



## Report of the Head of Planning and City Regeneration

Planning Committee – 1 August 2023

# New Supplementary Planning Guidance: Conversion of Traditional Rural Buildings (Consultation Draft)

<b>Purpose:</b>	To provide a summary of new draft Supplementary Planning Guidance (SPG) document, and to seek approval from Members to undertake public consultation on the draft SPG
<b>Policy Framework:</b>	Planning (Wales) Act 2015; Planning and Compulsory Purchase Act 2004 (as amended); Future Wales: the national plan 2021; Planning Policy Wales 2021; Technical Advice note 6: Planning for sustainable rural communities, 2010; Technical Advice Note 12: Design; City & County of Swansea Local Development Plan, 2019
<b>Consultation:</b>	Legal, Finance, Access to Services
<b>Recommendation(s):</b>	It is recommended that:  1) The draft Conversion of Traditional Rural Buildings SPG, as attached at Appendix A, be approved for the purpose of public consultation and stakeholder engagement.
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## **1.0 Introduction**

- 1.1 This report seeks the approval of Members to undertake public and stakeholder consultation on a draft version of new Supplementary Planning Guidance (SPG) titled 'Conversion of Traditional Rural Buildings'. The draft SPG is attached at Appendix A of this report.
- 1.2 Existing planning guidance entitled 'Conversion of Rural Buildings' (2011) was adopted as SPG to the now superseded Swansea Unitary Development Plan. That existing SPG will no longer be used in decision making once a final version of the new SPG 'Conversion of Traditional Rural Buildings' is approved by Members.
- 1.3 The purpose of the new SPG is to comprehensively update the existing 2011 guidance and make clear the Council's planning and placemaking requirements for proposals to convert traditional rural buildings to other uses, particularly given the context of relevant LDP policies and the national policy framework. It focusses on the aims and objectives of delivering development that serves to enhance the countryside. The SPG 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 will contribute to the social well-being of the area.
- 1.4 The overarching aim of the document is to ensure applicants, statutory consultees, local residents and all other stakeholders involved in the development process have access to clear and consistent information and guidance to inform planning proposals and decision making.
- 1.5 Upon conclusion of public and stakeholder consultations, a full appraisal of all comments received will be undertaken. A schedule of responses to these comments will be produced, which will confirm whether amendments have been made to the document as a result of any submissions made. The schedule will be reported to Planning Committee for consideration, alongside the final version of the document, for Members to resolve whether it should be adopted as SPG to inform future decision making on development proposals.

## **2.0 Planning Context**

- 2.1 In February 2019, the Swansea LDP was adopted as the Council's new 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 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***

- 2.3 The document is underpinned by a '**placemaking approach**', as advocated by the LDP, Future Wales and Planning Policy Wales (PPW). Placemaking is a holistic approach to planning and is the cornerstone of the Planning Authority's decision-making process. It is a concept focussed on positive outcomes that considers social, economic, environmental and cultural values of development proposals, as well as the potential of an area to create development that promotes prosperity, health, and well-being.
- 2.4 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 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.

### **3.0 Summary of the Consultation Draft SPG**

- 3.1 This Section of the report summarises the key parts of the new draft SPG and highlights some key differences between it and the original 2011 guidance on the conversion of rural buildings.
- 3.2 It is important to note that 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. It provides specific, further guidance to help determine whether a building is considered traditional or not. This reflects the wording of LDP policy CV 4, and the interpretation of the policy in recent relevant appeal decisions made by Planning Inspectors.
- 3.3 The new draft SPG has been updated to reflect most recent guidance in relation to rural building conversion, with particular regard to affordable housing for local needs criteria. 3.4 Additional guidance has been 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.
- 3.4 The new draft 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.
- 3.5 The new draft SPG refers to the most up to date national and local planning policy and legislation, and includes cross references and links to appropriate SPGs that it aligns with, such as Biodiversity and Development; Trees, Hedgerows and Woodlands; and Placemaking Guidance for the Gower AONB.

## **4.0 Consultation Process and Next Steps**

- 4.1 The draft SPG will be subject to a minimum 6-week period of consultation and engagement, which is an integral part of the process towards its adoption as formal planning guidance to inform decisions. It is proposed that the consultation and engagement processes will be undertaken during August – October 2023. The consultation will allow Councillors, the public, stakeholders and other interested parties to make their views public and contribute to the content of the final version of the SPG. The aim is to ensure that there is a broad consensus of support for its objectives.
- 4.2 The public and stakeholder consultation process will make use of a variety of consultation methods to raise awareness and maximise the involvement of the community. The methods will include: advertising the consultation on the Council's website and social media, with links to the document on the consultation portal; and a targeted email consultation of known stakeholders, including local planning agents, Community Councils and specific relevant organisations. All information will be readily available in hard copy at the Civic Centre. Promotional materials will be provided in a bilingual format. Hard copies of the document can be made available upon request, at cost price.
- 4.3 All comments received will be recorded, evaluated and, where appropriate, will feed into the final version of the SPG document. A full detailed schedule of representations will be published. A report setting out the public consultation comments received, and any amendments made to the SPG as a result of these, will be presented to Members as soon as possible after the consultation period ends, at which time Members will be asked to approve the final version as adopted SPG.

## **5.0 Financial Implications**

- 5.1 There are no additional financial implications arising from the publication of this SPG, as the cost of the public consultation process can be accommodated within existing budgets and staff resources. The consultation will, as far as possible, utilise electronic communication via email and the Internet.
- 5.2 The final adopted document will be made available electronically, so there will be no printing costs.

## **6.0 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.
- 6.2 The Council has a duty to seek to continually improve in the exercise of its functions (which include where appropriate powers) in terms of strategic effectiveness, service quality and availability, sustainability, efficiency and innovation pursuant to the Local Government (Wales) Measure 2009.

## **7.0 Integrated Assessment Implications**

7.1 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.

7.2 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'.

7.3 The Integrated Impact Assessment (IIA) process ensures we have paid due regard 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.

7.4 Section 4 of this report outlines equalities considerations in respect of consultation activity. IIA screening has been carried out and this has demonstrated that a full IIA is not necessary for the Consultation Draft SPG. The IIA screenings identify mostly low impacts and highlights that the SPG seeks to facilitate community cohesion by assisting the implementation of the LDP. The LDP has already been subject to Equalities Impact Assessment (EIA) and is based on a comprehensive and up to date evidence base and was formulated with extensive community engagement. The SPG itself will be subject to a minimum 6-week consultation that will provide opportunities for engagement via a range of methods, as described in this report. The IIA will be updated following the SPG consultation process.

### **Appendices:**

Appendix A: Conversion of Traditional Rural Buildings SPG (Consultation Draft)

Appendix B: IIA Screening Form