighting. Buildings come to dominate the view, where narrow roads were once bounded by trees, hedgerows and dykes. It could also make access to farmland difficult or cause road safety problems. Incremental development along a roadside with no natural finish point should be avoided.

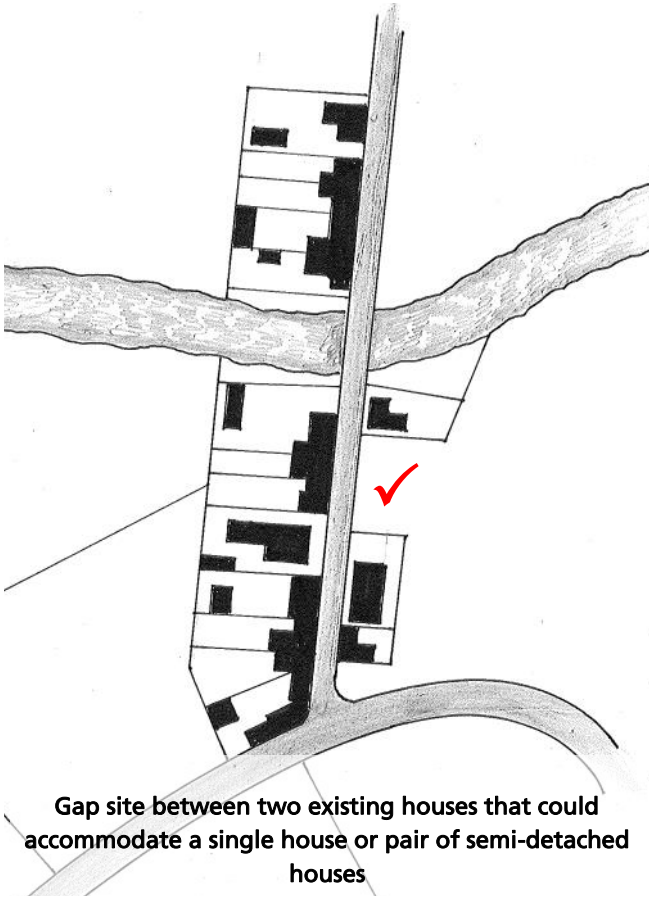
Proposals which would result in or extend an existing ribbon of development will only be supported where there is an existing topographical "stop" such as an established hedge, tree belt or woodland, dry stane dyke, or a slope that would form a backdrop to the site.

Illustrations of the above examples are provided on page 4.

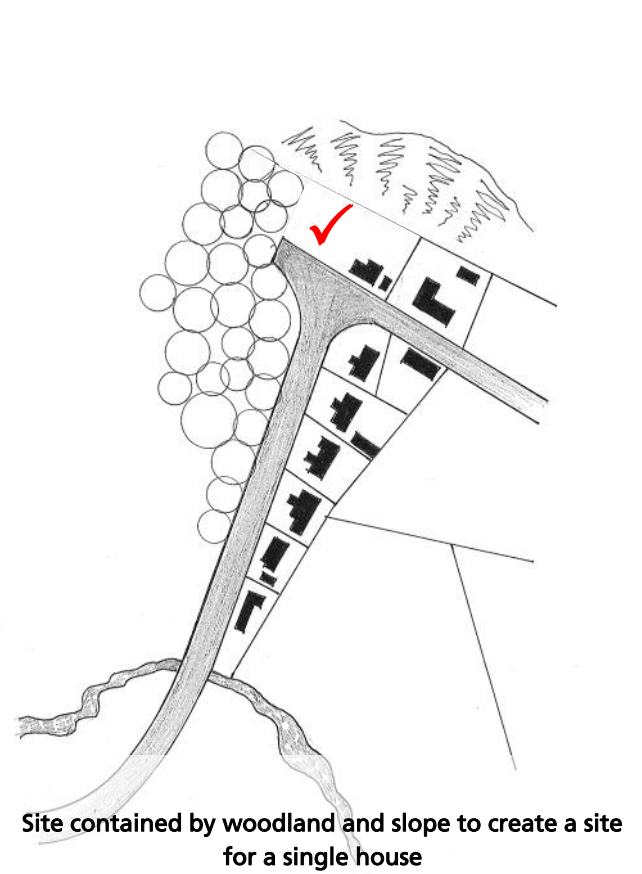
If the proposed site is considered appropriate, a small building group will only be able to expand by a maximum of one third of the existing size of the group within the plan period. This will be based on the size of the group on the date the plan is adopted and should include unimplemented planning approvals.

