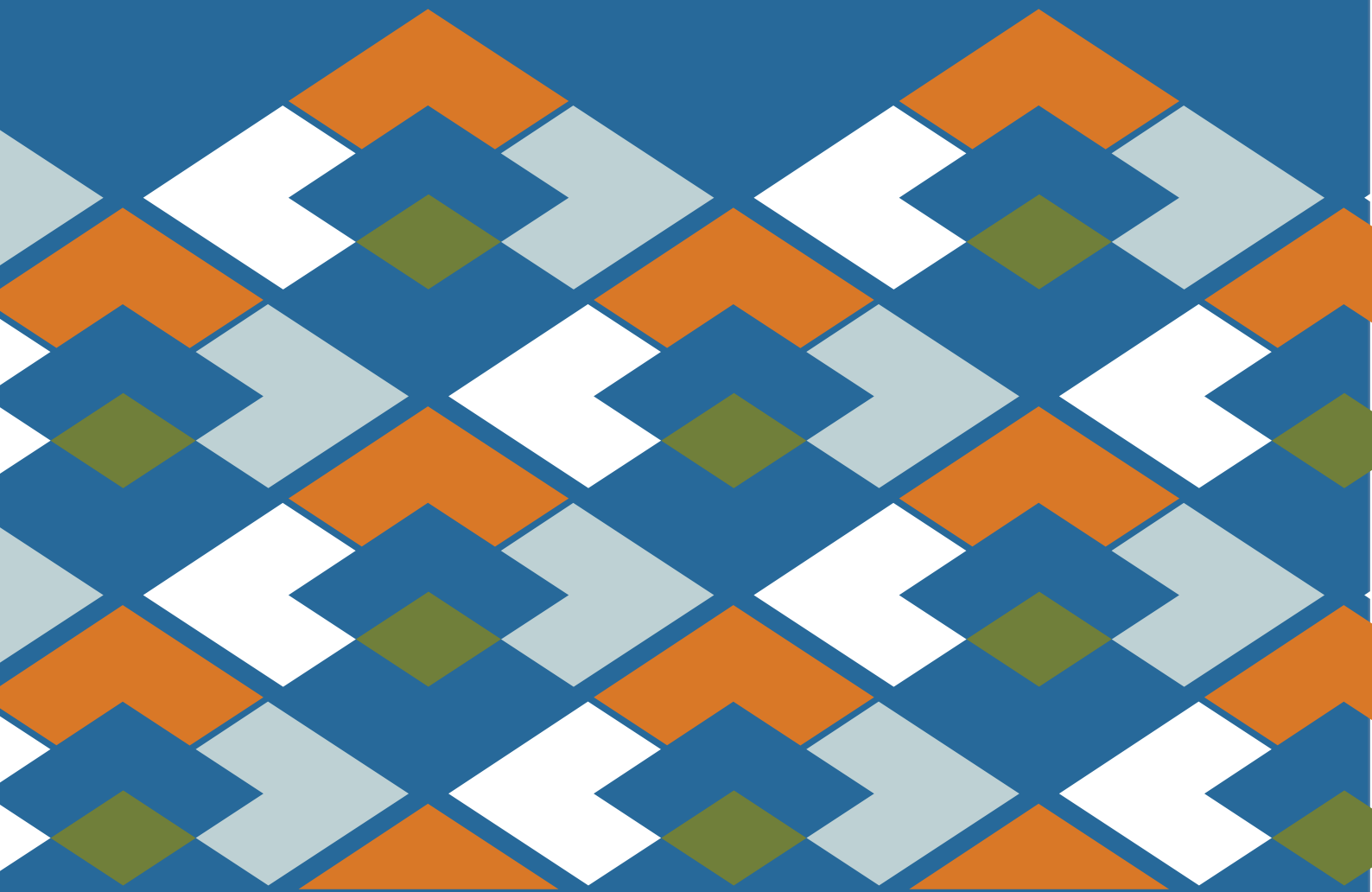




Housing Development in the Countryside and Green Belt Supplementary Guidance



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Introduction

1. Introduction

1.1 This Supplementary Guidance relates principally to policies RD1 Development in the Countryside of the Midlothian Local Development Plan 2017 but also ENV1 Protection of the Green Belt. It seeks to provide additional guidance and clarity regarding the circumstances in which exceptions may be made to the requirement to demonstrate that the proposed housing is for the furtherance of a countryside activity, including: the circumstances when/where new housing may be appropriate within the context of housing groups; when the conversion of redundant farm buildings or other non-residential buildings to houses would be acceptable; when/where redevelopment of farm buildings or other non-residential buildings would be acceptable; and enabling development. Policy RD1 includes reference to business development in the countryside but this issue is not subject of this guidance.

