



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Planning Committee

**At:** Multi-Location Meeting - Gloucester Room, Guildhall / MS Teams

**On:** Tuesday, 5 December 2023

**Time:** 2.00 pm

**Chair:** Councillor Paul Lloyd

**Membership:**

Councillors: P M Black, P Downing, A J Jeffery, M H Jones, S E Keeton, M B Lewis, R D Lewis, N L Matthews, M S Tribe, T M White and R A Williams

**Watch Online:** <https://rb.gy/xv3eac>

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### Agenda

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<b>1 Apologies for Absence.</b>	
<b>2 Disclosures of Personal and Prejudicial Interests.</b> <a href="http://www.swansea.gov.uk/disclosuresofinterests">www.swansea.gov.uk/disclosuresofinterests</a>	
<b>3 Minutes.</b> To approve & sign the Minutes of the previous meeting(s) as a correct record.	1 - 2
<b>4 Determination of Planning Applications under the Town and Country Planning Act 1990.</b>	3 - 13
<b>5 New Supplementary Planning Guidance: Conversion of Traditional Rural Buildings.</b>	14 - 109
<b>6 Draft Countryside Access Plan 2023-2033.</b>	110 - 217

**Next Meeting:** Tuesday, 9 January 2024 at 2.00 pm

A handwritten signature in black ink that reads 'Huw Evans'.

**Huw Evans**  
Head of Democratic Services  
Tuesday, 28 November 2023

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**Contact: Democratic Services - 636923**

# Agenda Item 3



City and County of Swansea

## Minutes of the **Planning Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Tuesday, 7 November 2023 at 2.00 pm

**Present:** Councillor P Lloyd (Chair) Presided

**Councillor(s)**

P M Black  
S E Keeton  
N L Matthews

**Councillor(s)**

P Downing  
M B Lewis  
M S Tribe

**Councillor(s)**

A J Jeffery  
R D Lewis  
R A Williams

**Officer(s)**

Gareth Borsden  
Matthew Bowyer  
Ian Davies  
Eilian Jones  
Sally-Ann Evans  
Dave Owen  
Jonathan Wills

Democratic Services Officer  
Principal Telematics Engineer  
Development Manager  
Area Team Leader  
Lead Lawyer  
Principal Planning Officer  
Lead Lawyer

**Apologies for Absence**

Councillor(s): M H Jones and T M White

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### 29 **Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interest was declared:

Councillor P Lloyd – Item 4 (1) - 2023/1680/FUL - Personal

### 30 **Minutes.**

**Resolved** that the minutes of the meetings held on 3 and 24 October 2023 be approved and signed as correct records.

### 31 **Determination of Planning Applications under the Town and Country Planning Act 1990.**

A series of planning applications were presented on behalf of the Head of Planning & City Regeneration.

**Resolved** that the undermentioned planning applications be approved.

Amendments/updates to this schedule were reported and are indicated below by (#)  
(Note: Updates to the report referred to below were circulated to Members of the  
Committee and published on the Council's website prior to the meeting.)

**(Item 1) - Planning Application 2023/1765/S73 - New indoor pitch, extensions to existing leisure centre buildings together with an internal reconfiguration to allow for the provision of improved gym and changing facilities, a community room, reception and cafe area, re-purposed existing fitness studio to enable beneficial use by the school, refurbishment of existing tennis courts with associated fencing and lighting, interconnecting pedestrian routes between the school and leisure areas and existing external connections surrounding the site, new car park with a new access off Cefn Hengoed Road - Variation of conditions 13, 14 and 15 of planning permission 2021/1331/FUL granted 1st November 2021 to allow for the occupation of the completed leisure and community facility prior to completion of the sports barn and for the carpark, charging points and bike storage to be fully provided on completion of the sports barn at Cefn Hengoed Leisure Centre , Caldicot Road, Bonymaen, Swansea**

A detailed visual presentation was given.

Jamie Rewbridge (applicant – Swansea Council) addressed the committee.

**(Item 2) - Planning Application 2023/2018/RES - Reserved Matters Application for the Construction of Residential Units and Associated Ground Floor Commercial Unit, Access, Car Parking, Landscaping and Infrastructure Works Pursuant to Outline Planning Permission 2023/0357/OUT granted 22nd September 2023 and Submission of Details Pursuant to Condition 6 (Landscaping Scheme), 7 (Landscape Management Plan), 8 (Ground Levels and Proposed Floor Levels), 9 (External Finishes Samples), 10 (Detail Drawings), 18 (Vehicular Layby and Associated Highway Works), 27 (Noise) at Site B3 , Riverside Wharf, Swansea Waterfront, Swansea**

A detailed visual presentation was given.

# Report updated as follows:

Highway Authority - have no further comments to make over those provided at outline stage.

The meeting ended at 2.28 pm

**Chair**

# Agenda Item 4

City and County of Swansea  
Dinas a Sir Abertawe

Report of the Head of Planning & City Regeneration  
to Chair and Members of Planning Committee

DATE: 5<sup>th</sup> December 2023

<b>Bay Area</b> Team Leader: Hayley Kemp <b>Tel: 07970 680580</b>	<b>Area 1</b> Team Leader Eilian Jones <b>Tel: 07929 822781</b>	<b>Area 2</b> Team Leader: Chris Healey <b>Tel: 07970 680562</b>
Castle Cockett Mayals Sketty St Thomas Uplands Waterfront Waunarlyydd West Cross	Bonymaen Clydach Cwmbwrla Gorseinon and Penyrheol Landore Llangyfelach Llansamlet Llwchwr Morrison Mynyddbach Penderry Penllergaer Pontarddulais Pontlliw and Tircoed Townhill	Bishopston Dunvant and Killay Fairwood Gower Gowerton Mumbles Penclawdd Pennard

**Members are asked to contact the relevant team leader for the ward in which the application site is located, should they wish to have submitted plans and other images of any of the applications on this agenda displayed at the Committee meeting.**

Phil Holmes  
BS(Hons), MSc, Dip Econ  
Head of Planning & City Regeneration



## Contents

Item	App. No.	Site Location	Officer Rec.
1	2023/2111/LBC	The Guildhall, St Helens Crescent, Brynmill, Swansea, SA1 4PE <b>To install a screen in court 2 to match court 1 to enhance the AV system within the Guildhall Courts (application for Listed Building Consent)</b>	Approve

## TWO STAGE VOTING

Where Members vote against officer recommendation, a two stage vote will apply. This is to ensure clarity and probity in decision making and to make decisions less vulnerable to legal challenge or awards of costs against the Council.

The first vote is taken on the officer recommendation.

Where the officer recommendation is for “approval” and Members resolve not to accept this recommendation, reasons for refusal should then be formulated and confirmed by means of a second vote.

**The application will not be deemed to be refused unless and until reasons for refusal have been recorded and approved by Members.** The reason(s) have to be lawful in planning terms. Officers will advise specifically on the lawfulness or otherwise of reasons and also the implications for the Council for possible costs against the Council in the event of an appeal and will recommend deferral in the event that there is a danger that the Council would be acting unreasonably in refusing the application.

Where the officer recommendation is for “refusal” and Members resolve not to accept this recommendation, appropriate conditions should then be debated and confirmed by means of a second vote. For reasons of probity, Members should also confirm reasons for approval which should also be lawful in planning terms. Officers will advise accordingly but will recommend deferral if more time is required to consider what conditions/obligations are required or if he/she considers a site visit should be held. If the application departs from the adopted development plan it (other than a number of policies listed on page 83 of Part 3 of the Constitution) will need to be reported to Council and this report will include any appropriate conditions/obligations.

**The application will not be deemed to be approved unless and until suitable conditions have been recorded and confirmed by means of a second vote.**

Where Members are unable to reach agreement on reasons for refusal or appropriate conditions as detailed above, Members should resolve to defer the application for further consultation and receipt of appropriate planning and legal advice.

## Planning Committee – 5<sup>th</sup> December 2023

Item 1

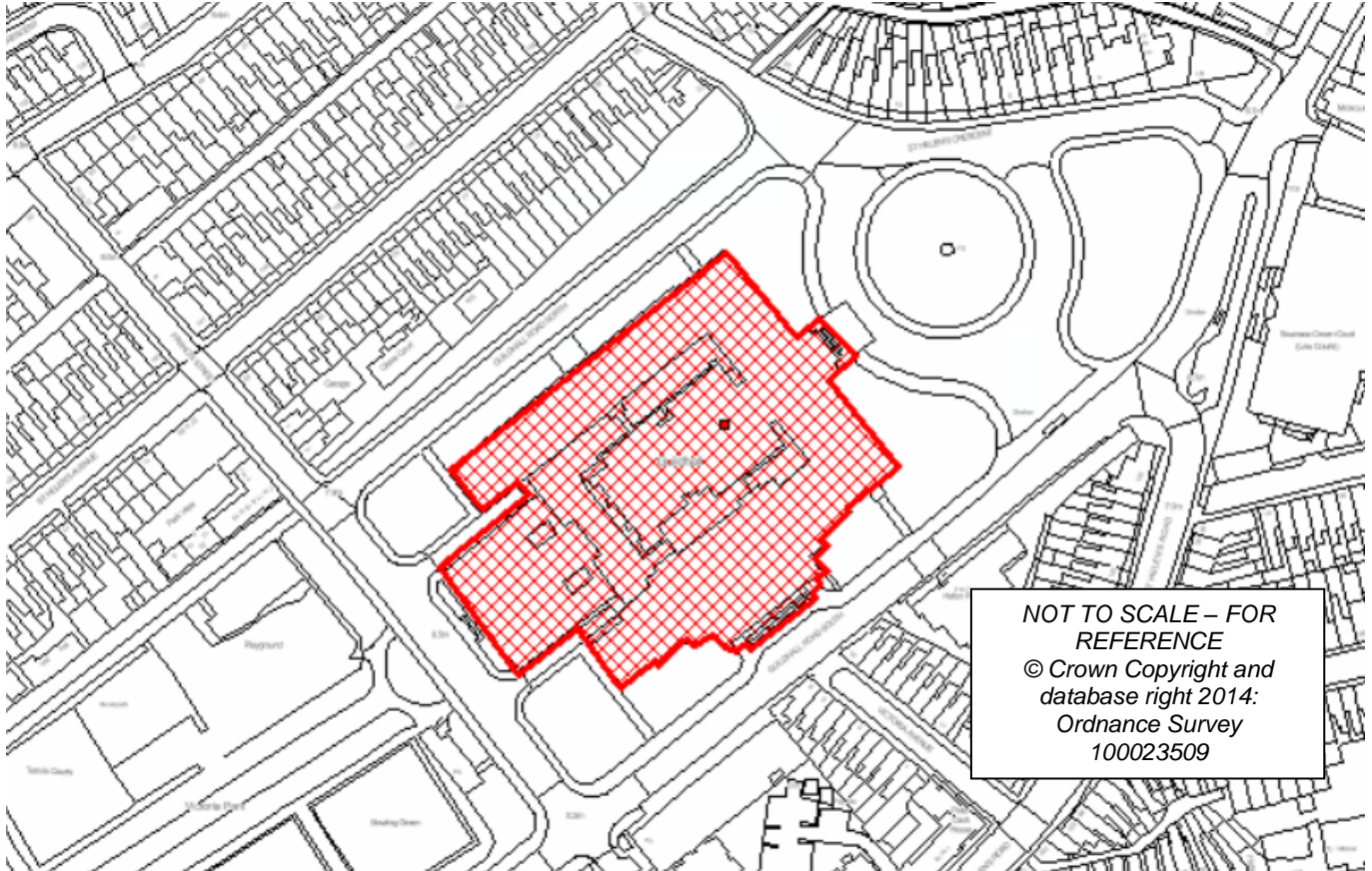
Application Number: 2023/2111/LBC

Ward: Uplands - Bay Area

Location: The Guildhall, St Helens Crescent, Brynmill, Swansea, SA1 4PE

Proposal: To install a screen in court 2 to match court 1 to enhance the AV system within the Guildhall Courts (application for Listed Building Consent)

Applicant: Mr Martin Lowe



### Background

This application is being reported to Planning Committee for decision because the Council is both the applicant and the regulatory body, this means that this listed building application cannot therefore be determined via Delegated Powers.

This requirement to refer to Committee is due to The Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2021.

It should be highlighted that this application is for listed building consent only and full planning consent is not required.

**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

### **Relevant Planning History**

There have been a number of planning applications and listed building consent applications at The Guildhall, St Helens Crescent. This includes a similar consent for the installation of an Audio Visual system, ref: 2021/0574/LBC.

### **Site Location**

The application site is positioned adjacent to Victoria Park and near to Mumbles Road, within the local ward of Uplands. The building is Grade I listed and was conceived as a Civic Centre, including municipal offices, council suites, law courts, public hall (Brangwyn Hall). Uniquely at the time of construction, where these functions were usually combined in one block, the plan for the Guildhall divided them into four parts, each part being allocated to a separate block on one side of the square, central courtyard.

### **Description of Development**

This is a listed building consent application to install a screen in Court 2 to match Court 1 to enhance the AV system within the Guildhall Courts at The Guildhall, St Helens Crescent, Brynmill.

The application has been made by the City and County of Swansea.

There are no physical changes proposed to the Courts spaces, instead the proposals focus on Audio Visual upgrades much of which have been previously consented and installed under the previous consent 2021/0574/LBC. It should be noted that these spaces already have AV provision, cables etc from the past use by Ministry of Justice.

The proposed alterations to the listed building include:

- New wall mounted digital screen in Court 2
- New conduits associated with the digital screen

The application has been accompanied by a 'Heritage Impact Assessment for Proposed Works at the Guildhall, Swansea', which sets out in detail the proposed works.

### **Planning Policy**

#### **The National Development Framework: Future Wales - the National Plan 2040**

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking



**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

Policy 9 - Resilient ecological networks and Green infrastructure  
Policy 28 - National Growth Area - Swansea Bay and Llanelli

**Planning Policy Wales (11th Edition) 2021**

Good Design Making Better Places

3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.

3.4 Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

Access and Inclusivity

3.5 Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.

3.6 Development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all. Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport.

Conserving and Enhancing the Historic Environment and its Assets

6.1.4 - The Ancient Monuments and Archaeological Areas Act 1979, Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment (Wales) Act 2016 provide the legislative framework for the protection and sustainable management of the historic environment in Wales. PPW provides the national planning policy framework for the consideration of the historic environment and this is supplemented by guidance contained in Technical Advice Note 24: Distinctive & Natural Places.

**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

6.1.7 - It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

Listed Buildings

6.1.10 - There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.

6.1.11 For listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future

6.1.13 Applicants for listed building consent must be able to justify their proposals, show why the alteration or demolition of a listed building is desirable or necessary and consider the impact of any change upon its significance. This must be included in a heritage impact statement, which will be proportionate both to the significance of the building and to the degree of change proposed.

**Technical Advice Note 24: The Historic Environment (TAN 24)**

5.13 When determining a listed building consent application, the local planning authority should consider the following issues:

- The importance and grade of the building and its intrinsic architectural or historic interest.
- The physical features of the building which justify its listing and contribute to its significance, (for example its form and layout, materials, construction and detail) including any features of importance such as the interior, which may have come to light after the building's inclusion on the list.
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.
- The impact of the proposed works on the significance of the building.
- The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment. The listing grade may be a material consideration, but is not in itself a reliable guide to the sensitivity of a building to alteration or extension. For example, many grade II buildings are humble, once common building types, listed precisely because they are relatively unaltered examples of their kind and their special interest can be damaged by inappropriate alteration or extension.

**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

5.14 Many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses. Past changes that reflect the history of use and ownership may themselves be aspects of the special interest of the listed building. When applicants and the local planning authority assess the heritage values and significance of a listed building, which is the subject of a consent application, they must consider the sensitivity of that building to the proposed changes. Sustaining the special interest and significance of a listed building through the process of alteration, extension or re-use is exacting, and should always be based on specialist knowledge and skill in order to realise the benefits that well-designed interventions can bring.

**Adopted Swansea Local Development Plan (2010-2025)**

PS 2 Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

HC 1 Historic and Cultural Environment - Proposals must preserve and enhance the County's distinctive historic and cultural environment in compliance with policy principles.

HC 2 Preservation or Enhancement of Buildings and Features - Proposals must preserve or enhance the County's buildings and features of historic importance in compliance with Policy principles.

**Consultations:**

The application was advertised by a site notice and press notice placed in the South Wales Evening Post on 23rd October 2023.

No responses were received to the public consultation.

**Swansea Council Placemaking and Heritage Lead:**

The Swansea Guildhall complex is Grade I Listed. Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 sets out the statutory requirement in determining application for listed building consent to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 5.13 of TAN 24: The Historic Environment and PPW 11 provides further explanation of the considerations and these are mirrored in Policy HC2 of the Swansea LDP.

The grade I listed Guildhall and Courts complex forms the civic and administrative focus for Swansea Council. The formal Court rooms are of high significance and are largely original. They have recently been brought back into use as the Coroners' Courts with the Criminal Court becoming Coroners' Court 1 and Civil Court becoming Coroners' Court 2.

There are no physical changes proposed to the Courts spaces, instead the proposals focus on Audio Visual (AV) upgrades much of which has been previously consented and installed under 2021/0574/LBC. It should be noted that these spaces already have AV provision, cables etc from the past use by Ministry of Justice.

**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

The proposed alterations to the listed building include:

- New wall mounted digital screen in court 2
- New conduits associated with the digital screen

As this work requires alteration of an area of high quality finishes and important historic fabric it will be important to ensure protection of surfaces and awareness of all working in the space.

Therefore a protection plan and toolbox talk can be required by condition.

Taking each alteration in turn:

New digital wall mounted screen in court 2

The previous consent ref 2021/0574/LBC obtained consent for two 75" screens in court 1 and one 75" screen in court 2. The proposal is now to install a second 75" screen in court 2 to match court 1. This new screen is proposed located centrally within an arch area fixed into plain plaster and is reversible as per the previous installations. The additional screen has a standard black frame which is slender to match previous installations.

The screens are prominent new additions into the courtrooms and will be very visible but they are essential for the contemporary use of the courts space and are supported.

New conduits

There are existing data and cable runs plus floor boxes in both Courts from past use by the Ministry of Justice. In the main these can be reused for the AV upgrade. However for the wall digital screens, this requires new wall mounted conduits.

Much of this new conduit is proposed as surface mounted and painted out to match the walls. This is reversible and will not be prominent.

The higher level new cables will drop to wall bench seating and timber wall panelling. In these areas the conduit will run horizontally along the top of the timber wall panelling to a suitable location and then continue vertically as a face fixed conduit into the existing ducts. This will require timber conduits stained to match the existing timber and a method statement for any fixing to the timber panelling.

No size is given for these surface mounted conduits - these must be the smallest possible to minimise the visual intrusion and this can be controlled via condition.

Summary

The installation of a second digital screen into Court 2 is supported to ensure contemporary use of the Grade I listed courts spaces by the Coroners' Court and to mirror the agreed installation in Court 1. The proposed works are sensitive to the internal character of the spaces of high significance. There is no harm to historic fabric and all work is reversible. Therefore the proposals accord with Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 and also accords with Policy HC2 as set out in the Swansea Local Development Plan.

**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

As this is a Council Listed Building Consent application, recent legal advice is that all such applications are reported to planning committee and subsequently referred to Cadw.

Conditions to control the following aspects of detail are suggested:

- Protection plan for surfaces and toolbox talks for operatives
- Details of new conduits
- size and paint finish to wall mounted conduits
- size, design and stained timber colour to conduits running along top of existing wall panels.

## **APPRAISAL**

### **Main Issues**

The main issues to consider in the determination of this application relate to the impact of the proposed works on the special and historic character of the building having regard to the prevailing provisions of the relevant LDP Policies and National Policy guidance. There are considered to be no additional issues arising from the provisions of the Human Rights Act.

### **Impact upon the special and historic character of the building**

The application has been supported by a detailed Heritage Impact Statement. The proposed works are internal only with no alterations to the external fabric of the building. It is noted that the proposed screens will be highly visible internally, however they are required for the function of the building as a contemporary court space, and therefore justified.

It is considered that the proposed works would have an acceptable impact on the special and historic character of the building, surrounding conservation area and historic park, and this is supported by the Council's Placemaking and Heritage officer. Therefore the proposed works would accord with Swansea LDP Policies PS2, HC1 and HC2.

### **Conclusion**

It is considered the proposed works acceptably and sensitively impact the historic fabric of the building. In this respect, it is considered that the development, would accord with both national and local planning policies. For these reason, and subject to the conditions recommended below, the proposal is considered to be acceptable and compliant with the provisions of Policies PS2, HC1 and HC2 of the City & County of Swansea Local Development Plan 2010-2025.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

**Item 1 (Cont'd)**

**Application Number:**

2023/2111/LBC

**RECOMMENDATION**

**APPROVE, subject to the following conditions and referral to Welsh Ministers via Cadw;**

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.  
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The development shall be carried out in accordance with the following approved plans and documents: M3745-01 location plan, M3745-02 courts location, M3745-03 proposed plan, M3745-04 equipment plan, M3745-05 proposed trunking location, court 2 - system installation, court 2 - audio visual installation, Heritage Impact Assessment for Proposed Works at the Guildhall, Swansea received on 4th October 2023.  
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 No works shall commence until a protection plan for surfaces and toolbox talks for operatives have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.  
Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the building under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 4 No works shall commence until details of size and paint finish to wall mounted conduits have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.  
Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the building under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 5 No works shall commence until details of size, design and stained timber colour to conditions running along top of existing wall panels have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.  
Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the building under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

**Informatives**

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: Policies PS2, HC1 and HC2.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.



## Report of the Head of Planning and City Regeneration

Planning Committee – 5 December 2023

### **New Supplementary Planning Guidance: Conversion of Traditional Rural Buildings**

<b>Purpose:</b>	To summarise outcomes from the consultation undertaken on a draft version of the Supplementary Planning Guidance (SPG), and to seek approval from Members to adopt an amended final version of the SPG.
<b>Policy Framework:</b>	Planning (Wales) Act 2015; Planning and Compulsory Purchase Act 2004 (as amended); Future Wales: the National Plan 2040; Planning Policy Wales 2021; Technical Advice note 6: Planning for sustainable rural communities; Technical Advice Note 12: Design; Swansea Local Development Plan
<b>Consultation:</b>	Legal, Finance, Access to Services
<b>Recommendation(s):</b>	It is recommended that:  1) The Conversion of Traditional Rural Buildings SPG, as attached at Appendix A, be adopted as SPG to the adopted LDP.  2) The Head of Planning and City Regeneration, or appropriate delegated Officer, be authorised to make any outstanding typographical, grammatical, presentational or factual amendments to the SPG prior to its publication.
<b>Report Author:</b>	Tom Evans
<b>Finance Officer:</b>	Peter Keys
<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services Officer:</b>	Rhian Millar

## 1. Introduction

- 1.1 This report seeks the approval of Members to adopt new Supplementary Planning Guidance (SPG) titled 'Conversion of Traditional Rural Buildings'. The SPG is attached at Appendix A of this report.
- 1.2 Members approved a draft version of the document for public consultation on 1<sup>st</sup> August 2023. Following public consultation, amendments have been incorporated into the final version of the document. A schedule of responses to the comments received during the consultation is attached at Appendix B of this report. Members must now resolve whether it should be adopted as SPG to inform future decision making on development proposals. Upon adoption, the planning guidance entitled 'Conversion of Rural Buildings' (2011) will be superseded and no longer be used in decision making.

## 2. Planning Context

- 2.1 In February 2019, the Swansea LDP was adopted as the Council's statutory development plan (available at [www.swansea.gov.uk/ldp](http://www.swansea.gov.uk/ldp)). The LDP highlights that various SPG documents will be produced to augment and further explain how policies within the Plan are to be interpreted and applied. New SPG relating to the conversion of rural buildings was highlighted in the LDP as being important planning guidance to be produced during the lifetime of the Plan.
- 2.2 Planning legislation precludes SPG from introducing new policy, as opposed to augmenting and interpreting what is already contained in adopted development plan policies. Having regard to the aims of relevant LDP policies, the new draft SPG clarifies that it applies to proposals to convert '*traditional rural buildings*' specifically.
- 2.3 Having regard to this context, the SPG has been produced with particular reference to the following key LDP policies:
- **CV 2: Development in the Countryside**
  - **CV 4: Conversion of Rural Buildings**
  - **PS 2: Placemaking and Place Management**
- 2.4 The document is underpinned by a 'placemaking approach', as advocated by the LDP, Future Wales and Planning Policy Wales (PPW). The SPG also reflects changes to national policy and guidance that have occurred over the last decade. In particular, it has been produced to align with Planning Policy Wales, the Planning Act, the Environment Act, and the Well-being of Future Generations Act, which together require the Council to achieve clearly defined well-being and environmental goals and objectives.
- 2.5 The SPG reflects most recent guidance in relation to rural building conversion, with particular regard to affordable housing for local needs criteria. Additional guidance is included on conversions to 'business use', relating to what is regarded as a rural enterprise or a rural business.



Reference is included to the LDP's economic development objectives and related policies, to which any proposed development for business use must also have regard.

- 2.6 The SPG also provides clear guidance on the suitability of buildings for conversion, specifically with regard to the percentage of original walls that can be replaced, before the proposed development would be considered a 'new' building rather than a conversion. This is important as 'new' buildings are treated differently to 'conversions' by national and local planning policies.
- 2.7 The SPG should be read alongside the Placemaking Guidance for the Gower AONB SPG (adopted 2021), particularly module 5D which focuses on the conversion of traditional rural buildings within the AONB and module 5I Lighting.

### **3. Summary of the Consultation Responses to the draft SPG**

- 3.1 The draft SPG document was subject to public consultation over 8 weeks, from Monday 7th August to 6th October 2023. Over 120 architects, agents, surveyors, planning consultants, interest groups and stakeholders; were notified of the consultation via a targeted email. Also notified were all Community and Town Councils, elected Members of the Council, and selected relevant internal officers and departments. The consultation was advertised on the 'Have your Say' page and the relevant Strategic Planning and Placemaking pages on the Council website. Representations were encouraged via the online consultation form and a pdf version of the comment form was also available for those who wished to email or post. All materials published were either bilingual or available in Welsh and English as separate documents.
- 3.2 The comments received during the consultation have been collated and are presented within a Consultation Report (attached as Appendix B). The Report contains the Council's response to these, and highlights any necessary amendments made to the final revised version of the SPG. The Consultation Report will be published on the website alongside the adopted SPG.
- 3.3 The following provides a summary of the representations and/or amendments made to the final version:
  - Various representations made in relation to aspects of heritage and design have been fully appraised by the Council's Placemaking and Heritage Team, resulting in some relatively minor changes.
  - The reference to a '10 year limit' for the conversion of rural buildings that were built with Permitted Development Rights has been removed in the final draft. This reference replicated text used in the existing 'Conversion of Rural Buildings' (2011) document. On further review, this text is not contained within LDP Policy CV 4 and the approach conflicts with the aims and purpose of defining 'traditional' buildings, hence its removal from the new SPG. This is not considered a substantive amendment.

- Amendments have been made to clarify that the Welsh Governments Welsh Development Quality Requirement standard is to be met when converting an existing rural building for affordable housing having regard to national policy.
- Amendments have been made to wording in respect of nature conservation and biodiversity requirements, which are not considered substantial changes.
- Various editing, typing and spelling errors in the draft document were identified and have been corrected in the final version of the document.

#### **4. Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

4.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

4.3 The Integrated Impact Assessment (IIA) process ensures due regard has been paid to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

4.4 An IIA screening was carried out and this demonstrated that a full IIA was not necessary. The results of the screening are set out in Appendix C. The screening identifies low positive impacts on some groups, but many groups will not be directly impacted upon by the SPG. The conversion of traditional rural buildings to economic uses, rural enterprise dwellings or affordable housing, will help address poverty and social exclusion for all ages of the population and future generations. The Welsh language is often part of the social fabric of rural communities, particularly in the north of the County, and the provision of affordable housing, rural enterprise

dwellings and economic uses can help sustain communities and the language.

- 4.5 The SPG assists the implementation of relevant LDP policies that have already been subject to EIA and are based on a comprehensive, and up to date evidence base, which has been found sound by the Planning Inspectorate. The LDP was also assessed for its conformity to national legislation and policy, including the Well-being of Future Generations Act (Wales) 2015, and was subject to a Sustainability Appraisal (SA) process which incorporated an Equalities Impact Assessment therefore the Plan has already been assessed in this respect. The SPG supports LDP policies by providing detailed information for planning officers and developers on the assessment of planning applications for the conversion of traditional rural buildings located within the county's defined countryside. This will ensure clear, consistent and transparent decision making.
- 4.6 In preparing the SPG, the Council has undertaken public consultation, in accordance with guidance set out within the Welsh Government's Development Plan Manual. The consultation documents were provided in both English and Welsh. The adopted SPG will be made available to view on the Council's website and will be provided in both English and Welsh language versions to maximise opportunities for people to use the Welsh language and to comply with the Welsh Language Standards.
- 4.7 On the basis of the above, it has been concluded that a full IIA is not necessary.

## **5. Financial Implications**

- 5.1 There are no financial implications arising from the publication of this SPG. The adopted document will be made available electronically, so there will be no printing costs.

## **6. Legal Implications**

- 6.1 The SPG will provide planning guidance to the adopted LDP (2019) and will be a material consideration in assessing and determining future planning applications.

### **Background Papers:**

None

### **Appendices:**

- Appendix A The Conversion of Traditional Rural Buildings SPG  
Appendix B Consultation Report  
Appendix C IIA Screening Report

# Addasu Adeiladau Gleddig Traddodiadol

Canllawiau Cynllunio Atodol

Rhagfyr 2023

## The Conversion of Traditional Rural Buildings

Supplementary Planning Guidance

December 2023

APPENDIX A



Page 19



Cyngor Abertaweili  
Swansea Council

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## 1.0 Introduction

### Aims and Purpose

- 1.1 This document provides Supplementary Planning Guidance (SPG) in support of the Council's development plan policies and placemaking objectives. This includes the key aims of safeguarding buildings of particular merit, and achieving the highest quality design standards for development in rural areas of the County.
- 1.2 The purpose of the document is to ensure applicants, consultees, residents and all other stakeholders involved in the development process have access to clear and consistent advice and guidance to inform planning proposals.
- 1.3 This Conversion of Traditional Rural Buildings SPG (hereafter the 'Guidance') confirms the Council's commitment to safeguarding traditional rural buildings for particular purposes, namely those that will support the rural economy, provide affordable homes to meet local need and/or uses that will contribute to the social well-being of the area. The definition of what constitutes a 'traditional' rural building is set out in the Guidance.
- 1.4 The Guidance will be an important material consideration in the determination of planning proposals submitted to the Local Planning Authority, at both pre-application and planning application stages. Following the Guidance will help avoid unnecessary delays when

seeking planning permission, and provide more objectivity, certainty and consistency in decision making.

- 1.5 Where buildings or structures proposed for conversion are designated heritage assets, such as listed buildings, then the primary consideration will be the requirement to pay special regard to the desirability of preserving the listed building as set out in Section 16 of the Planning (Listed Buildings and Conservation Areas) Act and expanded upon in TAN 24: The Historic Environment.
- 1.6 For proposals within the Gower AONB, there are additional requirements to be addressed, as set out in legislation, policy and guidance. The Council's adopted **Placemaking Guidance for the Gower AONB SPG** has a specific module on rural building conversions, providing guidance in relation to the designated landscape of the AONB. Both that SPG and this Guidance will be material considerations in making planning decisions on proposals to convert traditional rural buildings within the Gower AONB.
- 1.7 Matters relating to placemaking and design are clearly not the only considerations in the determination of planning applications. Applicants will need to demonstrate compliance with other policies in the LDP, and with national guidance and other material considerations, when applying for planning permission.

## Placemaking in Rural Areas

- 1.8 The importance of placemaking has been embraced as a cornerstone of the national planning agenda in Wales and the sustainable development objectives that underpin it. Placemaking in its simplest form, is a ‘people centred’ approach to the planning, design and management of places and spaces. All new development can contribute in some form to the making of places, and influence how that place will be experienced and enjoyed (i.e. its ‘sense of place’), which will stand as a legacy for future generations of occupants and visitors.
- 1.9 This Guidance, and the LDP policies that it supports, require a holistic placemaking and ‘place management’ approach should be applied in all areas, and at a range of scales. The Guidance sets out the particular placemaking and design principles that respond to the key issues that apply in the context of safeguarding traditional buildings. It provides important information for applicants to have regard to when proposals are formulated, in order to ensure development schemes accord with the requirements of national and local policy.
- 1.10 There are numerous traditional rural buildings throughout the County of Swansea that individually and collectively play an important role in creating locally distinctive places. These buildings are often integral elements of the attractiveness and appeal of rural areas, and fundamentally make a positive contribution to the

special character of the countryside. They can also have an important role to play in meeting future needs within rural areas, including for sustainable rural business opportunities. For these reasons, safeguarding such buildings for appropriate uses through high quality conversion schemes fully aligns with placemaking objectives.

## Key Terms and Definitions

- 1.11 This SPG is intended to inform decision making on proposals to convert **traditional rural buildings** specifically. If a building in the countryside is the subject of a conversion proposal but is not considered ‘traditional’, this Guidance would not apply. Chapter 2 of this SPG makes clear the relevant LDP policies that apply to the consideration of proposals for the conversion of both ‘traditional’ and ‘non-traditional’ buildings in the countryside. Chapter 3 of this SPG highlights the information and criteria that will apply in order to establish whether a structure is categorised as a ‘traditional’ rural building or not.
- 1.12 This SPG is intended to inform decision making on proposals within the **countryside** specifically. The LDP defines countryside as *‘all the land that lies outside the defined settlement boundaries of the main urban area and Key Villages, as identified on the Proposals Map’ (Swansea LDP paragraph 2.10.11)*. Any land in the County of Swansea that is outside the defined settlements (i.e. the urban area and Key Villages) is, by definition, countryside.



**Above:** Converted Farm Building, Gower



## 2.0 Planning Policy Context

### National Planning Policy

- 2.1 **Future Wales: The National Plan 2040**<sup>1</sup> is the national tier of the development plan to inform decision making and sets the direction for development at a strategic scale in Wales. The Plan states: *'A balance will be found between development and preserving the character of rural Wales' (p.54)* and that *'In areas designated for their landscape or ecological importance, protection against inappropriate development remains in place.'* (p.64). Future Wales Policies 4 and 5 highlight that rural areas should grow in an appropriate way, and set out the importance of supporting rural economies and services. In accordance with Policy 4, the Welsh Government emphasises that the future for rural areas is best planned at the regional and local level.
- 2.2 **Planning Policy Wales (PPW)**<sup>2</sup> sets the national planning policy framework under which local policies and guidance are produced. PPW highlights the importance of a placemaking approach for the planning and design of development. It emphasises that the countryside is a dynamic and multi-purpose resource. Furthermore it states that, in line with sustainable development and national planning principles and in contributing towards placemaking outcomes, the countryside must be

conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. It highlights that the need to conserve these attributes should be balanced against the economic, social and recreational needs of local communities and visitors (para 3.38), and that a positive approach to the conversion of rural buildings for business use is also needed (para 5.6.8).

- 2.3 Further national guidance on the re-use and adaptation of rural buildings is provided in **Technical Advice Note 6 (TAN 6) Planning for Sustainable Rural Communities** (2010)<sup>3</sup>. The TAN states:

*'When assessing planning applications for the re-use or adaptation of a rural building, the primary consideration should be whether the nature and extent of the new use proposed for the building is acceptable in planning terms. It should not normally be necessary to consider whether a building is no longer needed for its present agricultural or other purposes (although in the case of a tenanted agricultural building, the value in planning terms of the existing use should be taken into consideration). In circumstances where planning authorities have reasonable cause to believe that an applicant has attempted to abuse the system by constructing a new farm building with the benefit of permitted development rights, with the intention of early conversion to another use, it will be appropriate to*

<sup>1</sup> [Future Wales: the national plan 2040 | GOV.WALES](#)

<sup>2</sup> [Planning Policy Wales | GOV.WALES](#)

<sup>3</sup> [Technical advice notes | GOV.WALES](#)

*investigate the history of the building to establish whether it was ever used for the purpose for which it was claimed to have been built.’ (para 3.2.1)*

2.4 In accordance with achieving sustainable placemaking outcomes TAN 6 generally prefers business re-use over residential, highlighting that *‘The conversion of buildings which are currently in industrial or commercial use to dwellings may have an adverse impact on the local economy’* (para 3.5) and that *‘Whilst residential conversions have a minimal impact on the rural economy, conversions to holiday use can contribute more and may reduce pressure to use other houses in the area for holiday use’* (para 3.6).

2.5 TAN 6 also emphasises that:

*‘Conversion proposals should respect the landscape and local building styles and materials. If a planning application is submitted for the re-use of a building which the planning authority considers has a significant adverse effect on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.’*

2.6 **TAN 23: Economic Development** (2014)<sup>4</sup> emphasises that the re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, and tourism,

sport and recreation. In recognising this, local planning authorities are expected to adopt a positive approach to the conversion of rural buildings for business re-use, subject to a number of criteria (section 3.2).

2.7 TAN 23 emphasises that, if an existing rural building is unsuitable for conversion without extensive alteration, rebuilding or extension, or if the creation of a residential curtilage would have a harmful effect on the character of the countryside, the same considerations that relate to proposals for new house building in the open countryside should be applied to the consideration of proposals.

2.8 **TAN 24: the Historic Environment** (2017) provides national guidance on how to consider the historic environment in decision making. A ‘traditional rural buildings’ may in some instances be a Listed Building, curtilage listed building (as defined in Section 1(5) of the Act), or be in the vicinity of a Scheduled Monument. Conversion proposals affecting such buildings will need to consider whether Listed Building Consent is required for works, and whether a Heritage Impact Assessment is required alongside a planning application. Furthermore, the effect of the proposal on the setting of adjacent designated heritage assets, such as listed buildings or scheduled monuments, must be addressed. Cadw have prepared relevant guidance on setting analysis<sup>5</sup>.

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<sup>4</sup> [Technical advice notes | GOV.WALES](#)

<sup>5</sup> [Setting of Historic Assets | Cadw \(gov.wales\)](#)

## Local Planning Policy and Guidance

### Swansea Local Development Plan

2.9 All planning applications submitted to the Local Planning Authority must be considered against the relevant policies of the development plan, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act. Development Plan policies are set out in Future Wales (see above) and the adopted **Swansea Local Development Plan (LDP)**<sup>6</sup>.



2.10 The LDP puts placemaking at the heart of the Council's overarching planning strategy. The LDP contains a number of policies that highlight placemaking objectives, which are consistently used in the determination of planning proposals. **Policy PS2 Placemaking and Place Management** in particular highlights that all development should enhance the quality of places and spaces, and respond positively to aspects of local context and character that create a sense of place. The policy states that the design, layout and orientation of proposals should accord with the principles of placemaking and, depending on the nature of the proposal, should consider relevant matters relating to: accessibility, green infrastructure (at all scales),

biodiversity gain and enhancement, cultural heritage, climate change resilience, well-being, and landscape impact. Fundamentally LDP policy PS2 requires that development creates quality places by ensuring proposals understand and respond to the context and character of the application site. It highlights that consideration must be given to not just the building but also the space around it.

2.11 In addition to the overarching placemaking policy above, the key LDP policies supported by this SPG are:

- **CV2: Development in the Countryside, and**
- **CV4: Conversion of Rural Buildings**

2.12 This SPG also provides important information and guidance to augment LDP Policies **TR5: Holiday Accommodation** and **HC2: Preservation or Enhancement of Buildings and Features**.

2.13 The broad aims and requirements of the above policies are described below. For the avoidance of doubt, Policy CV2 is relevant to the determination of all proposals in the countryside, including the conversion of non-traditional rural buildings. Policy CV4 (and this SPG) is however only relevant for the consideration of proposals for the conversion of traditional rural buildings, as described in Chapter 3 of this Guidance.

2.14 **Policy CV2 Development in the Countryside** sets out a presumption against development in the countryside,

<sup>6</sup> [www.swansea.gov.uk/ldp](http://www.swansea.gov.uk/ldp)

except in particular circumstances, with the overall aim of ensuring the integrity of the countryside is conserved and enhanced. The 'exceptions' include development that relates to rural enterprises, the expansion of existing businesses, affordable housing to meet local needs, and uses that allow a small business to operate from home. Where appropriate, this could involve the conversion of a traditional rural building.

2.15 **Policy CV4 Conversion of Rural Buildings** sets out the criteria and principles that will be applied to proposals for the conversion of traditional buildings in the countryside. The policy specifically relates to development of traditional rural buildings and emphasises a positive approach to supporting proposals that will enable those buildings that merit safeguarding to positively contribute to the attractiveness of the area. It specifies a range of potentially permissible uses that can contribute to the rural economy, namely:

- Business uses,
- Community facilities
- Affordable home(s) for local need
- Rural enterprise dwellings

2.16 The policy sets out a range of policy criteria that proposals need to address in order to be considered suitable. Section 3 of this Guidance provides further information to confirm how the criteria will be applied.



**Above:** Area of countryside with converted barns, Cheriton.

2.17 Policy CV4 only applies to proposals in countryside locations. It does not apply to proposals that seek to convert buildings that are located within delineated boundaries of LDP Key Villages, as the LDP is clear that such locations are within settlement i.e. not the open countryside. Any such proposals will instead be considered with reference to Policy CV1 Key Villages. It remains the case however that proposals within settlements will still need to be appropriate to the local context and sensitively relate to existing development patterns in order to be acceptable. For the avoidance of doubt, proposals for the conversion, redevelopment or demolition of buildings within Key Villages are not covered by this SPG.

2.18 **LDP policy TR5 Holiday Accommodation** sets out criteria for considering proposals for holiday accommodation within settlements and countryside locations. Criteria i relates to proposals for the conversion of traditional rural buildings, which is amplified by paragraph 2.11.29 of the policy. The policy highlights that proposals for the re-use and adaption of traditional rural buildings for holiday accommodation are permissible in principle, subject to the merits of any individual scheme and compliance with all relevant policies. Policy TR5 highlights that such proposals must also have regard to Policy CV 4, and clarifies that new development must be of a high quality design and sensitively integrate into the landscape.

2.19 **LDP Policy HC2 Preservation of Enhancement of Buildings and Features** sets out criteria to be followed to ensure various types of designated heritage assets are preserved or enhanced through proposals, reflecting the requirements set in Legislation. It also emphasises that development must preserve or enhance conservation areas and/or their setting, which includes any proposals for the conversion of buildings.