Houses constructed under this policy will not count towards the size of the group until the

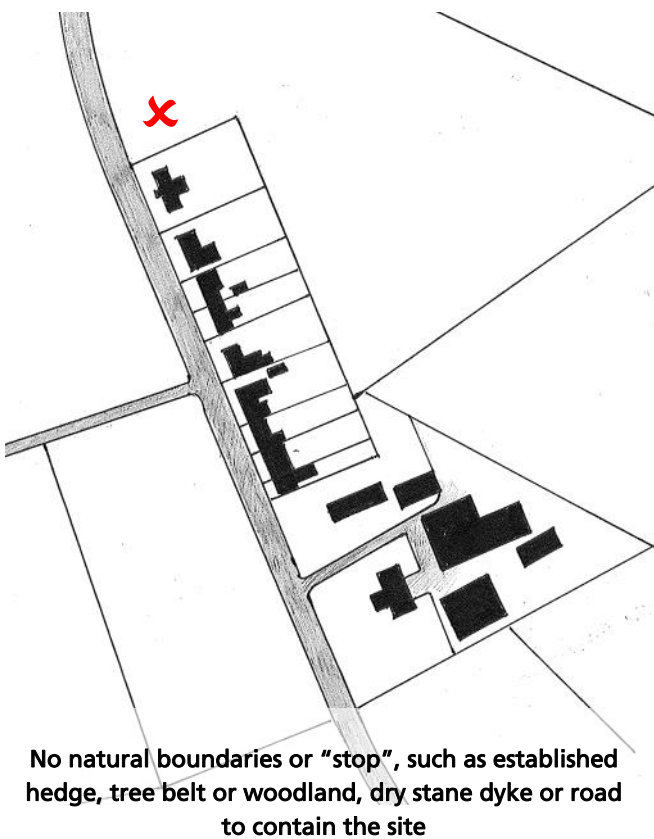
Acceptable Infill Site



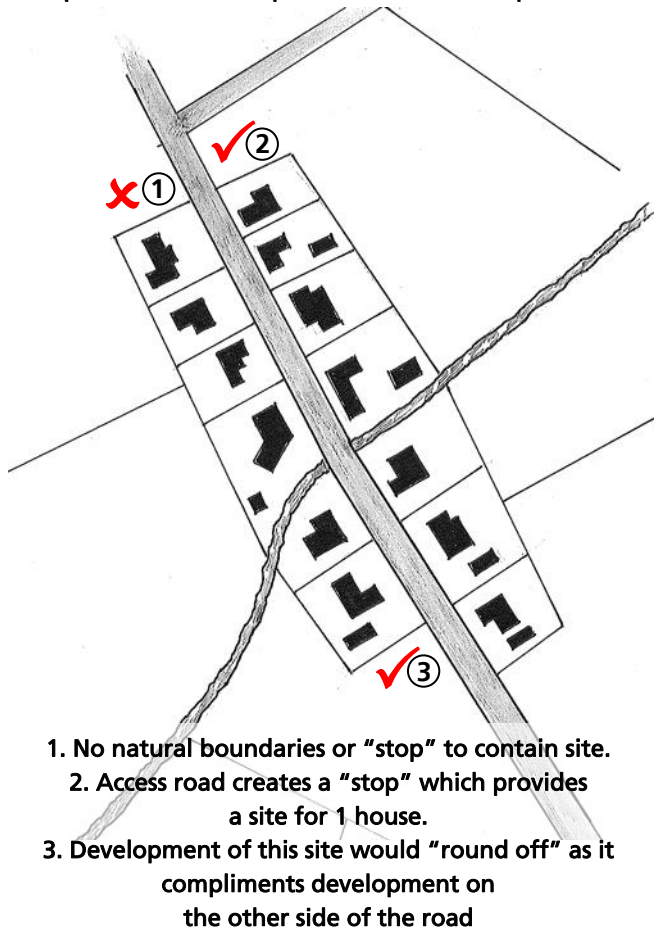
Acceptable Naturally Contained Site



Unacceptable Ribbon Development



Acceptable and Unacceptable Ribbon Development





following plan period.