1.2 When considering proposals, prospective applicants should be aware that all policies in the Local Development Plan will apply to any proposal. While policies RD1 or ENV1 are likely to be the most significant factor in determining applications in the countryside, this alone does not guarantee compliance with the plan as a whole. Consideration of proposals for development covered by these policies should also refer to policies RD2 Low Density Rural Housing, MIN1 Areas of Search for Mineral Extraction, NRG1 Renewable and Low Carbon Energy Projects, and NRG2 Wind Energy, where these are applicable. In addition consideration and acknowledgement should be given to existing and emerging supplementary and planning guidance on relevant topics such as Green Networks, Low Density Rural Housing, Quality of Place etc.

Development in Rural Areas

2. Development in Rural Areas

2.1 Generally planning policy has historically sought to restrict unnecessary development in countryside locations, principally to prevent sporadic and unsustainable growth and to maximise use of infrastructure, resources and services more commonly available in established urban areas. While this principle is still relevant today, the countryside is a workplace for some, a playground for others and a vital ecosystem for all.

2.2 Government policy supports rural development that supports prosperous and sustainable communities and business whilst protecting and enhancing environmental quality. It also promotes responsible access and the right to roam. However as a place to live and work there are challenges to address and overcome in respect of the climate change agenda and the Government's sustainability policies, particularly given the development pressures resulting from Midlothian's close proximity to Edinburgh.

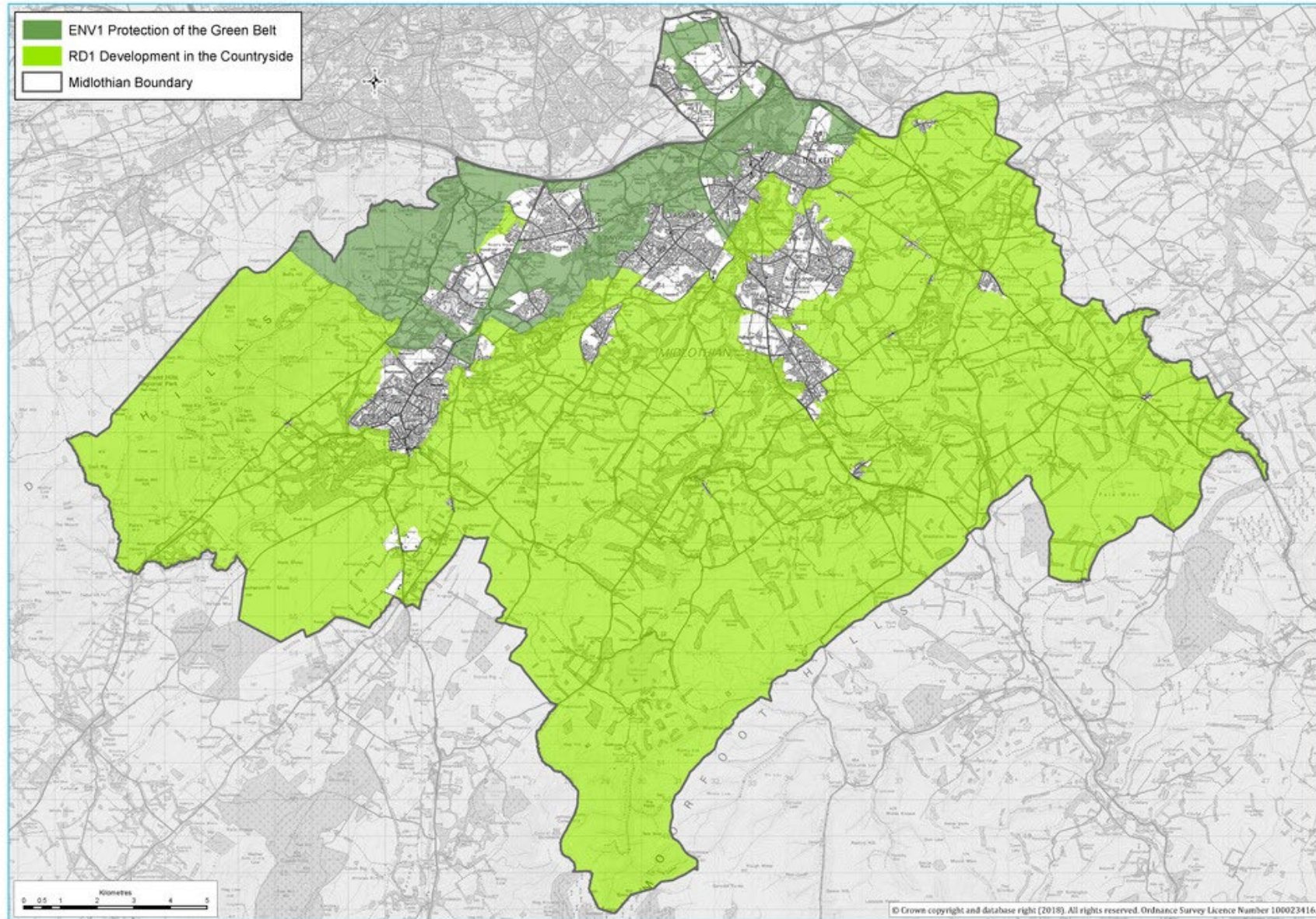
2.3 The Council's planning policies seek to provide a balance between development and protecting the essential characteristics of the countryside. It seeks to do this by minimising the adverse affects on the character of the countryside while maximising the benefits to its communities and the Midlothian economy. Policies RD1 and ENV1 from the Local Development Plan are reproduced in Appendix 1 for convenience.

