

Item 6: Appendix 1

SUPPLEMENTARY PLANNING GUIDANCE - REPLACEMENT DWELLINGS AND CONVERSIONS IN THE COUNTRYSIDE

CONSULTATION REPORT AND OFFICERS' RECOMMENDATIONS



SEPTEMBER 2019

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1.0 BACKGROUND

Purpose of the Supplementary Planning Guidance (SPG)

- 1.1 The purpose of the SPG is:
- to assist applicants and their agents to prepare planning applications and guide them in discussions with officers regarding how to use the relevant policies in the Joint Local Development Plan before submitting planning applications,
 - to assist officers to assess planning applications, and officers and councillors to make decisions about planning applications, and
 - to help Planning Inspectors make decisions on appeals.
- 1.2 The general aim is to improve the quality of new developments and facilitate a consistent and transparent method of decision making that coincides with the relevant policies of the Joint Local Development Plan.

Policy Context

The Local Development Plan

- 1.3 Under planning legislation, planning policies for every area are included in the 'development plan'. The Gwynedd and Anglesey Joint Local Development Plan was adopted on 31 July 2017. It covers the area of Gwynedd and Anglesey Planning Authorities.
- 1.4 The Plan provides wide-ranging policies along with designations for the main land uses, such as housing, employment and retail; it will help shape the future of the area of the Plan physically and environmentally, and will also influence it economically, socially and culturally. Therefore, the Plan:
- enables the Local Planning Authorities to make rational and consistent decisions on planning applications by providing a policy framework that is consistent with national policy; and
 - leads developments to suitable areas during the period up to 2026.

The need for Supplementary Planning Guidance

- 1.5 Although the Plan contains policies that enable the Local Planning Authority to make consistent and transparent decisions on development proposals, it cannot provide all the detailed advice required by officers and prospective applicants to steer proposals locally. In order to provide this detailed advice, the Councils are preparing a range of Supplementary Planning Guidance to support the Plan that will provide more detailed guidance on a variety of topics and matters to help interpret and implement the Plan's policies and proposals.

The status of the Supplementary Planning Guidance

- 1.6 Supplementary Planning Guidance (SPG) are material planning considerations during the process of assessing and making decisions on planning applications. Welsh Government and the Planning Inspectorate will place considerable weight on Supplementary Planning Guidance that stem from, and are consistent with, a development plan. The SPG cannot introduce any new planning policies or amend existing policies.

1.7 Therefore, as soon as it is adopted, substantial weight should be placed on the SPG as a material planning consideration.

2.0 SPG REPLACEMENT DWELLINGS AND CONVERSIONS IN THE COUNTRYSIDE

2.1 The purpose of the SPG is to provide further information and detail to assist the two planning authorities to implement Policy CYF6 ('Re-use and adapt rural buildings or a residential unit for business use or construct new units for business/industry'), Policy TWR2 ('Hoilday Accommodation'), Policy TAI 7 ('Converting traditional buildings in open countryside into residential use') and policy TAI 13 ('Replacement dwellings) from the JLDP in order to ensure a consistent method of implementing these policies. The guidance explains the considerations associated with the conversion of rural buildings for alternative use and highlights the main consideration associated with the replacement of houses in the countryside, including principles relating to size and design.

The Public Consultation

2.2 A draft version of this SPG was approved for a public consultation by the Joint Planning Policy Committee on 25 January 2019. This draft was prepared in consultation with relevant officers from both Authorities. Prior to this, the SPG was reviewed by the Joint Local Development Plan Panel on 16 November 2018.

2.3 The SPG was subject to a public consultation between 21 February and 4 April 2019.

2.4 The details of the public consultation was placed on the websites of both Councils and e-mails/letters were sent to all Councillors, Community Councils, planning agents, statutory consultees, environmental bodies, nearby authorities and those who had expressed and interest in the SPG. Details of the consultation were sent to the experts in the subject field (e.g. estate agents and agricultural unions). Hard copies of the SPG were also available to read in every public library, the head office of Anglesey Council in Llangefni and in Siop Gwynedd (Caernarfon, Dolgellau and Pwllheli).

2.5 There was a number of different ways for people to respond to the consultation, including:

- On-line response form in Word and pdf - available on both websites and paper copies available in every library and Siop Gwynedd, and Anglesey Council's main office. Paper copies of the form were also available on request from the Joint Planning Policy Unit.
- E-mail
- Letter

2.6 Nine observations were received, including seven objections and 1 comment of support and 1 general comment.

2.7 The next section (Appendix 1) summarises the observations received. It includes the Councils' response to them and, when appropriate, recommends any modifications to the SPG that are required as a result of the observation. Any modification to the wording of the SPG has been noted in **bold and is underlined**.

Joint Local Development Panel

2.8 The Consultation Report was presented to the Joint Local Development Panel on 17 July 2019 in order to consider and comment upon the representations received and the Officer's response to them.