2.20 Additional LDP policies may also be relevant to a proposal for conversion of a traditional rural building, which will be dependent upon the nature and location of the development. Likewise, not all of the above policies will be relevant in every case. The LDP Proposals Map<sup>7</sup> will help to determine which policies are applicable to a particular site. Similarly, the LDP Constraints and Issues Map should be used to identify whether the proposed development is located within the AONB, Special Landscape Area, a flood zone or other area of constraint.

### ***Other Supplementary Planning Guidance***

2.21 LDP Policy is supported by a suite of SPG that are material considerations for decision making on planning applications<sup>8</sup>. A number of these have direct relevance to development in the countryside and the use of rural buildings, including the following:

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<sup>7</sup> [www.swansea.gov.uk/ldp](http://www.swansea.gov.uk/ldp)

<sup>8</sup> [www.swansea.gov.uk/spg](http://www.swansea.gov.uk/spg)

- Placemaking Guidance for the Gower AONB (if proposal is located within or near the Gower AONB);
- Development and Biodiversity; and
- Trees, Hedgerows and Woodlands.

2.22 It is important that the full range of relevant SPG documents are read and understood, in conjunction with this Guidance and related planning policies, to inform the preparation and submission of planning applications.

### Designated Heritage Assets

2.23 Where a building or structure is a designated listed building then the primary consideration is Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 which sets out the statutory requirement in determining application for listed building consent to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 5.13 of TAN 24: The Historic Environment and PPW 11 provides further explanation of the considerations, and these are mirrored in Policy HC2 of the Swansea LDP.

2.24 There will be instances where a building or structure meets the test as set in Section 1(5) of the Act in terms of an object or structure fixed to the listed building or forming part of the land associated with the listed building prior to July 1948. In these instances the building or structure will be curtilage listed with the

same designation as the primary listing and the considerations of Section 16(2) from the Act will apply.

2.25 Where a building or structure is part of a Scheduled Monument, then a separate consenting process via Cadw applies.

2.26 Some buildings or structures may be located in areas of heritage designation such as Historic Parks and Gardens and/ or Conservation Areas. In these locations the requirement as set in the Act is to preserve or enhance the character of the conservation area and preserve the character of the designated landscape.

2.27 Some buildings or structures proposed for conversion may not be designated heritage assets as outlined above but may form part of the setting of a designated asset. In these instances LDP policy HC2 will apply which generally sets the requirement to preserve the relevant setting. Further guidance on analysing and understanding is set in Cadw guidance 'Setting of Historic Assets in Wales', 2017.

## 3.0 Determining whether a proposed conversion is appropriate

### Overview

- 3.1 Some of the most common types of traditional rural buildings that have become redundant and/or long term vacant within rural areas of Swansea include certain farm buildings, which is often the product of changes to traditional methods of farming and/or such buildings now being functionally ill-suited to modern agricultural practices. In addition, chapels and churches have become vacant as a result of significant reductions in active congregations. In other instances, in order to obtain additional income streams, some occupiers of residential dwellings in rural areas seek to convert outbuildings to holiday accommodation. In the case of the latter example, only in certain instances would this guidance be applicable. For example relatively modern domestic garages are not traditional rural buildings. By following this Guidance, and the definitions set out with it, potential applicants will be able to assess whether a building can reasonably be considered a traditional rural building that is suitable for conversion.
- 3.2 **LDP Policy CV4 and this SPG are not applicable for any proposals for conversion of structures considered not a traditional rural building.** Any such proposal will instead be considered against other relevant alternative LDP policies and guidance, as set out in Chapter 2 of this SPG.

### Definition of a Traditional Rural Building

- 3.3 Having regard to the types of buildings in the countryside that can be regarded as traditional, the amplification of LDP policy CV 4 highlights at para 2.10.35 that:
- “Traditional rural buildings include stone built barns, stables, churches, chapels and schools which create locally distinctive development, contribute to the County’s attractive countryside scene and merit safeguarding.”*
- 3.4 These examples listed in Policy C4 serve to highlight types of buildings that could be considered traditional, but it is important to note that this is not an exhaustive list. Throughout the countryside of Swansea there are other types and forms of traditional rural buildings that may merit safeguarding and that require highly sympathetic conversion schemes to ensure they continued to create locally distinctive development. Certain forms of redundant agricultural buildings are just one additional example of traditional rural building type that are subject to proposals for conversion.
- 3.5 In order to determine whether a rural building within the countryside is considered traditional - within the terms of this Guidance and the related LDP policy - it will be necessary to assess a range of features and aspects relating to the building. Each building will be considered on its own merits and in the context of the surrounding landscape. There are various key factors that will be

considered in determining whether a building or structure is a traditional rural building including:

- Landscape setting
- Building character and form
- Materials
- Age

### ***Landscape setting***

- 3.6 The overall appearance and character of an existing building within the wider landscape, and its contribution to the attractive countryside scene, is a fundamentally important element to understanding whether or not a structure can reasonably be considered a 'traditional rural building'. In order to appraise this aspect, an applicant may be required to undertake an appropriate landscape visual assessment to consider the impact of the proposed development from a range of public view points.
- 3.7 Proposals that are assessed as having a significant adverse effect upon the surrounding landscape and that do not preserve the landscape setting will not be permitted, which is in line with policy requirements.

### ***Building character and form***

- 3.8 In terms of building form, most traditional buildings will have a pitched roof and have a modest footprint, which is important for a non-dominant presence in the landscape. There may be exceptions to this, for example

traditional buildings that historically served as defence structures that typically have flat roofs.

- 3.9 The 'defence structure' example is also useful to highlight that the former and/or original use of the building is an important consideration. In order to be considered a traditional rural building it is expected that the structure will have been built, or used, for an activity that is typical of the rural landscape, as well as it contributing to the attractive countryside scene. Additional examples include agricultural uses, which are more typical in this regard, and uses relating to education, industry and community use. Other potential examples include infrastructure buildings or structures, which could include those associated with railways and water supply.

### ***Materials***

- 3.10 Building materials are a key aspect to consider when assessing whether a building within the countryside is considered 'traditional' or not. Many traditional buildings will be constructed of local materials, often stone but in some instances can include brick and timber frames. Occasionally metal structures can be present in a traditional building; however this would typically be in older buildings such as corrugated metal roof coverings.
- 3.11 When considering the suitability of proposed materials, key issues for consideration include whether they are reflective of the wider area and landscape, whether they relate to the function of the building, and whether the materials are integral to the colour palette for the area.



## Age

3.12 Another factor to consider in establishing whether a building is traditional is the age of the structure. Whilst there is no prescribed age for a traditional building, it is expected that they will be well established in the rural landscape and not recently constructed.

## Other Factors

3.13 The matters set out above are not an exhaustive account of all the factors that will be considered when deciding if a building is traditional. All relevant factors will need to be considered in combination, depending on the circumstances and characteristics of the site, and with reference to the wider context of the LDP and all relevant national policies.



**Above:** Example of a traditional rural building, former Gerazim Chapel, Felindre

3.14 Buildings that were constructed via permitted development rights will be carefully assessed to ensure they were used for the use bestowed by permitted development previous to the application for conversion. This approach is consistent with LDP Policies that do not support development proposals that would:

- involve the conversion of a ‘modern’ building of little or no rural character,
- unacceptably alter the appearance and rural character of the original traditional building,
- not be in keeping with the locality,
- involve major or complete reconstruction,
- include obtrusive access provision, or
- involve ancillary work that intrudes into the rural landscape.

## Permitted Uses for Proposed Conversions

3.15 Policy CV4 states that:

The conversion of traditional buildings in the countryside to new uses will be supported for the following beneficial uses:

- i. Business;
- ii. Community facility near a defined settlement;
- iii. Affordable Housing for Local Need;
- iv. Rural enterprise dwelling to serve an evidenced essential need.

3.16 This section provides further guidance on the above types of uses that will be supported for conversion proposals, subject to other policy requirements and other relevant material considerations. If a development does meet one of the proposed uses, consideration will still need to be given as to whether the buildings itself is suitable for conversion.

#### i. Business

3.17 Business use is one that provides employment opportunities and contributes to the rural economy. It covers light industrial use (including small-scale or ancillary storage) and commercial sport, recreation and tourism development. Tourism use also includes holiday accommodation. The conversion of traditional rural buildings for holiday accommodation is also addressed in Policies **TR 1: Tourism, Recreation and Leisure Development** and **TR 5: Holiday Accommodation**. Any proposal for such a use must be accompanied and evidenced by a Tourism Needs and Development Impact Assessment (TNDIA) as required by TR 1.



**Above:** Conversion of former barns, Church Barns, Llanmadoc

3.18 Not all businesses are suitable for a ‘countryside’ location, with issues such as possible air and noise pollution; increased traffic generation and the suitability of the highway network; and potential blight on surrounding land all needing to be considered. LDP **policy RC 10** states that proposals for employment (B class) use at locations outside existing employment or industrial areas should demonstrate why the development cannot reasonably be located within an existing employment area, having particular regard to the nature and scale of the scheme.

3.19 Policy RC 10 is complemented by policy CV 2(iv) which states in paragraph 2.10.15:  
*‘...new employment uses will be permitted as rural exception sites. Employment uses in and adjoining an existing settlement boundary will need to be compatible*

*to the location and neighbouring uses. Employment uses beyond the existing settlement will need to demonstrate that the nature of the business necessitates a rural location and mitigates against any harmful impacts on local amenity.'*

- 3.20 Applicants for business use (excluding tourism accommodation) should therefore set out why the nature of the business necessitates a countryside location, including why existing employment areas are not suitable or available.

#### **ii. Community Facility near a Defined Settlement**

- 3.21 Community facilities are locally orientated services and amenities and may include a retail shop, social or sports club, place of worship, leisure or health facility as defined in LDP policy **SI 2: Providing and Safeguarding Community Facilities and Locally Important Uses**. Determining whether a proposed use can reasonably be described as a Community Facility will require consideration of the LDP definition and key factors such as the extent to which a proposed facility would be open and widely available for use by members of the community. In all cases, the scale of use must be appropriate for the re-use of the traditional rural building and in terms of its appearance in the rural landscape. Factors such as the location of the building, accessibility, highway infrastructure and parking provision will also be taken into account, in order to ensure that the proposed community facility is in a sustainable location for the community it aims to serve as set out within LDP policies **PS 1, T 1 and T 5**. Isolated rural buildings will rarely be

considered as suitable to be used as a community facility.

#### **iii. Affordable Housing for Local Need**

- 3.22 Residential re-use of an existing rural building may be acceptable where it would contribute to an identified need for local needs affordable housing in the location concerned. This criterion of Policy CV 4 also links with Policy CV 2 which specifies the circumstances in which the provision of affordable housing in rural areas may be permitted.
- 3.23 The requirement for affordable housing for local need in a locality must be proven by reference to the latest local Housing Market/Needs Assessments and the prior opinion of the Director of Regeneration and Housing must also be sought. Any accommodation provided through a conversion scheme must meet the Welsh Government's Welsh Development Quality Requirements (WDQR), standards and remain affordable in perpetuity. Any such proposal must also be designed to meet the specific needs identified and be of an appropriate scale.
- 3.24 Affordable housing will be directed towards meeting the needs of the following categories of people, as identified in Technical Advice Note (TAN) 2 (Planning and Affordable Housing, 2006):
- (i) Existing residents needing separate accommodation in the area, for example, married couples and people living in tied accommodation on retirement,

- (ii) People whose work provides important services and who need to live closer to the local community,
- (iii) People who are not necessarily resident locally but have long standing links with the local community, for example elderly people who need to move back to a village to be near relatives, and
- (iv) People with the offer of a job in the locality, who cannot take up the offer because of lack of affordable housing

3.25 If a converted building is intended to be considered as an affordable dwelling, provided directly by the intended occupier, the initial and resale value of the affordable home must be capped at an affordable level linked either to a fixed multiple of local incomes, or a discount from market value. ***Given the very high market values of rural housing in the County compared to household incomes, the Council will determine affordable value using the fixed multiple of local incomes rather than a reduction of market value.*** The converted dwellings must be affordable to the community as a whole and planning applications to seek the removal of any occupancy condition and seek disposal on the open market will be resisted by the Council.

3.26 LDP Appendix 6 provides detail in order to support the interpretation of the Plan's affordable housing policies and the definition of Affordable Housing for Local Need, replicated in Appendix A of this document.

#### iv. Rural Enterprise Dwelling

3.27 Residential use of a building may be suitable where there is a justified and evidenced need to have a full time resident on the site of a rural enterprise. Furthermore, in some situations ancillary residential accommodation may be acceptable where it supports a business reuse of the building. Such applications will be required to be accompanied by objective information assessing:

- the functional need for a dwelling for a full time worker, (i.e. a functional and time test), and
- a business case demonstrating that the enterprise is likely be financially sustainable (i.e. a financial test), and
- evidence that the business needs to be established at the proposed location and that it cannot be accommodated at another suitable site where a dwelling is likely to be available (i.e. other dwellings test).
- other normal planning requirements test, to demonstrate that the dwelling is suitably located to fulfil its identified need and to minimise impact on the wider environment. Further guidance on these tests is set out in TAN 6<sup>9</sup>.

3.28 Proposed business uses considered to fall within the scope of this policy are forestry, agriculture and related services, fishing, sustainable tourism and low impact recreational activity. This type of conversion may be particularly appropriate where a second dwelling is

<sup>9</sup> <https://www.gov.wales/sites/default/files/publications/2018-09/tan6-sustainable-rural-communities.pdf>

proposed on an established farm which is financially sustainable to facilitate the handover of the management of the farm business to a younger farmer. A rural enterprise must obtain its primary input from the land. The use of a building as holiday accommodation does not for example, fall under this definition.

- 3.29 In order to ensure compliance with this criterion the grant of any planning permission will include a condition requiring the works necessary for the establishment of the enterprise to have been completed before the residential part is occupied. In addition, a condition tying occupation of the residential accommodation to the operation of the enterprise must be imposed in order to prevent this element being sold separately. Alternatively a planning obligation may be sought to link the residential use with the business.

### Compliance Criteria

- 3.30 **LDP Policy CV 4** outlines several criteria that **must all be met** before a traditional rural building may be considered suitable for conversion and an acceptable form of development, including consideration of the associated ancillary works. Further details regarding key placemaking requirements, including design matters, are set out in Section 4 below. For proposals relating to buildings within and on the edge of the AONB, the **Placemaking Guidance for the Gower AONB SPG** also provides important guidance on placemaking requirements for development in such locations. Note that for designated heritage assets such as listed

buildings or curtilage listed buildings the primary considerations are set in Section 16 of the Act and expanded upon in TAN 24: The Historic Environment.

- 3.31 The following paragraphs provide guidance on how each of the criteria set out in Policy CV 4 should be applied.
- (a) ***Proposals must ensure that...The building is largely intact, has a form, bulk and general design in keeping with its surroundings, and is capable of conversion without prejudicing the original character of the building or the rural character of the locality.***
- 3.32 A largely intact building is normally one with a structure that can be converted without significant change to its physical appearance. Surroundings refer to the countryside setting, and buildings in keeping with this are those which have a distinctly rural character, i.e. built from traditional materials with a simple but robust design. Most modern agricultural buildings, such as block built and steel framed buildings, do not fall into this category and would fail to comply with policy CV4. The ability to convert a building will largely depend on the extent of remedial work needed to stabilise the structure – strengthening the roof, underpinning, etc. This work must not have a negative impact upon the original fabric and character of the building or surrounding area. Even modest alterations can detract from the character of a rural building and will not necessarily be considered appropriate.

- 3.33 Some rural buildings may be unlisted but may be of historic significance with important architectural features, evidence of repairs/ evolution and features relating to original use. Therefore building recording before any work can commence, during and after works may be required by planning condition. The record must be deposited by the applicant or agent in the West Glamorgan Archives and to GGAT for the Historic Environment Record.
- 3.34 A primary factor in assessing proposals for conversion will be that the original character, structure and architectural integrity of the building and its setting should be respected, and ultimately the original character enhanced, by the conversion. Cadw provides general technical guidance on the conversion of historic farm buildings in rural Wales<sup>10</sup> and this should be considered. The setting should be established by identifying the range of public view points from which the building can be seen and, where relevant, any other buildings or structures with which it forms a group. If necessary, the needs of the user should be adapted to suit the building, rather than the requirements of the conversion being imposed upon it.
- 3.35 A key policy test is not to prejudice the original character of the building proposed for conversion. This will include identification of existing external traditional materials and how these relate to the rural setting. It is expected that the proposed finishes will include traditional materials appropriate to the nature of the rural building character and setting.
- 3.36 Most buildings or structures proposed for residential conversion will require insulation to meet Building Regulation requirements. It is expected that if insulation is required then this is internal to maintain the external character of walls. Where roof insulation is required this should be within the roof structure to maintain the existing roof levels. It is best practice is to use breathable insulation for the health of the building and occupants.
- 3.37 Where the building proposed for conversion is an undesignated heritage asset, but forms part of the setting of a designated heritage asset, then emphasis will be placed on the requirement set in legislation to preserve the setting and this may limit the acceptable alterations and may require the use of appropriate sensitive materials.

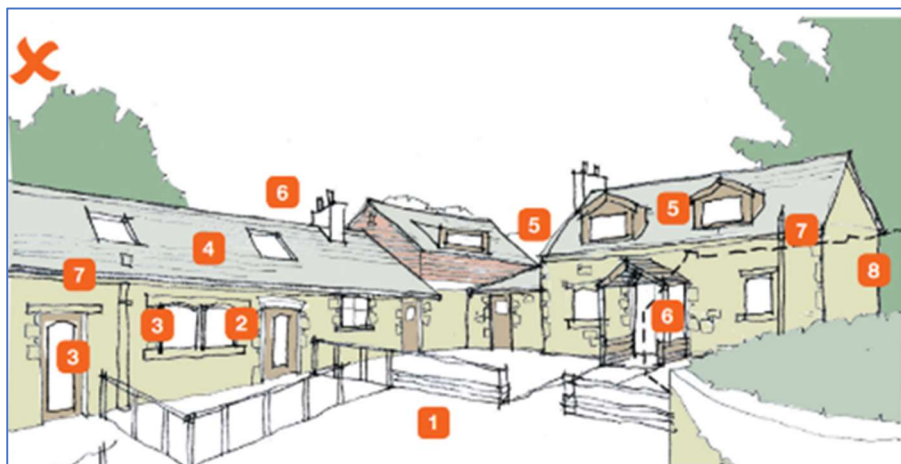
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<sup>10</sup> [45301\\_Cadw document \(gov.wales\)](https://gov.wales/45301_Cadw_document)



**Above:** A photograph of a group of farm buildings suitable for conversion

Illustrations showing poor and good examples of how a building can be converted to retain and enhance existing character.



**Poor Example** - leading to a loss of character

1. subdivision of yard into individual areas
2. over-enlargement of existing openings
3. introduction of inappropriate styles
4. use of standard rooflights
5. inappropriate use of dormers
6. introduction of residential detailing such as porches and chimneys
7. poor positioning of services
8. removal of existing building



**Good Example** - retaining and enhancing existing character

- a. retention of single space to front
- b. use of existing openings
- c. sensitive window and door styles
- d. use of conservation style rooflights
- e. chimneys ventilated by flue on less visible elevation
- f. incorporating existing features such as shutters



- (b) ***Proposals must ensure that...The design and scale of the proposed conversion (or extension) including new window and door openings, extensions, means of access, service provision and curtilage respects the rural character and design of the building and integrates with the surrounding landscape, and in protected landscapes will conserve and enhance the quality of the landscape***
- 3.38 Limiting the number of new window and door openings is important in retaining the character of the building, as is avoidance of new external brickwork. If the form of the building derives from its original use in agriculture it is normally expressed in large expanses of uninterrupted tiled roof pitches, timber framing and mass brickwork/stonework that has mellowed over time. These elements give such buildings their character and should be retained as far as possible regardless of any change of use. Wherever possible existing blocked up openings should be reused. It is also important to respect the solid to void ratio of the building, i.e. the amount of solid wall in relation to openings. Any new openings should be kept to a minimum and be proportionate to the existing. Proposals that involve rebuilding in modern materials and/or cladding in stone to imitate invariably lose this character and should be avoided wherever possible.
- 3.39 Only very modest extensions will be allowed and must be sympathetic to the size and scale of the existing building. Normal permitted development rights to extend further or to construct ancillary buildings will be withdrawn.
- 3.40 The spaces surrounding rural buildings are generally restricted by the nature of their original use. Where a conversion requires the provision of amenity space associated with the accommodation, sufficient and unobtrusive provision must be made around the building without capturing the surrounding countryside or conflicting with the surrounding uses. The provision of adequate amenity space is particularly important for residential conversions. In instances where a residential reuse for affordable housing/rural enterprise dwelling is permitted, the creation of a suburban style curtilage, erection of outbuildings and other domestic paraphernalia including gates and fencing around the building should be avoided, as should the subdivision of open courtyards, particularly where the courtyard serves a group of converted buildings.
- 3.41 Where a boundary treatment is necessary, natural boundaries, such as hedgerows are preferred. Fencing can be used alongside new hedgerows until the planting is sufficiently established for the fence to become redundant. Closeboard timber fencing should be avoided. Any fencing should provide gaps for wildlife to maintain biodiversity connectivity with the surrounding landscape. Boundary treatments should always complement the existing building and landscape character. Poorly designed boundary treatments or those considered of inappropriate materials will not be supported.
- 3.42 All lighting installations and design proposals could cause light spill from internal lights, which could adversely impact upon dark skies, rural tranquillity and

landscape. The design process must consider how a proposal will interact with the night time environment; how it will be used at night; and how the design minimises the need for exterior lighting. Illumination should be appropriate to the surroundings and character of the area as a whole. The spill of lights from large open glass windows and sky lights often present a greater source of light pollution than externally mounted lights. Proposals must be designed in order to mitigate any impacts and/or include mitigation measures. For proposals relating to buildings within and on the edge of the AONB, further guidance is provided in Module 5I of the Placemaking Guidance for the Gower AONB SPG<sup>11</sup>. The information set out in the AONB Placemaking Guidance in relation to external lighting and mitigation of internal light spill is relevant to guide development proposals for countryside locations throughout the County, not just the AONB.

***(c) Proposals must ensure that...Any ancillary works associated with the conversion will not unacceptably adversely affect the rural character of the locality.***

3.43 Ancillary work is development associated with the conversion but not relating directly to the main building. Such work may include provision of amenity space, gates, fencing, car parking areas, hard surfacing, garages, outbuildings, external lighting and infrastructure related to supplying services such as electricity, water, gas and telephone lines. As with the main conversion work, it is important that ancillary work can be

undertaken without unduly affecting the rural character of the area.

- 3.44 Certain minor works may be undertaken to a dwelling, including the development of ancillary works, without the need to apply for planning permission. Therefore, in the limited circumstances where planning permission is granted for conversion of a building to residential accommodation (including to use for holiday lets), permitted development rights will be removed by condition of the planning permission to avoid unacceptable adverse effects on the character of the original building and locality. This will require any owner to submit planning applications for future minor development proposals to ensure that they respect the original character of the building and the rural character of the locality.
- 3.45 The location of many rural buildings suitable for conversion may not be convenient for supplying services such as electricity, water and gas. The provision of these services, in particular associated storage containers, must have minimal visual intrusion and must be clearly addressed in any planning application. Electricity line or other services should be provided underground unless demonstrated to be impracticable. Provision of roof mounted solar hot water or PV panels should be fitted close to the roof and be in character with the building. Other forms of renewable or low carbon energy provision must not have a negative impact upon landscape character.

<sup>11</sup> [Placemaking guidance for the Gower AONB - Swansea](#)

3.46 In order to maintain tranquillity, external lighting design must be appropriate to the rural setting and must not cause light pollution. Poor design and/or installation will allow light spill into adjacent areas or the sky where it is not needed or useful. Security lighting can have the opposite effect to that desired as bright lights can create contrasting dark spots for intruders to hide, help criminals see what they are doing and reduce the need to use torches which may advertise their presence. Badly installed lights can be triggered by vegetation or wildlife. External lighting must not be greater than 3000 Kelvin, bright white and cooler colours; must be angled downwards; not result in upward lighting and be 500 lumens or less. Lighting Plans are usually required with a planning application, detailing the location and specifying the type of external lighting to be used. For proposals relating to buildings within and on the edge of the AONB, further information is provided in Module 5I of the Placemaking Guidance for the Gower AONB SPG<sup>12</sup>. The information provided set out in the AONB Placemaking Guidance in relation to lighting and mitigation of light spill relevant to guide development proposals for countryside locations throughout the County, not just the AONB.

**Below:** unsympathetic external pipework and external timber decking detract from the integrity of this residential chapel conversion



<sup>12</sup> [Placemaking guidance for the Gower AONB - Swansea](#)

**Below:** Stone walls providing enclosure for private space, converted barn Oxwich Green



**(d) Proposals must ensure that...The building is structurally suitable for conversion (or extension) without a major or complete reconstruction, as verified by a structural stability report.**

3.47 Any traditional building in the countryside that is in such a dilapidated condition where substantial parts of it would have to be replaced or that the building would have to be completely replaced, will not be suitable for conversion. The walls should be structurally sound and should be eaves level in height. This will ensure that the special character and appearance of the building will not be damaged.

3.48 Proposals that involve the substantial reconstruction (**substantial reconstruction is considered to involve rebuilding more than 20% of the total of the external wall area when it is necessary to restore and replace the roof (i.e. no roof exists on the building), or more than 25% of the of the total external wall area if there is no need to restore and replace the roof**) of the original building is unlikely to be acceptable under policy **CV 4** as this invariably destroys the original fabric, features and integrity of the building and would be tantamount to allowing new development in the countryside. Any scheme submitted of this nature would be considered under **Policy CV 2** (Development in the Countryside) which generally presumes against development in the countryside, except where it is for specific uses as specified in the policy.

3.49 Great care must be taken to ensure that the building is genuinely capable of the conversion work proposed. For this reason applicants **must** submit evidence that the building is structurally sound during the planning application process, demonstrating that the building is sound and that development can be undertaken in accordance with the submitted plans without compromising the structural or architectural integrity of the original building. During the development works, if additional work is required (for example due to walls collapsing), resulting in rebuilding works not permitted under the original planning permission, the planning permission granted for the conversion may no longer be valid. In such circumstances it is likely that a further grant of planning permission would be required for the

additional works and that reconstruction of more than 20% or 25% of external walls would be resisted under the provisions of Policy CV4. Any such rebuild would be considered as a new building in the countryside and would be unlikely to be justified other than in exceptional circumstances outlined in policy CV2.

3.50 Consequently, each application **must** be accompanied by a structural stability report (also referred to as a structural appraisal report) that has been prepared by an independent professionally qualified structural engineer. The structural stability report should recognise the building's proposed use and the suitability of the building to that specific use. It must provide information on the existing condition of the building, demonstrate that the scheme can be implemented without substantial reconstruction (as defined above) and explain how the building fabric will be supported during construction. These support works must be undertaken/put in place prior to any work commencing on the conversion of the building. Because of the nature of the work that can be involved in the conversion of a traditional rural building early consultation with Building Control officers is strongly recommended.

3.51 The architectural plans submitted in support of a planning application **must** show, and have a clear understanding of, what the structural stability report requires to enable the conversion of the building to take place

3.52 Any reconstruction works to the main original building should be done in matching materials and result in a matching external appearance to this building.

3.53 Planning permission for a conversion does not allow for demolition of the original building and its replacement, even if the replacement is a replica of the original building. When undertaking conversion work, if sections of the original building are found to be structurally unsound and will prevent the conversion work, building works should cease until agreement can be reached with Planning Officers on the most appropriate way to proceed. The building should not intentionally be demolished and then rebuilt without firstly receiving the permission to undertake the work.

3.54 Some minor demolition works for example to remove modern extensions that detract from the historic and architectural character of the original building may be acceptable, and identified as part of the planning consent. However if a building is in such a poor state of repair that it would need to be taken down to ground level or below before it could be repaired then it is unlikely to be considered suitable for conversion.

3.55 In instances where the building that is being converted falls down during the process of conversion, building works should cease until discussions take place with the Local Planning Authority. The fact that sections of the building have collapsed may mean that the consented planning permission is no longer valid. In such circumstances, a new planning application will need to be submitted and it may be that the proposal no longer

complies with the relevant development plan policies (as explained above).

3.56 The roof structures of some farm buildings can display varying degrees of decay and damage as a result of water ingress or structural failure or fatigue. Such potential problems should be inspected, assessed and reported upon by a qualified structural engineer with experience in inspecting old and historic buildings. There will always be a presumption in favour of retaining as much of the existing fabric as possible and any proposals for roof works should reflect this presumption. Detailed guidance on repairing roofs is set out in Section 4 (and criterion b above).

**(e) *Proposals must ensure that...Safe access for pedestrians and vehicles can be provided without prejudicing the character and appearance of the area.***

3.57 Proposals for the conversion of rural buildings must make provision for safe vehicular and pedestrian access. Only buildings that can accommodate such provision without capturing surrounding countryside and/or having a detrimental impact on the appearance of the countryside will be considered suitable for conversion. In order to achieve this wherever possible existing access roads and pathways should be used. Development proposals that include requirements to set back improvement lines, remove hedgerows and provide new access or visibility splays will be resisted (Policy T5 Design Principles for Transport Measures refers). Additionally, proposals that include visually obtrusive

access arrangements, such as long driveways across open fields and tarmac surfacing will not be viewed favourably. The design of any necessary works should be appropriate to the character of the area and not detract from the landscape or suburbanise the area. Furthermore, the impact of any works should be mitigated through landscaping and indigenous planting.

3.58 All proposals must also include satisfactory parking provision within the curtilage of the site. Only buildings that can accommodate an appropriate or necessary parking area without detracting from the rural setting or architectural quality of the building will be considered suitable for conversion. New build garages will not usually be acceptable. Ideally vehicles should be parked within an existing enclosed area or outbuilding. Parking areas should be visually 'softened' as much as possible and should therefore avoid marked out bays or overly engineered solutions.

**Below:** Home Farm, Penrice. A commercial conversion which maintains the rural character of the area.



**(f) *Proposals must ensure that,...In the case of buildings extended or constructed with the benefit of agricultural permitted development rights, these buildings have genuinely been used for the agricultural purposes they were constructed for.***

3.59 Certain farm and forestry buildings can be constructed and existing buildings extended without the benefit of planning permission under permitted development rights available to agricultural and forestry uses. Further details of this determination procedure are set out in Annex A of TAN 6. However, there must be a genuine agricultural or forestry justification for such development. Policy CV4 seeks to prevent the construction of new agricultural and

forestry buildings and extensions to existing farm and forestry buildings with the intention of early conversion to another use. Subject to the age of the original permission, a building may not be considered a traditional rural building as defined by policy CV4 and instead be considered against policy CV2.

3.60 The local planning authority has the power to require the removal of buildings and extensions constructed under permitted development rights that have permanently ceased to be used for agricultural or forestry purposes. Proposals for conversion of 'new' buildings, will therefore come under particular scrutiny. Without evidence the original building has been used for the intended purpose for a significant period of time, proposals for the conversion and reuse will not normally be considered favourably. Permitted development rights should not be used in an attempt to avoid planning restrictions on new development in the countryside. The need to prevent this activity is also reflected in paragraphs 3.2.1 and 3.3.1 of TAN 6.

**Below:** Barn conversion for use as holiday accommodation, Glebe Farm Cheriton. Incorporating parking area and level access.



**(g) *Proposals must ensure that... There would be no significant adverse effect on natural heritage.***

3.61 In addition to the requirements for protected species the Development Plan (compromising Future Wales and the Swansea LDP) places significant emphasis on the use of innovative, nature-based solutions to site planning and design of the built environment, and specifically highlights these as key elements for successful placemaking. The Council also has a legal duty under Part 1, Section 6 of the Environment (Wales) Act 2016 (“the S6 duty’) to seek to ensure development within Swansea maintains and enhances the County’s biodiversity and delivers long term ecosystem resilience. Future Wales Policy 9 requires all applications to demonstrate the actions that have been taken to maintain and enhance biodiversity, ecosystem resilience and green infrastructure (GI) assets. This policy

requirement is supported by the guidance in PPW that sets out the requirement for a ‘stepwise approach’ to considering biodiversity in the planning process and securing overall enhancement.

3.62 Traditional rural buildings can provide important habitat for wildlife, including roosting or breeding places for protected species such as bats, barn owls and other breeding birds. Protected habitats and species are those protected under European and UK legislation, as identified in TAN 5 Nature Conservation and Planning (2009).

3.63 Any conversion scheme must abide by the terms of the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, Part III of the CROW Act 2000 and the Environment (Wales) Act 2016. Where habitats and species are likely to be disturbed or harmed, development proposals will be assessed in accordance with National Planning Policy and Guidance and local planning policy. Any proposal that may result in unmitigated harm to the species or its habitat is unlikely to be considered favourably.

3.64 For this reason, proposals for the conversion of rural building must be assessed against Policy ER 8 Habitats and Species. The Council’s adopted **Biodiversity and Development SPG** will be a material consideration. . Proposals are required to provide an ecological survey, which includes:  
- species surveys undertaken at the correct time of year; and



- an assessment of the likely impact of the proposal on the protected species and habitats; and
- where necessary, outline appropriate provision to safeguard them through avoidance, mitigation and/or compensatory measures.

- 3.65 Biodiversity enhancement measures are also expected to be set out as part of a submitted proposal. Compensation and enhancement may take the form of the provision of bat and bird nesting boxes to the creation of new habitat.
- 3.66 Future Wales makes clear that specific opportunities should be identified, including through GI Assessments, to ensure that GI is fully integrated into development schemes. The nature of rural and semi-rural environments are that opportunities are likely to exist in relation to important connectivity linkages to habitats and features within and outside development site boundaries, which should be explored and addressed as part of proposals. The GI solutions should fully embrace the health and wellbeing, placemaking and sustainability aspects of GI, as expected in national and local planning policy and not just focus on drainage and landscaping solutions within the site. Correct boundary treatments in order to integrate a site into the wider rural landscape, including consideration of wildlife corridors, will be particularly important.
- 3.67 All trees on site, including those on site boundaries that overhang the site, must be accurately plotted on submitted plans. This includes all trees to be retained **and** proposed for removal. The application should be

accompanied by a condition survey for all trees on site. **The Trees, Hedgerows and Woodlands SPG** provides detailed guidance on this matter.

- 3.68 Schedule 3 of the Flood and Water Management Act 2010 requires that all proposed new developments that include at least 2 properties or developments over 100m<sup>2</sup> SuDS can be used to deliver multiple benefits, including: flood risk reduction, an improvement in water quality, and enhancing biodiversity. It is recommended that planning permission, building regulations and SuDS approval are applied for at the same time in order that any necessary changes can be made to the planning application.
- 3.69 Light pollution has adverse impacts upon wildlife and biodiversity. Artificial light can be very disruptive to the body clocks of any animal species; but can also act as a barrier to migration, animal movement and ecosystem integrity. It may be necessary to protect dark corridors for bats if a relevant species and highlighted within any Preliminary Ecological Assessment.

## 4.0 Placemaking checklist for conversion of traditional rural buildings

### Overview

4.1 This section of the Guidance provides a checklist of the general principles and detailed placemaking considerations that apply to development proposals for the conversion of traditional rural buildings.

4.2 The checklist applies to proposals at any countryside location within the County boundary and are consistent with those set out within the Council's SPG on Placemaking Guidance for the Gower AONB. This approach ensures that conversion proposals within all rural areas of the County are dealt with in a consistent manner.

General Principles		
i.	STRUCTURALLY SUITABLE	<p><i>(CV4 d) The building must be structurally suitable for conversion as verified by a structural stability report.</i></p> <p>The report must be undertaken by suitably qualified personnel and submitted as part of the planning application.</p> <p>Proposals will need to ascertain the suitability of building to be converted for the proposed use and whether it is likely to need structural and/or remedial work to stabilise the structure e.g. underpinning foundations or before strengthening roof structure. Such work should not have a negative impact upon the character of the building.</p>
ii.	CAPABLE OF CONVERSION	<p><i>CV 4 a The building should be capable of conversion without prejudicing the original character of the building or the rural character of the locality.</i></p> <p>It should remain largely intact, retain its form, and its design should be in keeping with its surroundings.</p> <p>It should not require substantial reconstruction (substantial reconstruction is considered to constitute <b>rebuilding more than 20% of the total of the external wall area when it is necessary to restore and replace the roof, or more than 25% of the of the total external wall area if there is no need to restore and replace the roof</b>)</p> <p>Any insulation should be internal and not alter the external character of walls and roofs.</p>

iii.	SCALE AND MASSING	The scale and massing of the existing building should be respected and external alterations kept to a minimum.
iv.	VOLUME	A sense of the building's original overall volume of the building should be retained internally as well as externally. The insertion of additional floors within the existing structure may not always be an acceptable approach, particularly if the building is listed. Any extension proposed to the building should be very modest and must be sympathetic to the existing building.
v	SETTING	A building's setting may be as important to the local character as the structure itself. If proposals include converting a group of buildings the scheme should retain existing relationships between the buildings and common spaces such as courtyards as well as significant natural features.
vi	ARCHAEOLOGY	Be aware that there may be a requirement for an archaeologist to record any groundworks. Where possible preserve original flooring and ensure that evidence of previous occupation remains undisturbed.

### Detailed Considerations

#### Openings

i.	EXISTING OPENINGS	The existing openings should be used to accommodate new doors, windows and screens wherever possible, unless they detract from the character of the building (for example inappropriate additions/openings that have been added previously). Re-opening previously blocked up openings may also be an appropriate way of introducing more light into a building. Existing sources of light should be maximised.
ii.	NEW OPENINGS	New openings should be kept to a minimum and the proportions of existing and traditional openings should be used as a basis for design of new ones.
iii.	DEPTH OF REVEAL	Windows should have an appropriate depth of reveal (the distance set back in the wall). Reveals are generally relatively deep within older traditional buildings and provide attractive shadows which add interest to an elevation.