Countryside and Green Belt in Midlothian

3. Countryside and Green Belt in Midlothian

3.1 For the purposes of this guidance, the countryside is defined as land out with defined settlement boundaries, which can be seen in the image below. Approximately 9.5% of Midlothian is covered by the Green Belt and a further 80% is covered by the countryside policy.

Countryside and Green Belt in Midlothian



Countryside and Greenbelt in Midlothian

3.2 Midlothian is located in close proximity to Edinburgh with the A720 City bypass forming the majority of the northern boundary. This creates development pressure for housing developments of all types, including in the countryside. As a consequence of this location, Midlothian's larger settlements are located close to the City Bypass and alongside the main north-south transport routes through Midlothian, particularly the A7 and A701. This has resulted in a concentration of urban development at the northern edge of the county with concerns frequently raised about the loss of countryside, the increase in coalescence between settlements and the consequential loss of identity for communities. As a result, the countryside in this area is covered by the Green Belt policy. Green Belt is a long established planning policy tool to protect the setting of urban areas, prevent urban sprawl and manage and protect agricultural, forestry and recreational uses and discourage inappropriate development.

3.3 The wider landscape of Midlothian consists of the Pentland Hills in the west, the Moorfoot Hills in the south with the Tranent-Mayfield ridge in the east. This bowl shape was the result of a concentration of ice which melted approximately 20,000 years ago with a torrent of melt water carving out the river valleys of the North and South Esk. The ground elevation of Midlothian is slightly higher than Edinburgh to the north due to a rebound in the Earth's crust.

3.4 The character of the agricultural land in the north of the county is generally flat and lower lying, which contains the majority of Midlothian's Prime Agricultural Land. The land rises gently southwards away from the coast where a more undulating landscape is common, resulting in a large number of protected Special Landscape Areas. There are a wide variety of landscapes in this area with moorlands and natural uplands towards the Moorfoot Hills at the southern boundary and dramatic incised valleys around the North and South Esk.

3.5 Throughout Midlothian there are large areas of countryside owned by landed estates centred on historic castles and country houses which have played a crucial role in the shaping of Midlothian's human landscape and are an important link to our past. The gardens and parkland in the vicinity of these have often been carefully designed to provide an attractive setting, with many identified in the *Inventory of Historic Gardens and Designed Landscapes* for their aesthetic, historical, scenic and/or nature conservation value.

