



## **JOINT LOCAL DEVELOPMENT PLAN**

### **Joint Planning Policy Committee**

**2:00 p.m. 17 July 2019**

**Meeting Room 1, Llangefni**

#### **Present:**

##### **Isle of Anglesey County Council**

Cllr. Richard Dew

Cllr. John Griffith

Cllr. Kenneth P Hughes

##### **Gwynedd Council**

Cllr. Gareth Griffith

Cllr. Paul Rowlinson

Cllr. Berwyn Parry Jones

Cllr. Owain Williams

#### **Officers:**

Gareth Jones

Dewi Francis Jones

Rhun ap Gareth

Rebeca Jones

Bob Thomas

Heledd Jones

Senior Manager, Planning and Public Protection Service (GC)

Chief Planning Officer (IACC)

Senior Solicitor (GC)

Planning Policy Manager (JPPU)

Team Leader – (JPPU)

Team Leader – (JPPU)

#### **Apologies:**

Cllr. Richard Owain Jones (IACC)

Cllr. Robin Williams (IACC)

Cllr. John Brynmor Hughes (GC)

Cllr. Gareth Roberts (GC)

Cllr. John Pughe Roberts (GC)

#### **1. APOLOGIES**

Apologies as noted above.

#### **2. DECLARATION OF PERSONAL INTEREST**

There were no declarations of personal interest.

#### **3. URGENT ITEMS**

No urgent items were received.

#### **4. MINUTES**

The minutes of the Committee held on 14 June 2019 were accepted as a true record.

#### **5. SUPPLEMENTARY PLANNING GUIDANCE (SPG) FOR ADOPTION: MAINTAINING AND CREATING UNIQUE AND SUSTAINABLE COMMUNITIES**

An overview of the purpose of the Supplementary Planning Guidance was given, and it was noted that the main aim was to assist applicants when they submit and prepare planning applications and those who determine the application, be they Officers, Councillors or an independent Inspector.

In the context of the SPG in question, it was noted that a public consultation period had taken place between December 2018 and January 2019. In addition, the Guidance had been through a scrutiny process in both Councils and had been subject to an independent critical evaluation by experts within the Language Planning field.

As a result of the Scrutiny process, feedback was received from the Gwynedd Communities Scrutiny Committee as well as the Anglesey Scrutiny Committee, the table included in paragraph 4.2 and 4.3 (respectively) recorded the response of the Joint Planning Policy Unit to individual observations.

During the public consultation period, 88 individual observations were received (these can be seen in Appendix 1b of the report). It was noted that the majority of the observations received were constructive and often proposals of minor amendments to the contents of the Guidance were proposed as a result of a comment received. Where there is no recommendation to amend the Guidance as a result of a comment, a note of explanation/reason is noted for that decision. Often that reason deals with the fact that the matter referred to within the comment had been included in another section of the Guidance.

It was noted that a full copy of the Guidance had been included in Appendix 2, that had incorporated the amendments suggested following public consultation.

##### Matters raised:

- Was there a response to the legal opinion received on behalf of the Welsh Language Society.
- A request was made for clarity regarding when an Assessment/Statement would be required (what are the thresholds). Reference was made to the table included in Para. 4.2 of the guidance, and the question raised by Gwynedd Council's Communities Scrutiny Committee concerning the same matter.
- It was asked how the thresholds regarding when an applicant is requested to submit a Statement/Assessment compared with the current requirements (i.e. the requirements set out in Gwynedd Council's Supplementary Planning Guidance concerning Planning and the Welsh language).
- It was asked if there are any examples of specific developments where no consideration would be given to the impact on the Welsh language. Are there some types of applications that could slip through the net.
- There was an enquiry on the status of the 'Supplementary Planning Guidance' as they are only 'guidance'. Has any advice been included within the Guidance regarding what the implications would be if the applicant did not comply with these Guidance.
- It was noted that there had been a lengthy scrutiny and consultation process when preparing the Guidance, including a process of independent evaluation by external experts in the field in question and therefore it was noted that the member was comfortable with its contents and the

reasoning behind it. It was also noted that the Welsh Language Society had not responded to the public consultation on the Draft Guidance.

Response:

- It was confirmed that a formal response had been submitted to the Welsh Language Society confirming the Councils' viewpoint regarding the legal opinion. The response clearly stated that no legal incumbrance had been identified as to why the Joint-Committee cannot proceed with the work of evaluating the consultations and resolve to adopt the Guidance.
- The Policy within the Joint Local Development Plan together with the advice included within the Guidance clearly states when a language Statement/Assessment is required and included a clear guide regarding this. Furthermore, guidance had been included regarding the method of submitting information (templates). The strength of the Policy and Guidance is that it is flexible to changes in circumstances that can influence the method of assessing the impact on the Welsh language.
- It was noted that the Guidance offered more flexibility in terms of the requirement to submit a language Statement /Assessment together with ensuring that appropriate consideration is given to the Welsh language when appropriate. The Guidance is unique and includes a methodology and firm guidance. The applicant was responsible for ensuring that the required information is presented together with the application.
- It was noted that the Guidance will give assurance of compliance with the procedure and place the Councils in a stronger position to confirm this.
- If a planning application is submitted that departs from the guidance noted in the Supplementary Planning Guidance, then it would be necessary to be totally clear why the proposal is a departure from the Guidance. Those who determine any application (Officer, Member, Independent Planning Inspector) give consideration to the contents of the Supplementary Planning Guidance as a material planning consideration when assessing and determining a planning application.
- The observations were noted

**Decision - The Joint Planning Policy Committee unanimously accepted the recommendation, namely:-**

- To approve the proposed response to the observations on the Supplementary Planning Guidance and to adopt the Maintaining and Creating Distinctive and Sustainable Communities Guidance.**
- That the Joint Planning Policy Unit are given the power to undertake final administrative amendments to the Guidance to ensure that all cross-referenced matters within it are correct.**