#### Roofs

i.	ROOF STRUCTURE	The existing roof structure and shape should be retained where possible. Traditional roof pitches should not be altered as this can have a negative impact upon the building's form, however there may be opportunities to improve non-traditional roof forms.
ii.	NEW DORMERS	The introduction of new dormers will rarely be considered acceptable as these fundamentally alter form and character.
iii.	EXISTING TRADITIONAL ROOF COVERINGS	Existing traditional roof coverings should be kept and re-used where appropriate. Existing slates should be kept and re-used where possible. Replacements should match with existing, both in terms of colour, texture and pattern.
iv.	ALTERNATIVE ROOF FINISHES	Alternative roof finishes may be appropriate particularly on commercial schemes or more contemporary residential conversions, subject to detailing and context.
v.	REMOVAL OF EXISTING TRADITIONAL ROOF FEATURES	The removal of existing, traditional roof features such as chimneys, capping tiles etc. will be resisted.
<b>Doors</b>		
i.	DOORS	Doors in conversions should be limited to simple styles and detailing, and should fit the existing opening.
ii.	EXISTING OPENINGS	The infilling of an opening in order to fit a door should be avoided.
<b>Windows</b>		
i.	TO PROVIDE LIGHT TO UPPER FLOORS	If windows are required to light an upper floor, their design should be appropriate to the existing building. The incorporation of internal light wells and atria with ridge roof lighting can assist in getting natural light deep into the heart of a building.
ii.	DORMER WINDOWS	The introduction of dormer windows is rarely an acceptable approach when converting a building unless they are an existing feature, due to the impact upon the character and form of the original building. Rooflights should be considered as an alternative.

iii.	PROJECTION OF ROOFLIGHTS	The projection of rooflights above the roof plane should be minimised and preferably these should sit flush within the roof plane. For proposals on older buildings of architectural merit as well as any buildings within conservation areas, rooflights must be conservation style and generally sit flush within the roof plane (unless strong justification is provided for the need for an alternative approach)
iv.	WINDOW STYLE AND FIT	The choice of style of window should reflect the style and characteristics of the existing building. The window should fit the opening rather than vice versa, as such standard or 'off the shelf' windows will rarely be acceptable.
v.	WINDOWS	Timber is the preferred material for window frames. However the use of uPVC or aluminium window frames may be accepted in some circumstances depending on the section profile, quality and style. This should be clearly detailed on submitted drawings and agreed by the Local Planning Authority. 'Modern' window materials may not be appropriate on many older, traditional properties which may be of some architectural or historic interest, even if not protected through being listed, as it may have a detrimental impact upon the buildings character.
vi.	SUBDIVISION	Care should be taken with the subdivision and proportions of windows, which should be appropriate to the building type rather than its new use.
vii.	LARGE WINDOWS	Large openings provide the opportunity for the inclusion of attractive/strong design elements. The detailing of such openings should aim to retain the openness of the original building and, as such, any sub-division by frames should be minimal. The potential for light spill from large openings must be considered.
viii.	LIGHTSPILL	Special consideration must be given to the issue of light spill resulting from the design of any building. Lighting Plans may be required to accompany a planning application. Light spill from large window voids can in some instances result in impacts on tranquillity and biodiversity and may affect nocturnal animals and this will be highlighted in the PEA re: protection of dark corridors for bats if relevant'. The use of electrochromic or 'smart glass' will be encouraged in the design of conversions in order to help prevent demonstrable harm and eliminate excessive new artificial light pollution from window voids or new extensions. For further details on light spill prevention refer to <a href="#">Module 51 of the Placemaking</a>

		<a href="#">Guidance for the Gower AONB SPG</a> , which provides guidance on mitigation and is relevant information for all proposals across the County, not simply within the AONB.
<b>Features and Services</b>		
i.	DOMESTIC FEATURES	Buildings should not be 'domesticated' through the introduction of inappropriate detailing or features such as porches or conservatories.
ii.	CHIMNEYS, FLUES, VENTILATION SYSTEMS	Considerable care needs to be given to both siting and detailing when incorporating chimneys, flues or ventilation systems. External masonry chimneys will rarely be an acceptable addition to any conversion. However where these are existing and original features, the repair or reinstatement of these will be supported. Insulated metal flues should be used instead as these can be housed within the building, minimising visual impact. Such flues should be finished in a dark recessive colour (typically black or dark grey). Flues should only project to the minimum requirement to meet current building regulations and care should be given to locating these where their visual impact is minimised. Excessively tall flues will not be supported.
iii.	BULKY PLANT	Any necessary bulky plant should be sited on the least visible side of the building or, preferably, within the building itself.
iv	EXTERNAL PIPEWORK	External pipework should be kept to a minimum. Generally, all foul water drainage should be incorporated within the building, with external soil vent pipes being in a dark/recessive colour (typically black or dark grey).
v	GUTTERS AND DOWNPIPES	Gutters and down pipes should be of a style and material appropriate to the building, with existing/traditional fixing details being used.
vi	RIDGE AND EAVE DETAILS	Existing ridge and eaves detailing should be retained or reinstated where possible. The introduction of timber fascias and bargeboards will not be acceptable on agricultural conversions regardless of material, as they are not typical detailing.
vii	ARCHEOLOGICAL GROUNDWORKS	Be aware that there may be a requirement for an archaeologist to record any groundworks. Where possible preserve original flooring and ensure that evidence of previous occupation remains undisturbed.
viii	EXTERNAL LIGHTING	All external lighting should prevent upward light – no unnecessary light above or near the horizon. Lighting should be angled downward. Lighting should be less than 3000 kelvin. Avoid bright white and cooler temperature lights. Use lights of 500 lumen or less, anything above must be installed to prevent upward lighting. Lighting must not disturb neighbours or wildlife. Extinguish or dim external lights at

		23:00. Lighting Assessments and Lighting Plans may be required to support an application. Guidance relating to lighting can be found within the <a href="#">Placemaking Guidance for the Gower AONB SPG</a> which is relevant for development throughout the County.
<b>External Detailing</b>		
i.	CURTILAGE	<p>A defined curtilage will not be appropriate for every development. It will depend on the location of the building, the character of the building and the proposed use. For example when converting a building into holiday accommodation there is not always a requirement, and it may not be appropriate, to have a defined curtilage. It will however, be appropriate to have a defined curtilage for affordable housing or a rural enterprise dwelling, in order to provide private outdoor amenity space.</p> <p>The creation of a suburban style curtilage, erection of outbuildings and other domestic paraphernalia including gates and fencing around the building should be avoided as should the subdivision of open courtyards, particularly where the courtyard serves a group of converted buildings. (See LANDSCAPE SCHEMES below with regard to appropriate boundary treatments).</p>
ii.	LANDSCAPE SCHEMES	<p>Any landscape scheme should avoid domesticated detailing - simple planting schemes, traditional boundary treatments and hard surfaces will be most appropriate.</p> <p>If lawns and planting are to be incorporated, they should be simple and sensitive to the character of the building and wider landscape setting and should also include planting for pollinators using native species of local or Welsh provenance’.</p> <p>Boundary treatments should complement the existing building and landscape character and be natural (hedgerows) wherever possible.</p> <p>The use of close boarded timber fencing will be resisted unless this is painted an appropriately recessive/natural colour and combined with sufficient screen planting/hedging and also include sufficient 13x13cm gaps for hedgehogs.’.</p>
iii.	CONVERSIONS CONSISTING OF MULTIPLE UNITS	Where a conversion consists of a number of units, a common treatment should be applied to external spaces in order that the building reads as a single entity.
iv.	SITING OF OUTBUILDINGS	<p>The siting of outbuildings including garages and sheds will need to be controlled to respect the existing building’s character.</p> <p>Wherever possible, such uses should be incorporated within the existing building. When not viable, these structures should be sited away from the building in the least visually obtrusive part of a site.</p>

		Appropriate measures should be taken to screen any visually intrusive structures, preferably using planting, if appropriate, landform and natural materials.
	CAR PARKING	<p>Only buildings that can accommodate an appropriate or necessary parking area without detracting from the rural setting or architectural quality of the building will be considered suitable for conversion. Car parking provision should be sensitively integrated and ideally vehicles should be parked within an existing enclosed area or outbuilding. The visual impact of which should be minimised through the use of appropriate screening to ensure parked cars do not dominated the plot or wider streetscene. Materials used should have regard to local landscape character and the character of the property. Marked out bays or overly engineered solutions should be avoided. If possible, parking in front of buildings should be avoided as this is likely to have a negative impact upon the streetscape and lane character.</p> <p>The integration of electric charging points should be considered and the Council supports their implementation subject to impact on landscape character.</p> <p>New build garages will not usually be acceptable.</p>
	ACCESS AND DRIVEWAYS	<p>Safe vehicular and pedestrian access must be provided using existing access roads and pathways. Buildings without such existing access arrangements will not be considered suitable for conversion. Surrounding countryside should not be captured to provide access if it does not already exist, as long driveways across open fields may have a detrimental impact on the appearance of the countryside and may be visually obtrusive.</p> <p>Development proposals that include requirements to set back improvement lines, remove hedgerows and provide new access or visibility splays will be resisted (LDP Policy T5 Design Principles for Transport Measures refers).</p>
<b>Utilities</b>		
	SOLAR WATER OR PV ROOF PANELS	<p>Solar heating panels, such as solar roof tiles may be more appropriate for use on historic buildings or ones in conservation areas.</p> <p>Roof mounted solar hot water panels and/or PV panels should be kept low on the roof and not positioned where they will be overshadowed. They should be designed to maintain the simplicity of the roof form.</p> <p>The surface of the panels should blend in with the roof materials (often dark colours)</p>
	AIR SOURCE HEAT PUMPS	<p>Cannot be installed within 3 metres of the property boundary or on a pitched roof.</p> <p>Cannot be installed on a wall which fronts a highway</p>



## 5.0 Development Management Process and Application Requirements

### Pre-Application Stage

- 5.1 Prior to the submission of a formal planning application for development, the Council welcomes the opportunity to discuss proposed schemes with prospective applicants. This approach helps to encourage and promote high quality development and improve the efficiency of the development management process. Potential applicants are encouraged to make use of the Council's Pre-Application Service<sup>13</sup>. Pre-application enquiry forms are available to download from the Council's website (<http://Swansea.gov.uk>).
- 5.2 The Pre-application stage provides an opportunity to resolve any significant planning issues prior to the submission of a formal application. Applicants will have the opportunity to consider any issues raised by the Council and, if necessary, can amend the proposal in line with comments received to help secure a favourable decision on the submitted planning application.

### Planning Application Stage

- 5.3 Planning applications can be submitted either in hard copy format or electronically via the Planning Portal <http://www.planningportal.gov.uk/>. Planning application

forms are available to download from the Council's website (<http://Swansea.gov.uk>) or hard copies are available from the Civic Centre, Oystermouth Road, Swansea SA1 3SN

- 5.4 Guidance notes explaining the information required to be submitted in support of the planning application are issued with the forms and are available to download from the above address.
- 5.5 A schedule of the specific information that will be required in support of submitted planning applications is provided in Appendix D of this Guidance.

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<sup>13</sup> [Swansea - Pre-planning application advice service](#)

## APPENDIX A

### Definition of Affordable Housing for Local Need

**The eligibility criteria for local needs affordable housing is set out in LDP Appendix 6: Affordable Housing as follows:**

For affordable housing in the Gower and Gower Fringe SHPZ (Policy H3) and on 100% affordable housing exception sites (Policies H 6 and CV 2), all of the Council's eligibility criteria for Affordable Housing must be met along with the following additional 'local need' criteria. In the context of rural local needs housing, use of the word 'local' in describing a resident means:

- Applicants who are resident within the area<sup>96</sup> who have been resident for a continuous period of at least 5 years immediately before making an application;
- Applicants who have been resident within the area for any period of (or periods totalling) greater than 5 but less than 10 years within the previous 10 years immediately before making an application,
- Applicants who were previously resident in the area and who have an immediate family member(s) currently resident in the area and where the immediate family member(s) have been resident within the area for a continuous period of at least 10 years immediately before the housing application was made and intend to remain. 'Immediate family' means a parent or parents, a child or children, or a sibling or siblings;
- Applicants who need to move to the area to enable them to either give or receive support to or from an immediate family member. 'Immediate family' means a parent or parents, a child or children, or a sibling or siblings or other relationships where a genuine need to

give or receive support is demonstrated to the satisfaction of the City and County of Swansea;

- Applicants who currently live in the area needing separate accommodation, for example married couple and people living in tied accommodation on retirement;
- Applicants who work either full time or part time within the area. Part time employment in this case is defined as being a minimum of 10 hours each week; or
- Applicants who need to move into the area to take up full or part time work.

In the event that none of the above can be met by the applicants, the Authority may consider individuals from surrounding areas and communities that border the area. This will be defined on a site by site basis if necessary.

## APPENDIX B - Information required in support of a planning application

Information	Applicability	Content
Structural Stability Report	<b>All</b> planning applications for the conversion of traditional rural buildings must be accompanied by a structural stability report.	This must be prepared by an independent structural engineer. The report should include information on: - the existing condition of the building and - demonstrate that the proposed scheme is realistic and the rural building is capable of conversion without unacceptable rebuilding.
Design and Access Statement (DAS)	Must be submitted for the following types of development: <ul style="list-style-type: none"> <li>• <b>All planning applications for ‘major’ development except:</b> <ul style="list-style-type: none"> <li>- mining operations,</li> <li>- waste developments,</li> <li>- relaxation of conditions (Section ‘73’ applications)</li> <li>- applications for a material change in use of land or buildings;</li> </ul> </li> <li>• <b>All planning applications for development:</b> <ul style="list-style-type: none"> <li>- in a conservation area or World Heritage Site which consist of the provision of one or more dwellings or the creation of floorspace of 100sqm (gross) or more.</li> </ul> </li> <li>• <b>All works to a listed building</b> (for works to the interior of a listed building,</li> </ul>	Given the greater complexity and scrutiny of details of many conversion schemes, the submission of a DAS (or a similar Design Statement) is encouraged to explain the context and approach to the proposals. Such a statement will provide useful information and justification and can help to significantly speed up the determination process. There will be particular expectations of quality in areas of valued and distinctive character such as conservation areas, the Gower AONB and the Special Landscape Area.  The DAS should be proportionate to the scale of development proposed. In the preparation of a DAS, reference should be made to guidance outlined within TAN 12: Design and the Welsh Government’s Design and Access Statements in Wales (2017) guidance. The scope of a DAS should be agreed wherever possible at the pre-application stage of development to ensure all relevant issues are covered.  A DAS must:

Information	Applicability	Content
	<p>the access part of the DAS is not required).</p> <p>In accordance with LDP policy PS2: Placemaking and Place Management, <b>a DAS will also be required in support of planning applications that are considered to have design implications</b>, including:</p> <ul style="list-style-type: none"> <li>-applications for new or extended buildings and new infrastructure,</li> <li>-changes to landscape appearance, and/or</li> <li>- those involving sensitive sites and locations.</li> </ul>	<ul style="list-style-type: none"> <li>-explain the design principles and concepts that have been applied to the development;</li> <li>-demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;</li> <li>-explain the policy or approach adopted takes development plan policies into account; and</li> <li>-explain how specific issues which might affect access to the development have been addressed.</li> </ul> <p>The Council will determine an application to be invalid if:</p> <ul style="list-style-type: none"> <li>-a DAS is required but not submitted, or</li> <li>-if the content of the DAS does not properly address the required content.</li> </ul> <p>It is important to demonstrate an understanding of the character and setting of all buildings and structures proposed for conversion. This is best done in a supporting document that mirrors the guidance set by Cadw for Heritage Impact Assessments identifying the significance in terms of:</p> <ul style="list-style-type: none"> <li>• Evidential value</li> <li>• Historic value</li> <li>• Aesthetic Value</li> <li>• Communal Value</li> </ul> <p>Whilst this is not a validation requirement it will support your proposals and allow informed dialogue for any negotiations.</p>
Evidence of Agricultural Use	For all buildings constructed on the basis of agricultural permitted development rights	Provide evidence that the building has been used for the intended purpose.

Information	Applicability	Content
Evidence of Use of Buildings Constructed Under Permitted Development Rights	For all buildings constructed on the basis of permitted development rights.	Provide evidence that the building has been used for the use as permitted via permitted development.
Statement in Support of Residential Use for Rural Enterprise Dwelling	<b>All</b> applications for a rural enterprise dwelling must provide an appraisal in accordance with the tests set out in Section 3 above and TAN6.	Applicants must submit the following as part of a rural enterprise dwelling appraisal: <ul style="list-style-type: none"> <li>• <b>The functional test</b> to provide evidence of whether there is a need for a resident worker for the proper functioning of the enterprise</li> <li>• <b>The time test</b> to provide evidence of the labour requirement for the worker who is working on the justifying enterprise</li> <li>• <b>The financial sustainability</b> of the business enterprise it is to support</li> <li>• <b>The other dwelling test</b> to identify whether there is an existing dwelling or building suitable for conversion on the enterprise or dwelling in the locality that could meet the identified functional need</li> <li>• <b>Other normal planning requirements test</b> to demonstrate that the dwelling is suitably located to fulfil its identified need and to minimise impact on the wider environment.</li> </ul>
Statement in Support of Residential Use for Affordable Housing for Local Needs	<b>All</b> proposals for affordable housing for local needs must submit a statement a statement providing evidence of the need for the dwelling and an agreement to that the development will be retained as affordable housing for local needs in perpetuity.	The statement should provide: <ul style="list-style-type: none"> <li>• Evidence of proven affordable local need in the locality; and</li> <li>• Evidence of the cost price of the conversion of the dwelling and the estimated resale value linked to a calculation of a fixed multiple of local incomes rather than a 70-80% reduction of market value. The use of the fixed multiplier of local incomes is used due to the high market values in some areas of the County (further advice regarding the calculation can be obtained by contacting the planning section); and</li> </ul>

Information	Applicability	Content
		<ul style="list-style-type: none"> <li>• A legal agreement ensuring the property will be retained as affordable housing in perpetuity.</li> </ul>
Ecological Reports	<b>All</b> proposals for conversions. Advice should be sought from the Council's Ecologist <b>before</b> commencing any preparation work	<ul style="list-style-type: none"> <li>• A preliminary-ecological appraisal or PEA should be undertaken by a suitably qualified ecologist to identify the likely presence of protected species and the need for further detailed surveys.</li> </ul>
Arboricultural Reports	<b>All</b> proposals where development affects trees within, or adjacent to, the site curtilage.	<p><b>All</b> trees on site, including those on site boundaries that overhang the site, must be accurately plotted on submitted plans in addition, any mature on-site trees which may require works will be subject to a Preliminary Roost Assessment for bats prior to works being undertaken.'</p> <p>This includes all trees to be retained <b>and</b> proposed for removal. The application should be accompanied by a condition survey for all trees on site. <b>The Trees, Hedgerows and Woodlands SPG</b> provides detailed guidance on this matter.</p>
Listed Building Consent	If the original building is listed or lies within the curtilage of a listed building	Listed Building Consent will be required for any conversion work
Archaeology	If the Council, on the advice of Glamorgan Gwent Archaeological Trust, believe that important remains exist at the site.	<p>An archaeological and/or field investigation report may be required.</p> <p>This must be undertaken prior to the determination of any planning application.</p>
Building Regulations	<p>The conversion of a rural building to a different use to which it was originally intended will in most cases require building regulations approval in addition to planning consent.</p> <p><b>Important note:</b></p>	<p>Building Regulations consent.</p> <p>The local planning authority must be consulted for any works which do not form part of the approved plans and conditions, and any necessary consent must be obtained before carrying out additional works required by building regulations.</p>

Information	Applicability	Content
	<p>Any works to the fabric of the building including:</p> <ul style="list-style-type: none"> <li>-demolition and rebuilding works,</li> <li>-insertion of windows,</li> <li>-insertion of roof lights,</li> <li>-insertion of flues/chimney stacks</li> </ul> <p>required as part of building regulations approval which do not form part of the plans and conditions approved as part of any planning permission may be unauthorised and may be unacceptable in planning terms.</p>	
Sustainable Drainage	All new development that includes a least 2 properties or developments over 100m <sup>2</sup> .	Must include Sustainable Drainage Systems (SuDS).
Lighting Strategy	<b>All</b> development within the AONB, and anywhere within the County where there is local evidence of bats etc, will require a strategy detailing the location and type of external lighting to be used.	A Lighting Assessment and Plan (Lighting Strategy) will be required for all developments within the AONB and everywhere within the County where there is local evidence of bats etc. The Lighting Strategy must follow guidance in the latest publication Bats and Artificial Lighting At Night, Aug 2023 and available from the Bat Conservation Trust. The Plan should appraise the developments impact on the external environment due to light spill and external lighting and on biodiversity and ensure that habitats are not lit during construction or once built and bats and other nocturnal species are not disturbed by the building's external lighting. Avoidance and mitigation measures must be included. Further advice on Lighting Strategies can be found within the Placemaking Guidance for the Gower AONB SPG, Module 5I, which is applicable to developments throughout the County, not just the AONB.







Cyngor **Abertawe**  
**Swansea** Council



# **Supplementary Planning Guidance**

## **Conversion of Traditional Rural Buildings**

### **Public Consultation Report**

**Swansea Council**

**December 2023**

## Introduction

1. Swansea Council Planning Committee approved a draft version of the Conversion of Traditional Rural Buildings Supplementary Planning Guidance (SPG) for the purpose of public consultation on the 1<sup>st</sup> August 2023.
2. An eight week public consultation process was undertaken on the draft version of the SPG between 7<sup>th</sup> August and 6<sup>th</sup> October 2023. The consultation was advertised on the Council's 'Have Your Say' and Placemaking and Strategic Planning SPG webpage. The pages described the consultation, provided a weblink to the document, an online comment form to complete and a link to a pdf version of the comment form. Over 120 architects, agents, planning consultants, surveyors, interest groups and stakeholders; and all community and Town Councils, Councillors, selected internal offices and departments.
3. The consultation generated responses that covered a range of policy, design and heritage issues. Responses were received from external organizations and internally from specialist departments within the Council.
4. All of the comments received have been recorded in the schedule set out on the following pages. The comments have been categorised under each specific question asked in the consultation comment form. The schedule includes the

Council's response to each comment submitted following a full appraisal by officers.

5. The schedule also outlines the changes proposed by the Council to the SPG document as a result, with proposed new text shown underlined and deleted struck through.<sup>1</sup>
6. The full text of all consultation responses received is provided in the Appendix to this report.

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<sup>1</sup> Representations received in English language are responded to in the schedule in English

**Comments Received**

Respondent	Comment	Response	Action
<b>1. Do you think the draft SPG is sufficiently clear in terms of what are the key relevant LDP policies that apply in relation to proposals for the conversion of traditional rural buildings</b>			
<p>Black Mountain Conservation</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 67</p>	<p>No. There is no mention of TAN 24. By nature of the fact that these are 'traditional' rural buildings, many are likely to belong to listed buildings or be in the vicinity of scheduled monuments. No mention has been given in the section on policy to the historic environment, the need to consider setting, the impacts of conversion on listed buildings, or the policies which apply if you are thinking of converting a building in the curtilage of a listed property. In fact, TAN 24 isn't mentioned at any point in the whole document.</p>	<p>There may be some traditional rural buildings that are listed buildings in their own right or curtilage listed. Therefore it is appropriate to cross reference to TAN 24 and section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 .</p> <p>Some traditional rural buildings may also have a relationship to the setting of a designated heritage asset such as a scheduled monument. Therefore it is appropriate to cross reference to the Cadw Setting Guidance.</p>	<p>New paragraph inserted into section 1 Aims and Purpose:</p> <p><u>“1.5 Where buildings or structures proposed for conversion are designated heritage assets such as listed buildings then the primary consideration will be the requirement to pay special regard to the desirability of preserving the listed building as set out in Section 16 of the Planning (Listed Buildings and Conservation Areas) Act and expanded upon in TAN 24: The Historic Environment. “</u></p> <p>All subsequent paragraphs renumbered.</p> <p>New paragraph after 2.7 as follows:</p> <p><u>“2.8 TAN 24: the Historic Environment (2017) provides national guidance on how to consider the historic environment in decision making. A ‘traditional rural buildings’ may in some instances be a Listed Building, curtilage listed building (as defined in Section 1(5) of the Act), or be in the vicinity of a Scheduled Monument. Conversion proposals affecting such buildings will need to consider whether Listed Building Consent is required for works, and whether a Heritage Impact Assessment is required alongside a planning application. Furthermore, the effect of the proposal on the setting of adjacent designated heritage assets, such as listed buildings or scheduled monuments, must be</u></p>

addressed. Cadw have prepared relevant guidance on setting analysis. Put as footnote: [Setting of Historic Assets | Cadw \(gov.wales\)](#)

2.11: Remove reference to LDP policy TR 5.

Amend paragraph 2.12 as follows:

~~“The full policy wording and supporting amplification for each of the above LDP policies is set out in Appendix A. Their broad aims and requirements are described below. This SPG also provides important information and guidance to augment LDP Policies TR5: Holiday Accommodation and HC2: Preservation or Enhancement of Buildings and Features.”~~

**“2.19 LDP Policy HC2 Preservation of Enhancement of Buildings and Features sets out criteria to be followed to ensure various types of designated heritage assets are preserved or enhanced through proposals, reflecting the requirements set in Legislation. It also emphasises that development must preserve or enhance conservation areas and/or their setting, which includes any proposals for the conversion of buildings.”**

Subsequent paragraphs renumbered.

Add further text focussing on designated heritage assets as follows:

#### **Designated Heritage Assets**

**“2.23 Where a building or structure is a designated listed building then the primary consideration is Section 16(2) of the Planning (Conservation Areas and Listed**

Buildings) Act 1990 which sets out the statutory requirement in determining application for listed building consent to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 5.13 of TAN 24: The Historic Environment and PPW 11 provides further explanation of the considerations and these are mirrored in Policy HC2 of the Swansea LDP."

-  
"2.24 There will be instances where a building or structure meets the test as set in Section 1(5) of the Act in terms of an object or structure fixed to the listed building or forming part of the land associated with the listed building prior to July 1948. In these instances the building or structure will be curtilage listed with the same designation as the primary listing and the considerations of Section 16(2) from the Act will apply."

-  
"2.25 Where a building or structure is part of a Scheduled Monument then a separate consenting process via Cadw applies. "

"2.26 Some buildings or structures may be located in areas of heritage designation such as Historic Parks and Gardens and/ or Conservation Areas. In these locations the requirement as set in the Act is to preserve or enhance the character of the conservation area and preserve the character of the designated landscape."

-  
"2.27 Some buildings or structures proposed for conversion may not be designated heritage assets as outlined above but may form part of the setting of a designated asset. In these instances LDP policy HC2 will

			<p><u>apply which generally sets the requirement to preserve the relevant setting. Further guidance on analysing and understanding is set in Cadw guidance ‘Setting of Historic Assets in Wales’, 2017.”</u></p> <p>Add new text within paragraph 3.26 (now 3.37) relating to the setting.</p> <p>Add a new paragraph:  <u>“3.37 Where the building proposed for conversion is an undesignated heritage asset but forms part of the setting of a designated heritage asset, then emphasis will be placed on the requirement set in legislation to preserve the setting and this may limit the acceptable alterations and may require the use of appropriate sensitive materials.”</u></p> <p>Paragraphs setting out factual information in respect of corresponding LDP policies refined and improved for legibility and accuracy.</p>
Cwmpas co op	Yes	Noted	No action required
<b>Question 2: Do you consider the draft SPG will assist in resolving whether a building is defined as ‘traditional’ for the purpose of a planning application?</b>			
Black Mountain Conservation	No.		<p>Para 3.1 amended to become paras 3.1 and 3.2 as a new overview to the Chapter:</p> <p><u>“3.1 Some of the most common types of traditional rural buildings that have become redundant and/or long term vacant within rural areas of Swansea include certain farm buildings, which is often the product of changes to traditional methods of farming and/or such</u></p>

"often stone but in some instances can include masonry and timber frames" - masonry is considered to be stone- it might be better phrased as often stone, but occasionally brick or timber frame.

Traditional construction is generally deemed to be pre-1919, in rural areas of Wales it is considered to extend to pre-war (1930s) buildings.

It is important to note that masonry can refer to both brick or stone. Plus there are many brick buildings of traditional character in rural areas .

The pre 1919 definition of a traditional building is not recognised in planning law. This date appears to be used for construction skills training. This SPG is not looking for a definite time cut off because there are many later buildings that have a traditional character and make a positive contribution to the rural landscape. Therefore it is not considered appropriate to refer to dates.

buildings now being functionally ill-suited to modern agricultural practices. In addition, chapels and churches have become vacant as a result of significant reductions in active congregations. In other instances, in order to obtain additional income streams, some occupiers of residential dwellings in rural areas seek to convert outbuildings to holiday accommodation. In the case of the latter example, only in certain instances would this guidance be applicable. For example relatively modern domestic garages are not traditional rural buildings. By following this Guidance, and the definitions set out with it, potential applicants will be able to assess whether a building can reasonably be considered a traditional rural building that is suitable for conversion.

**3.2 LDP Policy CV4 and this SPG are not applicable for any proposals for conversion of structures considered not a traditional rural building. Any such proposal will instead be considered against other relevant alternative LDP policies and guidance, as set out in Chapter 2 of this SPG."**

Paragraphs within section 3 have been rearranged and grammatically amended to improve legibility of document.

Paragraph 3.2 (now 3.10) amended to refer to brick and timber frames and also include reference to corrugated metal roof coverings:

"...can include ~~masonry~~ brick and timber frames. Occasionally metal structures can be present in a traditional building, however this would typically be in older buildings such as corrugated metal roof coverings".



Amend former paragraph 3.1 (now 3.5) to clarify that assessment of a traditional rural building is based on criteria as follows:

- Landscape setting
- Building character and form
- Materials
- Age

Amend paragraphs relating to the criteria as follows:

***“Landscape setting***

3.6 The overall appearance and character of an existing building within the wider landscape, and its contribution to the attractive countryside scene, is a fundamentally important element ~~is also important~~ to understanding whether or not a structure can reasonably be considered a ‘traditional rural building’. In order to appraise this aspect, an applicant may be required to undertake an appropriate, which may require landscape visual assessment to consider the impact of the proposed development from a range of public view points.

3.7 Proposals that area assessed as having a significant adverse effect upon the surrounding landscape and do not preserve the landscape setting will not be permitted, which is in line with policy requirements.

***Building character and form***

3.8 In terms of building form, most traditional buildings will have a pitched roof and have a modest footprint, which is important for a non-dominant presence in the landscape. There may be exceptions to this, for example traditional buildings that historically served as defence structures that typically have flat roofs.

3.9 The 'defence structure' example is also useful to highlight that the former and/or original use of the building is an important consideration. In order to be considered a traditional rural building it is expected that the structure will have been built, or used, for an activity that is typical of the rural landscape, as well as it contributing to the attractive countryside scene. Additional examples include agricultural uses, which are more typical in this regard, and uses relating to education, industry and community use. Other potential examples include infrastructure buildings or structures, which could include those associated with railways and water supply.

**Materials**

3.10 Building materials are a key aspect to consider when assessing whether a building within the countryside is considered 'traditional' or not. Many traditional buildings will be constructed of local materials, often stone but in some instances can include ~~masonry~~ brick and timber frames. Occasionally metal structures can be present in a traditional building, however this would typically be in older buildings such as corrugated metal roof coverings.

3.11 When considering the suitability of proposed materials, key issues for consideration include whether they are reflective of the wider area and landscape, whether they relate to the function of the building, and whether the materials are integral to the colour palette for the area.

**Age**

			<p>3.12 Another factor to consider in establishing whether a building is traditional is the age of the structure. Whilst there is no prescribed age for a traditional building, it is expected that they will be well established in the rural landscape and not recently constructed. “</p> <p>New subheading inserted ‘Other Factors’ to improve legibility.</p> <p>Para 3.14 (was 3.10) and 3.60 (was 3.47) – references to 10 year for buildings built under PD removed as follows, in order to add clarity and align with definition:</p> <p>3.14: “Buildings that were constructed via permitted development rights will be carefully assessed to ensure they were used for the <u>right use</u> bestowed by permitted development <del>for a minimum period of 10 years</del> previous to the application for conversion. This <u>approach</u> is consistent with <u>LDP Policies that do not support development</u> <del>the LDP approach to resist proposals that would:...</del>”</p> <p>3.60: “...under permitted development rights which have permanently ceased to be used for agricultural or forestry purposes <del>within 10 years from the date on which the development was substantially completed.</del> Proposals for conversion of ‘new’ buildings, <del>i.e. less than 10 years old</del>, will therefore come under particular scrutiny. Without evidence the original building has been used for the intended purpose for a significant period of time, i.e at least 10 years, proposals for...”</p>
	<p>Metal structures would be more likely found in mid to late nineteenth century buildings and onwards, i.e. when steel was</p>	<p>Disagree. Metal structures and corrugated cladding is a characteristic of rural buildings.</p>	<p>No change</p>

Page 75	<p>first commonly used, with the occasional use of cast and wrought iron, for columns and roof trusses respectively, or for cladding and rooves (corrugated). Metal in older buildings is not accurate.</p>	<p>This has been recognised by appeal decisions, including the following case in Swansea from 2023 - Appeal reference: CAS-02862-X5H6S5</p>	
	<p>Traditional construction is generally deemed to be pre-1919, in rural areas of Wales it is considered to extend to pre-war (1930s) buildings.</p>	<p>The pre 1919 definition of a traditional building is not recognised in planning law. This date appears to be used for construction skills training. This SPG is not looking for a definite time cut off because there are many later buildings that have a traditional character and make a positive contribution to the rural landscape. Therefore it is not considered appropriate to refer to dates.</p>	<p>No change</p>
Cwmpas Co op	Yes	Noted	No action required
<p><b>3. Do you consider further detailed guidance is needed in relation to the factors to be considered when deciding whether a building is traditional or not, such as in relation to materials; age; structure and form; overall appearance; etc.?</b></p>			
Black Mountain Conservation	<p>Yes. Repeated from Q2. "often stone but in some instances can include masonry and timber frames" - masonry is considered to be stone- it might be better phrased as often stone, but occasionally brick or timber frame.</p>	<p>See Response to Q2.</p>	<p>Changes as outlined to Q2 above.</p>

	<p>Metal structures would be more likely found in mid to late nineteenth century buildings and onwards, i.e. when steel was first commonly used, with the occasional use of cast and wrought iron, for columns and roof trusses respectively, or for cladding and rooves (corrugated). Metal in older buildings is not accurate.</p> <p>Traditional construction is generally deemed to be pre-1919, in rural areas of Wales it is considered to extend to pre-war (1930s) buildings.</p> <p>Additionally, some pictorial examples of traditional rural buildings from Swansea should be included. Powys SPG for development based on their town character appraisals gives clear examples of what the local design characteristics are. This could be provided as a gazetter appendix, with, e.g., windows- size, material, number; doors- likewise; render types- e.g., harled, stucco; setting. Refer to the Tywi Centre or the Welsh Traditional Building Forum so that people know where to go to extra help and support.</p>	<p>See Response to Q2</p> <p>The SPG emphasises the importance of understanding the character of buildings proposed for conversion. Some may be vernacular agricultural buildings, others may be post war industrial buildings or WWII structures. Therefore it is not appropriate to include an image gazetteer appendix because every case will be analysed and assessed on individual character and landscape setting.</p>	<p>No Change</p> <p>No Change</p>
Cwmpas Co op	No	No detailed comments provided for response to be issued	No change
<b>4. Does the SPG provide clear guidance on the type of buildings that can be converted, especially considering their location, form and structure</b>			
Black Mountain Conservation	yes	Noted	No change

Cwmpas Co op	Yes	Noted	No change
<b>5. Does the draft SPG provide clear guidance in relation to placemaking and design principles for any proposed conversions of traditional rural buildings to applicants/developers in and explain what is expected from applicants?</b>			
Black Mountain Conservation	No. Photos/ images on p18 - maybe emphasise that features which may detract from the traditional aesthetics of the building should be restricted to perspectives which are not seen.	Noted	The SPG does not promote any features which will detract from the traditional aesthetics of the building, whether they are viewed from a public vantage point or not.
	Requirement of ZTV mapping and imaging to establish minimum impact proposals.	A key message of the SPG is to understand the building proposed for conversion in the rural landscape setting. The establishment of the Zone of Theoretical Visibility (ZTV) is excessive for most conversion projects but the principle of establishing the range of public vantage points from where a building proposed for conversion can be seen is important as set out in paragraph 3.2.	The need to identify public view points to assess proposals is set in paragraph 3.5 but is now also emphasised in paragraph 3.26 (now 3.34) as follows: <u>"...be considered. The setting should be established by identifying the range of public view points from which the building can be seen and, where relevant, any other buildings or structures with which it forms a group. If necessary..."</u>
Black Mountain Conservation	Images show a large number of roof lights, but this could be achieved more sensitively - tinted glass to blend the windows into the slate, or on a different aspect, or in line with historic warehouses, ridge line glazing to allow maximum light penetration with minimal roof interference. I don't believe that the images used represent the text,	The images between paragraphs 3.26-3.27 have been taken from the adopted Placemaking Guidance for the Gower AONB, however one of the images has been omitted in error.	Correct images and text from the Placemaking Guidance for the Gower AONB SPG are added in section 3.

	particularly with reference to the windows and openings.	With both the poor and good examples these images are clear and rooflights are regularly approved in conversion proposals.	
	3.33 - perhaps certain of the permitted development rights should be withdrawn, rather than all of them? There are certain aspects of PD rights which wouldn't cause impact just because the buildings have been converted.	Certain Permitted Development Rights are routinely removed for rural conversion projects, in the context of countryside protection policies, but the decision is taken on a case by case basis.	No change
	3.34 I think a balance needs to be struck in rural areas where provision needs to be enhanced for economic or residential reasons, between the need for that provision, the requirement for energy and services to be carbon off-setting, and for measures to mitigate the visual impact of e.g., ASHP. The economic and environmental benefits of building reuse as opposed to new development are well documented. The impacts on our traditional building stock from climate change is also thoroughly considered, and so buildings which are able to mitigate these effects and contribute to more environmental construction should be considered, even if there is associated negative impact from certain aspects.	Where buildings are structurally sound then the principle of conversion can be addressed which embraces the embodied carbon from the reuse of an existing structure. Planning legislation does not currently address the carbon balance of differing construction and energy types and this cannot be addressed via this SPG without policies at the national or local level.	No change
Black Mountain Conservation	3.36 Again, does a ruined (and likely to become more ruinous, if not entirely derelict) agricultural building have better visual amenity than a ruined ag. building which has been sensitively rebuilt and	3.36: The issue of the structural stability of the building includes consideration of planning law issues re: abandonment.	No change, but paragraph added to confirm that architects plans MUST reflect the structural report findings.  Add paragraph 3.51

	<p>reflects the original character of the area. IF a building can be rebuilt, and there is evidence of its original construction, then surely reconstruction and reuse offers better community value and landscape aesthetics than a building left to fall down because it is economically unviable to repair and maintain a building with no use? Alternatively, approaches as per the Landmark Trust at Astley Castle could be used, whereby the original building is stabilised and the development is built within the space. Creative approaches should not be ruled out as a matter of principle, when the alternative is to do nothing.</p> <p>Placemaking checklist- archaeology - might be required for more than just the groundworks. Raising awareness of apotropaic marks (common in farm buildings), the need for maintaining patina and carpenters' marks etc. on original structural timbers. I would recommend that even if the building isn't listed, a site visit from an archaeologist or heritage consultant is a stipulation to help applicants ensure that the placemaking aspects of the application are met and that the significance of the building isn't compromised through a lack of understanding.</p>	<p>TAN 23: Economic Development para 3.2.1 states '<i>buildings must be capable of conversion without major or complete reconstruction</i>'.</p> <p>In a green wedge development involving the re use of a building is not appropriate if the building is not capable of being converted without major reconstruction.</p> <p>Rebuilding/reconstruction is not conversion.</p>	<p><u>"The architectural plans submitted in support of a planning application <b>must</b> show, and have a clear understanding of, what the structural stability report requires to enable the conversion of the building to take place."</u></p>
<p>Black Mountain Conservation</p>	<p>P28- depth of reveal - should also be noted that in older traditional (particularly rural) buildings, reveals were flared and rounded.</p>	<p>The SPG does not just apply to vernacular agricultural buildings and not all reveals are flared and rounded Details such as depth of</p>	<p>No change</p>



		reveal and corners would be identified on a case by case basis. The retention of details or appropriate new details would be controlled via planning condition.	
	Windows, v. Is it possible to open this up to aluminium windows, which are more flexible in terms of narrow glazing bars and don't have the same impact as UPVC. They are also minimal maintenance and greater longevity, so are a compromise.	Agreed	Amend row V to change title to Windows (remove UPVC) and amend text as follows:  “...frames. However the use of <u>uPVC or aluminium windows frames</u> may be accepted in some circumstances depending on the <u>section profile</u> , quality and style <del>of the uPVC</del> . This should be clearly detailed on submitted drawings and agreed by the Local Planning Authority. <del>uPVC</del> <u>‘Modern’ window materials</u> may not be appropriate....”
Black Mountain Conservation	External detailing, ii. Reiteration of the need for wildlife corridors in close board fencing.	This is addressed in para 3.30 (now 3.39) but agree, to add additional text added in ii. Also paragraph 3.53 (now 3.66)	Add text to last sentence in ii. Landscape schemes: <u>“..planting/hedging and also include sufficient 13x13cm gaps for hedgehogs”</u>  Reference to wildlife corridors inserted into para 3.53 (no 3.66): <u>“...wider rural landscape, including consideration of wildlife corridors, will be ....”</u>
Cwmpas Co op	No. Where consideration is given for traditional rural buildings being converted into affordable housing, it is unclear as to whether there is an expectation that the affordable housing is designed to comply with Welsh Government Development Quality Requirements (WDQR). Other relevant SPG suggests that such compliance on affordable housing is mandatory whilst consideration is needed	In order to be defined as affordable dwellings the buildings must comply with WDQR. The requirement is set out within Planning Policy Wales 11 <i>‘All affordable housing, including that provided through planning obligations and planning conditions, must meet the Welsh Government’s development quality standards (4.2.29).</i>	Redraft para 3.15 (now para 3.23): <del>“Local</del> <u>The requirement for affordable need for housing for local need and affordable housing</u> in a locality must be proven by reference to <u>the</u> latest local Housing Market/Needs Assessments and the prior opinion of the Director of Regeneration and Housing must also be sought. Any accommodation provided through a conversion scheme <u>must meet the Welsh Government’s Welsh Development Quality Requirements (WDQR), standards and</u> remain affordable in perpetuity. <u>Any such proposal must also be designed to meet the</u>

	as to whether such compliance is achievable for affordable on such buildings given the inherent nature of those buildings and the requirements outlined in the consultation draft SPG.		<u>specific</u> needs identified and be of an appropriate scale.”
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**6. Does the draft SPG provide clear guidance to applicants/developers in relation to Green Infrastructure, biodiversity, external lighting, car parking etc?**

Black Mountain Conservation	No. Light only appears as a mention in 3.32, in as much as ancillary works should not affect the character, and then in the appendices with regard to lightspill, and in the appendices with reference to a lighting strategy. It might be worth having some examples to highlight what would be acceptable. e.g., solar powered LED PIR lights which have a maximum output of Xwatts, to assist night-time access. Car parking is well mentioned, as is access. Green infrastructure is also limited to some vague points in the placemaking table.	Agreed. Light spill is a key consideration in the rural landscape both for the tranquil character and for ecology.	Add further guidance on lighting. Para’s added to section 3 and within Table in Section 4, windows viii Lightspill; .and features and services viii External Lighting.
Cwmpas Co op	Yes	Noted	No change

**7. In addition to any comments made in relation to Questions 1-6 above, please provide any further comments on how you consider the SPG could be improved and/or amended**

Black Mountain Conservation	Several proofing errors throughout- a handful illustrated below. p12 3.1, line 6-7 - "context of the surrounding of the surrounding landscape" p14 3.8 line 5 of main text - "one [of] the proposed uses" p15 3.15 line 2 reference to [the] latest	Noted	Corrections will be made to the final version of the document in terms of necessary grammatical and spelling amendments.
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	<p>p16 3.16 iv because of [a] lack of ...or... [due to] lack of</p> <p>p17 3.20 last line- does not[,] for example</p> <p>p28- table heading 'Existing Openings' typo.</p> <p>3.26 - excellent.</p>		
	<p>There is no mention of the need to use traditional materials and the impact that using cement based or modern mortars will have on, not just the integrity of the existing materials, but the aesthetic of the buildings themselves. No mention of traditional surface finishes- harling, render, limewash.</p>	<p>Where buildings or structures are listed or scheduled then the use of appropriate traditional materials can be required to safeguard the character and integrity of the designated heritage asset.</p> <p>Where buildings and structures are not designated assets then there is no planning mechanism to require the use of traditional materials whilst this is clearly desirable. Therefore encouragement and support can be added to the document in the same manner as the adopted Placemaking Guidance for the Gower AoNB.</p>	<p>Add new paragraph 3.35:  <u>“A key policy test is not to prejudice the original character of the building proposed for conversion. This will include identification of existing external traditional materials and how these relate to the rural setting. It is expected that the proposed finishes will include traditional materials appropriate to the nature of the rural building character and setting.”</u></p>
	<p>Again, mention needs to be made to TAN 24 and to the fact that many farm enclosures are entirely/ curtilage listed, and it isn't just the main building (so many owners do not know this).</p>	<p>Agreed – see response to Q1</p>	<p>Text added to renumbered paras as set out above.</p>
	<p>Where consideration is being given so thoroughly to historic/ traditional character, recommendation of an impact statement (in line with heritage, but from a parallel perspective) could be made.</p>	<p>Whilst a Heritage Impact Assessment is a validation requirement for a Listed Building, it is not required for non designated heritage assets. Clearly it is</p>	<p>Add text to ‘Appendix B Information Required in Support of a Planning Application’ Design and Access Statement rows as follows:</p>

		<p>important to understand the building or structure proposed for conversion but a HIA cannot be insisted upon.</p>	<p><u>“It is important to demonstrate an understanding of the character and setting of all buildings and structures proposed for conversion.</u>  <u>This is best done in a supporting document that mirrors the guidance set by Cadw for Heritage Impact Assessments identifying the significance in terms of:</u></p> <ul style="list-style-type: none"> <li>• <u>Evidential value</u></li> <li>• <u>Historic value</u></li> <li>• <u>Aesthetic Value</u></li> <li>• <u>Communal Value</u></li> </ul> <p><u>Whilst this is not a validation requirement it will support your proposals and should result in a better legacy.”</u></p>
Page 83	<p>No mention of insulation anywhere- again, this needs to reflect the requirement of most traditional buildings to breathe. Signposting to WTBF or local suppliers (Celtic Sustainables/ Ty Mawr) for LABC approved breathable systems and for contractors/ consultants who are QUALIFIED and ACCREDITED (i.e., SAP heritage NVQs, IHBC, Conservation accredited) to work in this area.</p>	<p>Agreed, most buildings proposed for residential conversion will require insulation to meet Building Regulation requirements.</p> <p>Where buildings or structures are listed then the use of appropriate breathable insulation can be required to safeguard the character and integrity of the designated heritage asset. However for undesignated heritage assets this cannot be insisted upon although it is best practice. Furthermore generally insulation should be internal to maintain the external character.</p>	<p>Add paragraph 3.36 as follows:</p> <p><u>“Most buildings or structures proposed for residential conversion will require insulation to meet Building Regulation requirements. It is expected that if insulation is required then this is internal to maintain the external character of walls. Where roof insulation is required this should be within the roof structure to maintain the existing roof levels. It is best practice is to use breathable insulation for the health of the building and occupants.”</u></p>
	<p>If the visual amenity of the area is not to be compromised (which this document stresses throughout), there needs to be an</p>	<p>The use of appropriate materials is a consideration in the acceptability of a conversion proposal.</p>	<p>Add new paragraph 3.35 as follows:  <u>“A key policy test is not to prejudice the original character of the building proposed for conversion. This</u></p>

	<p>understanding that that begins with some understanding of conservation principles and a grasp of how traditional buildings were constructed. To focus on every aspect but the suitability of the materials used in the conversion is to undermine the end result.</p>		<p><u>will include identification of existing traditional materials and it is expected that the proposed materials will be appropriate to the nature of the rural building character.”</u></p>
<p>Cwmpas Co op</p> <p>Page 84</p>	<p>It is considered a positive feature that the draft document is underpinned throughout by the principles of placemaking, good quality design and the role of local community distinctiveness and character and within that the essence of the Well Being of Future Generations Act and Placemaking Charter. It is also positive that affordable housing and the mechanisms to retain such homes as affordable in perpetuity are included within the SPG as potential repurposed use for traditional rural buildings.</p>	<p>Noted</p>	<p>Noted</p>
<p>Cwmpas Co op</p>	<p>To develop the consideration that the SPG makes in terms of affordable housing, Cwmpas believes that an explicit statement in the SPG around the role and opportunity presented by community led affordable housing would be beneficial, a positive addition to the SPG and importantly, it would be in with the spirit of a community based response to breathing new life into traditional rural buildings whilst meeting defined local housing needs. Furthermore, in terms of defining community led housing and the differing forms it can take, community led affordable housing can be</p>	<p>The SPG reflects national policy with regard to both the definition of affordable housing and the role that converted rural buildings can play in the delivery of affordable housing.</p> <p>The SPG links to TAN 6 which states possible methods of delivering affordable housing in rural areas include community land trusts.</p>	<p>Amend text in original para 3.15 (now 3.23) to clarify WDQR requirements:</p> <p>3.19 <del>Local</del> <u>The requirement for affordable need for housing for local need and affordable housing</u> in a locality must be proven by reference to <u>the latest local Housing Market/Needs Assessments</u> and the prior opinion of the Director of Regeneration and Housing must also be sought. Any accommodation provided through a conversion scheme <u>must meet the Welsh Government’s Welsh Development Quality Requirements development quality (WDQR), standards should and remain affordable in perpetuity. Any such proposal must also be designed to meet the</u></p>

delivered by range of different development agents, including but not limited to Registered Social Landlords.

