

- **details of cases where the Future Generations Act has been cited as a reason for turning down an application (Please see paragraphs 103-109 of the transcript);**

This particular case that was referenced in the evidence session pertains to a church building that is not listed as either a Grade 1 or Grade 2 building but is listed locally as holding some historical importance.

The Church in Wales own this building and do not recognise it as being an important building to their history in Wales, and supports the demolition. The Church in Wales also feel that the state of disrepair that the building is currently in render it dangerous and makes demolition necessary for safety purposes.

The pre-application for planning was rejected with the following feedback:

*“Policy GN.38 requires all development to protect and enhance the historic environment. You state that you consider the Church to be of no significance and that due to repair works required, converting it would be problematic. The Local Planning Authority considers that the church holds both architectural and historic significance for its simple decorative styling and its links to the community of X area Christian history. The church has been identified in the Buildings of Wales: X series (...).*

*Historic buildings should be conserved and maintained for the enjoyment of Future Generations in line with Welsh Governments guidance. The removal of this historic asset would be contrary to the aims of the Future Generations Act in achieving a society that promotes and protects our heritage. An appropriate scheme of restoration and conversion that maintains the significance of this historic asset while bringing it back into use to be maintained for future generations should be considered. It is noted that you state that repair work has been identified and that this would be problematic to the conversion of the church into accommodation. It is not considered that this is a viable reason for the church’s demolition.”*

Details of the area/local authority have been removed to protect the relationship between the Housing Association and LA in question. The pre app response also acknowledges the recognised need in the area for this particular proposed housing, but unfortunately concludes that the application will not be supported by the LA.

Anecdotal feedback in two other LAs that any pre-application for planning involving churches or chapels, that are not listed or locally listed, will also still be rejected due to their ‘historical’ status, by conservation officers in planning departments have also been shared with the FIAH Project Manager, though not necessarily quoting the Future Generations Act.

- **more detail on the work being carried out with the Bevan Foundation on the viability of church-owned land (paragraph 151);**

This is a one-year project, funded by the Nationwide Foundation, and concluding in March 2025.

One of the main barriers to the construction of social and community homes is the cost and availability of land. Unlocking the supply of affordable land is therefore key to increasing the supply of homes at a fair and affordable rent.

The Bevan Foundation has linked up with Housing Justice Cymru, who have been identifying land in faith organisation ownership that is suitable for development for these purposes and brokering arrangements with registered social landlords and community groups to develop it.

Cwmpas are also supporting this work, as they offer support and advice to organisations looking to develop community-led housing schemes. There is considerable potential to develop and scale up this work, including the use of land held by other socially owned organisations and a more strategic approach being taken for the disposal of publicly owned land.

### **Objectives & desired outcomes of the project:**

Working with Housing Justice Cymru and Cwmpas, the Bevan Foundation aims to:

- Understand why land supply is a significant barrier to the development of new social and community-led homes.
- Show the potential of land held by different types of social and public owners to enable development and identify action to release that potential.
- Make recommendations for change including shifts in public policy, legislation, funding and practice. This will include an assessment of the potential to make use of powers formerly vested in the (now abolished) Land Authority for Wales.
- Encourage the Welsh Government to recognise the benefits of the development of socially- and publicly owned land for social and community-led housing and to adopt a more strategic approach.

### **Outputs**

- A briefing paper on the need for intervention.
- A research report (5-8,000 words) and launch event.
- Active dissemination and raising of awareness.

### **Approach:**

- Exploring the human cost of land shortages, increasing homelessness levels and use of temporary accommodation through analysis of Welsh Government data
- Demonstrate that land supply is a significant barrier to the development of new social and community-led housing. This would be based on:
  - interviews with approximately 30 organisations involved in development including social landlords, professional bodies eg RICS, and agents e.g Knight Frank.
  - Analysis of Land Transaction Tax statistics.
  - Interviews with circa 10 local authority planning officers.
- Demonstrate that the supply of new social and community-led homes is falling short of targets through analysis of Welsh Government affordable housing delivery and new social housing starts and completions data
- Show the potential of land held by different types of social and public owners to create new social and community-led housing, based on:

- Data from Housing Justice Cymru and Cwmpas on land holdings.
  - Estimates of land holdings with development potential.
  - Estimates of households that could benefit from new social and community-led development on the sites (based on density estimates).
- **any further information on the relevant time periods before work can be carried out, for example near graveyards (paragraphs 159 to 163).**

Graveyards that are no longer in use, meaning no longer visited by any person, can, on a case-by-case basis, be considered as being incorporated in developments. The time taken to determine that a graveyard is no longer in use is not standard and would be entirely case dependent.

To my knowledge on the project, this has only been a relevant conversation once with regards to building affordable housing. There is a site currently in the pre-app stage where it is being proposed that the gravestones be moved and added to an existing graveyard in a different field, so that the front entryway to this particular scheme not have graves along it. This would be a supported living scheme for young people, and the current owner of the chapel in question is a non-conformist denomination. In this particular case, given the ages of the graves and the fact they are no longer visited, and the non-invasive proposal to move the headstones but not build on top of the graves, this has been deemed appropriate and possible.

What actually constitutes 'consecrated' ground varies by denomination, so this will not always be possible. There are also cases of churches and chapels that own land that was/has been intended for graves and burials, however the congregation has since declined or chosen not to have a burial, therefore this is excess land no longer needed for its original use.

**Although not requested – I was asked about what economic solutions I may have identified to increase social housing grant.**

At the time of being asked, I did have an answer prepared for this but unfortunately, I did not remember it in the moment! I regularly hear of private developments where section 106 payments are not made as they are deemed 'unviable'. I believe that if this money was being collected and Local Authorities were being supported to best spend this, many more social housing developments would be supported. My understanding is that private developers have well-financed legal teams that are able to often negotiate out of these payments. Local Authorities do not have the resources to counter these arguments. By contrast, HAs and RSLs always do make their Section 106 payments, suggesting that they do not render schemes unviable. A quick search will bring up a handful of examples, but there will be many more:

[https://www.walesonline.co.uk/news/wales-news/update-major-plans-former-howells-29272002?utm\\_source=mynewsassistant.com&utm\\_medium=referral&utm\\_campaign=embedded\\_search\\_item\\_desktop](https://www.walesonline.co.uk/news/wales-news/update-major-plans-former-howells-29272002?utm_source=mynewsassistant.com&utm_medium=referral&utm_campaign=embedded_search_item_desktop)

"A Section 106 agreement was originally attached to the planning application which would have bound developers to pay a maximum of £1,097,520 towards affordable housing, £64,224 towards off-site public open space, £73,381 towards public realm improvements, £43,951 towards local community facilities and £5,000 towards traffic regulation orders. However during the planning

process a viability appraisal concluded the development would be unviable if these conditions were applied and there is now no S106 agreement. The developer has agreed to contribute the £5,000 for traffic regulation.”

<https://www.walesonline.co.uk/news/wales-news/exclusive-housing-estate-developers-away-29576303>

[https://www.walesonline.co.uk/news/wales-news/housing-developer-told-dont-pay-28539996?utm\\_source=mynewsassistant.com&utm\\_medium=referral&utm\\_campaign=embedded\\_search\\_item\\_desktop](https://www.walesonline.co.uk/news/wales-news/housing-developer-told-dont-pay-28539996?utm_source=mynewsassistant.com&utm_medium=referral&utm_campaign=embedded_search_item_desktop)