

<p><b>SUBJECT: MONMOUTHSHIRE LOCAL DEVELOPMENT PLAN RURAL CONVERSIONS TO A RESIDENTIAL OR TOURISM USE (POLICIES H4 &amp; T2) SUPPLEMENTARY PLANNING GUIDANCE</b></p> <p><b>MEETING: PLANNING COMMITTEE</b></p> <p><b>DATE: 4 APRIL 2017</b></p> <p><b>DIVISION/WARDS AFFECTED: ALL</b></p>
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**1. PURPOSE:**

- 1.1 The purpose of this report is to seek Planning Committee's endorsement of the Draft Supplementary Planning Guidance (SPG) on Rural Conversions to a Residential or Tourism Use (Policies H4 and T2), with a view to issuing for consultation.

**2. RECOMMENDATIONS:**

- 2.1 To endorse the Draft Supplementary Planning Guidance (SPG) on Rural Conversions to a Residential or Tourism Use (Policies H4 and T2), with a view to issuing for consultation, and to recommend to the Cabinet Member for Innovation, Enterprise and Leisure accordingly.

**3. KEY ISSUES:**

Background

- 3.1 The Monmouthshire Local Development Plan (2011-2021) was adopted in February 2014 to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). This statutory development plan contains a number of policies relevant to rural conversions which are set out in Appendix A of the Draft SPG (attached as Appendix 1). Legislation requires that planning applications are determined in accordance with the LDP, unless material planning considerations indicate otherwise. Consequently, the effectiveness and appropriateness of the LDP policies is essential in securing desired housing and tourism outcomes.
- 3.2 The requirement for this Draft SPG has arisen from some concern over the interpretation of Policies relating to rural conversions for both residential and visitor accommodation. This includes the extent to which the LDP policy framework is supportive of the conversion of particular types of buildings for the different uses.
- 3.3 Selective use of SPG is a means of setting out more detailed thematic or site specific guidance on the way in which the policies of an LDP will be applied in particular circumstances or areas.

PPW (Edition 9, 2016) at paragraph 2.3.3 states that:

*'SPG does not form part of the development plan but it must be consistent with the plan and with national policy. It must derive from and be clearly cross referenced to a generic LDP policy, specific policies for places, and/or – in the case of a masterplan or site brief – a plan allocation. SPG cannot be linked to national policy alone; there must be an LDP policy or policy criterion that provides the development plan 'hook', whilst the reasoned justification provides clarification of the related national policy.'*

- 3.4 Paragraph 2.3.4 of PPW further emphasises that SPG can be a material consideration in the determination of planning applications, provided that it is consistent with the development plan and appropriate consultation has been undertaken:

*'Only the policies in the development plan have special status under section 38(6) of the 2004 Act in deciding planning applications, but SPG may be taken into account as a material consideration. In making decisions on matters that come before it, the Welsh Government and the Planning Inspectorate will give substantial weight to approved SPG which derives from and is consistent with the development plan, and has been the subject of consultation.'*

#### Draft Rural Conversions to a Residential or Tourism Use SPG

- 3.5 The Draft Rural Conversions to a Residential or Tourism Use SPG is attached to this report as **Appendix 1**. The SPG is intended to provide certainty and clarity for applicants, officers and Members in the interpretation and implementation of the LDP policy framework, specifically Policy H4, in relation to proposals for rural residential conversions. The SPG also provides clarity on the interpretation of the part of Policy T2 (Visitor Accommodation outside Settlements) that relates to rural conversion proposals for visitor accommodation.
- 3.6 The SPG provides an overview of the planning policy context in relation to rural conversions at both the national and local level. The primary focus of the SPG is to provide detailed guidance on the interpretation and implementation of Policy H4 in the assessment of proposals for residential conversions/rehabilitations in the open countryside (Section 3). The SPG also provides relevant information on assessing proposals for rural visitor accommodation conversions and the interpretation of the criteria listed in Policy T2 (Section 4). Information is also provided with regard to submitting a planning application for rural conversions, including details of the Council's pre-planning application advice service. The relevant policies are provided in full in Appendix A of the SPG.
- 3.7 The existing Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use Assessment of Re-use for Business Purposes SPG (April 2015) has been incorporated into this SPG. That 2015 SPG would therefore be superseded. The Conversion of Agricultural Buildings Design Guide produced in April 2015 is however retained as a separate document and should be read alongside this SPG. These existing SPGs can be viewed on the Planning Policy web pages using the following link: <http://www.monmouthshire.gov.uk/planning-policy/supplementary-planning-guidance> .

#### Next steps

- 3.8 As referred to in paragraph 3.4 above, for SPG to be given weight in the consideration of planning applications, appropriate consultation needs to be undertaken and any comments received should be taken into account in the Council's decision making process. Following a resolution to consult, targeted notifications will be set to those considered to have an interest in the SPG topic, although all town and community councils will be consulted and a notice will be placed in the press. The consultation will also be publicised via our Twitter account @MCCPlanning. All consultation replies will be analysed and responses/amendments reported for Members' consideration when seeking a resolution for the adoption of any SPG document.

## **4. REASONS:**

- 4.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on

27 February 2014 and decisions on planning applications are now being taken in accordance with policies and proposals in the LDP. The Rural Conversions to a Residential or Tourism Use SPG provides further explanation and guidance on the way in which the Conversion/Rehabilitation of Buildings in the Open Countryside for a Residential Use and Visitor Accommodation policies of the LDP will be implemented.

## **5. RESOURCE IMPLICATIONS:**

- 5.1 Officer time and costs associated with the preparation of SPG documents and carrying out the required consultation exercises. Any costs will be met from the Planning Policy budget and carried out by existing staff.

## **6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

- 6.1 Under the Planning Act (2004), the LDP was required to be subject to a Sustainability Appraisal (SA). The role of the SA was to address the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environmental Assessment Directive 2001/42/EC; requiring the 'environmental assessment' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. SPG is expanding and providing guidance on these existing LDP policies, which were prepared within a framework promoting sustainable development.

### Equality

- 6.2 The LDP was also subjected to an Equality Challenge process and due consideration was given to the issues raised. As with the sustainable development implications considered above, SPG is expanding and providing guidance on these existing LDP policies, which were prepared within this framework.
- 6.3 In addition, a Future Generations Evaluation is attached. This includes Equalities and Sustainability Impact Assessments (attached as **Appendix 2**)

## **7. CONSULTEES**

- Planning Committee
- Development Management Officers

## **8. BACKGROUND PAPERS:**

- Monmouthshire Adopted LDP (February 2014)
- Conversion of Agricultural Buildings Design Guide SPG April 2015
- LDP Policy H4 (g) Conversion/Rehabilitation of Buildings in the Open Countryside to Residential Use Assessment of Re-use for Business Purposes SPG April 2015

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