Proposals to expand the small building group by more than a third will only be considered favourably where the additional units being proposed will provide affordable housing to meet locally identified need and must be maintained as affordable in perpetuity. Such proposals must be supported by details on the local affordable housing need that is being met, the type of affordable housing provided (the affordable housing supplementary guidance provides more information on the types of affordable housing) and how the housing will be secured as affordable in perpetuity.

Where the original number of separate habitable or occupied houses within the group is not divisible by three (for example the group has 5 houses and 2 houses are proposed) the policy would only allow the group to increase by 1.6 houses (5 divided by 3), but the 2 houses proposed meet the guidelines set out above support will be given to “rounding up” to the nearest whole number the number of new houses allowed within the group provided the above guidelines are met. Where this situation occurs the number of units allowed will be limited to the nearest “rounded up” whole number.

In those cases where the conversion of a group of traditional buildings results in the creation of three or more separate habitable or occupied houses which are well related to each other to create a sense of place, proposals for a “new” house(s) will be allowed provided they meet the guidance contained in the Conversion of Traditional Agricultural Properties Supplementary Guidance.

The cumulative impact of new development on the character of the small building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications.

Some small building groups are located in close proximity to those settlements that have an identified boundary in the LDP. Development proposals within the small building group that would lead to the group

joining up with the settlement will not be supported.

Agricultural or Rural Business Need

Farming continues to be a significant component of the rural economy and it is important that planning policy continues to support the operational needs of farming enterprises. Whether a house is considered to be essential will depend on the specific needs of the farm concerned and not the personal preferences or circumstances of the individuals involved.

This part of the policy also acknowledges that there are particular circumstances when a new house in the rural area is required to accommodate a full time worker who is employed in a business that requires a rural location, where the nature and demands of the work concerned make it essential for the person engaged in the business to live at, or very close to the site of their work. For newly established businesses, long term viability must be demonstrated. If the Council is not satisfied in relation to the long term viability, a temporary permission may be granted for a non-permanent form of housing in the interim period.

The presence of a business in the rural area is not in itself sufficient justification for a house. The material factors which will determine whether there is a genuine need for a new house include:

- The scale, viability and detail of the farming / business operation;
- The labour requirements, including the need for specialist workers and the level of attention needed outside normal hours; and
- The existing residential accommodation available to the farm or business and other development opportunities on the farm or land holding.

In either instance, favourable consideration will only be afforded to those proposals where the applicant is able to demonstrate that:



- A new house is essential for the proper functioning of the farm / rural business and there is a clearly established need for a worker to be readily available at most times;
- There is clear evidence that the proposed enterprise has been planned on a sound financial basis and that the farm / rural business is economically viable;
- The need relates to a **full-time** farm worker or one who is mainly involved in agriculture or the running of the rural business;
- There is no appropriate, available alternative accommodation or economically viable development opportunities available on the landholding associated with the farm or rural business or nearby settlement; and
- The need for a house is not a direct consequence of the recent severance of a house from the agricultural holding and its resultant loss to agriculture or the rural business except when severance arises as a result of a compulsory purchase order. For the purposes of the policy recent severance is taken to be ten years from completion of the house that is being severed from the land holding.

Permission granted under this part of the policy may be subject to a Planning Obligation designed to ensure that any house constructed is tied in ownership to the farm or business concern which was used to demonstrate the essential need for that development. Where essential need is demonstrated by an agricultural labour report covering a whole farm then the house will be expected to be tied in ownership to the whole farm and not to a restricted part of the farm holding assessed.

Retirement Succession of a Viable Farm Holding

This part of the policy enables retiring farmers to remain on the land where they can continue to make a valuable contribution to the farming enterprise, but only where there is a family successor to the farm.

The following criteria will need to be met:

- The applicant is of retirement age and / or has recently retired or is about to retire;
- The site for the new house is on the land which the applicant farmed until retirement;
- The farm is viable and can demonstrate that it is capable of supporting a farmer in full-time employment;
- The farm holding is being sold or transferred to a family member as a going concern; and
- The existing farmhouse will continue to be used as the main farmhouse on the farm and there are no other development or conversion opportunities available on the farm.