In making these comments and suggestions to include explicit reference to community led housing in the SPG, there is direct integration and correlation with the essence of national planning policy as contained within PPW Sustainable Placemaking Outcomes in terms of social, environmental, economic and cultural well-being thus:

- Creating and Sustaining Communities – community led housing promotes health and well-being and globally responsible Wales principles in the WBFGA legislation and makes a very direct and clear link between housing development in a community and meeting the housing needs of that community whilst allowing that community genuine input into the development process. Furthermore, the functionality of community led housing for example in terms of the sense of community, shared spaces and facilities, and social interactions is demonstrative of the essence of creating cohesive communities;
- Facilitating Accessible and Healthy Environments – for example, a key design principle of community led housing is to reduce dependence on private modes of transport and to encourage active modes of travel within the sustainable transport

specific needs identified and be of an appropriate scale.

hierarchy. Furthermore, community led housing is a community facility or asset as it is the delivery of affordable housing in perpetuity by the community and for the community;

- Maximising Environmental Protection and Limiting Environmental Impact –

community led housing addresses sustainability in its broadest sense of social, environmental, economic and cultural sustainability by creating viable and sustainable places through for example shared facilities

- Making Best Use of Resources –

community led housing will often look to develop through repurposing existing buildings or on underused land where perhaps it is not viable for a private developer or RSL to develop new affordable housing.

Finally, it is considered that a direct reference to community led housing in the SPG document will address and removes some of the potential barriers and challenges faced in the delivery of such forms of affordable housing in terms of the availability of sites, enhancing evidence bases of housing need through genuine community level assessment and survey to supplement wider LHMA's and, standards within community led housing schemes around design, density, energy and sustainable transport most closely reflect placemaking principles. In addition, explicit reference to community led housing in SPG

	<p>bridges the knowledge gap around models and management of such housing when compared to other more traditional forms of private and social housing development and thereby recognises the important role and contribution community led affordable housing makes in addressing pressing and urgent housing needs.</p> <p>NOTE: By way of background, Cwmpas, previously known as the Wales Co-Operative Centre, is a development agency focused on building a fairer, greener economy and a more equal society, where people and planet come first. Established in 1982, Cwmpas have made it their mission to change the way our economy and society works. Cwmpas is a not for profit organisation which supports Wales' economic growth, helps communities to become stronger and more inclusive and in turn supports people in Wales to improve their lives and livelihoods by delivering a range of projects which help social businesses to grow; help people to learn digital skills, help people set up their own co-operatives in care and housing and help people to invest in their community.</p>		
<p>Glamorgan Gwent Archaeological Trust (GGAT)</p>	<p>Thank you for consulting us regarding this draft document.</p> <p>You will be aware that we are retained by your Authority to give advice to you regarding archaeology and the historic</p>	<p>Comment noted.</p>	<p>No change as a result of comments, but note the document has been amended with increased reference to TAN 24.</p>



environment, through our advisory teams. Swansea has adopted the Historic Environment Record which is curated by this Trust and holds data on the historic environment for south east Wales.

The document identifies the background to the variety of rural buildings, and takes into account the historic environment and archaeological aspects, noting national and local Policy. It also acknowledges that some buildings are not listed or statutorily protected; these buildings and structures may be more at risk through unrecorded change.

It is recognised that rural buildings include but are not limited to agricultural buildings, and that the remains of rural industries often exist as both buried and upstanding remains, which may require mitigation as part of the development proposals. There may also be buried archaeological remains in the immediate locations of some buildings, unrelated and of earlier date than the buildings themselves. It is recognised that recommending an appropriate level of building recording is suitable mitigation, and if necessary, archaeological mitigation prior to or as a condition of consent, should there be a likelihood of buried remains. Managing change in the historic environment is also informed by Cadw's suite of best practice guidance documents. The importance of

the historic environment and archaeological resource varies in type and small developments, including extensions, or work to listed or unlisted historic buildings, can have as significant an impact as large developments.

We note that your authority has no SPG for the historic environment; best practice would be to have an SPG for the historic environment, to include Archaeologically Sensitive Areas; SPGs have been produced for other local authorities in SE Wales. This ensures that the historic environment is to the forefront at a strategic level and that subsequent mitigation at detailed level has an accepted base.

Proposed changes which will impact the historic environment can be mitigated in a timely manner by early consultation with us as your Authority's archaeological advisors. Factors from a historic environment aspect which may lead to risk are unmitigated change from both physical and visual means.

All historic environment and archaeological work, including that undertaken to assess change in areas and individual buildings or structures which may impact the historic environment, should be undertaken to the Standards and Guidance of the Chartered

	<p>Institute for Archaeologists  <a href="https://www.archaeologists.net/codes/cifa">https://www.archaeologists.net/codes/cifa</a></p> <p>It is our policy to recommend that all archaeological and historic environment mitigation work is undertaken either by a Registered Organisation (RO) with the ClfA or by a MCfA level member Looking for an archaeologist?   Chartered Institute for Archaeologists. These professional organisations are accredited, competent and experienced and work to current professional Standards.</p> <p>If you have any questions or require further advice on this matter, please do not hesitate to contact us</p>		
Nature Conservation Team, Swansea Council	Para 3.49: amend 'and breeding birds' to 'and other breeding birds'	Agree	Text amended in para 3.49 (now 3.62)
Nature Conservation Team, Swansea Council	Para 3.51: change 'considered' to 'consulted'	Text will be amended	Para 3.51 (now 3.64) text has been amended to refer to SPG being a material consideration: " <b>..Biodiversity and Development SPG <u>will</u> should also be <u>a material consideration. considered...</u></b> "
Nature Conservation Team, Swansea Council	Para 3.52: amend 'and nest boxes' to 'and bird nesting boxes'	Agree	Para 3.52 (now 3.65) amended: "provision of bat and <u>bird nesting</u> boxes"
Nature Conservation Team,	Table in section 4: viii. Lightspill. Amend tranquillity and biodiversity' to: 'tranquillity and	Agree to changes as suggested	viii. Lightspill: Paragraph amended as requested:

<p>Swansea Council</p>	<p>biodiversity and may affect nocturnal animals and this will be highlighted in the PEA re protection of dark corridors for bats if relevant’.</p> <p>ii. Chimneys – typo.</p> <p>ii. Landscape Schemes: Add following text after ‘wider landscapes’. ‘...wider landscape setting and should also include planting for pollinators using native species of local or Welsh provenance’.</p> <p>AND also add following text after ‘planting/hedging’ ‘...planting/hedging and also include sufficient 13 x 13 cm gaps for hedgehogs’</p>		<p><u>“...impacts on tranquillity and biodiversity and may affect nocturnal animals and this will be highlighted in the PEA re: protection of dark corridors for bats if relevant.”</u></p> <p>ii. typo amended</p> <p>ii. Landscape schemes: text amended as suggested: <u>“...landscape setting and should also include planting for pollinators using native species of local or Welsh provenance”.</u></p> <p>Amend as suggested:  <u>“...sufficient screen planting/hedging and also include sufficient 13x13cm gaps for hedgehogs.”</u></p>
<p>Nature Conservation Team, Swansea Council</p>	<p><b>APPENDIX D</b>  Ecological Reports:  Amend text in applicability box to:  ‘All proposals for conversions. The advice should be sought from the Council's Ecologist before....’</p> <p>AND amend bullet point in content box to read:  ‘A preliminary ecological appraisal or PEA should be undertaken by a suitably qualified ecologist to identify....’</p>	<p>Agree, amend as suggested</p>	<p>Appendix D (now B) amended as requested:  <u>“All proposals for conversions. The Advice should be sought from the- Council’s eEcologist <del>should be sought before</del> commencing any preparation work.”</u></p> <p><u>“A preliminary-ecological appraisal or PEA should be undertaken by a suitably qualified ecologist to identify the likely presence of protected species and the need for further detailed surveys.”</u></p>
<p>Nature Conservation Team, Swansea Council</p>	<p>APPENDIX D  Arboricultural reports:  Add text in content box to read:  ‘...on submitted plans in addition, any mature on-site trees which may require works will be subject to a Preliminary Roost Assessment for bats prior to works being undertaken.</p>	<p>Agree, amend as suggested</p>	<p>Appendix D (now B) amended as suggested:  <u>“...on submitted plans in addition, any mature on-site trees which may require works will be subject to a Preliminary Roost Assessment for bats prior to works being undertaken.”</u></p>

<p>Nature Conservation Team, Swansea Council</p>	<p>APPENDIX D Lighting Strategy: Amend text in applicability box to read: 'All development within the AONB and also anywhere within the County where there is local evidence of bats etc will require a strategy...' Amend text in content box to read: 'A Lighting Assessment and Plan (Lighting Strategy) will be required for all developments within the AONB and everywhere within the County there is local evidence of bats etc. The lighting strategy must follow guidance in the latest publication Bats and Artificial lighting at night published August 2023 and available from Bat Conservation Trust.</p>	<p>Agree, amend as suggested</p>	<p>Appendix D (now B) amended as suggested:  <u>"All development within the AONB, and anywhere within the County where there is local evidence of bats etc, will require a strategy</u> <del>SOME developments elsewhere in the County will require a strategy</del> detailing the location and type of external lighting to be used."   "...developments within the AONB and <u>everywhere within the County where there is local evidence of bats etc. The Lighting Strategy must follow guidance in the latest publication Bats and Artificial Lighting At Night, Aug 2023 and available from the Bat Conservation Trust. <del>some developments elsewhere in the County.</del></u> The Plan should..."</p>
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## Appendix A: Comments Received

### Consultation on Draft Supplementary Planning Guidance: Conversion of Traditional Rural Buildings

Swansea Council is the data controller for the personal information you provide on this form. Your information will be used in the exercise of our official authority and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for the performance of a public task. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate [privacy notice](#) on our website.

Please read the SPG document and answer the following questions to submit your views. Where your comment made is in relation to a specific paragraph, please state the paragraph number.

#### Section 1 - General questions

**1. Do you think the draft SPG is sufficiently clear in terms of what are the key relevant LDP policies that apply in relation to proposals for the conversion of traditional rural buildings?**

No

**If no, please explain why**

There is no mention of TAN 24. By nature of the fact that these are 'traditional' rural buildings, many are likely to belong to listed buildings or be in the vicinity of scheduled monuments. No mention has been given in the section on policy to the historic environment, the need to consider setting, the impacts of conversion on listed buildings, or the policies which apply if you are thinking of converting a building in the curtilage of a listed property. In fact, TAN 24 isn't mentioned at any point in the whole document.

**2. Do you consider the draft SPG will assist in resolving whether a building is defined as 'traditional' for the purpose of a planning application?**

No

<p><b>If no, please explain why</b></p>	<p>"often stone but in some instances can include masonry and timber frames" - masonry is considered to be stone- it might be better phrased as often stone, but occasionally brick or timber frame. Metal structures would be more likely found in mid to late nineteenth century buildings and onwards, i.e. when steel was first commonly used, with the occasional use of cast and wrought iron, for columns and roof trusses respectively, or for cladding and rooves (corrugated). Metal in older buildings is not accurate. Traditional construction is generally deemed to be pre-1919, in rural areas of Wales it is considered to extend to pre-war (1930s) buildings.</p>
<p><b>3. Do you consider further detailed guidance is needed in relation to the factors to be considered when deciding whether a building is traditional or not, such as in relation to materials; age; structure and form; overall appearance; etc.?</b></p>	<p>Yes</p>
<p><b>If yes, please suggest what guidance you consider would be useful</b></p>	<p>Repeated from Q2.</p> <p>"often stone but in some instances can include masonry and timber frames" - masonry is considered to be stone- it might be better phrased as often stone, but occasionally brick or timber frame. Metal structures would be more likely found in mid to late nineteenth century buildings and onwards, i.e. when steel was first commonly used, with the occasional use of cast and wrought iron, for columns and roof trusses respectively, or for cladding and rooves (corrugated). Metal in older buildings is not accurate. Traditional construction is generally deemed to be pre-1919, in rural areas of Wales it is considered to extend to pre-war (1930s) buildings.</p> <p>Additionally, some pictorial examples of traditional rural buildings from Swansea should be included. Powys SPG for development based on their town character appraisals gives clear examples of what the local design characteristics are. This could be provided as a gazetter appendix, with, e.g., windows- size, material, number; doors- likewise; render types- e.g., harled, stucco; setting. Refer to the Tywi Centre or the Welsh Traditional</p>

	Building Forum so that people know where to go to extra help and support.
<b>4. Does the SPG provide clear guidance on the type of buildings that can be converted, especially considering their location, form and structure?</b>	Yes
<b>If no, please suggest what guidance you consider would be useful</b>	
<b>5. Does the draft SPG provide clear guidance in relation to placemaking and design principles for any proposed conversions of traditional rural buildings to applicants/developers in and explain what is expected from applicants?</b>	No
<b>If No, please suggest what amendments could be made to make it clearer</b>	<p>Photos/ images on p18 - maybe emphasise that features which may detract from the traditional aesthetics of the building should be restricted to perspectives which are not seen. Requirement of ZTV mapping and imaging to establish minimum impact proposals. Images show a large number of roof lights, but this could be achieved more sensitively - tinted glass to blend the windows into the slate, or on a different aspect, or in line with historic warehouses, ridge line glazing to allow maximum light penetration with minimal roof interference. I don't believe that the images used represent the text, particularly with reference to the windows and openings.</p> <p>3.33 - perhaps certain of the permitted development rights should be withdrawn, rather than all of them? There are certain aspects of PD rights which wouldn't cause impact just because the buildings have been converted.</p> <p>3.34 I think a balance needs to be struck in rural areas where provision needs to be enhanced for economic or residential reasons, between the need for that provision, the requirement for energy and services to be carbon off-setting, and for measures to mitigate the visual impact of e.g., ASHP. The economic and environmental benefits of building reuse as opposed to new development are well documented. The impacts on our traditional building stock from climate change is also thoroughly considered,</p>



and so buildings which are able to mitigate these effects and contribute to more environmental construction should be considered, even if there is associated negative impact from certain aspects.

3.36 Again, does a ruined (and likely to become more ruinous, if not entirely derelict) agricultural building have better visual amenity than a ruined ag. building which has been sensitively rebuilt and reflects the original character of the area. IF a building can be rebuilt, and there is evidence of its original construction, then surely reconstruction and reuse offers better community value and landscape aesthetics than a building left to fall down because it is economically unviable to repair and maintain a building with no use? Alternatively, approaches as per the Landmark Trust at Astley Castle could be used, whereby the original building is stabilised and the development is built within the space. Creative approaches should not be ruled out as a matter of principle, when the alternative is to do nothing. Placemaking checklist- archaeology - might be required for more than just the groundworks. Raising awareness of apotropaic marks (common in farm buildings), the need for maintaining patina and carpenters' marks etc. on original structural timbers. I would recommend that even if the building isn't listed, a site visit from an archaeologist or heritage consultant is a stipulation to help applicants ensure that the placemaking aspects of the application are met and that the significance of the building isn't compromised through a lack of understanding.

P28- depth of reveal - should also be noted that in older traditional (particularly rural) buildings, reveals were flared and rounded.

Windows, v. Is it possible to open this up to aluminium windows, which are more flexible in terms of narrow glazing bars and don't have the same impact as UPVC. They are also minimal maintenance and greater longevity, so are a compromise.

External detailing, ii. Reiteration of the need for wildlife corridors in close board fencing.

<p><b>6. Does the draft SPG provide clear guidance to applicants/developers in relation to Green Infrastructure, biodiversity, external lighting, car parking etc?</b></p>	<p>No</p>
<p><b>If No, please suggest what amendments could be made to make it clearer</b></p>	<p>Light only appears as a mention in 3.32, in as much as ancillary works should not affect the character, and then in the appendices with regard to lightspill, and in the appendices with reference to a lighting strategy. It might be worth having some examples to highlight what would be acceptable. e.g., solar powered LED PIR lights which have a maximum output of Xwatts, to assist night-time access. Car parking is well mentioned, as is access. Green infrastructure is also limited to some vague points in the placemaking table.</p>
<p><b>7. In addition to any comments made in relation to Questions 1-6 above, please provide any further comments on how you consider the SPG could be improved and/or amended</b></p>	<p>Several proofing errors throughout- a handful illustrated below.  p12 3.1, line 6-7 - "context of the surrounding of the surrounding landscape"  p14 3.8 line 5 of main text - "one [of] the proposed uses"  p15 3.15 line 2 reference to [the] latest  p16 3.16 iv because of [a] lack of ...or... [due to] lack of  p17 3.20 last line- does not[, ] for example  p28- table heading 'Existing Openings' typo.</p> <p>3.26 - excellent.</p> <p>There is no mention of the need to use traditional materials and the impact that using cement based or modern mortars will have on, not just the integrity of the existing materials, but the aesthetic of the buildings themselves. No mention of traditional surface finishes- harling, render, limewash. Again, mention needs to be made to TAN 24 and to the fact that many farm enclosures are entirely/ curtilage listed, and it isn't just the main building (so many owners do not know this). Where consideration is being given so thoroughly to historic/ traditional character, recommendation of an impact statement (in line with heritage, but from a parallel perspective) could be made. No mention of insulation anywhere- again, this needs to reflect the requirement of most traditional buildings to breathe. Signposting to WTBF or</p>

local suppliers (Celtic Sustainable/ Ty Mawr) for LABC approved breathable systems and for contractors/ consultants who are QUALIFIED and ACCREDITED (i.e., SAP heritage NVQs, IHBC, Conservation accredited) to work in this area. If the visual amenity of the area is not to be compromised (which this document stresses throughout), there needs to be an understanding that that begins with some understanding of conservation principles and a grasp of how traditional buildings were constructed. To focus on every aspect but the suitability of the materials used in the conversion is to undermine the end result.

Please provide your name and email address in order to enable a confirmation receipt of your comments to be sent.

Comments will be included within a published consultation report. Personal details will not be published.

**Name**

██████████

**Email**

hello@blackmountainconservation.co.uk

**I am completing this form**

As an agent (e.g. planning consultant or architect)

**If you are completing the form on behalf of an organisation, please name the organisation**

## Consultation on Draft Supplementary Planning Guidance: Conversion of Traditional Rural Buildings

Swansea Council is the data controller for the personal information you provide on this form. Your information will be used in the exercise of our official authority and will not be used for any other purpose. We will not share your data with third parties unless we are required or permitted to do so by law.

Data protection law describes the legal basis for our processing your data as necessary for the performance of a public task. For further information about how Swansea Council uses your personal data, including your rights as a data subject, please see our corporate [privacy notice](#) on our website.

Please read the SPG document and answer the following questions to submit your views. Where your comment made is in relation to a specific paragraph, please state the paragraph number.

### Section 1 - General questions

**1. Do you think the draft SPG is sufficiently clear in terms of what are the key relevant LDP policies that apply in relation to proposals for the conversion of traditional rural buildings?**

Yes

**If no, please explain why**

**2. Do you consider the draft SPG will assist in resolving whether a building is defined as 'traditional' for the purpose of a planning application?**

Yes

**If no, please explain why**

**3. Do you consider further detailed guidance is needed in relation to the factors to be considered when deciding whether a building is traditional or not, such as in relation to materials; age; structure and form; overall appearance; etc.?**

No

**If yes, please suggest what guidance you consider would be useful**

**4. Does the SPG provide clear guidance on the type of buildings that can be converted, especially considering their location, form and structure?**

Yes

<p><b>If no, please suggest what guidance you consider would be useful</b></p>	
<p><b>5. Does the draft SPG provide clear guidance in relation to placemaking and design principles for any proposed conversions of traditional rural buildings to applicants/developers in and explain what is expected from applicants?</b></p>	No
<p><b>If No, please suggest what amendments could be made to make it clearer</b></p>	<p>Where consideration is given for traditional rural buildings being converted into affordable housing, it is unclear as to whether there is an expectation that the affordable housing is designed to comply with Welsh Government Development Quality Requirements (WDQR). Other relevant SPG suggests that such compliance on affordable housing is mandatory whilst consideration is needed as to whether such compliance is achievable for affordable on such buildings given the inherent nature of those buildings and the requirements outlined in the consultation draft SPG.</p>
<p><b>6. Does the draft SPG provide clear guidance to applicants/developers in relation to Green Infrastructure, biodiversity, external lighting, car parking etc?</b></p>	Yes
<p><b>If No, please suggest what amendments could be made to make it clearer</b></p>	
<p><b>7. In addition to any comments made in relation to Questions 1-6 above, please provide any further comments on how you consider the SPG could be improved and/or amended</b></p>	<p>It is considered a positive feature that the draft document is underpinned throughout by the principles of placemaking, good quality design and the role of local community distinctiveness and character and within that the essence of the Well Being of Future Generations Act and Placemaking Charter. It is also positive that affordable housing and the mechanisms to retain such homes as affordable in perpetuity are included within the SPG as potential repurposed use for traditional rural buildings.</p> <p>To develop the consideration that the SPG makes in terms of affordable housing, Cwmpas believes that an explicit statement in the SPG around the role and opportunity presented by</p>

community led affordable housing would be beneficial, a positive addition to the SPG and importantly, it would be in with the spirit of a community based response to breathing new life into traditional rural buildings whilst meeting defined local housing needs. Furthermore, in terms of defining community led housing and the differing forms it can take, community led affordable housing can be delivered by range of different development agents, including but not limited to Registered Social Landlords.

In making these comments and suggestions to include explicit reference to community led housing in the SPG, there is direct integration and correlation with the essence of national planning policy as contained within PPW Sustainable Placemaking Outcomes in terms of social, environmental, economic and cultural well-being thus:

- Creating and Sustaining Communities - community led housing promotes health and well-being and globally responsible Wales principles in the WBFGA legislation and makes a very direct and clear link between housing development in a community and meeting the housing needs of that community whilst allowing that community genuine input into the development process. Furthermore, the functionality of community led housing for example in terms of the sense of community, shared spaces and facilities, and social interactions is demonstrative of the essence of creating cohesive communities;

- Facilitating Accessible and Healthy Environments - for example, a key design principle of community led housing is to reduce dependence on private modes of transport and to encourage active modes of travel within the sustainable transport hierarchy. Furthermore, community led housing is a community facility or asset as it is the delivery of affordable housing in perpetuity by the community and for the community;

- Maximising Environmental Protection and Limiting Environmental Impact - community led housing addresses sustainability in its broadest sense of social, environmental, economic and cultural sustainability by creating viable and sustainable places through for example shared facilities

- Making Best Use of Resources - community led housing will often look to develop through repurposing existing buildings or on underused land where perhaps it is not viable for a private developer or RSL to develop new affordable housing. Finally, it is considered that a direct reference to community led housing in the SPG document will address and removes some of the potential barriers and challenges faced in the delivery of such forms of affordable housing in terms of the availability of sites, enhancing evidence bases of housing need through genuine community level assessment and survey to supplement wider LHMA's and, standards within community led housing schemes around design, density, energy and sustainable transport most closely reflect placemaking principles. In addition, explicit reference to community led housing in SPG bridges the knowledge gap around models and management of such housing when compared to other more traditional forms of private and social housing development and thereby recognises the important role and contribution community led affordable housing makes in addressing pressing and urgent housing needs.

NOTE: By way of background, Cwmpas, previously known as the Wales Co-Operative Centre, is a development agency focused on building a fairer, greener economy and a more equal society, where people and planet come first. Established in 1982, Cwmpas have made it their mission to change the way our economy and society works. Cwmpas is a not for profit organisation which supports Wales' economic growth, helps communities to become stronger and more inclusive and in turn supports people in Wales to improve their lives and livelihoods by delivering a range of projects which help social businesses to grow; help people to learn digital skills, help people set up their own co-operatives in care and housing and help people to invest in their community.

Please provide your name and email address in order to enable a confirmation receipt of your comments to be sent.

Comments will be included within a published consultation report. Personal details will not be published.

**Name**

██████████

<b>Email</b>	jonathan.hughes@cwmpas.coop
<b>I am completing this form</b>	On behalf of an organisation
<b>If you are completing the form on behalf of an organisation, please name the organisation</b>	Cwmpas



Our ref: SWASPG/JBHD

STEWARDSHIP

Planning and City Regeneration  
Civic Centre  
Oystermouth Road  
Swansea  
SA1 3SN

4<sup>th</sup> September 2023

Dear Sir/Madam

**Re: Consultation on Draft Supplementary Planning Guidance (SPG):  
Conversion of Traditional Rural Buildings.**

Thank you for consulting us regarding this draft document.

You will be aware that we are retained by your Authority to give advice to you regarding archaeology and the historic environment, through our advisory teams. Swansea has adopted the Historic Environment Record which is curated by this Trust and holds data on the historic environment for south east Wales.

The document identifies the background to the variety of rural buildings, and takes into account the historic environment and archaeological aspects, noting national and local Policy. It also acknowledges that some buildings are not listed or statutorily protected; these buildings and structures may be more at risk through unrecorded change.

It is recognised that rural buildings include but are not limited to agricultural buildings, and that the remains of rural industries often exist as both buried and upstanding remains, which may require mitigation as part of the development proposals. There may also be buried archaeological remains in the immediate locations of some buildings, unrelated and of earlier date than the buildings themselves. It is recognised that recommending an appropriate level of building recording is suitable mitigation, and if necessary, archaeological mitigation prior to or as a condition of consent, should there be a likelihood of buried remains. Managing change in the historic environment is also informed by Cadw's suite of best practice guidance documents. The importance of the historic environment and archaeological resource varies in type and small developments, including extensions, or work to listed or unlisted historic buildings, can have as significant an impact as large developments.

We note that your authority has no SPG for the historic environment; best practice would be to have an SPG for the historic environment, to include Archaeologically Sensitive Areas; SPGs have been produced for other local authorities in SE Wales. This ensures that the historic environment is to the forefront at a strategic level and that subsequent mitigation at detailed level has an accepted base.

Proposed changes which will impact the historic environment can be mitigated in a timely manner by early consultation with us as your Authority's archaeological advisors. Factors from a historic environment aspect which may lead to risk are unmitigated change from both physical and visual means.



Glamorgan-Gwent  
Archaeological Trust  
Limited  
Yrddinleolaeth  
Archeological  
Herganwy-Swansea  
SA12 Business Centre  
Senny Fawcett  
Bryn, Senny Park  
Park Talbot  
SA12 7BR  
Tel: (01792) 651208  
www.gat.org.uk

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without share capital

Registered charity  
No. 505609



All historic environment and archaeological work, including that undertaken to assess change in areas and individual buildings or structures which may impact the historic environment, should be undertaken to the Standards and Guidance of the Chartered Institute for Archaeologists <https://www.archaeologists.net/codes/cifa>.

It is our policy to recommend that all archaeological and historic environment mitigation work is undertaken either by a Registered Organisation (RO) with the CIFA or by a MCIFA level member [Looking for an archaeologist? | Chartered Institute for Archaeologists](#). These professional organisations are accredited, competent and experienced and work to current professional Standards.

If you have any questions or require further advice on this matter, please do not hesitate to contact us.

Yours faithfully



Stewardship Officer/Deputy Chief Executive Officer



Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Planning and City Regeneration

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

**(b) Please name and fully describe initiative here:**

The Conversion of Traditional Rural Buildings Supplementary Planning Guidance (SPG)

The SPG has been prepared to assist the determination of planning applications in relation to the conversion of traditional rural buildings located in the County's defined countryside.

It should be noted that the SPG updates an existing SPG document. It does not introduce new policy, it provides guidance and detailed clarification on the implementation of LDP policy CV4, which has been subject to EIA and Examination by the Planning Inspectorate.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# Integrated Impact Assessment Screening Form

Community cohesion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Human Rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches?  
Please provide details below – either of your activities or your reasons for not undertaking involvement**

The draft SPG document was subject to public consultation from Monday 7<sup>th</sup> August to 6<sup>th</sup> October 2023, some 8 weeks. An email notification was sent to over 120 architects, agents, planning consultants, interest groups and stakeholders; all Community and Town Councils, all elected Members of the Council, and selected relevant internal officers and departments. Notice was also placed on the Council website ‘Have your Say’ page and on the Strategic Planning and Placemaking relevant SPG page relevant page of. A consultation form was prepared by the Council web development team and available on the Council website. A pdf of the comment form was also available for those who wish to email or post. All materials were either bilingual or available in Welsh as separate documents.

Comments received in response to the consultation are collated and presented within a Consultation Report, alongside the Council’s response and any necessary amendments to the final revised version of the SPG. The Report will be published on the website alongside the adopted SPG.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
Yes  No
- c) Does the initiative apply each of the five ways of working?  
Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes       No      **If yes, please provide details below**

Some translation will be required via the Welsh Translation Unit

# Integrated Impact Assessment Screening Form

**Q7 Will this initiative result in any changes needed to the external or internal website?**

Yes       No      **If yes, please provide details below**

Adopted SPG document must be hosted on relevant council service webpage

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**Q8 Does the initiative involve changes to the way you process the personal data of Council staff or service users, for example the purchase of new customer management software?**

Yes       No

If your answer is yes, you should also screen the initiative for any implications regarding privacy and other GDPR rights and consider whether you need to amend your entry in the Council's Information Asset Register. Please use the following link to the online screening form for a Data Protection Impact Assessment <https://staffnet.swansea.gov.uk/dpiascreeing>

For more about the Information Asset Register, please see <https://staffnet.swansea.gov.uk/informationassetregister>

**Q9 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

*(You may need to discuss this with your Service Head or Cabinet Member to consider more widely if this proposal will affect certain groups/ communities more adversely because of other decisions the organisation is making. For example, financial impact/poverty, withdrawal of multiple services and whether this is disadvantaging the same groups, e.g., disabled people, older people, single parents (who are mainly women), etc.)*

---

There are low impacts identified on some of the groups listed in Q2. All age groups of the population and future generations may positively gain from the conversion of traditional rural buildings to economic uses, rural enterprise dwellings or affordable housing, helping address poverty and social exclusion. Welsh language is often part of the social fabric of rural communities, particularly in the north of the County and the provision of affordable housing, rural enterprise dwellings and economic uses can help community cohesion and the sustaining the language.

The SPG will result in positive impacts in terms of ensuring the built form of existing traditional rural buildings of merit, if converted, are protected and enhanced, ensuring the landscape character of the County's countryside is protected. Biodiversity will be protected and enhanced and the document fully embraces the Placemaking agenda, ensuring health and wellbeing is central to all development at all scales, for the benefit of all sectors/ages/profiles of the community for the benefit of current and future generations.

## Outcome of Screening

**Q9 Please describe the outcome of your screening using the headings below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q9)**

The IIA screening identifies low positive impacts, but many of the groups identified within Q2 will not be directly impacted upon by the SPG, as set out above. The conversion of traditional rural buildings to economic uses, rural enterprise dwellings or affordable housing, will help address

## Integrated Impact Assessment Screening Form

poverty and social exclusion, all ages of the population and future generations. The Welsh language is often part of the social fabric of rural communities, particularly in the north of the County, and the provision of affordable housing, rural enterprise dwellings and economic uses can help sustain communities and the language.

The SPG will result in positive impacts in terms of ensuring the built form of existing traditional rural buildings of merit, if converted, are protected and enhanced, ensuring the landscape character of the County's countryside is protected. Biodiversity will be protected and enhanced and the document fully embraces the Placemaking agenda, ensuring health and wellbeing is central to all development at all scales, for the benefit of all sectors/ages/profiles of the community for the benefit of current and future generations. The SPG seeks to facilitate community cohesion by assisting the implementation of the relevant LDP policies. The LDP policies have already been subject to EIA and are based on a comprehensive, and up to date evidence base, which has been found sound by the Planning Inspectorate. The SPG supports LDP policies by providing detailed information for planning officers and developers on the assessment of planning applications for the conversion of traditional rural buildings located within the county's defined countryside. This will ensure clear, consistent and transparent decision making.

An 8 week consultation period was undertaken. Following consultation the document has been reviewed and amended where appropriate in response to the comments received (in-line with Welsh Government planning guidance). The amended document is being presented to Planning Committee for approval to be adopted as planning guidance. Public consultation and engagement is a central element of producing supplementary planning guidance.

(NB: This summary paragraph should be used in the **'Integrated Assessment Implications'** section of corporate report)

Full IIA to be completed

Do not complete IIA – please ensure you have provided the relevant information above to support this outcome

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
<b>Name:</b> R Henderson
<b>Job title:</b> Senior Planning Officer
<b>Date:</b> 06/11/23
<b>Approval by Head of Service:</b>
<b>Name:</b> Phil Holmes
<b>Position:</b> Head of Planning and City Regeneration
<b>Date:</b> 07/11/23

Please return the completed form to [accesstoservices@swansea.gov.uk](mailto:accesstoservices@swansea.gov.uk)

# Agenda Item 6



## Report of the Head of Planning and City Regeneration

Planning Committee – 5 December 2023

### Draft Countryside Access Plan 2023-2033

<b>Purpose:</b>	To seek approval of the Draft Plan for the purposes of public consultation
<b>Policy Framework</b>	The Countryside and Rights of Way (CROW) Act; 2000 Local Authority Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 (as amended)
<b>Reason for Decision</b>	Statutory requirement to maintain an up to date Countryside Access Plan
<b>Consultation</b>	Legal , Finance, Access to Services, Rights of Way Scrutiny Working Group
<b>Recommendation(s):</b>	It is recommended that:  1) The Draft Countryside Access Plan is approved for public consultation and reported back, as amended, to Council for final approval.
<b>Report Author:</b>	Paul Meller
<b>Finance Officer:</b>	Peter Keys
<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services Officer:</b>	Catherine Window

#### 1.0 Background

- 1.1 Under the provisions of the Countryside and Rights of Way (CROW) Act, 2000 The Council are responsible for producing a Countryside Access Plan (CAP), officially known as a Rights of Way Improvement Plan (ROWIP), every 10 years. This is the primary means by which Councils identify the changes to be made in respect of management and improvement to the local rights of way network to make better provision for users.

1.2 Under Article 4: 1 a (v) of Part 2 of the Council Constitution the Local Authority Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 (as amended) require a Countryside Access Plan to be adopted by the Council.

## **2.0 Plan details**

2.1 This Plan, which is attached as an appendix, will replace the Council's first CAP published in 2007. It will be an essential tool in shaping countryside access for the next ten years and for gaining external sources of funding.

2.2 The CAP assesses all aspects of the present condition of the path network, i.e., public footpaths, bridleways and Access Land within the City and County of Swansea (the County) and identifies how this resource can be better managed and improved. Approximately two thirds of the County's total path network lies within the Gower Area of Outstanding Natural Beauty (AONB).

2.3 The CAP must consider walking, horseriding and cycling with an emphasis on improving access to and recreational use of the County's public rights of way whilst continuing to protect them from development.

2.4 Key objectives of the CAP include:

- Improving coastal access including the Wales Coast Path and the path network near the coast (about 30% of the total path network)
- Increasing the connectivity of the path network by creating and diverting paths in areas where there is demand but few or no paths
- Improving the network so that 75% of it is 'easy to use' – including all the bridleways.

2.5 The CAP describes how the Council seeks to make the most of the economic benefits of countryside access by improving the accessibility of the path network. Gower AONB attracts both domestic and international visitors year-round to enjoy the County's natural landscape, helping to drive sustainable growth of the tourism economy. The extent of path network and Access Land are the main means by which visitors can enjoy this experience and walking is recognised as the most popular activity of visitors.

2.6 The CAP fits within the framework of other relevant national policy and guidance, as well as local policies and strategies. Of particular note is the Wales Transport Strategy, 2021, which aims for walking and cycling to become the normal choice for shorter journeys. Additionally, the Active Travel Plan for Wales, 2016, seeks to enhance provision for walkers and cyclists, whilst the Visit Wales Plan 2020-2025 seeks to deliver investment in the Wales Coast Path, mountain biking and cycling.

2.7 At the local level the Swansea Local Development Plan, 2019, includes strategic policies relating to providing an accessible environment for all,



and specific policy relating to Public Rights of Way and Recreational Routes. Other local strategies promoting improved access opportunities include the Swansea Destination Management Plan, 2023-26 and the Gower AONB Management Plan, 2016.

## 2.8 The CAP consists of two parts:

- Part 1: An assessment of the current condition of the countryside access resource.
- Part 2: A statement of action describing how that resource will be managed in future.

## 2.9 Part 1 includes

- Analysis of Achievements of the current Countryside Access Plan
- Condition of the path network
- Assessment of why access to the countryside is important
- How the registration of the path network is dealt with
- The types of orders made to change the path network
- An explanation of the management of the path network
- Access Land details
- Promotion of access to the countryside

## 2.10 Part 2

Is the CAP's Action Plan and contains 28 actions against which the plan will be annually monitored. It will be published as a separate document to enable regular update and review.

## 2.11 Actions include those relating to making the countryside as accessible to as many walkers and riders as possible; maintenance of the Definitive Map and Statement – the legal record of public rights of way; as well as changes to and management of the Path network.

## 3.0 Next Steps

- 3.1 Once the draft plan is translated it will be subject of a 12 week period of consultation with the public and key stakeholders (Swansea Local Access Forum, Natural Resources Wales and Welsh Government). Taking on board the feedback received, a final amended version will be reported back to Council for approval and published online.

#### **4.0 Legal implications**

- 4.1 There are no legal implications other than those detailed in the body of this report. Responsibility for legal duties associated with public rights of way was passed to the Countryside Access Team in 2022.

#### **5.0 Finance Implications**

- 5.1 The costs of fulfilling all statutory duties and preparation of the CAP must be met from within the team's budget.
- 5.2 Welsh Government have indicated to all Councils that unless there is an adopted CAP in place their allocation of Access Improvement Grant (100% funding) will be reduced by 25%. For Swansea this equates to £18,380 of capital funding which may only be spent on path improvement works and has not been committed to any projects yet and will not be unless and until the CAP is approved.

#### **6.0 Integrated Assessment Implications**

- 6.1 The improvement and maintenance of public rights of way has a positive impact on those who use the path network and encourages greater use of it by residents and visitors to the area. Walking as an activity has both economic and health benefits and improving/extending path connections assists with community cohesion, provides more sustainable travel options and enables better access for all.
- 6.2 Preparation of this plan involves consideration by Scrutiny Working Group, Swansea Local Access Forum (with Natural Resources Wales and Welsh Government input) and Planning Committee, followed by 12 week public consultation. The feedback from the consultation will be reported back to Council next Spring together with an updated version of the plan for adoption.
- 6.3 The Plan has been prepared with full consideration of the Council's duties to work towards Wales' seven shared wellbeing goals and to contribute to sustainable development and management of natural resources.
- 6.4 There are no risks to preparation and adoption of this statutorily required plan. Not having an adopted plan in place would however pose a risk, as there would be less grant income made available and therefore less maintenance and improvement works being carried out, leading to path closures the majority of which lie within the coastal access zone. This would prevent access to most beaches as these can only be accessed via the path network and in turn impact on the visitor economy.
- 6.5 There are significant statutory requirements associated with managing, maintaining, protecting, and recording the path network. Adoption of this plan will meet the Council's duties in this regard, make the countryside as

accessible to as many walkers and riders as possible, and encourage people from all backgrounds to take part in countryside access.

