

Report of the Head of Planning and City Regeneration

Planning Committee – 5 December 2023

New Supplementary Planning Guidance: Conversion of Traditional Rural Buildings

Purpose:	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.
Policy Framework:	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
Consultation:	Legal, Finance, Access to Services
Recommendation(s):	It is recommended that: <ol style="list-style-type: none">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.
Report Author:	Tom Evans
Finance Officer:	Peter Keys
Legal Officer:	Jonathan Wills
Access to Services Officer:	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 1st 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 Upon adoption, the planning guidance entitled 'Conversion of Rural Buildings' (2011) will be superseded and no longer be used in decision making.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). 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 |