

## **EARLY OPPORTUNITY TO INFLUENCE NEW SUPPLEMENTARY PLANNING GUIDANCE**

### **SUPPLEMENTARY PLANNING GUIDANCE AND THE JOINT LOCAL DEVELOPMENT PLAN**

Gwynedd Council and the Isle of Anglesey County Council are collaborating to form a Joint Local Development Plan. When it is adopted in 2017, it will replace the Gwynedd Unitary Development Plan, the Gwynedd Structure Plan, the Anglesey Local Plan, the Anglesey Unitary Development Plan and Interim Policies.

The Joint Local Development Plan will include policies which will form a basis for the Gwynedd Planning Authority and the Isle of Anglesey County Council Planning Authority to be able to make consistent and transparent decisions on planning applications. Due to the need to ensure that the Plan is more concise, strategic and specific, the Plan itself cannot always provide full detailed guidance that the officers and prospective applicants will need to influence development proposals.

Therefore, the Councils intend to prepare a series of Supplementary Planning Guidance (SPG) to support the Joint Local Development Plan (JLDP) after it is adopted. This paper provides an early opportunity for specific stakeholders to influence the content of one of the SPG.

### **WHAT IS SUPPLEMENTARY PLANNING GUIDANCE?**

Supplementary Planning Guidance (SPG) is defined as guidelines which provide ancillary information regarding the policies in a development plan or current national policy. An SPG provides more detailed guidance on how the development plan policies are used in specific circumstances or areas. They help the developer to apply the policies to create good development proposals in line with national, regional and local land use objectives. An SPG can deal with a range of matters including detailed design considerations (often referred to as 'Design Guidelines'), section 106 obligations, and requirements in terms of information which is necessary to decide on a planning application.

Although the guidance included in a SPG is consistent with relevant policies in a development plan, they do not have full statutory status as provided by the provisions of the Town and Country Planning Act. However, they have 'material consideration' status when deciding on planning applications and appeals within the relevant topic area /land use. 'Significant weight' is given to them in planning decisions by the Local Planning

Authority, Welsh Government and the Welsh Planning Inspectorate, if a specific procedure is followed to prepare them which includes a public consultation.

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They will be prepared in a phased manner. A list of the SPG that are foreseen to be required at present is attached in Appendix 9 of the Deposit Plan (<http://gwyneddmon.idi-consult.net/ldpeng/readdoc.php?docid=10> ).

The list includes "Supplementary Planning Guidance: Maintaining and creating unique and sustainable communities":

Name	Relevant policies in the Deposit Plan	Timescale
Maintaining and creating unique and sustainable communities	PS1, ISA1, PS5	Current SPG (Gwynedd and Anglesey) will be reviewed, updated and extended. A draft version may be submitted before/during the Examination.

This SPG will help applicants for planning permission understand what sustainable development means in the area of the Joint Local Development Plan. Different types of development in different locations present different opportunities to maintain and create unique and sustainable communities. Supporting surveys and reports may be necessary to enable the Planning Authority to make a decision. This SPG will provide details on this.

The new SPG will need to be consistent with the Joint Local Development Plan's policies, which include Policy PS1:

**STRATEGIC POLICY PS1: THE WELSH LANGUAGE AND CULTURE**

**The Councils will promote and support the use of the Welsh language in the plan area.**

**This will be undertaken by:**

1. Requesting a Welsh Language Statement which will indicate how the proposed development will safeguard, promote and strengthen the Welsh language, where

the proposed development will fall into one of the following categories:

- a) Retail, industrial or commercial development which employs more than 50 employees and/or has a floor area of at least 1,000 m sq.; or
  - b) A residential development which will either itself or accumulatively provide more than the indicative housing target set for the settlement in Policy TAI 14 - 18; or
  - c) A development of five or more housing units on allocated or windfall sites which do not provide an adequate range of housing units in terms of their size and types;
2. Requesting a Welsh Language Statement which will indicate how the proposed development will safeguard, promote and strengthen the Welsh language, where the proposed development:
    - a) Is a windfall site; and
    - b) Will attract or provide accommodation for many people who were not originally projected in the Plan's policies and proposals;
  3. Using appropriate tools to ensure that suitable measures to mitigate negative impacts are provided or a contribution to mitigating those impacts will be made;\_
  4. Refusing proposals which, due to their size, scale or location will cause significant harm to the character and language balance of a community;
  5. ~~Encourage and~~ Request that all operational signs by public bodies and commercial companies and businesses are bilingual;
  6. ~~Encourage the use of~~ Set an expectation that Welsh place names will be used for new developments, house names and street names.

(Note: This is Policy PS1 with Focussed Change NF15, which is indicated by underlining new words and removing some where relevant)

After the SPG is adopted it will replace Gwynedd Council's "Supplementary Planning Guidance - Planning and the Welsh Language" (2009) and the Isle of Anglesey County Council's "Supplementary Planning Guidance - Planning and the Welsh Language" (2007). In the meantime, the current SPG will still be used and will still have weight as a relevant material planning consideration.

## THE BROADER CONTEXT

The SPG will need to be consistent with Planning Policy Wales (<http://gov.wales/docs/desh/publications/160104ppw-chapter-4-cy.pdf>) and Technical Advice Note 20: Planning and the Welsh Language

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(<http://gov.wales/topics/planning/policy/tans/planning-and-the-welsh-language/?lang=cy>).

Welsh Government have consulted recently on an amended version of Technical Advice Note 20 in order to ensure that it is consistent with the Planning Act (Wales) 2015 in terms of the well-being of the Welsh language.