Planning permission will not be granted for a new house on a farm if:

- there are either existing houses or other economically viable development opportunities available on the land holding which could meet the need for accommodation. Development opportunities would include an existing house which is capable of renovation or replacement;
- it is practical to sub-divide or extend an existing house by forming an annexe and where there are existing permissions (not time expired) for a house that have not been taken up or developed.

Rural Brownfield Site

For the purposes of this policy brownfield sites are defined as land that has been previously developed. PAN 73 Rural Diversification states that development plan policies should encourage rehabilitation of brownfield sites in rural areas and defines these as sites that are occupied by redundant or unused buildings or land that has been significantly degraded by a former activity.

When these sites fall into disuse, are abandoned or become derelict, some have the



potential to seriously detract from the visual and environmental amenity of an area. In some cases these sites may also be affected by the presence of contamination due to historic industrial or agricultural processes that could unless treated represent either an immediate or long-term threat to health.

The **conversion and reuse** of the existing buildings on rural brownfield sites should always be the first option.

Only where conversion and re-use is not practicable or desirable will the re-development of sites be considered. Not every rural brownfield site is appropriate for re-development and there is no blanket or unrestrained support for such proposals. Only those sites which are demonstrably intrusive, visually or environmentally, and where there is no realistic prospect of them being returned to agricultural land or woodland, particularly for reasons that might include contamination, will be considered suitable candidates for re-development. The Council will not regard recent structures (i.e. those erected within the last 25 years and thereafter from the date this policy is adopted) as meeting the terms of this part of the policy.

Redevelopment for small scale housing of brownfield sites which were formerly occupied by buildings may be acceptable where it would remove dereliction or result in a significant environmental improvement and where it can be demonstrated that there are no other pressing requirements for other uses such as business or tourism on the site.

Proposals for more than three new build houses on rural brownfield sites will only be permitted where the planning authority is satisfied that it can be demonstrated beyond reasonable doubt that there are social, economic or environmental reasons for such a scale of new development in a countryside location.

Sites which have considerable biodiversity or which make a significant contribution to the cultural and historic landscape value will be excluded from consideration, as will proposals which could result in suburbanisation,

coalescence with a neighbouring settlement, ribbon development, the overloading of local services such as school and health care facilities, the loss of architecturally valuable buildings, prime agricultural land, important areas of woodland, landscape or significant wildlife habitat.

Proposals for sites which are concluded to be suitable for re-development will also need to satisfy **all** of the following criteria if they are to be supported:

- There are significant environmental and / or community benefits to be gained as a consequence of existing buildings being demolished and the site re-developed;
- The existing buildings can be evidenced as being beyond economic repair and retention;
- The new development will be in keeping with the main features of the landscape and will have regard to the need to integrate with its surroundings;
- The physical footprint of new buildings shall be no greater than that of the existing buildings and will, in most instances, require to be significantly less. This is particularly likely to be the case when considering the re-development of a very large building or a group of buildings;
- The scale of new development shall be minimised to what is absolutely necessary to secure the rehabilitation of the site. As a consequence developers will be required to submit appropriate financial information to justify their proposals and to enable an appraisal of this aspect of their development to be made by the Council. The Council reserves the right to have any financial appraisal submitted scrutinised for accuracy by a third party at the developer / landowner's expense. Consent will not be granted unless the developer can show and demonstrate to the satisfaction of the Council that there is a sound business case for the proposed development and for that business case to address and take into account all matters that pertain to the development.
- All planning applications shall be



accompanied by a statement setting out the history of previous land uses or activities, and, where relevant, a scheme of investigation and remediation for dealing with contaminated land. The satisfactory remediation of contaminated land will be required **prior** to the construction of any replacement buildings.

before 1919 – they include but are not confined to listed buildings or buildings within conservation areas” Historic Scotland Guide for Practitioners 6; Conversion of Traditional Buildings) where the Council would prefer to see the option of renovation and the additional of a suitable extension pursued.

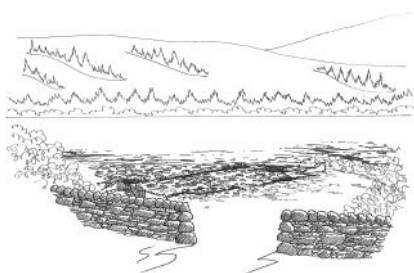
Proposals to demolish (and reconstruct or replace) a listed or significant traditional building will need to be supported by an engineer’s structural report and financial appraisal demonstrating, to the Council’s satisfaction, that renovation is not a viable option.