3.6 The wider human landscape has been shaped by past and present developments in agriculture. Throughout Midlothian there are many groups of historic sandstone agricultural buildings, with the most common layouts being steadings with associated housing such as stand alone farmhouses (often 2-storey) and terraced farm cottages (often single or one and a half storey).

3.7 There are large river valleys centred on the North and South Esk rivers in the west and centre of the county and the Tyne to the east. As the geography of these areas have been untouched by agriculture in many places, these form important wildlife corridors and well as distinctive features in the landscape.

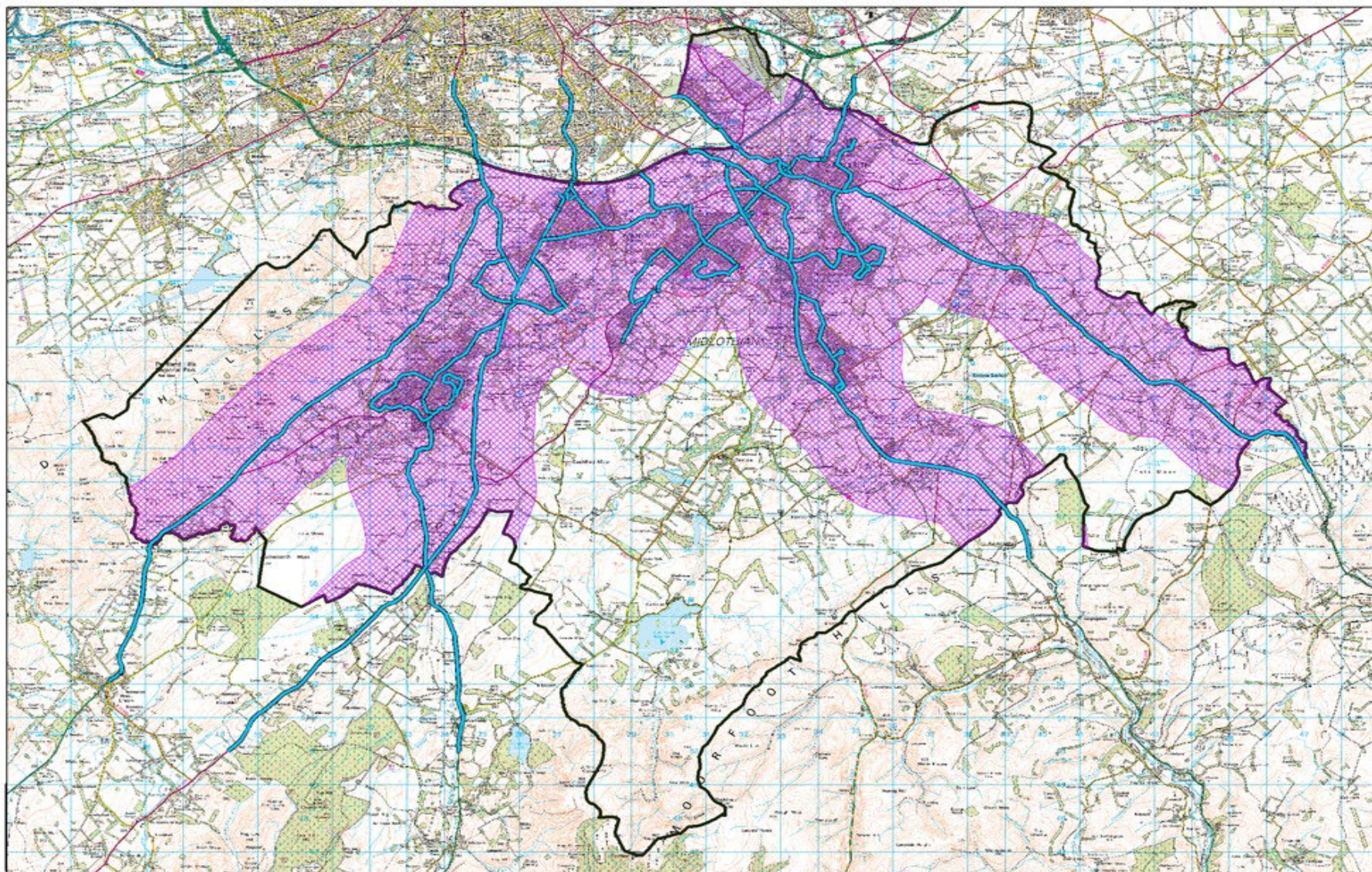
General Development Requirements

4. General Development Requirements

4.1 All development in the countryside is required to be of a scale and character that is appropriate to the rural landscape, be capable of being serviced with an adequate and appropriate access, be capable of being provided with drainage and public water supply and be accessible by public transport. These requirements are a necessary pre-requisite for any development to be considered acceptable, irrespective of whether the proposal would otherwise be supported by LDP policy. Reference should be made to policies RD1 and ENV1 for the full requirements.