**Background Papers:**

Swansea Countryside Access Plan [Countryside Access Plan 2007-2017 - Swansea](#)

**Appendices:**

Appendix 1: Draft Swansea Countryside Access Plan 2023-2033

Appendix 2: IIA



**SWANSEA  
COUNTRYSIDE ACCESS  
PLAN 2023-2033**

**DRAFT**

**(Background cover images to be added)**

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Page no's to be added in final version

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## Part 2

### Statement of Action

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- Definitive Map
- Changing the Path Network
- Management of the Path Network
- Access Land and other Access Opportunities
- Promotion of Access

## Appendices

Photographic Images are not included in this draft version of the Plan. Suggestions are made as to where these may potentially be included by way of illustration and consultees are invited to put forward images for consideration for inclusion and any used will be acknowledged accordingly.

## 1.0 Plan Strategy

**The Purpose of this Plan is to improve Countryside Access for all.**

### Background

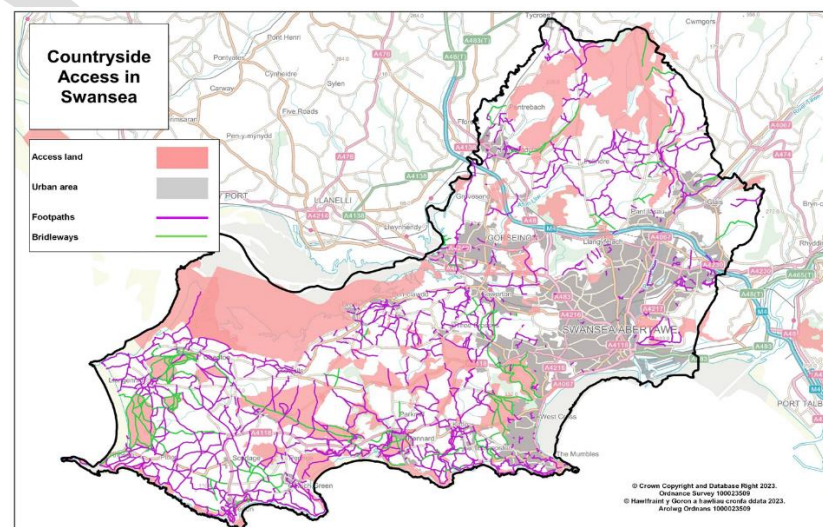
- 1.1 To fulfill its duties under the Countryside and Rights of Way (CROW) Act 2000, the City and County of Swansea Council (herein the Council) as the local highway authority is responsible for producing a Countryside Access Plan (officially known as a Rights of Way Improvement Plan) every 10 years.
- 1.2 This Countryside Access Plan (CAP) replaces the Council's first CAP published in 2007. It will be an essential tool in shaping countryside access for the next ten years and for gaining external sources of funding.
- 1.3 The CAP assesses all aspects of the present condition of the path network, i.e., public footpaths, bridleways and Access Land within the City and County of Swansea (the County) and identifies how this resource can be better managed and improved.
- 1.4 The CAP must consider walking, horseriding and cycling with an emphasis on improving access to and recreational use of the County's public rights of way whilst continuing to protect them from development.

- 1.5 Public rights of way, as indicated in Figure 1 are available to the following users:

Status	Legal Users	Length
Footpaths	Walkers	568km
Bridleways	Horse riders, cyclists and walkers	80km
Byways open to all traffic	All forms of users	2km
<b>Total</b>		<b>650km</b>

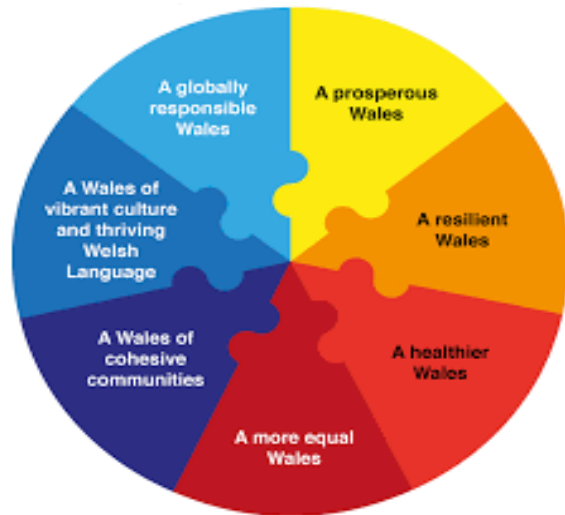
- 1.6 Approximately two thirds of the County's total path network lies within the Gower Area of Outstanding Natural Beauty (AONB).

**Figure 1: Public Rights of Way within the County**



1.7 The CAP has been prepared with full consideration of the Council's duties to work towards Wales' seven shared wellbeing goals and to contribute to sustainable development and management of natural resources (Figure 2).

**Figure 2: The National Well-being Goals for a Sustainable Wales**



1.8 The CAP fits within the framework of other relevant National Policy and Guidance, as well as local policies and strategies, the relevant sections of which are summarised in Appendix 1. Of particular note is the Wales Transport Strategy, 2021, which aims for walking and cycling to become the normal choice for shorter journeys. Additionally, the Active Travel Plan for

Wales, 2016, seeks to enhance provision for walkers and cyclists, whilst the Visit Wales Plan 2020-2025 seeks to deliver investment in the Wales Coast Path, mountain biking and cycling.

1.9 At the local level the Swansea Local Development Plan, 2019, includes strategic policies relating to providing an accessible environment for all, and specific policy relating to Public Rights of Way and Recreational Routes which is set out in full in Appendix 1. Other local strategies promoting improved access opportunities include the Swansea Destination Management Plan, 2023-26 and the Gower AONB Management Plan, 2016.

1.10 The CAP describes how the Council will make the most of the economic and health benefits of countryside access by improving the path network.

1.11 The CAP consists of two parts:

- Part 1: An assessment of the current condition of the countryside access resource.
- Part 2: A statement of action describing how that resource will be managed in future.



### Key Objectives

- Improving coastal access including the Wales Coast Path and the path network near the coast (about 30% of the total path network).
- Increasing the connectivity of the path network by creating and diverting paths in areas where there is demand but few or no paths.
- Improving the network so that 75% of it is 'easy to use' – including all of the Authority's 80 miles of bridleways. Presently, less than 60% of the network is considered 'easy to use'.

- **Condition of the path network:** considering the number and condition of structures associated with the public rights of way network; the number of obstructions; and other difficulties including assessment of the general ease of use.
- **Assessment of why access to the countryside is important:** assessing the needs of those with limited mobility, walkers, horse riders and cyclists. The aim being to make the countryside as accessible to as many walkers and riders as possible.
- **Definitive Map and Statement:** describing the history of the legal registration of the path network; how the Council currently deals with modifying it; and the number of outstanding cases, with the aim of ensuring that the Definitive Map and Statement provide an accurate record.
- **Changes to the path network (Diversions, Creations, Extinguishments):** setting out why the Council can make orders to change the network; how those orders are made; and the number and type of orders that the Council has made over the last 10 years.
- **Management of the path network:** explaining how the Council currently maintains, improves, and enforces the network and considering how the management could be changed and improved.

## Part 1: The Assessment

1.12 The Assessment, consists of policies ( set out in highlighted boxes) to help explain how the Council's statutory functions are to be carried out and how the path network resource shall be managed. This includes the following elements:

- **Analysis of Achievements of the first Countryside Access Plan (2007-17).**

- **Access land and other access opportunities:** describing the extent of formal and informal means of accessing the countryside other than the path network and its management.
- **Promotion of access to the countryside:** assessing the current situation and the need to use countryside access as a means of improving the health of residents and of attracting more visitors to the area.

**Part 2: The Statement of Action**

- 1.13 The Statement of Action details the proposed actions of the CAP (to be included as a separate document to accompany the final version of the plan); provides the framework for the Council’s countryside access functions for the next 10 years; and supports the continuation of improvements made to countryside access in previous years.
- 1.14 The Statement describes how each of the actions will be resourced. Some sources of external funding are available, but the Council will always need to provide a base of funding to undertake statutory duties and to use as match funding for external sources of funds.

**Rights and Responsibilities**

- 1.15 For the avoidance of doubt it is important to state at the outset that everyone has rights and responsibilities in relation to public rights of way (PROW), and for

ensuring that the network is accessible and used with care. The general rights and responsibilities in relation to PROW are outlined below:

<b>Council Responsibilities</b>
<ul style="list-style-type: none"> <li>• Ensure routes are not obstructed and can be used at all times</li> <li>• Maintain the surface in a fit condition for its intended use</li> <li>• Maintain bridges and install new ones</li> <li>• Signpost PROW where they leave a metalled road and provide additional signs and waymarks</li> <li>• Authorise gates and stiles where appropriate</li> <li>• Keep the Definitive Map and Statement up to date</li> <li>• Provide 25% funding to landowners for the repair or improvement of structures</li> <li>• Ensure that landowners/managers are fulfilling their responsibilities</li> <li>• Ensure farmers properly restore paths over cultivated land after disturbance</li> <li>• Exercise powers to make public path orders and agreements</li> </ul>
<b>Landowner Responsibilities</b>
<ul style="list-style-type: none"> <li>• Do not obstruct paths or deter public use of them</li> <li>• Do not deter public from using paths either verbally or by placing misleading signs</li> <li>• Maintain most stiles and gates in safe and easy to use condition</li> <li>• Remove unnecessary structures</li> </ul>

- Do not place barbed wire across paths and install on stock side of fences adjacent
- Keep back side growth and overhanging vegetation
- Ensure cross-field routes are kept apparent and free from obstruction unless disturbed for agriculture
- Reinstate path across fields after ploughing or planting crops
- Do not plough paths at field edges
- Do not keep dangerous animals (including certain bulls) on fields crossed by paths
- Avoid using firearms on or adjacent to paths

#### **Responsibilities of the Public**

- Use maps (paper or electronic) and follow waymark posts and signposts
- Walk in single file across arable land and do not trespass on a wider area
- Avoid obstructing field gateways when parking
- Keep dogs under close control, and always clear up after them
- Do not allow your dog to worry livestock or run through crops
- Follow the Countryside Code [Natural Resources Wales / The Countryside Code: advice for countryside visitors](#)

**Part 1: Assessment of the Current  
Condition of the Countryside Access  
Resource**

DRAFT

## 2.0 Analysis of Achievements of the first Countryside Access Plan (2007-17)

### Overview

2.1 Of the twenty-seven actions in the original Countryside Access Plan (CAP), twenty-one have been achieved wholly or substantially. Six remain ongoing actions that are retained within the current plan (the evaluation of the 2007-17 actions is published as a supporting document to the CAP). It is acknowledged that some of the previous actions turned out to be overly ambitious, such as publishing the third edition of the Definitive Map by 2008 (it was published in 2023), and some of the actions have taken longer than expected, due to lack of resources. However, overall, the first CAP can be considered a success, and the lessons learned have informed the production of this latest version.

### Wales Coast Path and Coastal Access Zone

2.2 When the CAP was published in 2007 the Coastal Access Improvement Programme was already well underway. Originally this Programme comprised of the development of the Coast Path and other paths in a 'Coastal Access Zone' up to 2 km from the coast. However, after only three years it became apparent that there were insufficient resources available from Welsh Government to both complete the Coast Path around Wales and improve all the paths near the coast. Therefore, the original programme was refocussed as the Wales Coast Path project.

2.3 The Coast Path is proportionally more important in Swansea than any other local authority except for Anglesey, with over a third of the County's network in the Coastal Access Zone.

Add Coast Path photo

2.4 Welsh Government set a target of 2012 for completion of the Coast Path, and Swansea was one of the few Councils to meet this target. To achieve this several new sections of public footpath had to be created on public and private land. Despite initial concerns, nearly all private landowners proved very cooperative, and the new sections of coast path were created relatively easily, including rolling agreements along the coast at Oxwich Point.

2.5 Given the existing high level of usage of sections of the Coast Path around Gower the aim was to create the best coast path possible in the time available. This meant removing all the stiles and, as necessary, replacing them with easy-to-use gates. It is also included ensuring that every junction of the Coast Path with other paths was clearly signposted with destinations and distances. This was mostly achieved, with only 2 stiles remaining on the path (in the least used section) and almost every path junction signposted to a high standard.

2.6 Council policy regarding the surface of the coast path is to leave it as natural as possible. However, some sections had been surfaced for many years prior to the commencement of the Coast Path project, and at these locations improvements have been made to the existing surface to make it more durable and accessible by less mobile users.

- 2.7 The surface upgrades have not been without controversy, with some walkers complaining that the work was unnecessary, as the original surface of the path was walkable. Whilst this might have been the case for able bodied users, it was not so for those who are less able bodied. To date, all sections that have been upgraded were either previously surfaced with poor quality, deteriorating tarmac, or completely blocked by erosion.

**Case Study 1: Cheriton** **add photo**

Perhaps the most difficult, and important, new section of footpath was across the Pill at Cheriton. Although both landowners agreed to a new footpath, which cut out a substantial section of road walking along an unpaved road, one landowner insisted that his navigation rights along the Pill were maintained. This meant that a bridge was not possible and eventually it was agreed to construct a set of stepping-stones across the Pill, which have proven very popular with walkers ever since.

**Case Study 2 : Limeslade- Caswell** **add photo**

Much of the Coast Path between Limeslade and Caswell has now been resurfaced with a thick layer of concrete, widened and steps removed, often in response to coastal erosion. The latest section of this upgrading between Limeslade and Rotherslade has created a fully accessible path for all users for the first time, and it is hoped to continue this work on

the section of path between Langeland and Caswell if/when funding allows.

**Promotion of the Path Network**

**ADD selection of LEAFLET IMAGE(S)?**

- 2.8 At the time of the first CAP the Council had only produced five 'Walking by Bus' leaflets. Since 2007 the range of promoted routes for walkers has expanded to include six Coast Path walks and three walks in Mawr. The Council also assisted Llanrhidian Higher Community Council to produce a leaflet of promoted walks around that community; the Ramblers with the St Iltyd's Way; and the Gower Society with the Gower Way.
- 2.9 The Gower Way runs from Rhossili and the western end of Gower to Mynydd Castell at the northernmost end of the County. It is a route initiated and promoted by the Gower Society with support from the Council. Over the last 10 years the Gower Society has provided funding to the Council for a specific programme of improvements to, and upgrading of, the route.
- 2.10 Attempts to promote a unique network of off-road cycling routes using the network of bridleways in the west of Gower was delayed due to local opposition. However, a much reduced scheme was published in 2022.
- Figure 4: ADD MAP EXTRACT Gower Off Road cycle routes?**
- 2.11 An action of the previous CAP was to promote the Coast Path, plus associated linear and circular walks.

Uniquely amongst the coastal local authorities, the Council developed its own promotional materials for the Coast Path comprising a very popular leaflet with a detailed map of the whole route. This was reprinted over a 10 year period, however continued funding for this has proven difficult to maintain alongside Natural Resources Wales centralised budget for promotion of the Coast Path. The Council has also produced six circular walks based on the Coast Path (Appendix 2).

2.12 Although funding for the Coastal Access Zone was abandoned soon after the coastal access improvement programme started the Council was able to carry out a considerable amount of work in the Zone whilst funding was available. Other sources of funding have since been identified and used to continue this work up to the present day. The aim has been to ensure that all paths in the Coastal Access Zone are improved to at least the ‘easy to use’ standard, in that they are all signposted and easy to find and follow. However, a small number of issues remain to be resolved details of which are set out in Appendix 3.

2.13 Major projects to improve linking paths to the Coast Path were at Pennard Valley and Bishopston Valley.

**Case Study 3 : Pennard Valley** [add photo](#)

At Pennard Valley the footpaths on both sides of the valley were in a poor condition, with one path regularly disappearing under high tides, and the other treacherous, extremely difficult, and rarely used. Also, there was no

off-road link between the two, the only link being back along the main road with no pavement.

Creating fully accessible paths required extensive earthworks, including cutting through bedrock, in an area with limited access for vehicles. The new link path to connect both sides of the valley needed a completely new surface through swampy terrain and a large bridge capable of carrying horses.

Both the new path link and the footpath on the western bank have proven to be far more successful than expected with thousands of people using them every year to walk to Three Cliffs Bay.

**Case Study 4: Bishopston Valley** [add photo](#)

In Bishopston Valley the 2 km long footpath alongside the river connecting the villages of Bishopston and Kittle to the Coast Path has been extensively improved. Previously it was extremely muddy, had collapsed into the river and was obstructed by large fallen trees.

Access for machinery to improve the surface and widen the eroded sections had to be created in this remote valley before work could begin. The muddy sections of the footpath were then surfaced with limestone (to be in keeping with the local geology in this Site of Special Scientific Interests), and bedrock excavated to move the path away from a few short, eroded sections.

In addition, it was discovered that the footpath had been unofficially diverted along a route that was more difficult to use. This section of the footpath was rerouted onto its proper route. The footpath has subsequently become far more popular than it was previously.

## Bridleways

- 2.14 The first CAP set out to open all the bridleways in the network by 2012. This proved to be unattainable within that timescale. However, nearly all bridleways are presently considered open, i.e., any obstructions have been removed and they are signposted. There are only a handful of long-term issues on bridleways remaining to be resolved.
- 2.15 Another action in the CAP was aimed at creating new paths, and the Council has been successful in creating

new bridleways and diverting existing unused legal routes of bridleways onto routes that are being used.

- 2.16 The largest single creation/diversion scheme took place on Rhossili Down where most of the extensive network of bridleways was diverted onto the routes the public had been using for decades, and new bridleways added. Other bridleways have been added in the Dulais Valley, at Loughor Foreshore, Clyne Common, Pennard Burrows, Knelston, Kingrosia and Felindre Business Park.

Add bridleway photos

## An Easy-to-Use Network

- 2.17 The previous CAP included a target of 75% of the network signposted and easy-to-use by 2012. This was highly ambitious, as at the time only 55% of the network was in this condition. However, notwithstanding the variable nature of network surveying, the target of 75% was close to being met until a succession of budget and staff reductions within the Countryside Access Team, including the disbanding of the Ranger Team impacted on service delivery.
- 2.18 The area of the County that has seen the greatest improvement is Mawr, where initially only 15% of the network could be described as easy-to-use and by 2016 this was over 60%.

Add Mawr photo?



## Improved Signs

2.19 One of the actions in the CAP was to install signs at the roadside that include destinations and distances. Previously, signs had only shown what status the path was i.e., walking man for footpath and horse rider for bridleway. Now a number of enhanced signs have been installed at locations where there is an obvious or popular destination at the end of, or along, the path. For example, Lliw Reservoirs and Three Cliffs Bay.

Add enhanced sign photo

## Stile Replacement

2.20 Possibly the most successful action in the CAP has been to replace stiles with gaps and gates to make paths easier to use. To date nearly 400 stiles have been replaced, mainly with steel kissing gates, and this process will continue whilst funding remains available. There has been greater acceptance of these gates amongst farmers and landowners than was expected, and once installed they have proven to be as stock proof as the stiles they replaced.

Add new stile photo

## Creation of New Paths

2.21 Three actions in the CAP dealt with increasing the network by creating new paths. Despite the difficulties involved in creating new paths 72 new paths have been created since 2007. The network has expanded from just under 376 miles/605 km to 404 miles/650 km – an increase of 28 miles/45 km or 7.4%. The biggest single path creation event involved the creation of 5 miles/8 km on footpaths on Kilvey Hill ( Appendix 4 refers) .

Add Kilvey Hill path photo

## Definitive Map Updates

2.22 During the first 8 years of the previous CAP work on Modifications were dealt with by Legal Services and the following actions were progressed:

- The large backlog of Legal Event Modification Orders (LEMOs) dating back over 40 years was almost completely cleared
- A service level agreement between Legal Services and the Countryside Access Team was agreed
- The working copy of the Definitive Map has been made available on the Council website since 2008.
- The Definitive Map was carefully checked for errors and anomalies and a total of 148 discovered. This was more than double the number that were previously known to exist.
- Significant progress in correcting the Definitive Map errors and anomalies was made, with 48 corrected, including most of the errors and anomalies that caused paths to be impassable.

2.23 However, towards the end of the first CAP period, almost all the staff resources within Legal Services providing Rights of Way support were removed over a period of less than 12 months. Consequently, much of the legal work was passed to the Countryside Access Team without provision for any additional resource (Appendix 5) .

**Figure 3: Definitive Map -add image of Map?**

## 3.0 Condition of Path Network

### Performance Indicator Survey

3.1 A Welsh Government Performance Indicator (PI) for the rights of way network is an assessment of the paths that are 'easy to use'. Each year the Council should randomly choose a sample of paths that make up at least 5% of the network and survey them to determine which paths are 'easy to use'. The survey is undertaken by the Countryside Access Team using guidance devised by Association of Directors of Environment, Economy, Planning and Transport (ADEPT), the Institute of Public Rights of Way and the Countryside Agency (now Natural England).

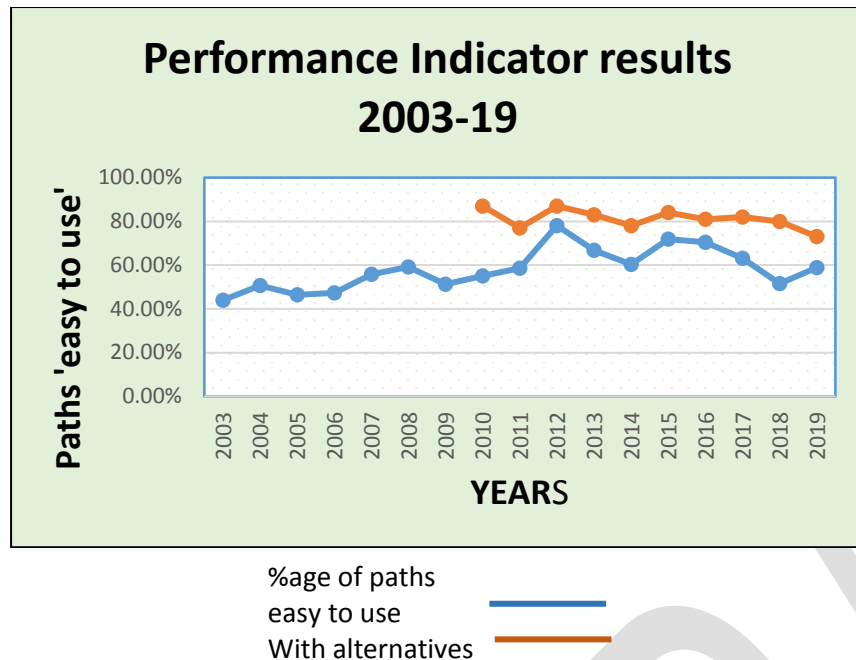
3.2 In order to be more statistically reliable the Council surveys 10% of the network in two stages each year: 5% in May and 5% in November. Although this provides a more reliable survey, the condition of longer routes can skew the results to provide a more positive or more negative outcome than should be the case. The results of a single survey should not therefore be considered as significant, rather an analysis of the results of several surveys over several years to establish a trend is more appropriate.

3.3 Until 2006, the Annual Rights of Way Performance Indicator (PI) survey consistently found that only about half the network was 'easy to use'. However, the subsequent ten annual surveys showed a gradual increase in the percentage of paths that are 'easy to use', with a high of 78% in 2012 (Figure 5 refers).

3.4 Over a 10 year period from 2006 to 2016 the general trend saw an improvement of up to 70% of paths being surveyed as 'easy to use'. With the alternative routes added this increased to around 83%. However, the Council has a statutory duty to ensure that all the path network is maintained and unobstructed.

3.5 The improvement in performance was due to the increased resources applied to countryside access. This was both in terms of staff numbers and budget available to carry out improvements, mainly from the Coastal Access and Rights of Way Improvement Plan grants from Welsh Government via Countryside Council for Wales/ Natural Resources Wales, but also from Rural Development Plan funds (Appendix 5 refers).

**Figure 5: 'Easy to Use' Paths**



### Recording of 'Alternative' Routes

3.6 Since 2010, the number of 'alternative' routes for paths has also been recorded. These are routes that are being used by the public as informal diversions to the 'legal' route recorded on the Definitive Map, due to the recorded route being obstructed in some way. However, not all obstructed routes have alternative routes available for the public to by-pass the obstruction. When the alternative routes are considered, the survey results have been as high as 87% easy to use (2010 and 2012). Whilst it is unsatisfactory from a legal and statistical point of view to find the legally recorded route to be obstructed or unused, to the public using the path network it is of relatively little importance, provided an adjacent route can be used as an alternative. A number of these situations

have been resolved since the first CAP was published, mostly by diverting the legal route onto the used route, but also by clearing the legal route of obstructions.

- 3.7 Although there have been considerable performance improvements made, the surveys still show that about 30% of the network is still difficult or impossible to use. This is due to obstructions, poor maintenance of stiles and gates, as well as missing signposts and a reduction in the extent of the clearance contract due to increasing costs.
- 3.8 Despite a large increase in the availability of the network did not obviously lead to an increase in the numbers of people using it. The people counters in use on several paths around the County from 2007 showed consistent levels of use during this period.
- 3.9 Many of the improvements on the network have gone beyond the 'easy to use' benchmark, for example, replacement of stiles with gates or gaps, better signage, and improved surfaces. Whilst benefiting users by making access to the countryside easier, these improvements did not contribute to the PI.
- 3.10 In the 2007 CAP the Council set out to achieve a general network that was 75% 'easy to use' and a network within the Coastal Access Zone that was 100% easy to use. Additionally, within the Gower Area of Outstanding Natural Beauty (AONB) the objective is to improve the network so that 95% of paths are open, useable, and clearly signposted (Gower AONB Management Plan, 2017, Objective 19). Although substantial progress has been made these targets have not been met.

3.11 Certain problems on the network have required considerable time and resources to resolve, and indeed, without the amount of grant aid provided to the Council since 2007, could not have been resolved. Some significant problems remain, but, provided external funding can continue to be sourced, the 75% 'easy to use' target is still achievable in the current financial climate, with this increasing to 95% in the Coastal Access Zone.

**C1: Easy to Use Standard**

To make the countryside as accessible to as many walkers and riders as possible at the minimum standard, i.e., signposted and 'easy to use.'

Action Ref: G1, M1, M8

## 4.0 Why Access to the Countryside is Important

4.1 The County's path network and Access Land are valuable economic and well-being assets, which need to be maintained, enhanced, and promoted to encourage walking, cycling, and riding in the area's fabulous countryside.

### Economic Benefits

4.2 Public access to the countryside undoubtedly contributes to the local economy, and social and environmental well-being. The 406 miles (650km) of paths and 23 square miles (60km<sup>2</sup>) of Access Land (16% of the total land area of the County) are extensively used by visitors and locals alike.

4.3 Walking can lengthen the County's tourism season. Gower AONB attracts both domestic and international visitors year-round to enjoy the County's natural landscape, helping to drive sustainable growth of the tourism economy. The path network and Access Land are the main means by which visitors can enjoy this experience. Research has indicated that almost a third of British holiday makers now want to take a walking break and more than half of international visitors are interested in short coastal walks. It is therefore no exaggeration to state that the PROW network is the bedrock upon which most of the tourism industry in the County is built.

4.4 Several studies over the years have firmly established the economic benefits of Coast Paths around the UK. The Wales Coast Path visitor survey in 2015 estimated that the Wales Coast Path (opened in 2012) alone generates £271 million of GVA (Gross Value Added) and about 12,000 person-years employment (The Economic Impact of Walking and Hillwalking in Wales, 2011). The Swansea Destination Management Plan 2023, identified Tourism is worth £510m to the local economy and attracted 4.2m visitors in 2022 and the key reasons for visiting were the coast, beaches, scenery and landscape, with walking being the most popular activity.

4.5 UK visitors are responsible for helping to transfer around £25 billion of spend from towns to seaside and rural areas. Seasonal employment and lack of investment means that many of the coastal communities are some of the most economically challenged in the UK. The Wales Coast Path provides an important link in this respect helping to bring visitors to villages and locations which might otherwise not have been accessed. Every £1 invested in seaside areas has the potential to boost the local economy by £8, making initiatives along the Wales Coast Path and which celebrate the rich local history, heritage, cultural and wildlife of Wales, an important part of improving the economy for coastal communities.

4.6 This is recognised in 'Welcome to Wales - Priorities for the visitor economy 2020-25', Visit Wales, which identifies that the Coast Path is basic tourism infrastructure requiring investment. The stated intention

is to collaborate with partners to ‘ensure amazing experiences such as the Wales Coast Path are maintained, accessible and play a core role in our wider adventure offer’.

## Health Benefits

- 4.7 Studies worldwide over the last 25 years have demonstrated that walking in green space benefits both physical and mental wellbeing (selected references in Appendix 4), and health professionals are increasingly socially prescribing walking in green space to improve health. The studies have found that people who spent at least two hours in nature per week were consistently more likely to report higher levels of health and wellbeing compared with those who spent less time in nature.
- 4.8 In the UK, there is evidence of a dramatic fall in physical activity over the past 50 years. Physical inactivity carries a far higher risk of contributing to coronary heart disease, type II diabetes, hypertension and some forms of cancer than do smoking, drinking or poor diet. Substantial improvements in public health, particularly in relation to coronary heart disease, are possible by encouraging people to become more physically active on a regular basis.
- 4.9 As walking and cycling are relatively inexpensive activities, require no special skills and can be built into people’s regular, daily routine, they provide one of the best ways for people to become more physically active. Having safe, attractive opportunities to walk or cycle

from the doorstep and into the countryside is important if this is to be achieved.

- 4.10 Walking is by far the most common form of exercise undertaken by people in Wales (Welsh Outdoor Recreation Survey, 2014). Walking is also very popular in Swansea, with counters on various countryside footpaths around the County recording around 650,000 people passing through every year. Unconfirmed figures indicate that this number has risen significantly since the Covid pandemic.

### AC1: Benefits of Access

The public path network within the countryside shall be protected and improved to maximise the physical and mental health benefits being outside provides, to aid users’ understanding and enjoyment of the natural environment, and to help the sustainable growth of the local tourism economy.

Action Ref: G1, G2, G3, P1, P2, P3, M5, M9, M10

## User Surveys

- 4.11 Welsh Outdoor Recreation Surveys undertaken in 2008, 2011 and 2014 of the outdoor activities of people living in Wales, revealed that 85% of adults went for a walk. Additionally, 17% took part in off road cycling (compared to 24% that went road cycling) and 6% took part in horse riding. This suggests that mountain biking

is nearly three times more popular than horse riding and that both are considerably less popular than walking.

4.12 However, it should be emphasised that this was a survey of Welsh residents undertaking outdoor pursuits and does not include visitors to the Welsh countryside from outside Wales. Moreover, not all this outdoor activity could be said to be taking place in the countryside with 28% of activities taking place on pavements next to roads or in parks.

4.13 The Wales Coast Path Visitor Survey, 2015, found that whilst most people using the Coast Path lived in South Wales, 45% percent were from England or outside the UK. Given the distances involved, unsurprisingly, the number of people using the Coast Path who were on a staying visit to the area was 47%.

4.14 The Council commissioned three Swansea Bay Visitor Surveys in 2012, 2015 and 2019. The 2019 Survey found that the largest single attraction to the area (40%) for visitors from outside Wales was the coast and beaches, followed closely by landscape and scenery. Nearly all, (99%) of visitors felt that the quality of Gower's landscape was the area's biggest strength. Perceptions researched with non-visitors found that people do not often associate Swansea Bay with the stunning beaches that draw people to the area. The majority of which can only be accessed by the PROW network.

4.15 Furthermore, of the 43% of visitors who take part in an activity during their stay in the area, 37% will go for a walk. This indicates that a large proportion of the use of the 32 miles of coast path around Gower is by visitors, which in turn is an indication of the importance of access to the countryside for the local economy.

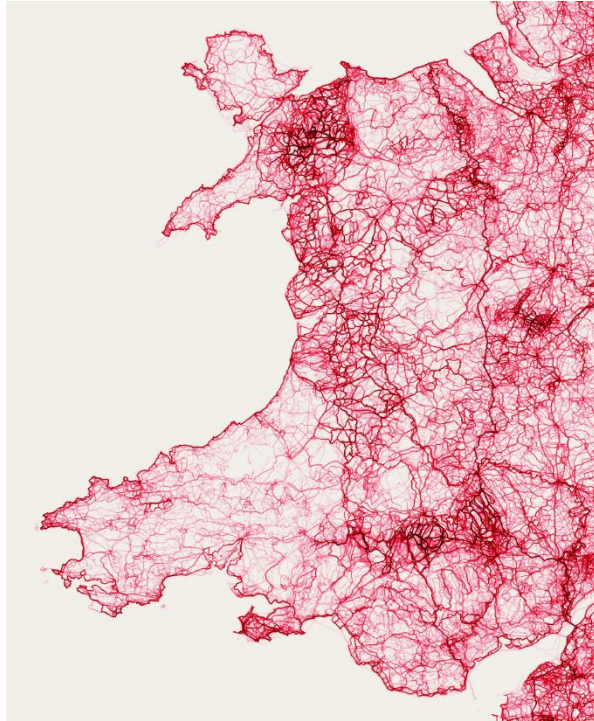
4.16 A light-touch Countryside Access Survey was carried out over the summer of 2019 to obtain the views of walkers and riders who use the path network in Swansea. It was publicised by notices in all the most popular walking and riding locations. In total nearly 250 responses were received, and these have been used to help to inform the preparation of this Plan.

#### **Heat Map**

4.17 This Heat Map is compiled from ten years of routing data from the Ordnance Survey's digital outdoor products (such as the OS Maps App) as used by hundreds of thousands of walkers, ramblers, runners, and mountain bikers. It is a rather crude measure of use of routes both in rural and urban areas. However, it is clear from the data that there are various 'hot spots' in Britain, with the most intense use being mainly in the National Parks and Areas of Outstanding Natural Beauty. The data for Wales shows that the four most used areas are Snowdonia the Clwydian Hills, the Brecon Beacons and Gower.



**Figure 6: Ordnance Survey Heat Map (2016)**



### **Biodiversity**

4.18 Encouraging more people to walk or ride in the countryside is likely to lead to a greater appreciation of it amongst the general population and therefore increase support for its protection. According to the Welsh Outdoor Recreation Survey, 2017, people who visited the outdoors were more likely to think that biodiversity will decline in the future, whilst those who do not visit the outdoors are less likely to be concerned

about biodiversity loss. In addition, when it came to what actions people take to protect the environment, it found that people who visited the outdoors were more likely to do the 'harder' behaviours (such as volunteering). From a biodiversity standpoint, it is therefore important that access to the countryside is encouraged. More could also be done to inform walkers and riders about the environment through which they are walking or riding.

### **Numbers of Users**

4.19 Through hugely increased funding for countryside access in a period from 2007 to date the Council has been able to open large numbers of paths that were previously inaccessible and to improve many others. This is partially recognised in the performance indicator survey, which improved significantly over this period. However, this does not tell the whole story, as the Council was engaged in a programme of improvements that went beyond the minimum standards required to meet the 'easy to use' standard.

4.20 Although many more routes are now available and easier to use than in 2007, it has been a lot more difficult to establish whether more people have been using the path network in the countryside. The automatic people counters that were in place on certain paths for most of this period did not record significant differences in the numbers of people using those paths (albeit a very small proportion of the whole network). When the paths in less popular areas, which have been

made accessible, are re-visited there seems to have been little or no use made of them.

- 4.21 It appears that the Council has been very successful in improving its performance in relation to its statutory duty, but less successful in encouraging more people to use the path network in the countryside. This suggests that going forward Council efforts should be focused primarily where there is public demand for increased access rather than carrying out work purely out of legal necessity.
- 4.22 It is generally assumed that the more accessible the network the more people will use it. However, from the experience gained since the first CAP was published, it can now clearly be seen that merely opening up an entire path network and making it as easy to use as possible is not necessarily going to result in more people walking or riding in the countryside, even when paths have been specially promoted.
- 4.23 The lack of use of some areas could in part be explained by the nature of the countryside through which the paths pass. Whilst all the countryside within the County can be considered attractive, some areas are more attractive than others. The busiest area for walking is on the south and west Gower coast, which has some of the most spectacular scenery in Wales. The automatic people counters on paths in this area consistently recorded walker numbers of over 100,000 every year, and yet just a mile from some sections of the coast the number of walkers can be just a handful or indeed none at all in some years.

- 4.24 The countryside away from the coast is pleasant, but less attractive and, if people are making the effort to travel from outside of Gower, they are far more likely to head straight to the most attractive areas. The population of Gower is also relatively sparse and therefore there are few residents who use the path network. Even when lesser used paths are promoted by the Council this does not appear to significantly increase the number of users of these paths.
- 4.25 Another issue is the ongoing problem of adapting an historic path network into a modern recreational one. Paths that a century ago may have been in constant use by farm workers or miners, are now no longer needed for this purpose but have limited recreational value. Whilst other potential routes could have recreational value, but there are no rights to use them, as they are not public paths.

Add photo of walkers on path

### Encouraging Greater Access

- 4.26 Given access to appropriate information and opportunity to access the countryside, there are likely to be people who would use the path network who currently do not. Studies indicate that lack of awareness, of both the location of the paths and, more generally, the benefits of accessing the countryside, is a reason for non-use. Although confidence may also be a significant factor, especially for those with limited mobility.

4.27 People who have already discovered the joys and benefits of walking or riding in the countryside were most likely introduced to it by their family, friends or perhaps being a member of an organisation engaging in outdoor activities, especially at a young age. People who have not made this discovery may just not have considered the potential well-being benefits or, for example, view the prospect of walking or riding in the environment of the countryside as completely alien and daunting. The CAP needs to seek ways of breaking down such barriers.

footbridges and provided on-site information about the ecology and history of the Park, with further infrastructure improvements planned.

**Case Study 5: Clyne Valley Country Park**

**Add photos**

An example of the lack of awareness of walking opportunities in people’s local area was found during the first lockdown in 2020. The number of those accessing Clyne Valley Country Park more than doubled within a few weeks because of people being confined to their local area and searching for alternatives to their usual walks, or just to get out of the house. Many users of the Park during that period had not appreciated it existed until the lockdown, even though it was within easy walking distance of where they lived. Since then, the Council with the benefit of Welsh Government grants has invested hundreds of thousands of pounds in the infrastructure of the Park, including an Active Travel route through it, improved signposting, built

4.28 The Clyne case study highlights that attempting to address lack of use is more difficult than simply ensuring the network of paths is well maintained and is as much an education/awareness raising exercise.

4.29 The Council employs a part-time Walking Development Officer, who organises and leads a successful and regular programme of health and well-being walks around the County, including the ‘Taste of Gower’ walks involving eating local fare. Other local organisations also lead walks for ‘beginners. However, this is only scratching at the surface and there needs to be far greater emphasis on, and resources provided by, the Council, Health Boards, Natural Resources Wales, and Welsh Government, encouraging greater use of the existing access to the countryside opportunities.

4.30 The Gower Walking Festival has proven to be very successful since it was set up twenty years ago. Hundreds of residents and visitors are led on walks across the County over a period of a few days. However, it tends to be the regular and experienced walkers who take part, rather than newcomers to countryside access. Ideally organised walks should promote the health and well-being benefits of accessing the countryside alongside admiring the

beauty of the landscape. and engage more with those who are less experienced walkers.

Add images of any associated promotional material

- 4.31 Other barriers to people accessing the countryside are possibly related to a lack of general infrastructure such as parking, public toilets and most significantly public transport which is poor around Gower AONB.

### Gaps in the Network

- 4.32 The issue of lack of use of some paths due to their limited recreational value, leads to the question of whether creating more paths in certain areas would lead to any greater numbers of users.
- 4.33 Creating new paths and re-opening old ones can be an expensive and long- winded process and given limited staff time and resources consideration must be given to identifying where new paths are going to bring the greatest benefit.
- 4.34 An example of where both a new path and a re-opened path have proven to be great success is the work carried out on two paths at Parkmill in 2016/17.

### Case Study 6: Parkmill [add photos](#)

Here the footpath alongside Pennard Pill was converted from an almost impassable route to an easy to use path. Nearby a new bridleway was created across the Pill, linking Parkmill to Penmaen, by constructing a large bridge across the river and surfacing the route. This connected two bridleway networks on either side of the river and meant that the adjacent main road, which has no pavement, could be avoided. Both paths together now provide an alternative access to Three Cliffs Bay and a high tide route for the coast path, and, as a result, are now used by thousands of people every year.

### Limited Mobility Users

- 4.35 Different path user groups have different needs. Many of these users could be considered to have a degree of limited mobility, and so it is important that the network is made as accessible as possible to everyone. Limited mobility can be defined as people:
- Who use wheelchairs and mobility vehicles
  - With limited walking ability
  - With small children, pushchairs
  - Who are blind or partially sighted

- 4.36 The Equalities Act, 2010, makes it unlawful for service providers to discriminate against anyone on the grounds of disability. Presently, landowners who are responsible for stiles and gates across paths are not considered to be '*service providers*'. However, the Council has a duty to make as much of the path network as accessible to as many people as possible.
- 4.37 In addition the Countryside and Rights of Way Act 2000 (CROW Act) places a duty on the Council to consider the needs of people with limited mobility when authorising stiles or gates under the provisions of the Highways Act, 1980.
- 4.38 Due to the nature of the terrain through which many paths run, the entire network will never be accessible to everyone. However, whereas it may not be possible to alter the physical features through which paths run, it may be possible to remove barriers and create more accessible surfaces.
- 4.39 Stiles can deny access to all but the most able, and therefore should be replaced or removed wherever possible. BS5709:2018, which is the British Standard for gaps, gates, and stiles, maintains that although there are local traditional forms of stiles and gates, the purpose of a stile or gate is to be '*adequately stock proof, whilst providing good access for all legitimate users*'. Therefore, the provision of a gate or stile is a balance between the needs of livestock management and public access.
- 4.40 Much of the network is open to those with limited mobility, and some routes can already be used by those in wheelchairs and mobility vehicles. However, there is a lack of publicly available information regarding where these routes are and what condition they are in. Access for those people using conventional wheelchairs requires an open path with a hard surface, with no, or slight, camber and a low gradient (less than 1 in 20).
- 4.41 Any lack of confidence that people may have when it comes to using the path network is likely to be worse for those with limited mobility. If people with limited mobility were better informed about what to expect on a route, then they would be better able to decide whether or not that route was suitable for their use. This lack of information is probably the single most important factor in preventing people with limited mobility from using the network in its current condition.