The replacement of a house applies to the following categories:

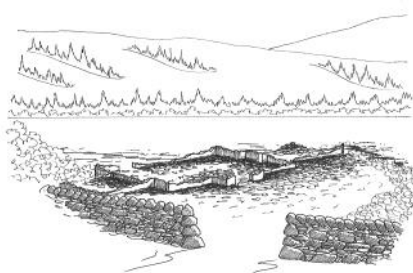
- A house that is habitable, but is of a

Renovation or Replacement of a House

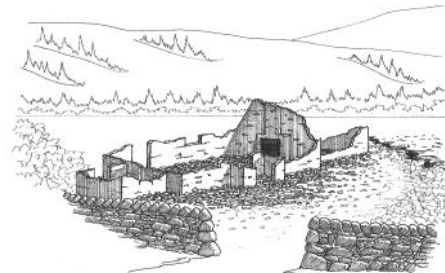
There may be a limited number of cases where it is proposed to replace a house. Such proposals will be considered favourably unless it would involve the loss of a listed or significant traditional building (traditional style is defined by Historic Scotland as “a building of traditional construction built



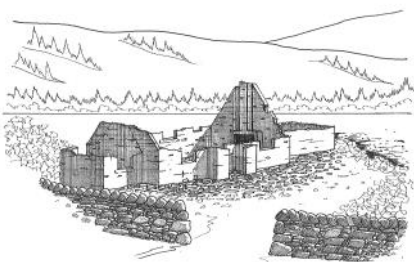
Level 1 - PART GABLE & WALLS
Extent of use of building not known



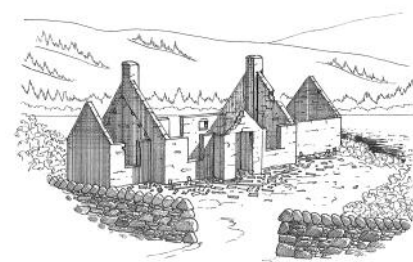
Level 2 - PLAN FORM COMPLETE
Extent of building clearly known



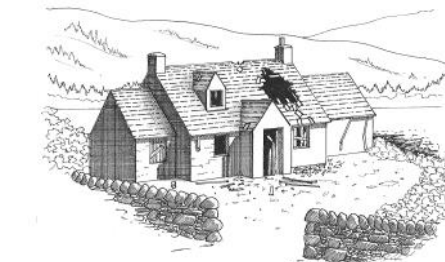
Level 3 - PART GABLE & WALLS
Extent of use of building not known



Level 4 - PART GABLE & WALLS TO CILL
Full extent & use of building not known



Level 5 - COMPLETE TO WALLHEAD HEIGHT
Former use evident



Level 6 - RUINOUS STATE
Former use & extent shown

design that is not readily improvable or extendable; or

- A house that has been abandoned but is still complete to at least wall head height and is located within a site that has defined boundaries.

In either case the new house should be of a scale appropriate to its location and have a good fit with the surrounding landscape. The new house does not have to be rebuilt on the footprint of the former house if site conditions suggest that another position (within the curtilage or garden ground) of the property would create a better landscape fit or orientation. However, it should be rebuilt within the curtilage (garden ground) of the former house. If the proposed house does not occupy the footprint of the former house, that footprint will not be accepted as a site for a future house building proposal relying on this part of the policy.

Conversion of a Traditional Building

The Council has always encouraged the conversion and / or renovation of traditional buildings for housing since this can make a positive contribution to the countryside if the work is undertaken in a sympathetic manner and continues to preserve the areas heritage of traditional buildings. A building survey will normally be required to confirm that the property is capable of being renovated without requiring extensive rebuilding. Any extensions should be of a scale and design so they do not dominate or adversely affect the appearance and character of the original building.

Once a traditional building has been converted into a house, extensions to the building should be treated under the house extension policy (H8) and associated supplementary guidance.

Design guidance on the conversion of traditional agricultural properties has also been produced as supplementary guidance. The guidance provides a best practice approach to the reuse of traditional farm buildings.