4.2 With respect to the public transport requirement, all development has to be either within 1 mile (1600m) of services (such as shops or schools) or to a bus service of at least 1 per hour. The map below shows the bus routes in Midlothian at the time of writing and the areas that are within 1 mile of them. The purpose of this element of policy RD1 is to ensure that development proposals in rural areas are located in sustainable locations. While proposals at locations remote from public transport and services would be contrary to this aspect of the policy RD1, the Council will give consideration to other aspects of sustainability, such as measures to minimise greenhouse gas emissions and reducing energy use through good design and use of low and zero-carbon technology, in weighing the significance of this.

General Development Requirements



General Development Requirements

4.3 Where proposals involve the restoration, redevelopment or other work to redundant buildings, care will be required in ensuring that adverse impacts on protected species are avoided. Such buildings can be in use by Barn Owls or Bats for nesting or roosting. Where such impacts are unavoidable, it will need to be demonstrated that a protected species licence is capable of being granted. Developments which do not avoid adverse impacts on protected species will be contrary to policy ENV15 of the MLDP.

4.4 It will be the responsibility of the applicant to demonstrate compliance with the policy and the necessary standards. Policies RD1 and ENV1 are reproduced in Appendix 1.

5. Housing - Development Required to Support an Established Countryside Activity

5.1 Both policies permit development which is required for the furtherance of an established countryside activity. The onus is on the applicant to demonstrate compliance with the relevant policies to the satisfaction of the Council.

5.2 In demonstrating the need for a permanent dwelling, the Council will expect an application to be accompanied by an independent report prepared by a suitably qualified professional to support the need for a house and on the viability of the associated business and its operational requirements. In outlining the needs of the business, it should be apparent to the Council whether the need can be met within an existing settlement and whether the occupier will be employed full-time in the associated countryside activity, and therefore whether it meets the other requirements of the policy. The most common reasons for such houses are typically the need for an onsite presence for security and animal husbandry.

Housing - Development in Housing Groups

6. Housing - Development in Housing Groups

6.1 Policy RD1 allows for the development of a house where there is a group of 5 or more existing dwellinghouses. This aspect of the countryside policy sets out a flexible approach to ensure that there are appropriate opportunities for small-scale infill within housing groups. The aim is to allow for development in the countryside of a scale and at locations which maintain the essential character of the countryside.

Groups that are applicable

6.2 The policy does not apply to housing groups of less than five housing units. Neither does it apply where an existing planning permission for one or more dwellings, if implemented, brings the number of dwellings in a group up to five during the Local Development Plan period. Only houses that are complete by the Local Development Plan adoption date (7 November 2017) will be considered in determining the size of the group. Groups within the Green Belt are covered by policy ENV1 of the LDP, which does not make provision for development at housing groups, therefore proposals in such locations will not be considered in accordance with the plan. Dwellings located within the built-up area as defined by policy DEV2 of the LDP will not be considered as constituting part of a group.

6.3 The cohesiveness of the group will be considered in determining the appropriateness of any proposed development. The proximity of the buildings which constitute a group should, as a rule of thumb, be no more than twice the width of the curtilage of the existing units. Units should generally have intervisibility with one another for them to be considered as part of the same cohesive group, therefore local topographical features will be important.

6.4 The planning system seeks to direct development to areas where there is good access to public transport and/or local services. This is more difficult to achieve in the countryside as the public transport and services available are typically not of a frequency which would normally accommodate new development, leading to a concern relating to sustainability and reducing the need for car based travel. Policy RD1 states that any development will need to be accessible to public transport or local services within 1600m (1 mile).