#### **AC2: Access for All**

The impact on equality, diversity, cohesion and integration will be taken into account when considering path network improvements and promotion of use to encourage people from all backgrounds to take part in countryside access.

Action Ref: G1, G2, G3, P2, M4, M6, M7, T1, T2, T3

## Add photos of Coastal path improvements

### Cyclists

- 4.42 Cyclists have the right to use bridleways, byways, and the Council's network of cycle tracks. The 2019 User Survey found 42% of respondents cycled on paths. Although the needs of cyclists are different to those of horse riders, especially when it concerns the ideal surface to ride on, many of the problems encountered by cyclists are like those of horse riders when using paths in the countryside. For example, issues relating to overgrown paths and lack of signs/waymarks. A small number of issues were raised in the survey relating to cyclists being unable to use footpaths which they are not lawfully entitled to do, whilst an equal number of walkers reported having issues with cyclists using footpaths.
- 4.43 The issue of surfaces on bridleways can be contentious, with cyclists and walkers generally preferring a hard, firm surface to ride and walk on, and horse riders preferring a soft surface to ride on. The needs of all three groups of users can be especially difficult to accommodate on steeply sloping bridleways, which often also have surface erosion problems due to flash flooding. The expansion of Active Travel routes has highlighted the importance of the appropriateness of surfacing for users, as horse riders can be adversely affected in certain circumstances. It is therefore essential that the Countryside Access Team are consulted throughout all stages of Active Travel

proposals from route identification to design and delivery on the ground.

#### AC3: Path Surfaces

The surface of the path network will be maintained and improved wherever possible to improve accessibility for all. Where a path is presently earthed or grassed (i.e., unsurfaced) it should not be hard surfaced with tarmac, aggregate, concrete, etc unless there is a demonstrable physical or strategic need. For example, to address issues of erosion or flooding or in high usage areas, such as sections of the Wales Coast Path to improve access for those with less mobility.

Where a path that is a public right of way is to be upgraded to an Active Travel Route it must cater for the needs of all users and future maintenance will become the responsibility of the Council's Highways Maintenance Service.

Action ref: G2, P2, M6

## Add active travel route photos with different surfaces

### Horse riders

- 4.44 Most of the path network is made up of footpaths to which horse riders have no formal right of access. Only on 21% of the network is there a right of access for horse riders. The network of bridleways is not evenly distributed and there is a tendency for networks of bridleways to be concentrated in certain locations.

For example, there are networks of bridleways around Llangennith, Oxwich and on Clyne Common.

- 4.45 Access for horse riders is further limited because there is no right to ride a horse on most Access Land. However, commons in the old Borough of Swansea and Loughor Urban District have provided access to the public for the '*right of air and exercise*', including horseriding, since the Law of Property Act, 1925 was amended in 1974. Therefore, horseriding rights exist on these 'urban' commons. Welsh Government is presently considering expanding the rights of the public onto all Access Land to include cycling and horseriding.
- 4.46 In the 2019 User Survey 56% of horse riders and cyclists considered that there were areas of the County that would benefit from additional links or improved provision. This is understandable, given the sporadic nature of the bridleway network. However, the provision of new bridleways is not straightforward and generally encounters strong resistance from landowners. The Council has dedicated several bridleways on its own land and Policy PP4 seeks to enable this to continue, as well assisting the expansion of the network more generally.
- 4.47 However, in the face of resistance from landowners, without sufficient public support any attempt to create new bridleways is likely to fail because of the legal test that requires the Council to demonstrate public need. Users would need to clearly identify the locations/routes where new bridleways were needed and provide evidence that sufficient public support

would be available throughout the legal process, including, if necessary, at public inquiries.

#### **Case Study 7: North-West Gower Bridleways**

##### **Add photo**

An example of how difficult it can be to make relatively straightforward additions and benefits to the bridleway network was the attempt by the Council in 2019 to alter and expand the network of bridleways in north-west Gower for the benefit of cycling and horse riding. This would have removed some redundant bridleways, moved other bridleways from the legal routes onto the routes that are being used, and created some 'new' routes currently not registered as bridleways but being used by riders. This scheme would also have included promotion of this bridleway network for off-road cycling and, in future, horse riding. However, after objections from landowners, farmers, walkers, horse riders, and residents about the potential increase in the numbers of cyclists, and little or no support for the project from the public, the wider bridleway network reorganisation had to be terminated although use of the existing bridleway network is promoted.

## Walkers

- 4.48 The whole of the path network and all of Access Land is legally available to walkers. This means that walkers already have a considerable amount of access to the countryside.
- 4.49 In total, 35% of respondents to the 2019 User Survey considered that there were areas that would benefit from additional links or improved provision. However, 51% reported that they had found existing paths blocked or difficult to use. This indicates that the priority ought to be given to properly maintaining and protecting the existing network before seeking to create any significant number of additional footpaths.

Photo of walkers



## 5.0 Definitive Map and Statement

- 5.1 The Definitive Map and Statement records all the registered public footpaths, bridleways and byways open to all traffic in the County. References to ‘Definitive Map’ below include the Definitive Statement. The presence of a public right of way on the Definitive Map is conclusive evidence of its existence and status (Wildlife and Countryside Act, 1981).
- 5.2 A digitised version of the Definitive Map is in daily use, and updated as soon as a change is confirmed. This is referred to as the ‘Working Copy’ and can be viewed in simplified form on the Council’s website.

### Latest Edition of the Definitive Map

- 5.3 In June 2023, the third edition of the Definitive Map replaced the second edition which had a relevant date of 1971. It was based on the Working Copy that had been maintained for over fifty years and kept in digitised form in recent years. It included changes to the numbers and descriptions of many paths because of the redrawing of community boundaries in the 1980’s. The Map was also published in paper format as required under existing legislation and is able to be viewed at the Council Offices. Further details of the history of the Definitive Map and Statement are set out in Appendix 8.

- 5.4 The Definitive Map can be changed either by evidence being found to prove that it is incorrect resulting in a ‘Modification Order’, or as the result of a Public Path Order (PPO), which are explained in more detail below.
- 5.5 The Council has a duty under the Wildlife and Countryside Act, 1981, to keep the Definitive Map under continuous review. This means that it must consider evidence that the map may be incorrect if it discovers that evidence itself or when evidence is presented to it. A change is made to the Definitive Map by the making of a Modification Order.

**Figure 7: Extract from the second edition Definitive Map, relevant date 1971**

### Changes to the Definitive Map - Modification Orders

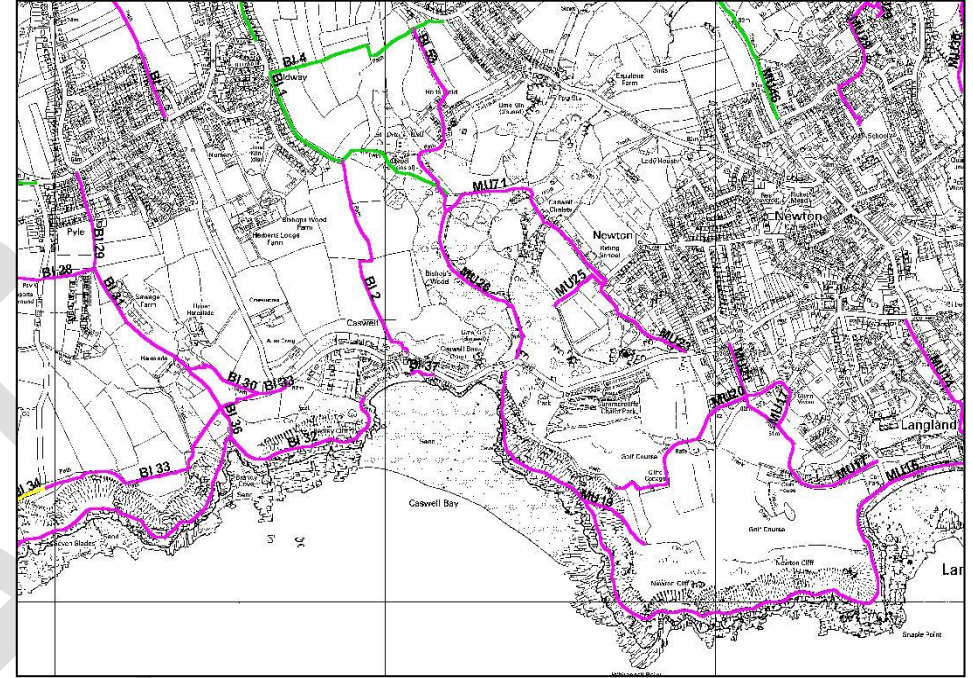


Figure 8: Extract from the current Definitive Map, relevant date 2023

Applications for Modification Orders (Claims)

5.6 The public have the right to apply to the Council for a Modification Order to change the Definitive Map in some way when they believe that:

- a route is not shown on the map but should be
- a route is shown on the map but should not be, or
- that a route shown on the map or the description in the statement is incorrect.

Such applications are known as 'claims' and are most commonly claims for paths to be added to the Definitive Map.

5.7 The Council has fourteen claims outstanding (as of 2023), some of which date back several years. On average one new claim is received each year, whilst it takes on average one year to determine a claim due to the legal and procedural complexities involved. A system of prioritisation must therefore be applied to ensure that those paths at most risk are dealt with first. Other factors to consider as part of the prioritisation include impact on promoted routes; where there is a risk that evidence may be lost if there is a delay; length of time the application has been outstanding; and the amount of support for the claim.

Applications for Modification Orders under Schedule 14 of the Wildlife and Countryside Act, 1981 should generally be dealt with in the following order of priority unless there are exceptional circumstances:

- A recent obstruction renders the path inaccessible
- The path is threatened by development
- Currently/recently in use
- Would benefit the wider community
- Would fill a gap in the path network
- Avoids busy roads/improves public safety
- Predominantly used by elderly persons
- Where an obstruction inconveniences users
- A claimed bridleway would benefit three categories of users
- Enables access to sites of historic, scientific, or scenic interest

Also, having regard to the following factors:

- Whether an error or anomaly exists on the Definitive Map/Statement
- The impact on any promoted route or regional trail
- The number of users supporting the application
- The length of time the application has been outstanding

Action Ref: D2, D3

**DM1: Modification Order Application Priority**

5.8 Many unrecorded paths are claimed as a result of the route of the path becoming obstructed or threatened with obstruction. Should a previously unrecorded path become a registered public footpath, any obstructions along the routes will then become illegal under the provisions of the Highways Act and it is essential that the landowner person responsible is made aware of this and that the Council takes the necessary action to remove the obstructions in accordance with the relevant enforcement procedures set out in Appendix 12.

<p><b>DM2: Action Following Path Registration</b></p> <p>When a previously unrecorded path becomes registered enforcement proceedings shall be instigated to remove any obstructions along it.</p>
<p>Action Ref: ?</p>

5.9 The Countryside and Rights of Way Act, 2000 introduced a 1<sup>st</sup> January 2026 cut-off date for the recording of historic rights of way. The cut-off date would have had the effect of extinguishing certain routes not recorded on the Definitive Map by that deadline. The intention was to prevent any claim being successfully made for the addition of a right of way to the Definitive Map after this date if the claim was solely based on documentary evidence that the rights existed before 1949. However, the Department for Environment, Food and Rural Affairs (Defra) has announced its intention to repeal this cut-off date from legislation, but there is currently no timeline for when this will occur.

5.10 Welsh Office Circular 5/93 (annex B, para. 7) advised that Councils may make a Public Path Order (PPO) to add a path to the Definitive Map rather than pursue a more time consuming and difficult to prove Modification Order (Section 6.0 provides further detail). However, the Welsh Government 'Guidance for Local Authorities on Public Rights of Way (October 2016)', which superseded Circular 5/93, did not contain such advice. However, as an alternative, in cases where agreement between all parties involved can be achieved, a Dedication Agreement can be successfully used instead of a Modification Order. This is a far simpler and considerably less time consuming legal process and should be pursued on expediency grounds when circumstances allow.

<p><b>DM3: Path Dedication Agreement</b></p> <p>When all parties agree, a path Dedication Agreement shall be sought in preference to a Modification Order.</p>
<p>Action Ref: D2</p>

5.11 An assessment of the Definitive Map and Statement in 2009 revealed that there were at least 161 errors and anomalies on the records. By 2023, 61 of these errors and anomalies had been resolved. However, there are

at least 100 remaining that must be investigated, with the possibility that some will result in Modification Orders, and some will lead to Public Inquiries. The full list of outstanding cases, as of 2023, is set out in Appendix 9. Policy DM2 prioritises the most urgent cases as those that prevent the Council from making the path available to the public.

**DM4: Definitive Map Errors and Anomalies**

Anomalies on the Definitive Map/Statement that result in use of a path being prevented shall be the highest priority and dealt with as a matter of urgency.

Action Ref: D2

**Legal Event Modification Orders**

5.12 Legal Event Modification Orders (LEMOs) should be made as soon as possible after PPOs are confirmed. These Orders are still required in Wales to enable the Definitive Map to be updated after a PPO is made. If schedule 5 para 2 of the Countryside and Rights of Way Act, which introduced section 53A (Power to include Modifications in other Orders) to the Wildlife and Countryside Act 1981, was commenced in Wales (as it has been in England for the past decade) there would be no further need for LEMOs, as the changes to the Definitive Map and Statement would be carried out when a PPO was made. There is an identified action in this Plan to lobby Welsh Government to effect this change, along with other minor procedural changes to improve the efficiency and effectiveness of processes.

## 6.0 Changing the Path Network (Diversion, Creation and Extinguishment)

6.1 The Council has powers to change the Path network by making Diversion, Creation and Extinguishment Orders to move, add or remove paths in certain circumstances. Collectively Orders of this type are known as Public Path Orders or PPOs. These powers are contained in the Highways Act 1980, which covers most changes, or the Town and Country Planning Act 1990, which specifically deals with changes required because of development. The Council does not have a duty to make a PPO, and therefore does not have to make one unless it considers it necessary. Public Paths can also be created by agreement between the Landowner and the Council.

6.2 The Council may initiate Diversion or Creation Orders that are in the interests of the public, and which may be subject to compensation payable to the landowners. The Council will not initiate the extinguishment of paths (unless part of a wider scheme involving the diversion and/or creation of other paths) as this is not in the interests of the public.

6.3 Landowners may apply to the Council for a diversion or extinguishment but must agree to pay the Council for the administrative costs involved and, if necessary, the works needed to make the new path.

The making of diversion orders that are in the interests of users and all affected landowners shall be supported.

Action Ref: P3

### PN2: Applications for Diversion or Extinguishment Orders

Applicants shall be required to cover costs of a Diversion or Extinguishment Order, and the works required to create a new path.

In cases where paths are already obstructed by completed buildings, diversion shall be supported if this is the only option available and the building cannot be removed or relocated.

In cases where diversions of paths are proposed across development sites this shall only be permitted where it is proven that the path must be diverted to enable the development to be carried out, and only then where an acceptable alternative route is provided.

PN 1: Diversion Orders

Action Ref: P3

6.4 However, in some cases there can be a mutual benefit for both the Council and the landowner in making a Diversion Order, for example for health and safety reasons. In such circumstances the Council will consider contributing to elements of the cost, for example providing path furniture.

**PN3: Diversion Orders - Council Contribution**  
  
When an application to divert a path is made the Council shall consider contributing to the cost of making the Order, and the works required to open a new path, where benefits to the public can be clearly demonstrated. For example, to benefit the health and safety of users of paths through working farmyards.  
  
Action Ref: P3

Any photo examples?

6.5 The path network, especially of bridleways, is sporadic and Orders may occasionally need to be made to improve access in certain areas.

6.6 The creation of new routes can often be contentious, especially if any private landowners are affected, and it is therefore important that any Creation Orders are fully justified in terms of the need to add to the convenience of a substantial section of the public. A challenge to a Creation Order is likely to result in a Public Inquiry and in addition

compensation is payable to the landowner for any loss of value to the land.

6.7 Public Paths may also be created by agreement between the Council and the landowner. Wherever possible the Council will pursue a public path Dedication Agreement rather than a PPO (Policy DM3 refers), as the process is considerably less onerous. However, the Council must take into consideration whether there is a public need for the new path and the resource implications of creating it.

**PN4: Creation of New Paths**  
  
The creation of new paths shall be supported where it can be clearly demonstrated that there is a public need and demand for new paths.  
  
Action Ref: P1

Photo example?

6.8 New sections of Coast Path are still needed at Oxwich and Southgate, and, as the coast continues to erode, further additions and alterations to the Coast Path will be required. National policy regarding the Coast Path is to place it as close to the coast as practicable and desirable.

**PN5: Coast Path**  
  
The route of the Coast Path shall be maintained as close to the coast as practicable and the whole

route of the Coast Path will be designated as a highway by creating Public Paths where there are missing links in the Coast Path.

Action Ref: P2

### Coast path edge photo

6.9 There are many instances where the public have been using a different route (sometimes for decades) than the route shown on the Definitive Map, and the definitive route is now out of date. Such cases could result in time-consuming claims by members of the public to record the unregistered paths. It also gives rise to a larger number of failures on the Performance Indicator survey. The most efficient means of dealing with most of these cases is to use PPOs to resolve them. Such circumstances often also present the Council with an opportunity to improve the path network for the benefit of the public.

### PN6: Obsolete Legal Routes

The Council shall use its powers to initiate Diversions Orders where it can be demonstrated to be the most cost effective option, or provide the greatest public benefit, for resolving a problem with a path.

Action Ref: P3

### Dead end photo?

6.10 Current estimates are that at least ninety PPOs will be needed to deal with path problems that cannot be dealt with in any other way. Over the period 2008 to 2016, there were 158 PPOs confirmed by the Council to resolve path problems.

6.11 The resources to resolve these issues could be reduced significantly if Wales followed England's lead and removed the requirement to place statutory bilingual notices in local newspapers. In England this requirement has been updated and replaced with a requirement to place such notices on the local Council's website. The situation would be further improved if clause 119(2)(a) in the Highways Act 1980 was repealed. This clause prevents the use of a single, simple diversion order where a path is dead-end. Instead, it is necessary to 'divert' a path using two orders (creation and extinguishment) running concurrently. It is proposed to lobby Welsh Government to effect this minor change.

6.12 A diversion provides an opportunity to improve a path for the benefit of the public by keeping the structures across the new path to a minimum and to use gates rather than stiles where the path crosses fence lines. The CROW Act, 2000 and the Equalities Act, 2010 have placed an obligation on the Council to at least consider replacing stiles with gates or removing such structures altogether. New structures should comply with British Standard 5709:2018, and the only



structures permitted across a newly created bridleway are gates meeting the minimum British Standards.

**PN7: Structures on Paths**

The only structures permitted across a newly created footpaths shall be gates. On newly created bridleways any gates must meet minimum British Standards. The presumption shall be that structures on any new path must be kept to a minimum and that gates shall only be used when it is necessary to maintain a stockproof boundary.

Action Ref: M7

**Photo of BS gate(s)**

6.13 An order to create a new path a width must be specified. A width of two metres is required for two people to pass comfortably on a footpath and three metres for two riders on a bridleway. Should the path be enclosed by fencing or hedging the width needs to be considerably wider - at least three metres for a footpath and four metres for a bridleway and in some cases even wider.

**PN8: Path Width**

The width of any new unenclosed footpath shall be 2 metres and of any new unenclosed

bridleway 3 metres unless ground conditions or permanent structures do not allow.

The width of new enclosed footpaths shall be at least 3 metres and the width of new enclosed bridleways shall be at least 4 metres.

Action Ref: G1, M1

6.14 The extinguishment of paths is uncommon because the Council must prove that the path is no longer needed for public use. This test is a difficult one to pass, especially since the affected path may be obstructed and therefore un-useable. In the past some paths have become obstructed because of development and have effectively been replaced by alternative public access (for example an adopted highway), and such situations could be resolved by an Extinguishment Order.

6.15 The Council receives requests from landowners to extinguish paths purely for the benefit of the landowners. The Council's role (and duty) in managing the public path network is to protect it for the benefit of the public. Therefore, whilst landowners may apply to the Council to extinguish paths, the Council will not initiate the extinguishment of paths unless it is part of a wider scheme involving the diversion and/or creation of other paths.

**PN9: Extinguishment Orders**

Extinguishment Order applications shall be considered where the requisite legal tests are met, and the path is no longer needed for public use. This test may be met if there is alternative public access that has effectively replaced the original path.

Furthermore, the extinguishment of a path shall not be initiated by the Council, unless it is part of a wider scheme involving the diversion and/or creation of other paths.

Action Ref: P3

**PN10: Path Protection and Development**

The stopping up of paths for development shall only be permitted in exceptional circumstances and where an alternative route exists or can be created it should be capable of being brought into beneficial use before development commences and must be available once the development is complete.

Action Ref: P1

**Path through development site - layout plan example?**

6.16 A path through a development will continue to exist, even if the intention is to divert it once the development is complete. The granting of planning permission does not give a developer the right to obstruct, divert or extinguish a public right of way. Therefore, if a development would cause a path to become obstructed the path must be temporarily stopped up or diverted under the Road Traffic Regulation Act prior to the commencement of development. If the path is obstructed and is not stopped up an offence under the Highways Act 1980 will occur, for which the offender can be prosecuted.

6.17 Where development would affect public paths adjacent to or crossing a site, the public's access rights should be protected and where possible enhanced. Stopping up of paths will only be agreed in exceptional circumstances, and where there are alternative routes available.

6.18 The Swansea Local Development Plan (LDP) provides a comprehensive set of policies and objectives regarding non-motorised access through new developments notably to:

- Improve access to healthcare, lifelong learning, leisure, recreation, and other community facilities
- Create environments that support and promote walking, cycling and public transport as integral elements of a sustainable transport system
- Support the development of safe, accessible, and vibrant places and spaces
- Create environments that encourage and support good health, well-being, and equality

6.19 LDP policies seek to ensure, that when development affects existing public paths, public access through, to, or around the site is improved.

6.20 Large scale development can completely alter an existing landscape and the access needs of the public will change considerably. To reflect such change the existing public paths may require partial or complete alteration, but in doing so the overall public access should be enhanced.

6.21 In new developments, where new public paths are required or where existing public paths are diverted, the policies and principles set out in the LDP for new paths must be used to ensure that any new access is adequate for the new circumstances.

**PN11: Application of Local Development Plan Policies**

In new developments, where new public paths are required, or where existing public paths are diverted, the policies set out in the Local Development Plan for new paths must be applied to ensure that the new access is adequate for the changed situation.

Action Ref: G1, P1

6.22 Where new development is proposed consideration should be given to the potential for creating new public paths connections to improve access to the surrounding countryside.

**PN12: New Public Paths in Connection with Development**

When opportunities arise in relation to new developments new public paths shall be created where they would enhance public access to the surrounding countryside.

New paths should:

- Provide good visibility and be well lit. They should be part of a clear, connected network of streets
- Provide direct routes with generous width (as appropriate to site context), avoiding sharp changes in direction, hiding places or doglegs that may be perceived as threatening
- Be avoided along the back of properties where surveillance is more limited, and boundaries may be more vulnerable
- Provide bollards or gateway features at entrances that establish clear routes, prohibit unauthorised vehicles, and provide visual markers and a sense of identity
- Provide routes in landscape strips to avoid nuisance to neighbouring properties

Action Ref: G1, P1

Photo of newly created path?

DRAFT

## 7.0 Management of the Path Network

7.1 Managing the path network is the function that takes up by far the largest proportion of staff time and resources. It involves:

- maintenance
- improvement
- enforcement

### Statutory duty

7.2 Under the provisions of the Highways Act, the Council has a statutory duty to protect and maintain all the 405 miles of paths within the County and has had this duty since 1959.

7.3 In the previous CAP ambitious targets were set of 75% of paths being 'easy to use' for the network as a whole and 100% in the Coastal Zone. In addition, the AONB Management Plan set a target of 95% of paths being 'easy to use' within the Gower AONB.

7.4 It is unlikely that, at any given time, any network of paths in any area will be 100% 'easy to use', and therefore a 100% target is unrealistic. However, the Council has made some significant gains in reaching the overall target of 75% for the whole network of paths. From 2012 to 2017 the annual condition survey showed that the network was on average 70% easy to use. This compared to less than 50% in the first four years of the survey (2003-2007).

7.5 In recent years major reductions in the resources the Council provides to maintain the path network have started to have an effect on the number of paths considered to be 'easy to use', with the percentage dropping to less than 60%.

7.6 Nevertheless, given the high amount of use of the County's network an overall target of 75% of paths being maintained to at least the minimum standard remains a reasonable objective.

### Maintenance

7.7 The Council manages its network of paths with a maintenance budget of approx £45,000 (2023/24). Funding has been at this level since 2017, so effectively has been a year on year reduction as costs have increased whilst expectations have increased. Maintenance, which involves routine work such as regular clearance of vegetation and repairs to infrastructure, is a statutory duty and therefore grant funding towards this work from external sources is not available.

7.8 There is also no available budget to use as match funding/contribution towards grants as per the current expectation from providers to enable any improvements to be carried out, therefore staff time must be used as a contribution in kind instead. With the Countryside Access Ranger Service disbanded this means that professional officers are required to carry out practical delivery works on site themselves.

## Prioritisation

7.9 Maintenance of the network is already informally prioritised, but due to the reductions in the maintenance budget, and the likelihood of further reductions, a more formal system will need to be devised to support the team's work programme. Certain paths are clearly used more than others and the amount of use is currently the informal means of defining which paths should be identified as high or low priority.

7.10 A formal system of maintenance prioritisation is needed to help the Countryside Access Team manage the network as efficiently as possible, and prioritising on the amount of usage is one of the best ways of achieving this. Of those who responded to the Council's 2019 Path User Survey, 77% said maintenance of busier paths should be prioritised over less well used paths. However, there are other factors to take into consideration. For example, if a situation has arisen on a path where there is a danger to the public that must be addressed as a matter of urgency. Also, where the Council are actively promoting routes then these routes should be cleared in advance of the wider network. Order of priority is set out in Policy MN1.

### **MN1: Prioritisation of Maintenance**

Path maintenance shall be prioritised in the following order:

1. Where there is a danger to the public
2. Routes promoted by the Council
3. High level of use prioritised over low level of use especially where improvements would benefit those with limited mobility.

Action Ref: M3

### Clearance of overgrown paths

7.11 The most important annual task undertaken by the Council is keeping paths clear of any vegetation growing in or over the path. When asked in the 2019 User Survey what could make access easier 74% of users considered that clearing undergrowth would achieve this. Overgrown paths were also by far the largest single reason (42%) why users had been prevented from using paths. This compares to the 2006 User Survey in which 64% of walkers and 69% of riders considered overgrown paths to be a problem. To improve this situation, the length of the network paths on the Council's annual clearance list gradually increased between 2008 and 2014 to 119.5km.

7.12 However, effective reduction in the maintenance budget since 2015 has inevitably resulted in fewer paths being regularly cleared and the length of paths cleared in 2018 was

56.5km. Guidance for path clearance is included as Appendix 10. (N.b. Consultation process to consider whether it is necessary to include this guidance within the CAP for visibility purposes– it will be caveated that clearance processes may alter in response to changing circumstances/requirements and it does not form part of the plan)

7.13 It should be noted that Pontarddulais Community Council manage their own annual clearance scheme though sub-contractors, but this is funded from the Council’s path maintenance budget. The arrangement is not any more cost-effective, and similar arrangements with other Community Councils in the past have not proven to be sustainable. However, this does not preclude consideration of other ways of working collaboratively with local communities.

**MN2: Path Clearance**

An annual path vegetation clearance programme shall be undertaken as required with one, two or three cuts on paths dependent upon route hierarchy, availability and vegetation type as indicated below:

- Category 1: Up to two cuts per year to address the needs of the most frequently used paths to maintain the path open and easy to use, unless exceptional circumstances dictate a greater frequency.
- Category 2: No more than one cut per



tions to maintain  
easy to use unless  
stances dictate a

- Category 3: Where the growth is obstructive and subject to the availability of budget, no more than 1 cut per year in selected locations, concentrating on more restrictive growth such as bracken, bramble, heather, and gorse, unless exceptional circumstances dictate a greater frequency or more comprehensive works.
- Category 4: No routine cuts, but subject to availability of budget, growth may be cleared from time to time if it is obstructive and complaints are received.

Exceptional circumstances include those that present a safety hazard, followed by well used paths and then those that have potential to be well-used / promoted.

Action Ref:M2, M11

add photos of path clearance

## Signs and waymarks

- 7.14 The Council has a duty to place a signpost at the point where a path meets a metaled road. This is commonly interpreted as meaning the point where a path meets a publicly maintained road. The Council must ensure that all open and available paths are signposted.
- 7.15 Signs containing additional information such as the destination and distance help the public to find the right path and increase confidence, thereby encouraging increased use of paths where such signs have been installed. Over the last 10 years many destination signs have been installed, mostly in the coastal area. However, there is a limited number of locations where these signs can be of use.



- 7.16 The Council also has a duty to waymark public paths to a standard required to assist members of the public who are unfamiliar with the area to follow the course of a path. Most landowners value good waymarking

because it encourages people to keep to the paths. Responsible users also find waymarking useful because it helps to prevent them from accidentally trespassing.

- 7.17 Good, clear waymarking can improve public awareness and increase use of the path network. It is therefore important to ensure that all paths that are in use are thoroughly waymarked to ensure that someone unfamiliar with the path can find their way. However, waymarking and signposting should not be visually intrusive and kept in balance with the surrounding landscape.
- 7.17 Just under 60% of respondents to the 2019 User Survey considered that better signs and waymarks would make access along paths easier for them. Additionally, information boards (or appropriate sculptures) to help the public understand and appreciate the landscape and environment through which they are walking or riding can enhance their experience, provided it is displayed sensitively.

### **MN3: Signage and Waymarking**

Signposts to and on paths together with waymarking along paths shall be maintained



and improved and display of information boards/sculptures supported as appropriate in the landscape, to encourage greater public awareness, ease of use of routes and enjoyment of the path network.

Whilst not a statutory requirement, consideration shall also be given to displaying advice notices and signs on paths as appropriate to offer support to landowners to help deal with the effects of walkers and riders crossing their land and to encourage responsible use of the network and respect for those that live and work in the countryside.

Action Ref: M4, M5

Add waymark image and info board/sculpture photo.

#### Information notices

7.18 In addition to the need for waymarking, whilst not a statutory duty, landowners often need the assistance of the Council to provide notices keeping path users informed of their responsibilities, for example, leaving gates as found and keeping dogs under control.

#### Limitations (stiles, gates, barriers)

7.19 All stiles and gates are ‘limitations’ to the use of public rights of way. Any new stiles or gates must be authorised under s147 of the Highways Act and can only be installed on agricultural land to prevent animals from entering or

leaving land. However, most stiles and gates have not been authorised, mainly because they were already in place when the Definitive Map was first published. As a result, except for those paths recorded in more recent years, few limitations are recorded on the Definitive Map and Statement .

7.20 Historically, all stiles and gates appearing on Parish Maps within the County have been regarded as authorised. However, this has proven to be counterproductive to making access to the countryside easier for the public, especially as in many cases there is no conclusive evidence that gates and stiles were in position at the time the Parish Maps were drawn.

7.21 Agricultural practices and land use have changed significantly since the first Parish Maps in the early 1950’s, with many field boundaries having been removed. In addition, the Parish Maps and accompanying statements do not always refer to the gates and stiles that would have been encountered by the surveyors. For example, there is no reference at all to stiles or gates in either the statement or on the Parish Map for Llangennith, whilst on the Port Eynon Parish Map all the stiles and gates are referred to as ‘S’ or ‘G’. The Ordnance Survey base maps upon which the rights of way information are drawn may provide some evidence of the existence of a stile or a gate, but this is not conclusive, and does not distinguish between stiles and gates.

7.22 It has been Council policy since the publication of the first Countryside Access Plan that for accessibility reasons only gates shall be permitted on new public paths unless there are stock management reasons for stiles.

- 7.23 The majority of existing paths within the County cross privately owned land. The gates and stiles on these paths are legally the responsibility of the landowner under S146 of the Highways Act, however there is no obligation on them to change stiles to gates as the Equalities Act does not apply to privately owned land. However, the Equalities Act does apply to all land owned by the Council, Welsh Water, Natural Resources Wales, the Wildlife Trust, and the National Trust.
- 7.24 There is, therefore, a lack of clarity and consistency when it comes to controlling the number and type of stiles and gates across public rights of way. It is a situation that puts the Council in a difficult position as it has in most cases no certainty whether existing limitations are authorised, no control over the type of limitation that can be installed on existing paths, or even whether a limitation is still required or not, whilst at the same time being required to make the path network as accessible as possible.
- 7.25 Section 34(1) of the Road Traffic Act 1988 provides that anyone driving a mechanically propelled vehicle, for example a motor car, along a footpath, bridleway or restricted byway is guilty of an offence unless it can be shown that there is a private right to use the route to gain vehicular access to their property. The burden of proving that such a private right exists rests with the landowner. Even if vehicular access over a footpath or bridleway may have been exercised for many years, in the absence of any evidence of a private right of way, the use of the accessway could, potentially, be brought to a halt.

- 7.26 The use of such paths by vehicular traffic can damage the surface of the path and lead to calls for the Council to improve it for the benefit of private users. The Council does not accept any liability for repairing such damage to surfaces or vehicles using it. Path improvements will be carried out only in exceptional circumstances and only to a standard to ensure they are suitable for the lawful public users i.e., walkers and riders.
- 7.27 Where vehicular traffic is found to be occurring along paths where there is no private right of way established then the Council shall install barriers as appropriate to prevent such use in the interests of the health and safety of legitimate users.

**MN4: Barrier Installation and Private Rights of Access**

Where there is evidence that illegal use of public rights of way is causing annoyance or danger to users and /or damage to the surface of paths, barriers such as bollards, inhibitors or step over sleepers shall be erected to restrict vehicular traffic, including motorbikes and all-terrain vehicles as appropriate where no private right of way exist, in a manner that to ensure that legitimate users are not disadvantaged.

Action Ref: G1

Add photo Prospect Terrace

## Volunteers

7.28 Volunteers are encouraged to take part in path improvements within limitations of health and safety requirements. Groups of volunteers from the local Ramblers Association and the Gower Society have been in operation for many years. Whilst it would certainly be of benefit for more volunteer groups to help the Council manage the network there are operational limitations on what volunteers can achieve and it also requires a significant amount of Council staff time to support.

### **MN5: Volunteers**

Support shall be given to the West Glamorgan Ramblers Association, Gower Society, other volunteers, and farmers/landowners to carry out appropriate practical works on paths and Access Land within the limitations of their capability.

Action Ref: M10

## Improvement

7.29 Works that can be considered as 'improvements' (rather than maintenance), include replacing stiles with gates, new surface works, better signs and works to open up paths that have been blocked for decades.

7.30 The 2006 User Survey found that respondents were divided on the benefits of making improvements to the path network, with about half wanting improvements to make access easier (especially for less mobile people), and half wanting no improvements due to concerns about the impact of increased usage on the landscape and environment.

7.31 Over the intervening years there have been numerous examples of large-scale path improvements that have blended seamlessly with their surroundings after only temporary visual impact. The 2019 User Survey found that attitudes had changed, with 55% of respondents considering that the improvement work on the Coast Path has benefitted the landscape or environment and only 20% saying it had not (25% were not able to compare).

7.32 Given limitations on the budget available for path improvement, a system of prioritisation needs to be implemented formally, like that adopted for prioritising maintenance.

### **MN6: Prioritising Path Improvements**

Path improvements will be prioritised in the following order:

1. Where there is a danger to the public
2. Promoted routes
3. High level of use prioritised over low level of use, or potential high level of use prioritised over low level of use, especially where

improvements will benefit those with limited mobility.

Action Ref: M1, M6, M8, M9

Improvements to the path network may also be undertaken with the benefit of public donations, often made in the memory of loved ones. These include but are not limited to gate and bench donations. The Countryside Access team will work with interested parties to identify the most suitable locations for such proposals.

## Biodiversity

7.33 Many people are attracted to walk or ride in the countryside because of the landscape and the wildlife that it contains. The Council must balance its duties to maintain the path network with its duties to protect the natural environment and landscape at a time of declared local climate and nature emergencies.

7.34 This means that when planning works on the path network the impacts upon biodiversity need to be considered and any negative impacts should be avoided or minimised and mitigated with positive benefits for biodiversity incorporated. This includes conducting flood risk assessments when appropriate and obtaining the necessary permits or licences. Site works such as cutting back vegetation/hedgerows should be undertaken seasonally when reptiles and birds are least likely to be present, and vegetation

cut to a minimum height above ground level to avoid contact between cutting blades and reptiles.

7.35 Any adverse impact of path works on the habitat within which they have been undertaken are therefore minimal, temporary (designed to blend in naturally with the local landscape), and in some circumstances the work has directly benefited the habitat.

### **MN7: Habitats and Biodiversity**

Works to the path network crossing land designated for its ecological or geological interest shall consider the nature conservation interest of the site to ensure that habitats, species or geological features are not damaged. Care shall be taken during any maintenance works to prevent any disturbance or damage to declining or vulnerable species, many of which are legally protected.

When planning and undertaking works, the following matters shall be taken into consideration:

- Undertake work during the most appropriate seasonal window
- Avoid potential issues with protected species by identifying issues and taking appropriate precautions, and
- Incorporate enhancements for biodiversity into routine work.

Add photo of dipper boxes under bridges

Active travel

7.36 Some rights of way are included on the map of Active Travel routes (Appendix 11 refers). The Active Travel (Wales) Act 2013 is aimed at persuading more people to walk or cycle rather than use a car to improve people’s health and reduce emissions from vehicles. The County’s Active Travel routes are primarily concentrated in urban areas of Swansea, where for both historical and infrastructure reasons there are few existing public paths.

7.37 Many proposed Active Travel routes follow existing urban roads; however, some will help improve connections between existing public paths, and a small number will benefit access to the countryside. Meeting the requirements of the Active Travel (Wales) Act is outside the remit of this Plan. However, there will be opportunities through collaboration with those implementing Active Travel proposals to improve countryside access for all.

Active travel photo

**MN8: Active Travel**

A collaborative approach shall be taken to carrying out path improvements that maximises the benefits for leisure, health and well-being as well as Active Travel.

Action Ref: G1

Replacing stiles

7.38 Clambering over a series of wooden stiles on a walk can be a tiring exercise for even the fittest person, but for those who have limited mobility in some form even just one stile can prevent their use of the path. Clearly, stiles and gates are necessary to maintain a stockproof boundary, but there are instances where such structures have become dangerous through wear and tear or are no longer required and could be replaced with an easier to use gate. However traditional stone stiles form important features in the local landscape and should be retained and provision made for a gap adjacent.

**MN9: Stile and Gate Removal**

Where a stile or gate is no longer needed for stock control or public safety negotiations shall be undertaken with the landowner to seek the removal of that structure.

In circumstances where the stile in question is traditional stone it shall be retained, and provision made for a gap adjacent where no other structures are needed.

Action Ref: M7

**Gate photo?**

7.39 Legally stiles and gates are the responsibility of the landowner and therefore the Council must negotiate with the landowners to encourage the replacement of stiles with gates or their removal altogether. In 2005 there were at least 436 stiles on the footpath network and since then the Council has replaced nearly 400 of these with either gaps or gates. 27% of respondents to the 2019 User Survey indicated that fewer stiles or gates would make access easier for them,

Stiles shall not be permitted next to existing field gates where it is the intention that the public use the stile rather than a gate. Gates designed for path users will be permitted next to existing field gates.

Action Ref: M7

**MN10: Stiles and Stile Replacement**

When managing the path network, the least restrictive option shall be promoted in the order of a gap, then a gate, then a stile and with structures kept to a minimum.

Under the provisions of section 147 of the Highways Act, only gates shall be authorised as new structures on footpaths, and any new structure on a footpath or bridleway shall meet British Standards. Any new structure authorised to be installed shall be removed when it is no longer needed to control livestock.

The replacement of a gate with a stile shall not be permitted.

7.xx A schedule of Conditions for Authorisation of a Gate on a Public Footpath or Bridleway is set out in Appendix 13.

**Surfaces**

7.40 One of the barriers to use of the countryside, especially by less mobile people, is the condition of the surface of the path. However, most paths pass through areas of countryside, and therefore improvements must be in keeping with the character of the local landscape. In addition, surfacing and drainage works are expensive and are therefore only undertaken in exceptional circumstances, resources permitting and where it is likely to result in increased or safer use.

7.41 The issue of surfaces on bridleways can be contentious, with cyclists and walkers preferring a hard, firm surface on which to ride and walk, and horse riders preferring a soft surface. The needs of all three groups of users can be especially difficult to accommodate on

steeply sloping bridleways, which often also suffer from surface erosion problems due to flash flooding.

7.42 Some paths have private vehicular use rights to access land or property. This often results in unreasonable demands and expectations that the surface of these routes are improved by the Council for private car use. Where paths are privately owned the Council are only responsible for that part of the path which is designated for used by walkers or riders. The Council is not responsible for the whole width of the route which is generally wider where there is also vehicular usage. Due to the shared use of such routes and the potential dangers posed to users by vehicles the Council will not tarmac such routes or infill uneven surfaces beyond that of the dedicated route. The responsibility for the wider path rests with the private landowner(s) with access rights.

Action Ref: M6

7.43 Resurfacing a path can be expensive and potentially environmentally damaging especially if non-porous material is used. Where a path also has private vehicular use rights land/property owners may on occasion offer to cover the costs of resurfacing. Whilst in certain circumstances this may be acceptable there are several factors to be taken into consideration including suitability of materials proposed to be used, length of route, nature of route, potential dangers it would pose to walkers and riders, as well as future liability. Any proposals of this nature must be subject of a risk assessment and considered on their individual merits.

**MN11 : Surfacing improvements.**

The surface of paths, especially within the Coastal Access Zone and along the Coastal Path shall be maintained in as natural condition as possible.

Path surfaces shall not be improved for the benefit of private vehicular users. In situations where this may encourage increased use by less able users consideration shall be given to assisting with the maintenance or improvements to a path in proportion to public and private use.

**MN12: Changing Path Surfaces**

Consent shall not be given to third parties changing the surface type of a path unless a risk assessment is undertaken demonstrating that:

- the new surface would be compatible with the public use,
- the necessary consents are in place to mitigate potential environmental damage
- appropriate measures are implemented to safeguard users, and
- liability for future maintenance is agreed to rest with the third party.

Action Ref: M6

Photos of damaged paths?