Housing in the Remote Area

Remote areas have been identified on the map at the end of the document. They have been arrived at by combining a number of factors including the Scottish Government's rural typologies, identified environmental constraints and local knowledge.

Proposals for a single house in these areas will be considered favourably provided it is well related to its landscape setting, is of an appropriate scale and design to its location, and it would provide a low carbon house and lifestyle.

Setting of the House

Proposals submitted for consideration under this part of the policy will be required to demonstrate that the proposed house when viewed from surrounding vantage points, meets all the following criteria:

- It blends sympathetically with land form;
- It uses existing trees, buildings, slopes or other natural features to provide a backdrop;
- It does not have a detrimental impact on the surrounding landscape;
- It uses an identifiable site with long established boundaries which must separate the site naturally from the surrounding ground (e.g. an established hedge, tree belt or woodland, dry stane dyke, or a slope that would form a backdrop to the site). The sub division of a field or other land artificially, for example by post and wire fence or newly planted hedge or tree belt in order to create the site will not be acceptable.

Proposals will not be considered acceptable if, when viewed from surrounding vantage points, the site:

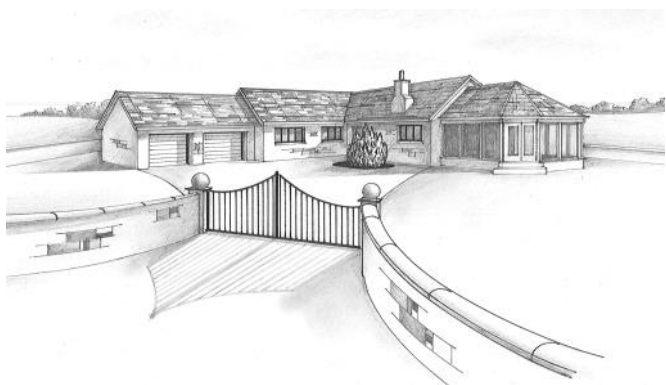
- Occupies a prominent skyline, top of slope / ridge location;
- Lacks established boundaries, as outlined above; and
- Is unable to provide a suitable degree of enclosure for a new house in the countryside.



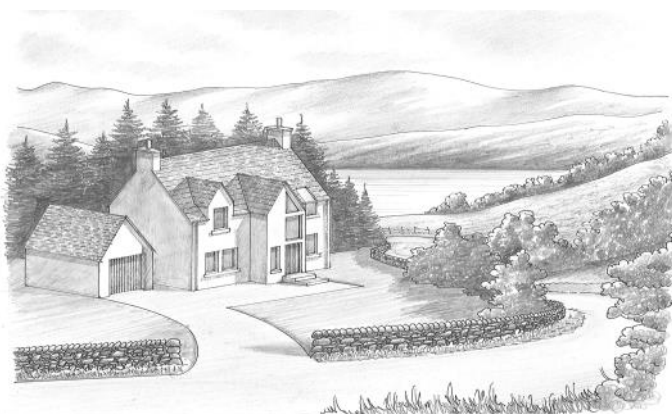
Scale and Design of the House

The local vernacular tradition and landscape setting of the countryside demands a different scale and form of building and architectural detail from housing in settlements. "Off the peg" or "kit" houses will not normally be suitable. Rural buildings tend to follow a simple linear / rectangular plan, are long, narrow and low and have a pitched roof. Houses that deviate from the traditional plan form or run across contours, necessitating extensive under building, should in most circumstances be avoided.

Developers are encouraged to tailor the design and scale of the house so that it fits the countryside location and respects the rural context. However, this does not mean that new houses need to be reproductions of traditional rural buildings. Genuinely innovative and contemporary designs that demonstrate an informed use of traditional references and a sympathetic understanding of the existing landscape will be considered favourably.



"Inappropriate" Example



"Appropriate" Example

Low Carbon Design and Lifestyle

In Scotland, sustainability is embedded into the building regulations for all new buildings.