6.5 Housing groups that were identified in the previous adopted *Development in the Countryside* Supplementary Planning Guidance were identified using very similar criteria to those outlined above. It is therefore likely that they will be regarded as groups that are applicable under this Supplementary Guidance unless there has been a significant change of circumstances.

Identifying appropriate plots for development

6.6 Upon receipt of a proposal, the council will assess the suitability for growth within the group in question in line the criteria outlined. Account will be taken of the form, character and cohesiveness of the group as well as the level of containment provided by existing features, such as natural and manmade boundaries.

Housing - Development in Housing Groups

6.7 Any new unit within a housing group must be of a location, scale and character that is in keeping with that of the existing group. More significant proposals beyond infill development, with wider implications for landscape impact or servicing should be promoted through the Local Development Plan.

6.8 With regards to the location of new development, the preference of the Council will generally be for new units to be located within any gaps in the group. Where there are no gaps, consideration will be given to locations adjoining the existing group, particularly where there is a site that adjoins the group on two sides. Where there are existing physical or visual barriers separating the site or where distance results in the site being remote from the host group, development will not be acceptable.

Guidance on Acceptable Plots

1. Gap sites within the group will generally take precedence over other locations (typically these are sites with built development on either side);
2. Where no gap sites are present, sites adjoining the group are preferable. Normally, a site will be preferred if at least two sides adjoin the boundaries of existing properties though, in some cases, a site which adjoins the boundary of only one property may be preferable if it relates better visually to the group. All proposals which adjoin a group (as opposed to gap sites) should meet the following requirements:
 - there is an existing physical or visual feature which provides containment for the group and therefore reduces pressure for ribbon development or rural sprawl;
 - where such a feature does not exist, there should be potential for such a feature to be provided so long as it is in character with the scale and appearance of the group;
3. Proposals located in open fields adjoining a group, which have no physical features to provide containment will not be acceptable;
4. Proposals which impact adversely on trees, hedgerow and boundary features or are located on the opposite side of physical features which form strong boundaries for a group (e.g. main roads, burns, substantial tree belts, etc.) will not be acceptable.

6.9 The design of any proposed dwelling will be an important consideration in determining the acceptability of a proposal. Development must be small-scale in relation to the existing group and respect the character, cohesiveness and amenity of the group being extended. For example, proposals should not be suburban in character when they relate to the expansion of a group whose character and design is of a rural vernacular nature. Proposals should be avoided where they represent ribbon or linear development along a public road unless this represents the most sustainable building pattern for the locality. Furthermore, proposals will not be acceptable where it results in coalescence with another

Housing - Development in Housing Groups

group or settlement. More detail on acceptable design can be found in the Quality of Place Supplementary Guidance.

Conversions of Redundant Farm Buildings or Other Non-Residential Buildings

7. Conversions of Redundant Farm Buildings or Other Non-Residential Buildings

7.1 Policies RD1 and ENV1 gives policy support for the conversion of redundant farm steadings and other non-residential buildings in the countryside. The aim is to ensure that buildings that contribute to the character of the countryside, such as those of traditional or historic design, are retained and where possible alternative uses found.

7.2 Before such developments can be considered, it must be justified and demonstrated that the buildings in question are fully redundant. The Planning Authority will not support the conversion of such buildings where these are still in use or where their loss may result in the requirement for a replacement building elsewhere.

7.3 Where buildings are capable of renovation and conversion and are examples of traditional, architectural or historic interest their demolition and redevelopment will be resisted. Resulting buildings must make a significant and positive contribution to the landscape and its retention beneficial to the surroundings.

Will converting a non-residential building be acceptable?

The conversion of the building may be acceptable, provided that both of the following are not applicable:

- The building still in use; and
- The conversion of the building would result in a requirement for a building elsewhere, unless it is demonstrated that the existing building is no longer suitable for the use that is being displaced.

Both of the following must be applicable for a conversion to be deemed acceptable:

- The building capable of renovation and conversion without substantial alteration or extension to the original fabric; and
- The building represents an example of traditional, architectural or historic interest OR the building makes a significant positive contribution to the character and appearance of the landscape.

7.4 The acceptability of a proposed steading conversion will largely depend upon the design elements used. The building which is proposed for conversion should be of a scale which will allow for the conversion without the need for significant extension to the building, though account will be made for the needs of future users. Where the building has existing openings, these should be retained in designing the conversion in order to retain its character. Acceptable conversions should not alter the original fabric of the building to a significant degree. More detail on acceptable design can be found in the Quality of Place Supplementary Guidance.