Preparing the new SPG is also part of the work that needs to be undertaken in order to coincide with Gwynedd Council's decision on 18 March 2016:

"Whilst accepting that the language assessment of the Local Development Plan is a responsive live document, we ask the Council to consult on innovative ways to monitor the effect of the current and prospective planning situation on the Welsh language. This should take place with the full use of 2011 Census figures and also with consideration of the underlying suitability of the number of houses and population that are the basis of the Plan."

### **THE PROCESS OF PREPARING SUPPLEMENTARY PLANNING GUIDANCE: MAINTAINING AND CREATING UNIQUE AND SUSTAINABLE COMMUNITIES**

This is a table which describes the process of preparing the new SPG:

<b>Step in the process</b>
1. Review the current SPG that Gwynedd Council and the Isle of Anglesey County Council have, which include contacting specific stakeholders (such as language groups, case officers, planning consultants, language planners, to gain opinions about the strengths and weaknesses of the current SPG
2. Consider the feedback and form a consultative draft SPG
3. A report for the Joint Local Development Plan Panel (September 2016)
4. <i>Submit a copy of the consultation draft SPG to the Public Examination of the Joint Local Development Plan (only if the Inspector requests it)</i>
5. A public consultation on the consultative draft SPG (November - December 2016 after completion of the Public Hearings that are part of the Public Examination)
6. Consider the feedback and submit a report to: <ol style="list-style-type: none"> <li>a. Language Committee (Gwynedd Council) and the Leaders'</li> </ol>

Group (Isle of Anglesey County Council) (for information);

- b. Joint Planning Policy Committee to support the SPG and that the Authorities follow the appropriate proses to adopting the SPG (*March 2017*)

7. Apply the SPG as a material planning consideration in connection with relevant local planning applications.

## STEP 1: REVIEW EXISTING SUPPLEMENTARY PLANNING GUIDANCE

The existing SPG on planning and the Welsh language can be found at:

SPG Planning and the Welsh language (2009) Gwynedd Council

<https://www.gwynedd.llyw.cymru/en/Council/Documents---Council/Strategies-and-policies/Environment-and-planning/Planning-policy/Unitary-Development-Plan/SPG-Planning-and-the-Welsh-Language.pdf>

SPG Planning and the Welsh Language (2007) Isle of Anglesey County Council

[http://www.anglesey.gov.uk/Journals/public/attachments/69/Planning\\_and\\_the\\_Welsh\\_Language.pdf](http://www.anglesey.gov.uk/Journals/public/attachments/69/Planning_and_the_Welsh_Language.pdf)

You are welcome to contact the Joint Planning Policy Unit if you wish to receive one hard copy (details at the end of this report).

Before forming the new SPG, the Joint Planning Policy Unit is eager to gain the opinion of various stakeholders who have had the experience of using the current SPG and/or who are interested in the type of guidance that should be included in the new SPG.

I would like a response to the following questions and a specific form has been provided for you to use to answer them:

**Question 1:** does the current SPG deal with priorities for the Welsh language in terms of land use or buildings? If not, what alternative matters do you suggest?

**Question 2:** does the current SPG deal with matters that should not be included within SPG? If so, note details of the matters here.

**Question 3:** is the current SPG clear enough in terms of which development would need information on the Welsh language?

**Question 4:** the SPG includes several questions in order to assist applicants to submit a Linguistic and Community Statement. Are the questions clear enough? Should additional questions be asked? If you are of the opinion that a change is required, can you suggest how the questions could be changed and/or what type of questions need to be asked?

**Question 5:** undertaking a Linguistic Impact Assessment involves responding to several questions. Are the questions clear enough? Should additional questions be asked? Should some questions be deleted? If you are of the opinion that a change is required, can you explain your perspective by suggesting how the questions can be changed and/or what type of questions need to be asked?

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**Question 6:** is the SPG clear enough in terms of gaining the input of local language enterprises and language planners to assist applicants to form the proposal which would be the subject of a planning application?

**Question 7:** is the current SPG clear enough in terms of which type of planning obligations or conditions could be formed to ensure appropriate mitigation measures, compensation, and/or improvement measures involving development proposals to maintain or strengthen the Welsh language, and how will the Councils get planning conditions or obligations?

**Question 8:** do you have any additional comments about the content of the current SPG? If so, I would appreciate if you could submit the observations as clearly and as concisely as possible, referring to specific parts of the document (e.g. paragraph number).

### **HOW AND WHEN TO SUBMIT A RESPONSE?**

Responses should be submitted on the designated form by **4.30pm on 12 August 2016** to:

[polisicynllunio@gwynedd.llyw.cymru](mailto:polisicynllunio@gwynedd.llyw.cymru)

or

Joint Planning Policy Unit

1st Floor Bangor City Council Offices

Ffordd Gwynedd

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### **CONSIDERING THE OBSERVATIONS AND NEXT STEPS**

Consideration will be given to any specific observation that's submitted during the specific period. A paper will be prepared to record the observations and to identify the main messages. The table on page 4 provides a brief description of the process. You will have another opportunity during the formal public consultation which will be required before we are able to complete the final draft SPG to be adopted by the Joint Planning Policy Committee.

The new SPG cannot be adopted until the Joint Local Development Plan is adopted. It is aimed to do that in March 2017. The timetable provided in the table on page 4 is indicative at present due to the need to tie in the work and to prepare the SPG into the work associated with the Public Examination.

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