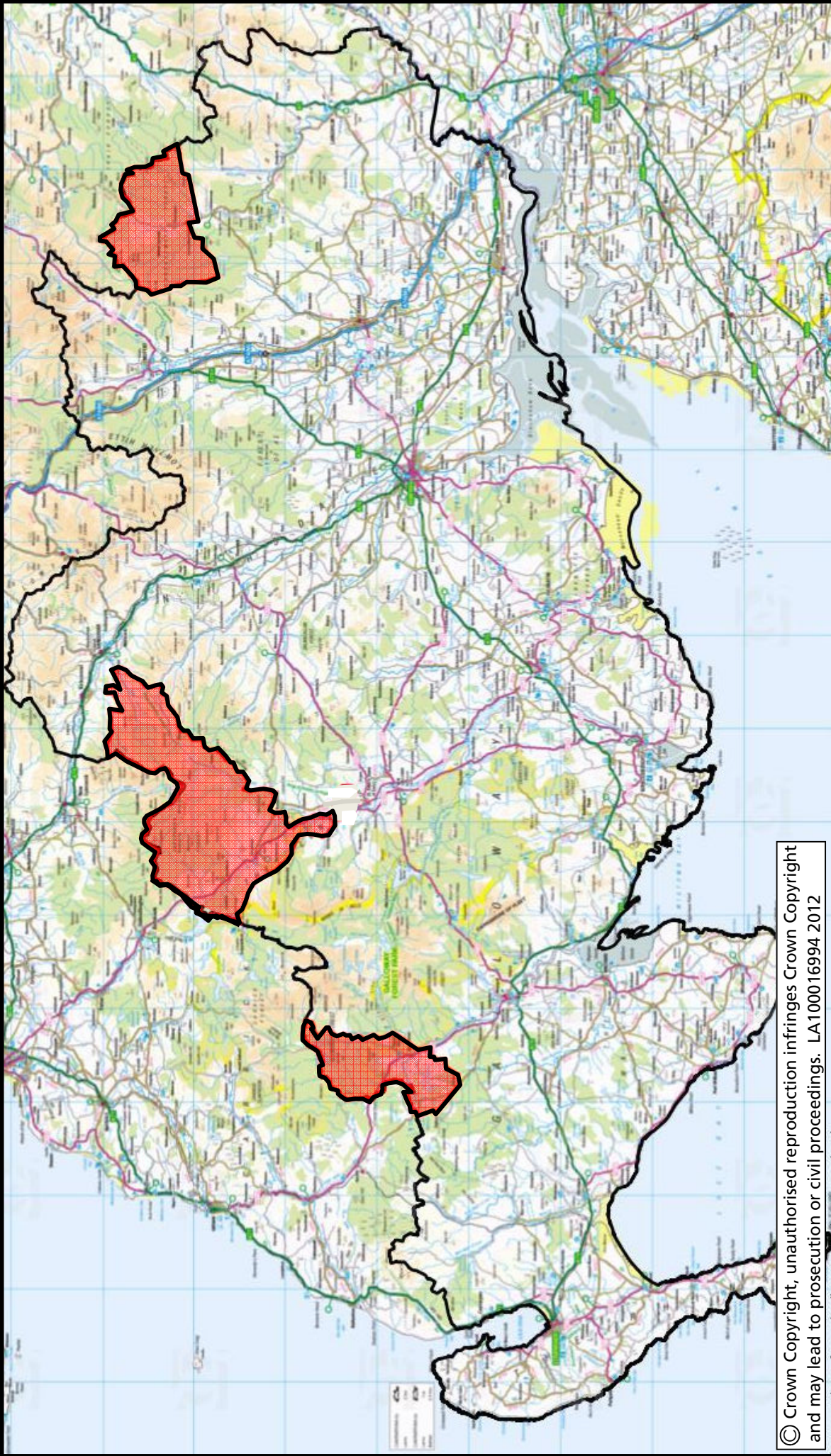
Many different design and construction techniques can be adopted to create a low or zero carbon dwelling. It is important to get professional advice on how these can be successfully incorporated into the development.

Applicants should demonstrate that:

- the proposed house is designed to have a low impact by virtue of scale, construction, materials and sources of energy and heating;
- Building Standards Regulations relating to energy and sustainability have been met and preferably exceeded. The development should strive for the highest Energy Performance Certificate (EPC) rating possible; and
- The proposed house is integral part of a low carbon lifestyle. A couple of examples of how this could be achieved could involve managing the attached land so it would support the occupants of the house as their main source of income or home working which removed the need to commute to an office on a daily basis.



Appendix 1 - Map of Remote Areas



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Remote Area