APPENDIX 1 - SUMMARY OF THE OBSERVATIONS RECEIVED AND OFFICERS' RECOMMENDATIONS

Observation ID No.	Person ID No.	Type of Observation	Organisation	Part	Summary of the Observations	Observations of Officers and the Recommendations
1	01	Object	Russell Hughes Architects	General	We feel that this frustrates good Architecture, and is also too restrictive. There is a need to bear in mind that this document will be strictly used as a Bible by Planning officers, despite the fact that it is guidance.	<p>Note the observation</p> <p>The observation does not elaborate on which section(s) of the Guidance is considered too strict. It is considered that the Guidance gives guidance to architects in terms of the type and standard of designs expected from Planning applications to convert or replace houses.</p> <p>Recommendation</p> <p>No need to change the SPG in light of this objection.</p>
2	02	Objection	Natural Resources Wales	General	Foul Drainage Infrastructure - In terms of sewage, we recommend that the guidance should highlight the point where appropriate sewage treatment facilities will be required according to the foul drainage hierarchy: connection to sewer, septic tank/treatment equipment, and water soak-away, or treatment to discharge into a water-course. NRW would object increases to private discharges within a reasonable distance to existing sewers, or when the proposed receiving water-course is already unable	<p>Note the observation</p> <p>This Guidance relates specifically to the main planning policy considerations associated with the principle of converting rural buildings and replacing houses. It is not reasonable for this guidance to include a guide on all planning considerations associated with such developments. Any prospective planning application to convert or replace must consider all relevant policies included within the</p>

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					<p>to meet the Water Framework Directive targets due to foul drainage problems. If more than one dwelling is being proposed, consideration must be given to the number of dwellings multiplied by the 30 metre requirement to connect to a sewer.</p> <p>Private sewage treatment facilities must be registered with Natural Resources Wales under the Environmental Licensing Regulations 2016, or an appropriate licence must be available. There is no guarantee that NRW will issue a licence to discharge, or an exemption even if planning permission is granted.</p>	<p>Plan, including Policy ISA 1 (Infrastructure Provision).</p> <p>Recommendation No need to change the SPG in light of this objection.</p>
3	03	Objection	Caernarfon Town Council	3.4	We need houses, not businesses - there is a lack of houses.	<p>Note the observation</p> <p>The priority given to such economic uses of units derives from the Joint LDP as well as National Planning Policy requirements. Planning Policy Wales (Edition 10, 2019), notes that a positive attitude should be taken towards the re-use of rural buildings for business use. This principle is supported by Technical Advice Note</p>

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						<p>6: Planning for Sustainable Rural Communities which notes the need to prioritise the re-use of rural buildings for economic purposes, rather than residential use.</p> <p>If it would be possible to prove that there is no suitable economic use for the units, then consideration could be given to the suitability of the unit for residential purposes - provided it is an affordable house in accordance with the guidance included in Policy TAI 7.</p> <p>Recommendation No need to change the SPG in light of this objection.</p>
4	03	Objection	Caernarfon Town Council	4.6	We need houses, not businesses - there is a lack of houses.	See the above response to 'Observation ID No.' 3.
5	03	Objection	Caernarfon Town Council	5.1	There is a need to consider affordable housing, rather than employment every time.	See the above response to 'Observation ID No.' 3.
6	04	Object	Angela Gliddon	8.3	A number of people wish to extend their houses rather than move to larger houses, and thus there are fewer small affordable houses for local people. Planners need to ensure that the stock of small houses is	<p>Note the observation</p> <p>This Guidance and the guidance included in paragraph 8.3 of the Guidance relates specifically to the</p>

Observation ID No.	Person ID No.	Type of Observation	Organisation	Part	Summary of the Observations	Observations of Officers and the Recommendations
					<p>maintained, but it is completely unfair to differentiate houses in rural areas for this restriction in accordance with the guidance in the draft Guidance.</p> <p>The wording of the guidance should be amended as follows:</p> <p>To remove "...Any addition should be fit for purpose and should not be an aspiration by the applicant to add luxury (e.g. play room, additional bedroom)." And it should be replaced with the following "No addition should include an extra floor and it should not extend the floor area more than a maximum of 25% during a 20 year period. Any conservatory should be a dark coloured structure, e.g. grey, black, brown or dark green."</p>	<p>main considerations associated with applications to change the use of rural buildings, i.e. buildings that are not currently in residential use. Any application to extend a residential house in open countryside would be assessed in accordance with the general policies of the Plan, including Policy PCYFF 3 (Design and Place Shaping).</p> <p>When considering applications relating to the conversion of rural buildings (i.e. buildings not currently in residential use), it is considered appropriate to give guidance within the Guidance in relation to what is considered to be an acceptable extension to these buildings, particularly bearing in mind the national planning policy guidance included in TAN 23 which notes the need for buildings subject to conversion to be suitable for those purposes.</p> <p>Recommendation No need to change the SPG in light of this objection.</p>

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7	05	Support	Tudweiliog Community Council	Not relevant	The Guidance is welcomed and supported.	Note the observation of support.
8	06	Objection	Dylan Llwyd	Not relevant	<p>In an area with high house prices and low economic prosperity, it is disappointing that rural buildings cannot be converted for the purposes of local need housing. The policy permits the conversion of rural traditional buildings into high quality holiday accommodation use; however, capital is needed to do so.</p> <p>The units granted permission as 'holiday accommodation' are rented throughout the year (which means that it changes into residential use.) Economic benefit is only available to those with money to invest.</p> <p>Can the development be bound to the owner rather than the property? This way, planning permission would not be passed on to the next owner, should the property be sold.</p>	<p>Note the observation</p> <p>See the above response to 'Observation ID No.' 3.</p> <p>Planning permission is granted on property/land in order to manage the current and future use. It is not possible for planning permission to be given to the individual.</p> <p>Recommendation</p> <p>No need to change the SPG in light of this objection.</p>
9	07	Observation	Officer	2.5 & 2.6	It is considered that further information needs to be included about what is expected to be included within a Structural Report - i.e. ensure that they are fit for purpose.	<p>Note the observation</p> <p>In order to add clarity, it is considered appropriate to amend the Guidance and include a further explanation in</p>

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						<p>terms of the expectations associated with Structural Reports.</p> <p>Recommendation</p> <p>Propose including an additional paragraph after para 2.6, as follows:-</p> <p><u>"Any Structural Report should be comprehensive and thorough and include information about the condition of the building and its suitability for the proposed use. A Report that is only based on a visual inspection of the building will not be acceptable."</u></p>