7.44 Path surfaces are liable to damage from unauthorised users, such as motorbikes and all-terrain vehicles, which also pose a danger to walkers and horse riders. Where there is evidence of this occurring safeguarding measures will be put in place to seek to prevent this occurring.

Enforcement

7.45 Under the provisions of the Highways Act 1980, the Council is under a duty 'to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority'. It is also the duty of the Council 'to prevent, as far as possible, the stopping up or obstruction of the highways for which they are the highway authority'.

7.46 Legislation allows the Council to either take direct action to have an obstruction removed or to prosecute the offender. However, it is normal practice to approach the landowner and discuss the obstruction with them before taking legal action. Most enforcement issues are dealt with successfully in this cooperative way – especially where the Council can offer installation of gates necessary to open up the path. The provision and maintenance of gates (and stiles) is the responsibility of the landowner, with the Council obliged to provide at least 25% of the cost of installation or maintenance. Where a landowner or land

occupier cooperates in removing an obstruction the Council will normally provide and install a gate.

**MN13: Provision and Maintenance of Gates**

Where a landowner or land occupier agrees to replace a path obstruction with a suitable standard gate, this shall be provided and installed by the Council with at least the minimum required 25% contribution towards the cost.

Where a landowner or land occupier fails to co-operate resulting in enforcement action being instigated to remove a path obstruction, the Council shall provide no more than the statutory minimum 25% cost of installing or maintaining a gate or stile.

Action Ref:M7



7.47 Most of the public rights of way network is across private land. Despite the Council having had a duty to keep all public paths open and available for the last 60 years, certain paths have been obstructed for decades. However, these cases are now rare and are usually related to a problem with the Definitive Map (e.g., Penrice 35, and Llanmadoc 12) or the path having no recreational value (e.g., Penrice 28). **Photo?**

- Stiles and gates
- Obstructions
- Electric fences
- Crops and ploughing

These procedures will be used to protect paths where goodwill and cooperation approaches have failed.

7.48 When considering whether to take enforcement action to open up a path, the Council must consider the overall cost of doing so and not just the cost of enforcement. It is likely that there will be associated works that the Council will become responsible for as a result, such as path clearance or bridge replacement. Therefore, when the Council secures the removal of the obstructions it must also be able to deal with any other associated issues arising.

#### **MN14: Enforcement Action**

Where a landowner or land occupier fails to cooperate with the removal of a path obstruction having been given reasonable opportunity to do so, the enforcement procedures for public rights of way shall be instigated

Action Ref: G1, M14

7.49 Sometimes substantial obstructions are encountered on public paths, such as buildings. In these circumstances it would usually be in the interests of both landowner and users to divert the path.

7.50 Any member of the public can serve a notice on the Council for the removal of path obstructions (other than buildings). Details of which are set out in Welsh Government 'Guidance for the General Public on the Removal of Obstructions from Rights of Way', 2016.

7.51 The Council's procedures for taking enforcement action are set out in Appendix 12 and relate to:

- Overgrowing trees and vegetation

## 8.0 Access Land and other Access Opportunities

8.1 The total Access Map shows that, in addition to the path network, there is a large area of land that is available for people to access on foot. This is mainly Access Land that was designated under the Law of Property Act, 1925, or the CROW Act, 2000. However, it also includes:

- Nature Reserves
- Most National Trust land (that is not already Access Land)
- National Nature Reserves (at Whiteford, Fall Bay and Oxwich)
- Royal Society for the Protection of Birds land at Cwm Clydach
- Clyne Country Park



The Access Land symbol

Include an extract of the total Access Map?

8.2 The Access Map does not show some other areas that are also available to the public, including some beaches (access to all the County's beaches is available and only some beaches are shown), the small number of known permissive

paths, Lliw Reservoirs, and Penllergaer Valley Woods Historic Park and Garden.

8.3 Public access across this land is mostly only available on foot, and some of it only by permission. There are some exceptions, for example, public have a right of access by foot on Access Land and on Commons owned by the National Trust via the National Trust Act of 1907, whilst horse riders have access to 'urban' commons.

8.4 Although there is a right for the public to use Access Land, there is no duty to maintain the land in such a way as to always make it available to the public. Therefore, some Access Land is overgrown to the extent that it is impenetrable, and for this reason is not available for the public. Other than on the public paths that cross Access Land the Council has no powers to signpost or maintain routes across Access Land. However, it has been possible in some instances to agree a 'preferred' route across Access Land with the landowner. Such routes do not affect the rights of either the public or the landowner but are an informal means of maintaining and signposting specific routes where this is necessary.

8.5 A small number of 'permissive' paths have also been officially agreed. These routes were set out with the agreement of the landowners either by this Council or under previous agri-environment schemes.

8.6 Unlike public paths, permissive paths are not permanent and can be closed at any time. Permissive paths are generally not shown on Ordnance Survey maps, and there is often limited public knowledge of these routes. However, in some

circumstances they can provide a useful addition to the legal rights of access. Sometimes a permissive path can lead to a path becoming a permanent public path but should only be agreed where they will enhance the existing network and where this is the case they should be encouraged. For example, there are now several public paths in Pennard that were originally permissive that have enhanced user and visitor experience in that Coastal Access Zone.

**AL1: Permissive Paths**

Where it has not been possible to create a public path, permissive paths shall be encouraged where they would add useful new links to the network.

A permissive path established by agreement with a landowner shall not replace any existing public path or Access Land. Where a permissive path is agreed the existing public paths must remain open and available.

Action Ref: A1

Photo of permissive path in Clyne?

## 9.0 Promotion of Access to the Countryside

Include more images of leaflets/walking/cycling/riding as appropriate.

### Walking

- 9.1 The Council has published several leaflets promoting specific walks to encourage people to explore these routes. All the promoted routes have been made accessible using grant aid funding .
- 9.2 The current list of promoted routes (Appendix 2 refers) is available free of charge as both paper leaflets and as downloadable PDFs on the Visit Swansea Bay website. The website also contains details of the ‘This Is Gower’ walking app, containing seventeen walks in the County, plus walks in Gower’s ancient woodlands, Llanrhidian Community, and coastal walks.
- 9.3 The promoted routes are spread across the County with six circular routes based on the Coast Path, five short ‘Walking by Bus’ circular walks and three walks in Mawr. Opportunities for creating additional promoted routes will continue to be pursued and, as for all routes, shall take account of the need to act sustainably, with access to the routes via public transport, on foot, horseback or by bicycle encouraged as appropriate.

- 9.4 Any promotional material must also provide advice on how to walk or ride in the countryside responsibly to ensure that visitors to the countryside do not have an adverse effect on those who live and work there.
- 9.5 There are some privately published guidebooks that promote walks, mostly in Gower, but also in the northern part of the County. The National Trust promote a few walks based on their property, whilst promotion of the Wales Coast Path is undertaken nationally by Natural Resources Wales.
- 9.6 Also crossing the County in part is St Illtyd’s Way - a long distance path devised by the Ramblers in the 1990’s. It starts at Pembrey and ends at Margam, with a short section of the path passing through moorland along the northern boundary of the County. Apart from a short section of public footpath, the path within the County is mainly across Access Land. The Council has assisted with signage of the path, but as most of the route crosses Access Land, consent from both Commoners and the Somerset Trust must be obtained before any signs can be placed on these sections of the path. Maps of the entire route are available on the Council’s website.

### Cycling

- 9.7 Since 2022 a network of off-road cycle routes at the western end of Gower has been promoted by the Council. The network was based on the existing bridleway network and was originally intended to be more extensive but requires a considerable number of

legal changes to be made to the bridleway network including new bridleways, up-grading footpaths, and diversions. This remains a longer-term project that would need support from users, landowners and local Community Councils which does not exist at present. Details of the routes can be downloaded from the Visit Swansea Bay website.

- 9.8 Promotion of any route must be in association with enhancements to the paths that are promoted. Users must find the promoted routes in a fit condition for use and as described in the promotional material or they will be discouraged from using them and the resources applied to promote routes will be wasted. Promoted routes must be easy to follow and specific, easily recognizable waymarking should be used.

<p><b>PR 1: Promoted Routes</b></p> <p>Detailed information on promoted routes together with the condition of paths shall be provided on the Council’s website to enable potential users to plan their visits to the area</p> <p>Opportunities for the creation of additional, sustainable promoted routes shall continue to be explored, along with better use of bridleways for cycling</p>
<p>Action Ref: T3</p>

**PART 2: STATEMENT OF ACTIONS**

DRAFT

## STATEMENT OF ACTIONS

Delivery of this Countryside Access Plan will be led by the Countryside Access Team, within the Council's Natural Environment Section, Planning and City Regeneration Service. Whilst the responsibility for the path network falls to this team, the plan also impacts on many other service areas including those responsible for planning, the natural environment, tourism and health and well-being. Current funding for delivery of this Plan will be primarily reliant on continuing to successfully bid for external sources of funding. The delivery of the plan will be monitored by the Planning Committee and Swansea Local Access Forum, whilst opportunities to work collaboratively with external partners will continue to be pursued.

## GENERAL ACTIONS

Ref	Action	Present situation	Additional resources required*	Potential source of additional funds	Completion date
G1	To make the countryside as accessible to as many walkers and riders as possible	Continue to improve upon the significant work carried out over the last 15 years to make access to the countryside easier	£35,000pa  (Approximate current levels of grant funding)	Coast Path grants/ Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association	Ongoing
G2	The Council will seek to provide information to enable people to assess which parts of the path network may be accessible to them.	The Council has a duty to make as much of the path network as accessible to as many people as possible.  Much of the network is already open to those with limited mobility but more information re location and condition of routes would encourage further use.	£20,000	Coast Path grants/ Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association	2028

G3	The Council will encourage people from all backgrounds to take part in countryside access.	Improve awareness of the benefits of accessing the countryside and how to better use the access	£35,000pa  (Approximate current levels of grant funding)	Coast Path grants/ Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association	Ongoing
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## DEFINITIVE MAP

Ref	Action	Present situation	Additional resources required	Potential source of additional funds	Completion date
D1	An updated version of Definitive Map will be produced every 10 years.	Amendments are updated online. A paper copy has been published in 2023.	Printing costs £1,000 (One off)	Swansea Council (Statutory duty)	Ongoing and 2033
D2	Ensure that the Definitive Map and statement provide an accurate record by making the required legal changes to the network.	There is currently a backlog of 100 errors, 13 outstanding claimed paths, at least 53 unregistered 'Swansea Map' routes	N/A	Swansea Council (Statutory duty)	Ongoing
D3	Legal Event Modification Orders (LEMOs) will be made immediately after each new Public Path Order is confirmed.	These are currently up to date.	None	Swansea Council (Statutory duty)	Ongoing



D4	The Council will lobby Welsh Government to: amend Welsh legislation in relation to LEMOs; remove the requirement to publish notices in the press; and repeal clause 119(2)(a) of the Highways Act, 1980 requiring two orders to run concurrently.	These procedures are not required in England and are an unnecessary and costly process both in terms of time and resources.	None	N/a	2026
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### CHANGING THE PATH NETWORK

Ref	Action	Present situation	Additional resources required	Potential source of additional funds	Completion date
P1	Seek to create new paths where it can be clearly demonstrated that there is a public need and demand for new paths	Greatest demand is for greater connectivity of bridleways as the network is sporadic	External funding	Access Improvement grant/ AONB Partnership grant/ Gower Society	Ongoing
P2	Continue to create new sections of public path for the Coast Path and Coastal Access Zone to ensure that the route is protected and is as attractive and easy to use as possible.	New paths are still needed at Oxwich and Southgate. As the coast continues to erode, further alterations to the route will be required.	External funding	Natural Resources Wales and Welsh Government Wales Coast Path funding	Ongoing
P3	Divert paths where this will enhance the network and improve the performance indicator	Since 2008 over 100 changes have been made to the network where the public have been using a different route than the route shown on the legal records.	External funding/legal support	AONB Partnership grant/ Access Improvement grant/ Gower Society	Ongoing and 2033

		However, there are at least 90 more cases remaining.			
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## MANAGEMENT OF THE PATH NETWORK

Ref	Action	Present situation	Additional resources required	Potential source of additional funds	Completion date
M1	Improve at least 75% of the network so that it meets the minimum standard (signposted and easy to use)	Currently approximately 60% of the network is easy to use (a reduction from 70% in 2017)	£35,000 p.a.  (Approximate current grant funding.	Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association	2033
M2	Continue to develop the annual path vegetation clearance programme to ensure that as much of the network is open and available as possible.	The number of paths that the Council is able to regularly clear has been reduced by over 50% due to budget limitations. Ongoing annual review of the number of cuts to maximise the length of network that can be cleared with available resources	£25,000 p.a.	Swansea Council (Statutory duty)	Ongoing
M3	Prioritise the network for maintenance based on amount of use.	Linked to M2, a formal system of prioritisation needs to be developed.	None	N/A	Ongoing
M4	Maintain and improve signage and waymarking to encourage increased use	Several signs with destinations and distances have been installed over the last 12 years. Opportunities for further locations where this will be of use to the public will be considered.	£1000 p.a.	Access Improvement grant/ Wales Coast Path funding/ AONB Partnership grant/ Gower Society/ Ramblers Association	Ongoing

M5	Provide information to help the public and land managers better understand the landscape and environment through which the path network passes	A number of advice notices are currently available to help walkers and riders better understand how they should behave, e.g. dogs on leads in livestock. Opportunities for further locations where this will be of use to the public will be considered.	£1000pa	Access Improvement grant/ Wales Coast Path/ funding AONB Partnership grant/ Gower Society	Ongoing
M6	Improve surfaces where this will encourage increased use, especially by less able users	Improving paths by surfacing is an expensive and potentially damaging environmentally task, that must be applied only where necessary	£10,000 p.a.	Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association	Ongoing
M7	Remove any unnecessary structures and replace stiles with gates	No evidence is currently collected or monitored of unnecessary structures.	Variable	Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association	Ongoing
M8	95% of paths in the Coastal Access Zone will be improved to the 'easy to use' standard.	About third of the total network is in the Coastal Access Zone. Around 30 paths remain that do not meet the standard.	£20,000 p.a	Wales Coast Path funds/ AONB Partnership grant/ Access Improvement grant/ Gower Society/ Ramblers Association	Ongoing
M9	Maintain, enhance, and improve the Coast Path as opportunities arise	A significant number of improvements have been carried out over the last 10 years however the route is subject of continual coastal erosion and	Up to £60,000 p.a.	Wales Coast Path funding (NRW/WG)	Ongoing

		potential for damage to unsurfaced paths from users and livestock			
M10	Improve the Gower Way where necessary (In partnership with the Gower Society).	The Gower Way has recently been subject to an extensive programme of improvements, but opportunities for further improvements will continue to be pursued	Variable	Gower Society	Ongoing
M11	The Council will liaise with Community Councils and their representatives to encourage greater management of path clearance within their communities	The budget for the path clearance contract does not cover all paths and ways of making the budget go further need to be explored working in collaboration as appropriate	None	Local Community Councils	Ongoing
M12	The Council shall seek to open all bridleways (obstructions removed, legally defined, signposted)	Most bridleways have been opened up over the past decade largely open, however there remain a limited number with obstructions	£10,000 p.a	Access Improvement grant/ AONB Partnership grant/	Ongoing
M13	Undertake a whole network review	Need to a complete record of the current state of the network undertaken over winter months as a baseline to update the Countryside Access Management System - the Council's record database	Officer time	Council budget	Ongoing
M14	The presumption when considering enforcement proceedings will be that any case will initially be dealt with in a conciliatory and co-operative matter.	Council's procedures for taking enforcement action are set out in Appendix 12 and will be used to protect paths where goodwill and	Officer time	Council budget	Ongoing

		cooperation approaches have failed.			
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### ACCESS LAND AND OTHER ACCESS OPPORTUNITIES

Ref	Action	Present situation	Additional resources required	Potential source of additional funds	Completion date
A1	Permissive paths will be pursued where they will add useful new links to the network or possibly lead to the creation of public paths, and it has not been possible to agree a public path.	A small number of permissive paths exist	Approx £4000 per path	Access Improvement grant/ AONB Partnership grant/ Wales Coast Path funds/ Gower Society	Ongoing

### PROMOTION OF ACCESS

Ref	Action	Present situation	Additional resources required	Potential source of additional funds	Completion date
T1	Any promotion of additional walking routes by the Council shall be carried out in consultation with the Countryside Access Team.	Several promoted walking routes have been produced and opportunities for further sustainable routes continue to be explored:	£3000 per new walk	Wales Coast Path funding / Access Improvement grant/, AONB Partnership grant/ Gower Society/ Ramblers Association	Ongoing
T2	Promote the Coast Path and associated linear and circular walks.	The Coast Path is promoted around Gower/Swansea and 6 circular walks associated with the Coast Path. Natural Resources Wales are currently	£3000 per new walk	Wales Coast Path funding/ AONB Partnership grant/ Gower Society	Ongoing

		investigating the potential for additional circular coastal walks			
T3	The Council will continue to improve its website by providing more specific information on the condition of the path network to enable potential users to plan their walks and rides prior to visiting the area.	The Council's website provides downloadable promoted walks leaflets, and a map of the whole path network and this will continue to be updated as further information becomes available	£5,000 p.a.	N/A	Ongoing

\*Figures quoted are indicative and reflect typical costs for the relevant project. Typically, only around £144,000 worth of project work can be carried out/contracted out in any given year, depending on the nature of the work and staff capacity

## **Appendices:**

1. Policy Context
2. Promoted Routes
3. Coastal Access Zone Improvements
4. Network Statistics
5. Staff Resources
6. Sources of Budget for Maintenance and Improvement
7. Health and Well-Being Studies
8. History of the Definitive Map and Statement
9. Definitive Map Anomalies/Errors
10. Path Clearance Guidelines
11. Active Travel Routes
12. Enforcement Procedures for Public Rights of Way
13. Schedule of Conditions for Authorisation of a Gate on a Public Footpath or Bridleway

## **Appendix 1: Policy Context**

A number of strategies and plans produced at the national and local level refer to countryside access. The references are mainly about generalised access, walking and cycling and access in an urban setting. There are few references to horse riding. Some of the key elements are highlighted below.

### **Well-being of Future Generations (Wales) Act, 2015**

Access to the countryside contributes to all 7 goals identified in the Act, namely:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of vibrant culture and thriving Welsh language
- A Wales of cohesive communities
- A globally responsible Wales

### **Active Travel Action Plan for Wales, 2016**

The Active Travel Action Plan states that availability of good quality walking and cycling infrastructure is essential to achieve the aim of the Active Travel Act, 2013.

The infrastructure actions in the Plan are:

- Develop the funding strategy for active travel investment.
- Consider and enhance provision for walkers and cyclists whenever we make direct investments in transport infrastructure. We will continue to make grant funding available for high quality local active travel schemes.
- Require consideration of access for walkers and cyclists before we support capital investments.

### **Gower AONB Management Plan, 2017**

Relevant Objectives:

- 19: To improve the current standard and level of maintenance of public rights of way so that 95% are open, useable, and clearly signposted.
- 20: To improve access opportunities around the Wales Coast Path and the Gower Way.
- 21: Ensure that Access Land is available and publicised for use by communities and visitors.
- 22: Develop a clear understanding of the recreation activities in the AONB and around the coast.



## Swansea Destination Management Plan, 2023-2026

Identifies that Tourism is worth £510m to the local economy and there were 4.2m visitors to the area in 2022.

Strategic priorities include extending the tourism season and encouraging economic and environmental sustainability to the benefit of the environment and well-being. Actions include improving visitor experience, improving infrastructure and a well-managed natural environment.

The coastline, beaches, scenery, and landscape remain the main reasons for visiting and walking is identified as the most popular activity.

## Swansea Local Development Plan, 2019

Selection of Key policies/extracts:

### PS 2: PLACEMAKING AND PLACE MANAGEMENT

Development must enhance the quality of places and spaces and respond positively to aspects of local context and character that contribute towards a sense of place. The design, layout and orientation of proposed buildings, and the spaces between them, must provide for an attractive, legible, and safe environment, and ensure that no significant adverse impacts would be caused to people's amenity.

Depending on the nature, scale and siting of the proposal, development must also:

- Integrate effectively with the County's network of multi-functional open spaces and enhance the County's green infrastructure network.
- Provide an accessible environment for all.

### SD 2: MASTERPLANNING PRINCIPLES

On all sites where there is capacity for 100 homes or more, development must deliver a comprehensively planned, sustainable neighbourhood with distinct sense of place that:

- Is founded on a comprehensive and coherent Placemaking approach that relates to a masterplan for the entire site that demonstrates:
  - a clearly structured walkable neighbourhood with hierarchy of streets and spaces.
  - the provision of internal streets designed for low speeds, having regard to key pedestrian routes.
- Integrates key movement corridors, to encourage active travel and use of public transport, including links to the wider area.
- Creates a network of well overlooked and legible streets and spaces that address townscape and community safety considerations and are not dominated by vehicles.
- Provides for multi-functional and connected green spaces that link to the wider area and provide opportunities for relaxation, play and recreation

Proposals at Strategic Development Areas must be required to:

- a. Incorporate spine streets lined by active frontages with shared footways/ cycleways on both sides of the street, with verges and appropriate street trees.
- b. Deliver a network of streets to serve discreet development areas.
- c. Create an accessible site which integrates positively with existing communities and sustainable travel routes, public transport facilities, footway, and cycle routes.

## SI 1: HEALTH AND WELL-BEING

Health inequalities will be reduced, and healthy lifestyles encouraged by ensuring that development proposals:

- Are supported by appropriate social infrastructure and community facilities, with good interconnectivity between places and land uses.
- Maintain and/or enhance the extent, quality and connectivity of the Active Travel and green infrastructure networks

## SI 2: PROVIDING AND SAFEGUARDING COMMUNITY FACILITIES

New community facilities must be accessible by Active Travel and public transport and be conveniently located in relation to other facilities and services wherever possible.

6.24 The relevant LDP policy and amplification is set out in full below:

***Policy T 7: Public Rights of Way and Recreational Routes*** *Development that significantly adversely affects the character, safety, enjoyment, and convenient use of a PROW will only be permitted where an acceptable alternative route is identified and provided. Linkages, and where appropriate extensions, to the existing PROW network will be expected from all new developments, which must have regard to the existing character of the PROW and the aspiration to provide access for all.*

*Amplification:*

*2.12.38 The Council is committed to its statutory duty to protect the County's PROW network for public access and recreational purposes. Furthermore, many PROWs are historic features in their own right and are part of the Green Infrastructure network supporting many ecosystem services. The grant of planning permission does not provide consent to alter a PROW. It must be diverted or stopped up by order and a separate application must be made to the Council for any alteration. A diversion order must be confirmed before the development takes place. Where necessary, planning conditions will be used to ensure that development does not commence before arrangements have been made to provide an adequate alternative route. If diversion of a PROW is necessary to allow development to take place, an alternative route must be identified and incorporated into the planning application*

2.12.39 In addition to statutory responsibilities for the PROW network, the policy seeks to facilitate new or improved off road public access routes. Any development that would unacceptably obstruct and/or adversely affect the enjoyment of an existing or proposed new route will be resisted, unless an acceptable alternative route is confirmed in advance of development taking place. This is in accordance with the Council's Countryside Access Plan. It also supports aims to promote recreational access to urban greenspace and the countryside

2.12.40 The stopping up of a PROW will only be considered in exceptional circumstances. Such circumstances will only apply to developments that bring substantial economic or social benefits to the community and where it can be demonstrated that those benefits outweigh the loss of the PROW. In such circumstances also, developers will be expected to demonstrate that no alternative route can be developed. PROW's can only be stopped-up by a legal order, meeting the legal test that they are no longer needed for public access.

2.12.41 In-line with the Countryside Access Plan, possibilities for the improvement or extension of public access opportunities will be examined when considering all development proposals. Developers will be encouraged to provide links to any adjoining PROW network from new developments. New developments must become more accessible and encourage travel by means other than the private car. It is important to ensure that all new or improved routes do not damage the local landscape or environment, nor local resident and visitor amenity. When considering development proposals there will be a concentrated and balanced assessment of local character and accessibility. Careful consideration will also be given to signage, surfacing and engineering work. In addition, standards of design on the PROW network must take into account people with mobility difficulties, the young and the elderly.

2.12.42 Requirements in relation to the Countryside and Rights of Way Act extend the public's right of access to the countryside. In considering proposals for new access rights, consideration will be given to guidance from the Local Access Forum and the Countryside Access Plan.

## **The Wales Transport Strategy, 2021**

States that in line with the Active Travel (Wales) Act, the aim is for walking and cycling to become the normal choice for shorter journeys.

Priorities will be:

- Continuously develop a network of local routes for walking and cycling to connect people with the places they travel to for everyday journeys

- Refresh the plans for Integrated Active Travel Networks every three years, based on extensive consultation with a particular emphasis on people who do not currently walk or cycle for local trips
- Include education facilities on Network Maps, including Welsh-medium education
- Train and develop professionals in best practice active travel design and guidance to ensure high quality infrastructure is put in place
- Develop a package of ‘soft’ behaviour change measures, such as aiming to make cycle training available for all and travel planning, to complement ‘hard’ infrastructure investment.
- Put in place a policy framework that ensures that all new developments, including new school and health facilities, make provision for walking and cycling from the outset
- Encourage all schools to have an active travel plan and adopt actions to slow traffic and widen pavements around schools
- Change the default speed limit from 30mph to 20mph in built-up areas to reduce traffic related injuries and fatalities and make walking and cycling safer and more attractive
- Support safer, better cycle paths and more space for walking and cycling through closing roads for vehicle traffic, more facilities for pedestrians, and support for cycle training and safety schemes for all road users
- Introduce pilot schemes to make use of electrically assisted bikes (e-bikes) and e-cargo bikes an affordable option for more individuals and businesses
- Work with partners on behaviour-change programmes to encourage uptake of healthy and active travel through for example, workplace schemes, including provision of facilities such as cycle parking
- Work with UK partners on a regulatory framework for micro-mobility modes such as e-scooters
- Manage and evaluate the Active Travel Fund which supports local authorities to develop and deliver active travel schemes, including best practice sharing and regional collaboration
- Work towards ‘Safe Cycling from Village to Town’ giving villages safe cycling access to the nearest town and creating hub-and-spoke active travel corridors connecting market towns and other significant local centres to surrounding villages and outlying developments

## **Visit Wales Plan – Welcome to Wales: 2020 – 2025**

The main principles of this Plan are:

- Outstanding landscapes, protected and cared for: Accessible, protected natural landscapes – offering meaningful, high-quality, and contemporary wellbeing experiences.
- Vibrant communities and a creative culture: An authentic but highly creative and contemporary urban and rural culture and heritage offering, co-created with locals, and valued by visitors.
- Epic adventures and activities for everyone: Innovative, world-leading adventures, events, and activities – that bring our post-industrial and natural landscapes to life and promote healthy living for all.

Highlighted in the plan are the Wales Coast Path, mountain biking and cycling. It states that there is a need to continue to invest in the basic tourism infrastructure around Wales, as well as in high quality visitor experiences. Also, to explore closer

collaboration with partners to ensure that experiences such as the Wales Coast Path, and other national trails are maintained, accessible and play a core role in the wider adventure offer. Consideration is given to better ways to signpost attractions in Wales, either through digital technology or more strategic approaches to signage.

The need for investment is identified in facilities that 'generate pride in Wales' adventure offering' and that provide access to a wide range of visitors, including communities, to new activity and wellbeing opportunities. This includes ensuring delivery of activity/outdoor facilities near major population hubs and working with partners on initiatives such as the Wales Coast Path.

## **National Transport Delivery Plan, 2022-27**

Where new infrastructure is needed, priority will be given to:

- Walking and cycling, then
- Public transport, then
- Ultra-low emission vehicles, then
- Other private motor vehicles

Active travel funding has significantly increased to deliver the quality (walking and cycling) infrastructure needed to drive the modal shift to active travel, replacing the car for shorter everyday journeys. This not only benefits carbon reduction targets but provides improvements in physical and mental health, reducing the burden on health services.

The investment in active travel is being used to integrate active travel infrastructure with sustainable public transport and connect people and settlements with employment, education, and services. The local authority active travel network maps are prioritising those routes which will have the greatest impact.

## **Local Well-being Plan – Swansea Public Services Board, 2023-2028**

Seeks to ensure that the health and multiple other benefits of green and blue infrastructure are maximised in urban and rural areas, and that everyone has access to good natural spaces.

Encourages nature based solutions to improve well being

## Appendix 2: Promoted Routes

### Cycling

Gower off road cycle routes

### Walking

Wales Coast Path

#### Coast Path Circular Walks:

Oxwich Point

Llanrhidian to Cheriton

Dunvant to Gowerton

Llanmadoc

Llanmorlais

Bishopston Valley and Pwlldu Bay

#### Mawr Walks:

Cwm Clydach

Graig Fawr

Cwm Ysgiach

Lliw reservoirs

Penlle'r Castell

#### Walking by Bus:

Langland to Caswell

Llanmadoc

Rhossili

Penmaen

Lliw Reservoirs

#### Long Walks

Gower Way

St Iltyd's Way

Gower Pilgrimage Way

Details of most routes are available to view here: [Countryside walks - Swansea](#)

### Appendix 3: Coastal Access Zone Improvements

Paths in the Coastal Access Zone that require improvement to the ‘ease to use’ standard, i.e., easy to use, find and follow (2023).

Path Number	Community	Issue	Prevents use?
LL1 (west)	Llanrhidian Lower	Obstructed	Yes
LL2	Llanrhidian Lower	Obstructed	Yes
LM1	Llanmadoc	Obstructed, sea wall collapsed	Yes
LM5	Llanmadoc	Divert on to used route	No
LM12	Llanmadoc	Obstructed, diversion needed	Yes
RH12	Rhossili	Divert on to used route	No
PE10	Port Eynon	Divert onto walked route	No
PE13	Port Eynon	Dead-end bridleway	No
OX7	Penrice	Divert on to walked route	No
PR3	Penrice	Obstructed	Yes
PR9	Penrice	Obstructed	Yes
PR30	Penrice	Does not meet road	No
PR36	Penrice	Obstructed and does not meet road	Yes
Pennard Burrows	Pennard	Divert on to used routes	No
Bishopston Valley	Pennard/Bishopston	Divert on to used routes	No
PD35	Pennard	Obstructed	No

## Appendix 4: Network Statistics (2008-2023)

### Length of path network by Community

Community	2008		2023	
	Network (kilometres)	Order	Network (kilometres)	Order
Gorseinon	3.6	23	3.6	28
Gowerton	16.7	14	17.6	12
Grovesend	4.2	24	4.2	25
Llangyfelach	12.9	16	13.1	16
Llwchwr	8.5	20	10.9	18
Penllergaer	2.1	27	2.5	29
Pontardulais	13.2	15	13.2	15
Pontlliw	3.6	26	3.7	27
Mawr	70.7	2	74.0	2
Clydach	14.8	13	14.8	13
Bishopston	18.7	11	20.1	11
Ilston	41.1	5	43.5	=4
Llangennith, L & C	88.2	1	93.5	1
Llanrhidian Lower	29.4	9	29.6	9
Llanrhidian Higher	37.5	8	26.3	10
Penrice	39.7	6	44.5	3
Pennard	37.9	7	38.6	7
Port Eynon	42.7	3	42.7	6
Reynoldston	8.7	19	9.0	20
Rhossili	42.4	4	43.5	=4
Three Crosses	-	-	13.9	14
Upper Killay	10.3	18	10.6	19
Birchgrove	3.7	25	4.0	=26
Bonymaen	-	-	4.7	23
Cockett	1.4	28	2.2	30
Dunvant	5.8	21	6.7	22
Killay	5.1	22	6.9	21
Llansamlet	11.5	17	11.5	17
Mumbles	26.4	10	31.1	8
St Thomas	-	-	4.4	24
Sketty	-	-	4.0	=26
Rest of Swansea	3.8	-	1.1	31
Total	604.6		650	



## People counter data 2014\*

<b>Path location</b>	<b>Approx no. of people counted</b>
Brandy Cove to Pwlldu	33,000
Caswell to Langland	106,000
Cwm Ivy to Whiteford	40,000
Penmaen car park to cliffs	60,000
Rhossili car park to beach	308,000
Rhossili car park to Worm's Head	318,000
Cwm Clydach RSPB car park	20,000

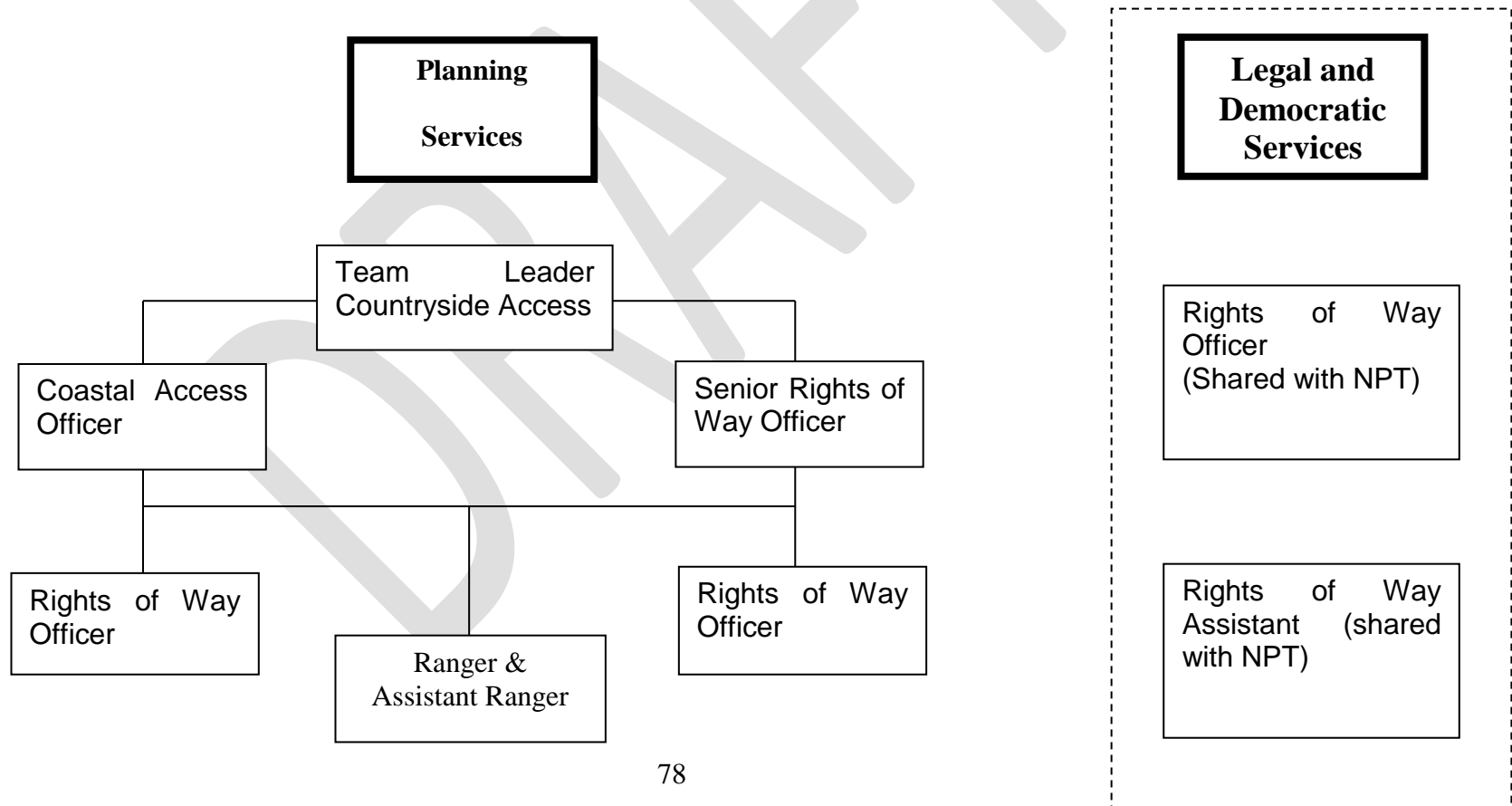
\*Acquisition of data ceased in 2015, as the data acquired between 2006-2014 showed no significant change.

DRAFT

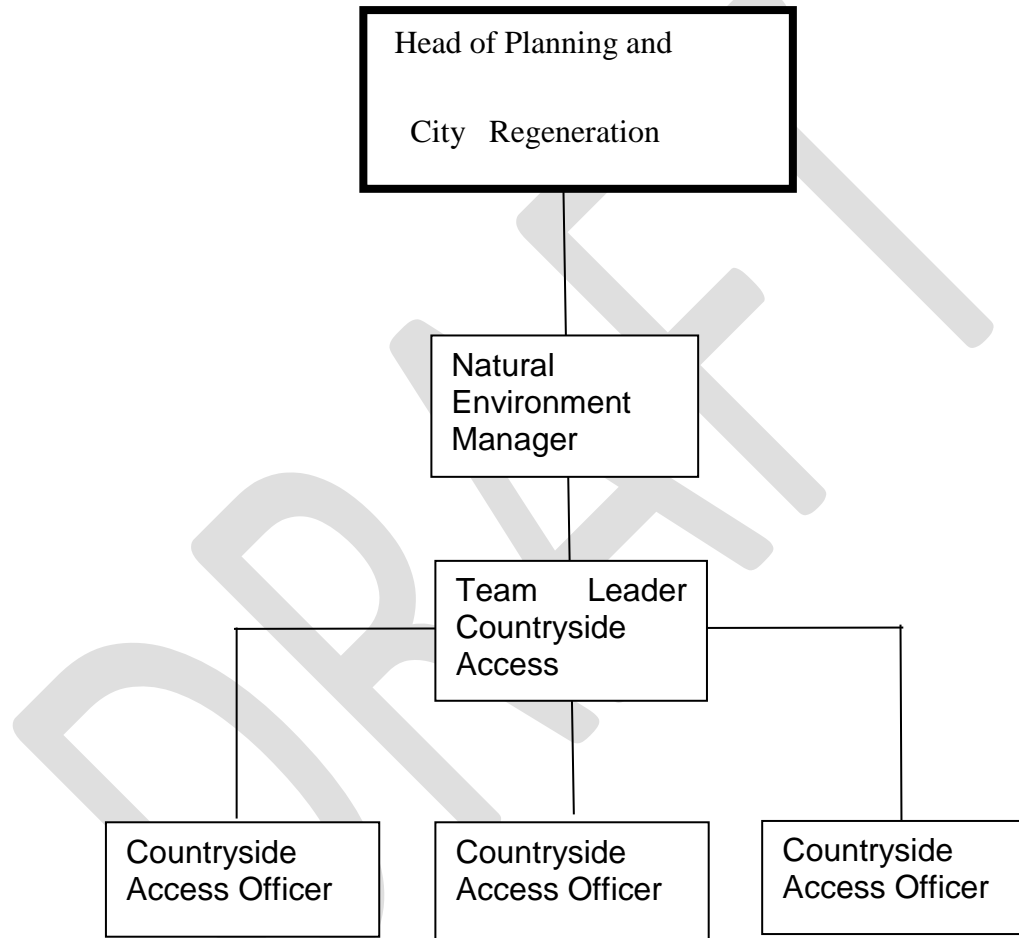
## Appendix 5: Staff Resources

Since 2013 three full time posts within the Countryside Access Team have been deleted along with 1.5 FTE posts within Legal Services dealing with rights of way matters. In 2022 the Council’s functions relating to Modification Orders and Public Path Orders were transferred from Legal Services to the Countryside Access Team with no additional resources provided.

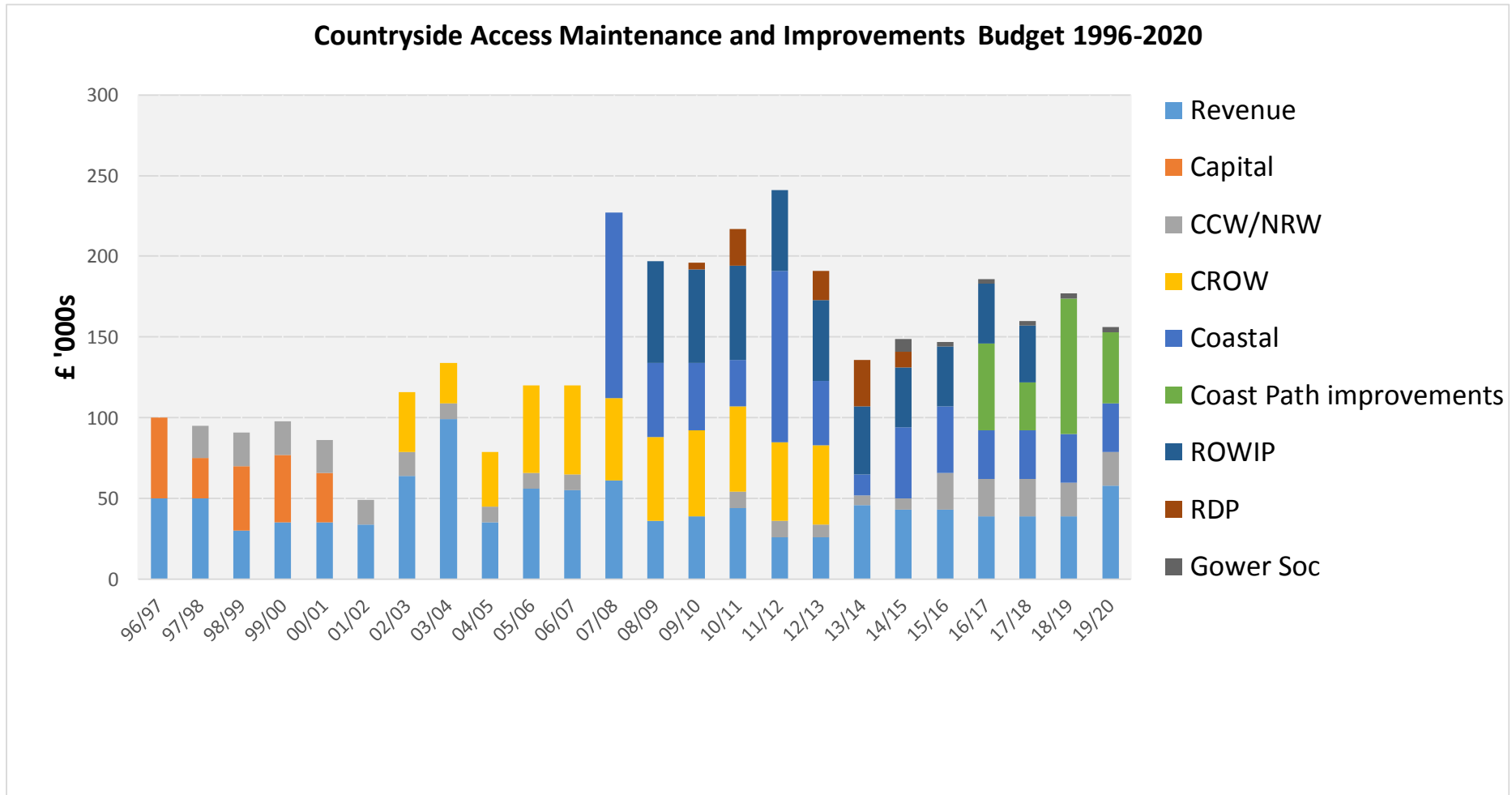
### COUNTRYSIDE ACCESS STAFF STRUCTURE 2013



## COUNTRYSIDE ACCESS STAFF STRUCTURE 2023



## Appendix 6: Sources of Budget for Maintenance and Improvement



## Appendix 7: Health and Well-being Studies

A selection of studies highlighting the benefits of walking in green space for health and well-being include:

1. The importance of greenspace for mental health (Barton and Rogerson, 2017)
2. Would You Be Happier Living in a Greener Urban Area? A Fixed-Effects Analysis of Panel Data (White et al, 2013)
3. Parks and green spaces are important for our mental health – but we need to make sure that everyone can benefit (Masterton et al, 2020)
4. The Mental and Physical Outcomes of Green Exercise (Pretty et al, 2006)
5. Effect of exposure to natural environment on health inequalities: an observational population study (Mitchell and Popham, 2008)
6. The health benefits of the great outdoors: A systematic review and meta-analysis of greenspace exposure and health outcomes (Twohig-Bennett and Jones, 2018)
7. Thriving with Nature - a guide for everyone. Making the most of the UK's natural spaces for our mental health and wellbeing. (Baldwin-Cantello et al, 2020)
8. The benefits of outdoor green and blue spaces (Methley et al, 2021)
9. Associations between green/blue spaces and mental health across 18 countries. (White et al, 2021)
10. Longitudinal associations between going outdoors and mental health and wellbeing during a COVID-19 lockdown in the UK (Stock, Bu, Fancourt & Mak, 2022)
11. Spending at least 120 minutes a week in nature is associated with good health and wellbeing (White et al, 2019)

## **Appendix 8: History of the Definitive Map and Statement**

Unitary and County Councils in England and Wales have had a duty to compile and maintain a Definitive Map since the National Parks and Access to the Countryside Act, 1949.