Redevelopment of Redundant Farm Buildings or Other Non-Residential Buildings

8. Redevelopment of Redundant Farm Buildings or Other Non-Residential Buildings

8.1 Where a redundant farm building or other non-residential building in the countryside is judged not to be an example of traditional, architectural or historic interest, their demolition and redevelopment may be appropriate. The aim is to allow for the removal of buildings, which may be an eyesore, and their replacement with development of a higher design quality, resulting in a net environmental benefit.

8.2 As mentioned above, before such developments can be considered, it must be justified and demonstrated that the buildings in question are fully redundant. The aim is to ensure that new development preserves and enhances the appearance and character of the countryside, therefore should such a building be demolished prior to receipt of a planning application and assessment by the Council, it is unlikely that new development will be supported except unless it is required for an established countryside use as outlined in policy RD1. Redevelopment of redundant buildings will not be consented in the Green Belt and such proposals are not supported by policy ENV1.

Will redeveloping a non-residential building be acceptable?

The redevelopment of the building may be acceptable, provided that the following are applicable:

- The building is no longer in use;
- The loss of the building would not result in a requirement for a building elsewhere, unless it is demonstrated that the existing building is no longer suitable for the use that is being displaced; and
- The building does not represent an example of traditional, architectural or historic interest or make a significant positive contribution to the character and appearance of the landscape.

8.3 For a proposal for redevelopment to be deemed successful, it must result in a development which respects and enhances the character and appearance of the countryside. Furthermore, the scale of development should not extend significantly beyond the footprint of the original building, unless there are significant design reasons for doing so. More detail on acceptable design can be found in the Quality of Place Supplementary Guidance.

Enabling Development

9. Enabling Development

9.1 There are a number of large rural buildings of value to the local landscape and whose current use has or may become redundant. In the interest of retaining such buildings, the Council will consider enabling development as an option. Where a building is listed, reference should be made to policy ENV22 of the MLDP.

9.2 Where such enabling development is proposed, it is the responsibility of the applicant/developer to bring to the attention of the Council any issue that they consider relevant. The Council will need to be convinced of the following in determining such a proposal.

Will enabling development be acceptable?

The provision of new development to financially assist in the preservation of a redundant building may be acceptable, provided that the following are applicable:

- It is demonstrated that the quality of the building and/or its contribution to the character or appearance of the rural landscape is of considerable significance;
- The building is not located in the Green Belt;
- The proposed enabling development is located in the vicinity of the building whose restoration it is proposed to enable;
- It is demonstrated that such development is the only means of retaining the building and other options of funding have been exhausted.
- It is demonstrated that the scale of the proposed development represents the minimum necessary to enable the building's conservation and reuse;
- The resulting development is of a high quality design that respects the building and its setting;
- The development will result in the building having a lasting use.

9.3 In considering matters relating to the financial viability of alternative options and the minimum necessary scale of new development needed to retain a building, the Council reserves the right to base its decision on satisfactory evidence to that effect through an open book process.

Appendix 1: LDP Policies

10. Appendix 1: LDP Policies**Policy RD 1****Development in the Countryside**

Development in the countryside will only be permitted if:

- A. it is required for the furtherance of agriculture (including farm-related diversification), horticulture, forestry, countryside recreation or tourism; or
- B. it accords with policies RD2, MIN1, NRG1 or NRG2; or
- C. it accords with the Council's Supplementary Guidance on *Development in the Countryside and Green Belt*.

All such development will need to be:

- a. of a scale and character appropriate to the rural area and well integrated into the rural landscape; and
- b. capable of being serviced with an adequate and appropriate access;
- c. capable of being provided with drainage and a public water supply at reasonable cost, or an acceptable private water supply. Development must protect and where appropriate improve the water environment, avoiding unacceptable and unnecessary surface and foul water discharges to watercourses; and
- d. accessible by public transport and services (where appropriate), either within 1,600 metres (1 mile) of a settlement or a bus route with a frequency of at least 1 bus per hour.

Housing

Normally, housing will only be permissible where it is required for the furtherance of an established countryside activity (see criterion A above). The applicant will be required to show the need for the new dwelling is permanent; cannot be met within an existing settlement; and that the occupier will be employed full-time in the associated countryside activity.

Proposals to replace an existing dwelling may be permissible where it can be demonstrated that it is incapable of renovation or improvement; that the proposal relates to a complete dwelling (i.e. not the plot of a previous, now demolished house); and provided that the replacement is of a similar scale.

The following circumstances are exceptions to the above requirement to demonstrate that the housing is for the furtherance of a countryside activity. The details of these exceptions will be set out in the relevant Supplementary Guidance:

- housing groups (allowing 1 new dwelling during the plan period where there are 5 existing units);
- conversions of redundant farm buildings or other non-residential buildings;
- redevelopment of redundant farm buildings or other non-residential buildings; or

Appendix 1: LDP Policies

- enabling development where it can be clearly shown to be the only means of preventing the loss of a heritage asset and securing its long-term future.

In all circumstances, proposals for new dwellings in the countryside must demonstrate a 'Very Good' or better BREEAM (Buildings Research Establishment Environmental Assessment Methodology) rating or equivalent standard for any successor development.

Business in the countryside

Development opportunities that will enhance rural economic development opportunities will be permitted provided that they accord with criteria a - d above. Proposals will not be permissible if they are of a primarily retail nature or harm the amenity of nearby residents through unacceptable levels of noise, light or traffic.

Appendix 1: LDP Policies

Policy ENV 1**Protection of the Green Belt**

Development will not be permitted in the Green Belt except for proposals that:

- A. are necessary to agriculture, horticulture or forestry; or
- B. provide opportunities for access to the open countryside, outdoor sport or outdoor recreation which reduce the need to travel further afield; or
- C. are related to other uses appropriate to the rural character of the area; or
- D. provide for essential infrastructure; or
- E. form development that meets a national requirement or established need if no other site is available.

Any development proposal will be required to show that it does not conflict with the overall objectives of the Green Belt which are to:

- Direct development to the most appropriate locations and support regeneration;
- Protect and enhance the character, landscape setting and identity of the City and Midlothian towns by clearly identifying their physical boundaries and preventing coalescence; and
- Protect and provide access to open space.

Housing

Housing will normally only be permissible where it is required for the furtherance of an established Green Belt activity (see criterion A above). The applicant will be required to show the need for the new dwelling is permanent; cannot be met within an existing settlement; and that the occupier will be employed full-time in the associated countryside activity. A planning condition limiting the occupancy of the house is likely to be attached in the event of approval.

<https://www.midlothian.gov.uk/MLDP>

COMMUNICATING CLEARLY

We are happy to translate on request and provide information and publications in other formats, including Braille, tape or large print.

如有需要我們樂意提供翻譯本，和其他版本的資訊與刊物，包括盲人點字、錄音帶或大字體。

Zapewnimy tłumaczenie na żądanie oraz dostarczymy informacje i publikacje w innych formatach, w tym Braillem, na kasecie magnetofonowej lub dużym drukiem.

ਅਸੀਂ ਸੋਗ ਕਰਨ ਤੇ ਪੁਸ਼ੀ ਨਾਲ ਅਨੁਵਾਦ ਅਤੇ ਜਾਣਕਾਰੀ ਤੇ ਹੋਰ ਰੂਪ ਵਿੱਚ ਪੁਸ਼ਤਕ ਪ੍ਰਦਾਨ ਕਰਾਂਗੇ, ਜਿਨ੍ਹਾਂ ਵਿੱਚ ਬਰੇਲ, ਟੇਪ ਜਾਂ ਵੱਡੀ ਛਪਾਈ ਸ਼ਾਮਲ ਹਨ।

Körler için kabartma yazılar, kaset ve büyük nüshalar da dahil olmak üzere, istenilen bilgileri sağlamak ve tercüme etmekten memnuniyet duyuyoruz.

اگر آپ چاہیں تو ہم خوشی سے آپ کو ترجمہ فراہم کر سکتے ہیں اور معلومات اور دستاویزات دیگر شکلوں میں مثلاً بریل (تایپا افراد کے لیے) اور بڑے بڑے حروف کی کھمبائی (بیس) میں شپ پر یا بڑے حروف کی کھمبائی میں فراہم کر سکتے ہیں۔