The first Definitive Map for this area was published in 1970. This was the result of twenty years of surveying, hearings, and quarter sessions (court cases) during which Glamorgan County Council had to produce a draft map (14 September 1954) and a provisional map (1964) before the final Definitive Map.

Section 35 of the original 1949 Act enabled some County Boroughs to be excluded from the registration process and therefore a Definitive Map was not produced for the Borough of Swansea. Section 55(3) of the Wildlife and Countryside Act 1981 reversed this position, giving County Councils the responsibility for producing Definitive maps for the formerly excluded areas. However, unlike the 1949 Act, there is no requirement to carry out a survey and subsequently register a network of public rights of way. The Definitive Map for the excluded area will develop over time as Modification Orders are made to add more routes.

A draft review began in 1971 and, following sixteen years of hearings, this eventually resulted in the publication of the second edition of the Definitive Map in 1987, which had a relevant date of 1 January 1971 and is at a scale of 1:25,000.

In July 2023 the third edition of the Definitive Map was published with a relevant date of 1 June 2023.

## Appendix 9: Definitive Map Anomalies/Errors

Path No./ Description	Community/ Parish	Error
BI5	Bishopston	Does not meet road & Dead end
BI8	Bishopston	Route
BI24	Bishopston	Dead end footpath down impassably steep slope
BI50	Bishopston	Route
BO481	Bonymaen	Dead-end footpath
BV377	Birchgrove	Dead-end footpath (both-ends)
CO91	Cockett	Dead-end footpath
CO94	Cockett	Dead-end footpath
CO103	Cockett	Dead-end footpath
CO133	Cockett	Dead-end footpath
IL1	Ilston	Dead-end footpath, route
IL15	Ilston	Path does not meet road
IL17	Ilston	Route
KI105	Killay	Path does not meet road
KI110	Killay	Path does not meet road
LC1	Pontarddulais/Llwchwr UD	Dead end bridleway
PT14	Pontlliw/Llwchwr UD	Path does not meet road
LR43	Llwchwr/Llwchwr UD	Dead-end footpath
LR44	Llwchwr/Llwchwr UD	Dead-end footpath
GN47	Gowerton/Llwchwr UD	Dead-end footpath
GN48	Gowerton/Llwchwr UD	Dead-end footpath
LR71,72	Llwchwr	Statement differs from map
GN75	Gowerton/Cockett	Dead end bridleway/route
LC81	Pontarddulais/Llwchwr UD	Path does not meet road
LF89	Llangyfelach/Penderry	Dead-end footpath
LF90	Llangyfelach/Penderry	Dead-end footpath
LF91	Llangyfelach/Penderry	Dead-end footpath
GE94	Gorseinon/Llwchwr UD	Route
LF97	Llangyfelach/Llwchwr UD	Statement error/number
LC6	Pontarddulais/Llwchwr UD	Route
LC98	Pontarddulais/Llwchwr UD	Route (School built over path)
LC99	Pontarddulais/Llwchwr UD	Dead-end footpath/route
LR110	Llwchwr/Llwchwr UD	Statement error
LF114	Llangyfelach/Mynyddbach	Dead-end footpath
LD10	Port Eynon/Llandewi	Path does not meet road/number
LG1	Llangennith	Route/should path be on map?
LG10A	Llangennith	Dead end bridleway
LG12	Llangennith	Dead end bridleway
LG15	Llangennith	Route

LG34/54	Llangennith	Route
LG41	Llangennith	Dead end bridleway
LG50	Llangennith	Status (Footpath or bridleway?)
Path between LG60 & LM19	Llangennith	No number or description
LH9	Llanrhidian Higher	Dead end Route (dead-end, obstructed by development)
LH12	Llanrhidian Higher	Route (should not be on map)
LH29	Llanrhidian Higher	Route
LH35	Llanrhidian Higher	Does not meet road
LH38	Llanrhidian Higher	Route
LH44	Llanrhidian Higher	Dead end on map (statement describes meeting road)
TC48	Llanrhidian Higher	Route/Numerous issues
DU51	Llanrhidian Higher/Dunvant	Dead end bridleway
LH76	Llanmorlais	Two paths with the same number
LL1	Llanrhidian Lower	Dead end footpath
LL5	Llanrhidian Lower	Dead end
LL24	Llanrhidian Lower	Dead end bridleway
LL27	Llanrhidian Lower	Map says FP statement says BW
LL35/PR40	Llanrhidian Lower	Dead end bridleway (x2)
LL36/PM16	Llanrhidian Lower	No number or description
Path between LL19 & NI13	Cefn Bryn Llanrhidian Lower and Ilston	Path has 2 nos. & appears in 2 statements
LL34/IL18	Llanmadoc	No number or description
Path between LM8 & LM6	Llanmadoc	Incorrect description
LM8	Llanmadoc	Route
LM12	Llanmadoc	Dead end bridleway
LM13	Llanmadoc	No number or description
Path between LM15 & LG57	Llangennith	Dead-end footpath
LT396	Bonymaen	2 dead-ends
MO331	Morrison	2 dead-ends, path does not meet road
MO340	Morrison	Dead-end
MO341	Morrison	Dead-end footpath
MW18	Mawr	Dead-end footpath
MW38	Mawr	Dead-end footpath
MW40	Mawr	2 dead-ends
MW42	Mawr	Route
MW56a	Mawr	Route (Parsonage)/Doesn't meet road (Perriswood)
NI10	Nicholaston (Ilston)	Path does meet road/route
OX7	Oxwich	Path does meet road
OX9	Oxwich	



OX15	Oxwich	Described in statement but not on map
OX17	Oxwich	Route
PD1	Pennard	Path does not meet road & Dead end
PD4	Pennard	Path does not get to beach
PD9	Pennard	Route (path is east not west of castle)
PD10	Pennard	Route (path drawn through river)
PD17	Pennard	Described in statement as bridleway and footpath
PD19	Pennard	Dead-end footpath
PD39	Pennard	Dead end bridleway
PD43	Pennard	Route/does not meet rd.
PD44	Pennard	Route
PD53	Pennard	Description incorrect
PE12/15	Port Eynon	Route
PE13	Port Eynon	Dead end bridleway
PE20B	Port Eynon	No statement
PE25B	Port Eynon	No statement
PM3	Penmaen	Path does not meet road
PM4	Penmaen	Path does not meet road
PM10	Penmaen	Dead end bridleway
PR5	Penrice	Incorrect description
PR6/PR4	Penrice/Horton	Dead end byway
PR14	Penrice	Path does not meet road on map, but does on statement
PR30	Penrice	Path does not meet road
PR32	Penrice	Statement error
PR33	Penrice	Route
PR35	Penrice	Route
PR36	Penrice	Dead end
RE2	Reynoldston	Dead end
RE11	Reynoldston	Path shown on map but no statement
RH1	Rhossili	Dead end bridleway
RH41	Rhossili (Worm's Head)	Number incorrect
Path between RE9 & LL16	Reynoldston	No number or description
RN19	Clydach	Route
RN23	Clydach	Route
MW52B	Mawr/Craig Cefn parc	Route (Development/unofficial diversion)
RN42	Clydach	Route

## Appendix 10: Path Clearance Specification

This section describes the current specification provided to contractors for undertaking path clearance. It is included for information purposes and does not form part of the plan and may be subject to change.

### 1.0 Definitions

1.1 **“Path 1”**: to have a **width of one and one half** (1.5) metres measured from the centreline of the path (i.e., 0.75 metres either side of the centreline), EXCEPT where physical boundaries (e.g., walls and fences) result in the path being less than one and a half metres,

and are to have a **height of two** (2) metres measured from the surface of the path

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

1.2 **“Path 2”**: to have a **width to two** (2.0) metres measured from the centreline of the path (i.e., 1.00 metre either side of the centreline), EXCEPT where physical boundaries result in the path being less than two metres,

and are to have a **height of three** (3) metres measured from the surface of the path.

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

1.3 **“Path 3”**: where the path has a hard surface (e.g., concrete or tarmac) in which case the width of the footpath comprises the hard surface plus half a metre on both sides of the path starting from the outer edge of the hard surface.

and are deemed to have a **height of two** (2) metres measured from the surface of the path.

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

1.4 **“Path 4”**: to have a **width of four** (4) metres, measured from the centreline of the path (i.e., 2.0 metres either side of the centreline). Exceptions are:

- where physical boundaries (e.g., walls and fences) result in the path being less than four metres
- where railings are present beside the path, in which case 2.0 metres from the centreline on the non-railing side is to be cut and, on the railings side, cut from the centreline to 0.5 metres on the opposite side of (i.e., behind) the railings.

and are to have a **height of two** (2) metres measured from the surface of the path.

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

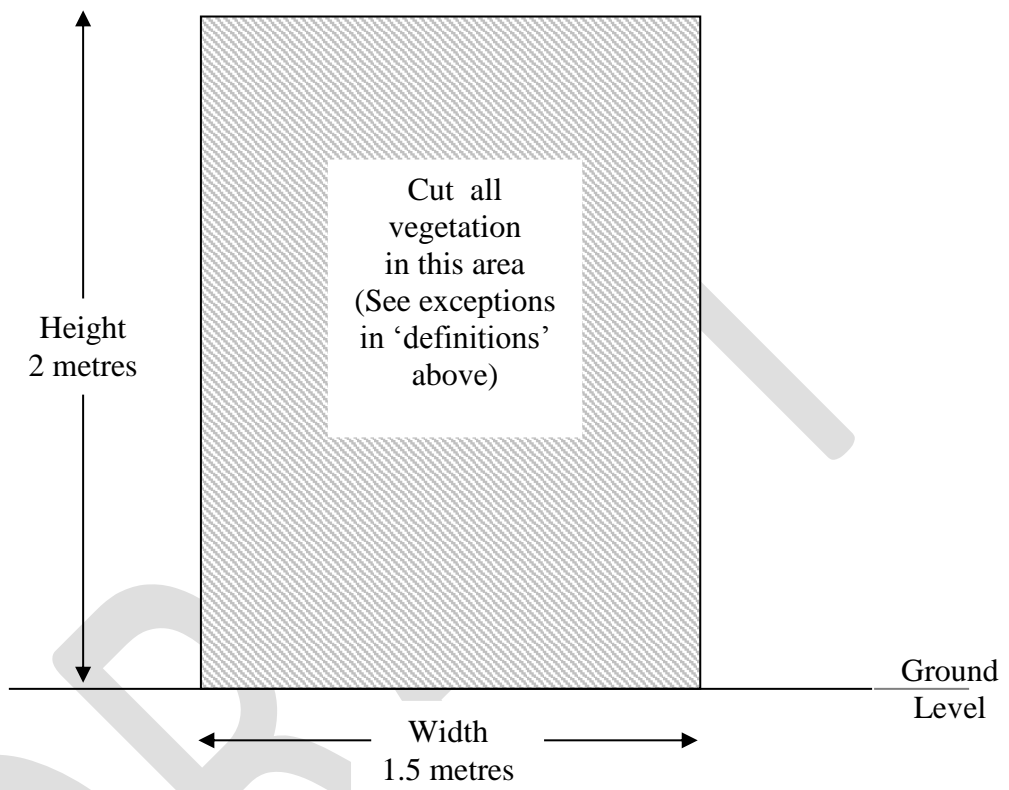
## **2.0 Description of Works**

- 2.1 All vegetation growing **out of the surface** of the path shall be cut to leave vegetation at a height of 50mm (2”), and according to the dimensions of the path in Clause 1.1 above, except that trees of more than 25mm (1”) in diameter shall be retained.
- 2.2 All vegetation growing **over** the path (i.e., from the sides) shall be cut according to the dimensions of the path in Clauses 1.1-1.6 above. This work shall as far as possible avoid the main nesting bird season, however inevitably this is the period when vegetation growth is most vigorous, therefore where this is not feasible checks for nesting birds shall be carried out by clearance contractors in advance of works commencing along routes as part of standard risk assessments.
- 2.3 Grass verges alongside paths/path side vegetation clearance should ideally be cut when reptiles are least likely to be present and in any event to a minimum 200mm above ground level to avoid contact between cutting blades and reptiles.
- 2.4 When vegetation is cut it shall be further cut down to lengths of 300mm (12”) or less and put to the side of the path. Where specifically instructed in the schedules of quantity, paths shall be swept clear or cleared of all cut debris.
- 2.5 The paths on the clearance contract list together with accompanying maps shall be reviewed annually. The identified paths are to be cut at least once and some paths are to be cut two or three times:
  - Paths to be cut once only are to be cut in the second cut.
  - Paths to be cut twice are to be cut in the first and third cuts.
  - Paths to be cut three times are to be cut in the first, second and third cuts.

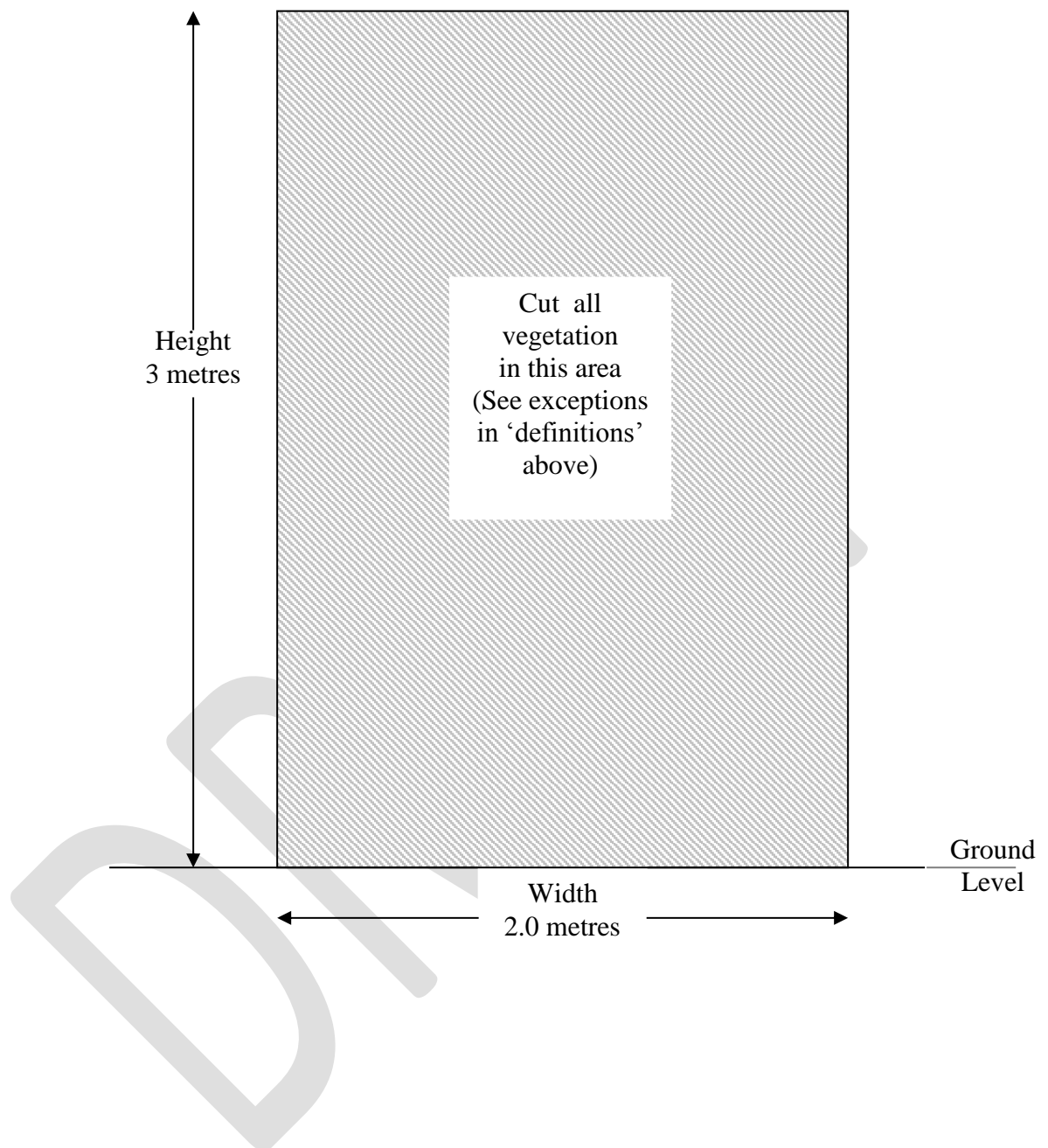
## **3.0 Priorities**

- 3.1 The Coast Path, then the paths in Mumbles, Crofty and Penclawdd will be cut first in each of the three cuts.

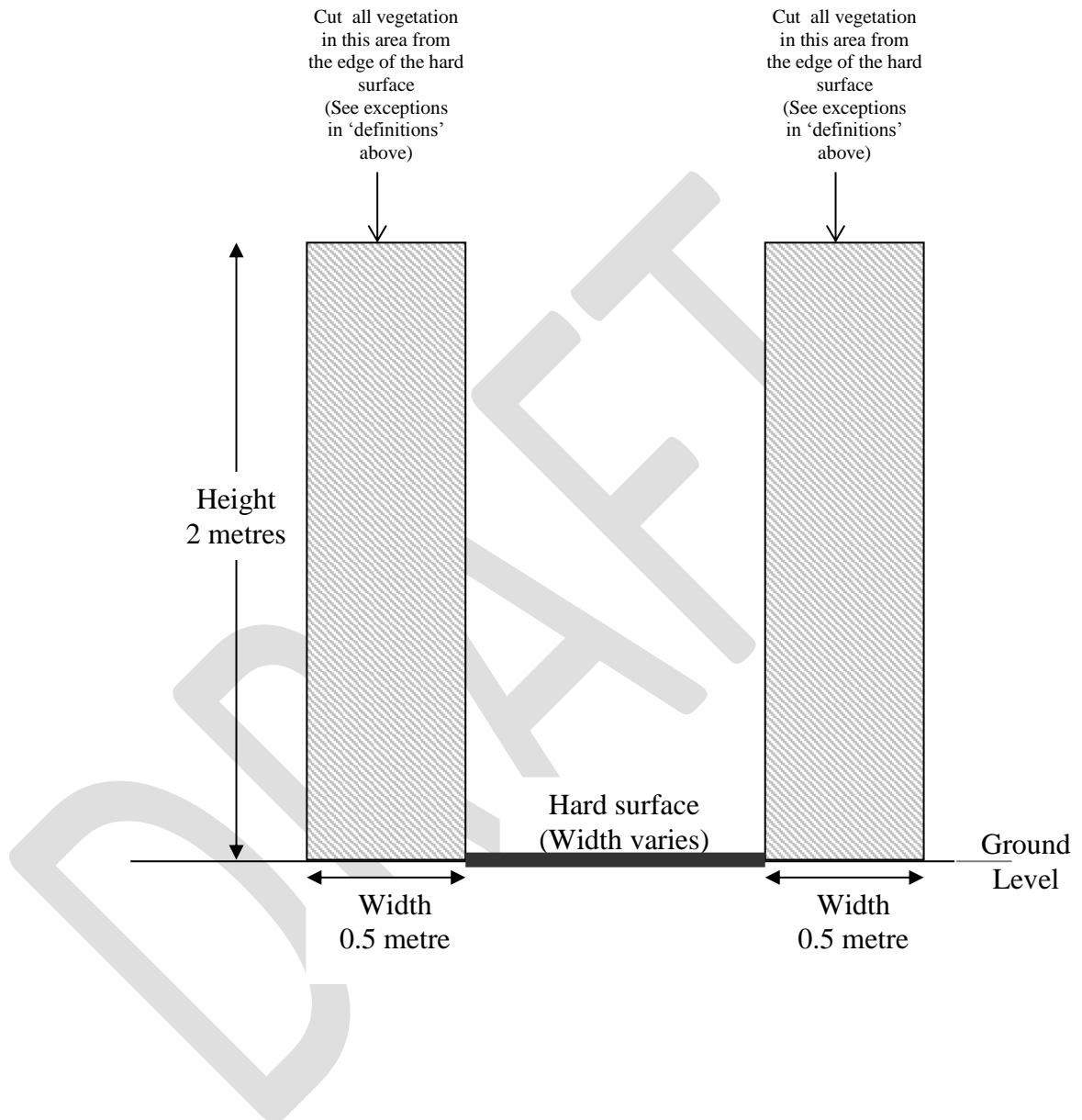
# WIDTH AND HEIGHT OF PATH 1



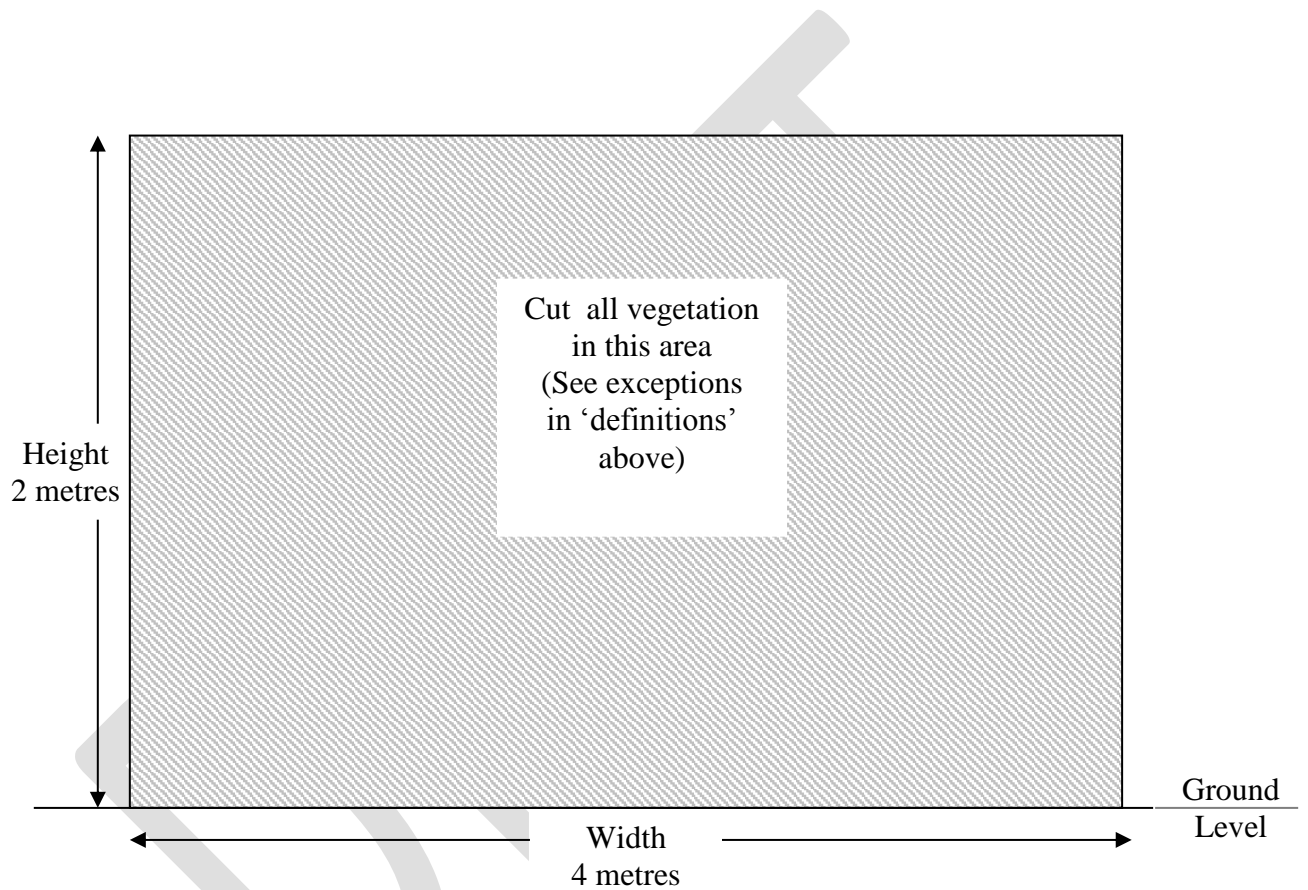
## WIDTH AND HEIGHT OF PATH 2



## WIDTH AND HEIGHT OF PATH 3



## WIDTH AND HEIGHT OF PATH 4







## Appendix 12: Enforcement Procedures for Public Rights of Way

### 1. Trees and other vegetation over growing the path from the sides

Relevant legislation:

The Highways Act 1980 s154. Notice period for direct action =fourteen days.

Who is responsible?

The owner of land from which trees or vegetation are growing is responsible for ensuring that it does not obstruct the path. The Council is responsible for ensuring that owners cut back overhanging trees and vegetation that obstruct the path.

Why this is a problem?

Paths can become impassable or difficult to use if vegetation on adjacent land grows across it.

Enforcement Procedure

The Council has the right to remove vegetation growing over a path. Should the overgrowth be so severe that the cost of clearing it is unacceptable to the Council, or if the overgrowth is over a surfaced path, the Council will serve a notice on the owner requiring them to clear the vegetation from the full width of the path.

### 2. Stiles and gates

Relevant legislation:

The Highways Act 1980 s143, s145, s146, and s147. Notice period for direct action = one month.

Who is responsible?

The landowner is responsible for maintaining stiles and gates across paths. The Council is responsible for ensuring that the landowner complies with their duty to maintain stiles or gates and for contributing at least 25% of the cost of stile and gate maintenance. The Council has powers to provide the whole cost of the maintenance and installation of stiles and gates.

Why this is a problem?

Poorly maintained or missing stiles and gates can obstruct a path or make using it difficult or dangerous.

Enforcement Procedure:

The Council will install and maintain stiles and gates as necessary and without prejudice to the responsibilities of the landowner unless the landowner fails to cooperate or obstructs other paths. Should the landowner fail to cooperate any missing or poorly maintained stiles or gates will be treated as obstructions and dealt with under the appropriate enforcement procedure.

### 4. Obstructions

Relevant legislation:

The Highways Act 1980, s130 and s143. Notice period for direct action = one month.

Who is responsible?

The Council has a legal duty to ensure that all paths are clear of obstructions. It also has a common law right to remove anything, without consultation, that obstructs a path.

Why this is a problem?

Obstructions (anything placed across or within the path that blocks or limits the width) can prevent use of a path, make use of a path difficult, or limit the extent of the public's use of a path. Obstructions can be anything from a strand of barbed wire to a building and can have been in place from a few hours to many years.

Enforcement Procedure:

*Recent obstructions on paths that are 'open'*

The person responsible for the obstruction will be sent a letter requesting that they remove the obstruction within 7 days. If the obstruction is not removed within 7 days a formal legal notice will be served on the offender by hand or by recorded delivery requiring them to remove it within one month. If the obstruction is not removed within one month the Council will remove it and recover costs from the offender. If the path is obstructed again by the same offender, the Council will commence prosecution proceedings.

*Minor long standing obstructions (e.g., fences) on paths that are not 'open'*

Council Officers will meet the person responsible and discuss the obstruction and works required to open up the path for public use. The Council will undertake all of the works to open up the path unless the person responsible fails to cooperate. If this is the case the Council will write to the person responsible and request that they remove the obstruction within one month. If, after one month the obstruction has not been removed, the Council will serve a formal legal notice by hand or recorded delivery on the person responsible requiring removal of the obstruction within one month and place notices on site. If the obstruction is not removed within one month the Council will either remove it and recover costs from the offender or, if there is likelihood of a repeat offence, commence prosecution proceedings .

*Long standing obstructions that are impractical to remove (e.g., buildings)*

The Council will discuss the obstruction with the person responsible and advise that they can apply for a diversion of the path and the person responsible will be sent a letter confirming the Council's position. If the person responsible neither agrees to remove the obstruction or apply for a diversion the only option open the Council is to prosecute the offender.

*Obstruction of alleged paths*

The person responsible for the obstruction will be sent a letter advising them that should the alleged footpath become a registered public footpath any structure that obstructs the path (and was placed in it since the date that the path was first alleged) will be considered to be an obstruction and dealt with under the enforcement procedures above.

## **5. Electric fencing**

Relevant legislation:

The Highways Act 1980, s130.

Who is responsible?

The Council has a legal duty to ensure that all paths are clear of obstructions. It also has a common law right to remove anything, without consultation, that obstructs a path.

Why this is a problem?

Uninsulated electric fencing across a path is an obstruction, a danger, and a nuisance.

Enforcement Procedure:

The Council will request that the person responsible removes the electric fence immediately or provide a safe means of crossing the fence. If the situation is not remedied immediately the Council will remove the fence from across the path without further notice. If the person responsible continues to obstruct paths with electric fences the Council will commence prosecution proceedings.

## **5. Crops and Ploughing**

Relevant legislation:

The Highways Act 1980, interference by crops s137A, ploughing s134. Notice period for direct action: Crops = twenty hours, Ploughing =fourteen days.

Who is responsible?

Landowners and occupiers are responsible for ensuring that paths are reinstated after ploughing and are not obstructed by crops. Field edge paths must never be ploughed. The Council has a duty to keep paths clear of crops and enforce the law on ploughing.

Why this is a problem?

Crops growing across a path can be an obstruction and cause difficulty in following the path as the path is obscured through the crop. A ploughed field can also be difficult to cross and again the route of the path is obscured.

Enforcement Procedure:

The Council will meet the offender and explain the legal position. The offender will then be sent a letter asking for reinstatement of the path within 7 days. If the path is not reinstated as specified in the letter the Council will serve a formal legal notice on the offender by hand or by recorded delivery, requiring that the path be reinstated within a further 7 days. If the path is not reinstated after 7 days, the Council will reinstate the path and recover costs from the offender. If an offence is committed in subsequent years by the same offender, the Council will serve a formal legal notice on the offender giving 14 days to reinstate for a ploughing offence and 7 days to reinstate for a cropping offence. If an offence is committed by the same offender for a third times in subsequent years, the Council will commence prosecution proceedings.

## **Appendix 13: Schedule of Conditions for Authorisation of a Gate on a Public Footpath or Bridleway**

1. An applicant must be the owner, lessee or occupier of agricultural land.
2. The installation of a gate must be necessary to prevent the ingress or egress of animals on agricultural land (or forestry land or land used for the keeping of horses) and the animals must have access to the area immediately beyond the gate.
3. The gate should be constructed to British Standard 5709.
4. The gate should not be locked at any time.
5. To avoid the surface of the right of way being poached, no water troughs or feeders are to be located within 10 metres of the gate.
6. Any fences and other obstructions shall be removed from the full width of the right of way at the point where the gate is to be installed and it shall remain clear of any obstruction and at all times be accessible by the public.
7. The gate shall be kept in a state of repair consistent with the requirements of Section 146 of the Highways Act 1980 by the applicant.
8. Should the Council determine that the use of the land adjoining the gate has changed such that the gate is no longer necessary in order to prevent the ingress or egress of animals, the gate must be removed.
9. Should the land adjoining the gate cease to be agricultural land, the gate must be removed.
10. Should the gate fall into disrepair, the Council retains the right to revoke the authorisation and remove the gate at the applicant's expense.
11. If it is shown at a later date, that the route is of a higher status, for example a footpath becomes a bridleway, then the authorisation will become invalid.
12. It is the duty of the applicant to ensure that the erection of a structure does not interfere with any private rights that may be exercised over the public highway.

## List of Abbreviations

AONB	Area of Outstanding Natural Beauty
BOAT	Byway Open to All Traffic
CAP	Countryside Action Plan
CROW Act	Countryside and Rights of Way Act 2000
GVA	Gross Value Added
LEMO	Legal Event Modification Order. These change the Definitive Map after a PPO has been confirmed
NRW	Natural Resources Wales
OS	Ordnance Survey
PI	Performance Indicator – the percentage of paths that are signposted and easy to use
PPO	Public Path Order. These are the orders the Council must make if diversions, extinguishments, or creations are required
PROW	Public Right Of Way (footpath, bridleway or byway open to all traffic)
ROWIP	Rights of Way Improvement Plan
WG	Welsh Government
WCP	Wales Coast Path

If you have any queries or questions regarding the CAP, please contact:  
The Countryside Access Team, Civic Centre, Oystermouth Rd, Swansea, SA1 3SN  
email: [countrysideaccess@swansea.gov.uk](mailto:countrysideaccess@swansea.gov.uk).

The Council's website also includes the latest countryside access information:  
[www.swansea.gov.uk/countrysideaccess](http://www.swansea.gov.uk/countrysideaccess)

DRAFT

Please ensure that you refer to the Screening Form Guidance while completing this form.

**Which service area and directorate are you from?**

Service Area: Planning and City Regeneration, Natural Environment Section

Directorate: Place

**Q1 (a) What are you screening for relevance?**

- New and revised policies, practices or procedures
- Service review, re-organisation or service changes/reductions, which affect the wider community, service users and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings, moving to on-line services, changing location
- Large Scale Public Events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Services Board, which impact on a public bodies functions
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other

**(b) Please name and fully describe initiative here:**

Report to Planning Committee on 5<sup>th</sup> December 2023 seeking authorisation to consult on the Draft replacement Swansea Countryside Access Plan 2023-2033. This statutorily required document, otherwise known as the Rights of Way Improvement Plan assesses all aspects of the present condition of the public path network, i.e., public footpaths, bridleways and Access Land within the City and County of Swansea and identifies how this resource can be better managed and improved over the course of the next decade.

**Q2 What is the potential impact on the following: the impacts below could be positive (+) or negative (-)**

	High Impact		Medium Impact		Low Impact		Needs further Investigation	No Impact
	+	-	+	-	+	-		
Children/young people (0-18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people (50+)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other age group	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Future Generations (yet to be born)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race (including refugees)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asylum seekers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gypsies & travellers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or (non-)belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poverty/social exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carers (inc. young carers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Community cohesion	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Human Rights	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Q3 What involvement has taken place/will you undertake e.g. engagement/consultation/co-productive approaches? Please provide details below – either of your activities or your reasons for not undertaking involvement**

The plan is an aspect of the work of the Countryside Access Team that will be considered by the Public Rights of Way Scrutiny Working Group on 22<sup>nd</sup> November and will then be reported to Planning Committee on 5<sup>th</sup> December 2023 for public consultation authorisation. There is a statutory public consultation period of 12 weeks. The oversight of preparation and monitoring of the plan falls under the remit of the Swansea Local Access Forum. The forum is an independent group with a balanced representation of the interests of recreational access users including those less mobile, land managers and owners, together with representation of other interests especially relevant to access in the areas such as conservation and tourism. The preparation of the plan is also monitored by Natural Resources Wales and the Welsh Government and linked to future funding provision on which its implementation is dependent.

**Q4 Have you considered the Well-being of Future Generations Act (Wales) 2015 in the development of this initiative:**

- a) Overall does the initiative support our Corporate Plan’s Well-being Objectives when considered together?  
 Yes  No
- b) Does the initiative consider maximising contribution to each of the seven national well-being goals?  
 Yes  No
- c) Does the initiative apply each of the five ways of working?  
 Yes  No
- d) Does the initiative meet the needs of the present without compromising the ability of future generations to meet their own needs?  
 Yes  No

**Q5 What is the potential risk of the initiative? (Consider the following impacts – equality, socio-economic, environmental, cultural, legal, financial, political, media, public perception etc...)**

High risk

Medium risk

Low risk

**Q6 Will this initiative have an impact (however minor) on any other Council service?**

Yes  No **If yes, please provide details below**

It will help meet the Gower AONB Management Plan’s objective of making 95% of public paths within the Gower AONB achieve the ‘easy to use’ standard.

It supports the Swansea Destination Management Plan 2023-2026 which identifies walking as the most popular activity for visitors to the area.

**Q7 Will this initiative result in any changes needed to the external or internal website?**

Yes  No **If yes, please provide details below**



Online launch of public consultation on the draft plan and publication of the final version of this replacement plan on the external website

**Q8 Does the initiative involve changes to the way you process the personal data of Council staff or service users, for example the purchase of new customer management software?**

Yes  No

If your answer is yes, you should also screen the initiative for any implications regarding privacy and other GDPR rights and consider whether you need to amend your entry in the Council's Information Asset Register. Please use the following link to the online screening form for a Data Protection Impact Assessment <https://staffnet.swansea.gov.uk/dpiascreeing>

For more about the Information Asset Register, please see <https://staffnet.swansea.gov.uk/informationassetregister>

**Q9 What is the cumulative impact of this proposal on people and/or communities when considering all the impacts identified within the screening and any other key decisions affecting similar groups/ service users made by the organisation?**

The County's path network and Access Land are valuable economic and well-being assets, which need to be maintained, enhanced, and promoted to encourage walking, cycling, and riding. The path network enables visitors year-round to enjoy the County's natural landscape, helping to drive sustainable growth of the tourism economy. There are also significant health and wellbeing benefits of walking in the open countryside. Maintaining and improving the path network is a statutory requirement for the Council and can:

- Improve access to healthcare, leisure, recreation, and other community facilities
- Create environments that support and promote walking and cycling as integral elements of a sustainable transport system
- Support the development of safe, accessible places and spaces
- Create environments that encourage and support good health, well-being, and equality

Highways legislation requires the Council through this plan to have regard to the needs of people with mobility problems when authorising the erection of stiles, gates, or other furniture on public rights of way. Compliance with British Standards imposes conditions on the design and maintenance of these structures where they are needed for livestock control purposes.

The plan enables the Council to assess the needs of people with mobility problems and to determine which routes should have priority for improved access for such users. The plan also applies 'Least Restrictive Access' considerations, seeking to minimise barriers when replacing and installing gates and stiles, in agreement with the landowner.

Tackling physical barriers on public rights of way is only one part of providing better access to the countryside for disabled people and consideration is also given to publicity, parking, and other relevant facilities.

In preparing this plan consideration has been given to how the path network meets the current and future needs of users, including blind people and people with mobility problems.

Welsh language is given equal prominence with English. All route promotional material is bilingual, using text of the same size and prominence for both languages and where appropriate, commonly used symbols is used on signage instead of language.

**Outcome of Screening**

**Q9 Please describe the outcome of your screening using the headings below:**

- **Summary of impacts identified and mitigation needed (Q2)**
- **Summary of involvement (Q3)**
- **WFG considerations (Q4)**
- **Any risks identified (Q5)**
- **Cumulative impact (Q9)**

The improvement and maintenance of public rights of way has a positive impact on those who use the path network and encourages greater use of it by residents and visitors to the area. Walking as an activity has both economic and health benefits and improving/extending path connections assists with community cohesion, provides more sustainable travel options and enables better access for all.

Preparation of this plan involves consideration by Scrutiny Working Group, Swansea Local Access Forum (with Natural Resources Wales and Welsh Government input) and Planning Committee, followed by 12 week public consultation. The feedback from the consultation will be reported back to Planning Committee/Council next Spring together with an updated version of the plan for adoption.

The Plan has been prepared with full consideration of the Council's duties to work towards Wales' seven shared wellbeing goals and to contribute to sustainable development and management of natural resources.

There are no risks to preparation and adoption of this statutorily required plan. Not having an adopted plan in place would however pose a risk, as there would be less grant income made available and therefore less maintenance and improvement works being carried out, leading to path closures the majority of which lie within the coastal access zone. This would prevent access to most beaches as these can only be accessed via the path network and in turn impact on the visitor economy.

There are significant statutory requirements associated with managing, maintaining, protecting, and recording the path network. Adoption of this plan will meet the Council's duties in this regard, make the countryside as accessible to as many walkers and riders as possible, and encourage people from all backgrounds to take part in countryside access.

(NB: This summary paragraph should be used in the **'Integrated Assessment Implications'** section of corporate report)

**Full IIA to be completed**

**Do not complete IIA – please ensure you have provided the relevant information above to support this outcome**

NB: Please email this completed form to the Access to Services Team for agreement before obtaining approval from your Head of Service. Head of Service approval is only required via email.

<b>Screening completed by:</b>
Name: Paul Meller
Job title: Natural Environment Manager
Date: 8 <sup>th</sup> November 2023
<b>Approval by Head of Service:</b>
<b>Name:</b>
<b>Position:</b>
<b>Date:</b>