

<b>COMMITTEE</b>	COMMUNITIES SCRUTINY COMMITTEE
<b>DATE</b>	7 December 2017
<b>TITLE</b>	<b>SUPPLEMENTARY PLANNING GUIDANCE – CREATING AND MAINTAINING DISTINCTIVE AND SUSTAINABLE COMMUNITIES – UPDATE</b>
<b>CABINET MEMBER</b>	Cllr. Dafydd Meurig
<b>PURPOSE</b>	Raise awareness of the context and provide an update

## **1 BACKGROUND AND PURPOSE**

- 1.1 Under planning legislation, the development plan includes planning policies for each area. The Anglesey and Gwynedd Joint Local Development Plan was adopted on 31 July 2017. It is relevant to the Anglesey and Gwynedd planning authority area (not including the Park area). The Plan is the primary consideration for making decisions on planning applications.
- 1.2 The Plan includes a range of policies, as well as land allocations for main uses like housing, employment and retailing. The Plan therefore:
- Guides the Local Planning Authorities to make logical and consistent decisions about planning applications by providing a policy framework that meets the needs of our communities and is consistent with national policy, and
  - Guides and facilitates development to suitable locations during the period up to 2026.
- 1.3 The Plan includes policies for the Local Planning Authorities to make consistent and transparent decisions about development proposals. Nonetheless, it cannot include all the detailed advice that officers and prospective applicants require in order to formulate proposals locally. In order to provide this detailed advice Supplementary Planning Guidance is required to support the Plan.
- 1.4 The purpose of this paper is to raise the Committee Members' awareness and provide an update about the following:
- i. what is Supplementary Planning Guidance (SPG);
  - ii. the planning policy basis for the SPG Maintaining and Creating Distinctive and Sustainable Communities, which includes guidance on how to apply Policy PS 1;
  - iii. the broad process to prepare the SPG Maintaining and Creating Distinctive and Sustainable Communities;
  - iv. draft timetable to prepare the SPG;
  - v. a preliminary outline of the SPG.

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

- 2.1 Supplementary Planning Guidance (SPG) provide more detailed guidance about the application of policies in the Joint Local Development Plan in specific circumstances or areas.
- 2.2 The SPG is not part of the Joint Local Development Plan. SPGs will not be independently examined, but it **must** be consistent with the Joint Local Development Plan (the Plan) and national planning policy. The SPG includes cross-references to specific policies and/or proposals in the Plan. **SPGs should not include new policies.** Their preparation must consider the need for Strategic Environmental Assessment and Habitats Regulations Assessment.
- 2.3 SPGs can do the following:
- Provide important guidance that expands on topic specific policies in order to help implement the Plan (e.g. effect on the well-being of the Welsh language, local market housing).
  - Deal with details and numeric guidance/ thresholds (e.g. parking standards, thresholds for planning obligations). Formula details can change within SPG in order to ensure that the Plan continues to be up-to-date and in order to facilitate flexibility.
  - Provide additional detailed guidance about the type of development expected on a site allocated in the Plan for development. This can take the form of a development brief or a masterplan.
- 2.4 Based on the above, only policies and proposals in the Plan have special status (priority) in making decisions about planning applications. However, after they are adopted, and provided they have been through the process described in section 4 below, SPG will be applied as material planning consideration when dealing with planning applications.

## **3 What is the policy basis for the Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities?**

- 3.1 Various policies of the Plan have an important role to play in supporting the maintenance and creation of distinctive and sustainable urban and rural communities, and therefore ensure that the Councils meet their statutory duty to promote sustainable development.
- i. ensure appropriate development in the right place at the right time;
  - ii. ensure that sufficient land is available to provide homes and employment opportunities for local people, and helping to maintain urban and rural services;
  - iii. ensure that the Plan provides a land use planning policy framework that contributes to protect and promote the Welsh language;
  - iv. provide a framework to address the challenges posed by climate change, for example, by including the need to produce renewable energy;
  - v. protect and improve the natural and historic environment and safeguard the countryside and open spaces.

By and large, they support communities to be economically, socially, culturally and environmentally sustainable. The next diagram gives a simple picture of the elements considered essential for distinctive and sustainable communities.

**Diagram 1: Essential elements for distinctive and sustainable communities**



- 3.3 In terms of the Welsh language, sustainable development is concerned with promoting conditions within communities that are important for the language planning cornerstones, such as language transfer in the home (or language socialization in the family), and the provision of the necessary social context to use Welsh as part of normal social fabric.
- 3.4 Bearing in mind the requirement that the SPG has to be consistent with the Plan and national planning policy, here is a copy of the strategic objective that is relevant to the Welsh language and culture. Policy PS 1 is also included, which provides a local policy framework for considering the effect of development on the well-being of the Welsh language:

## **Strategic Objectives**

- Safeguard and strengthen the Welsh language and culture and promote its use as an essential part of community life.
- Ensuring that development in the Plan area supports the principles of sustainable development and creates sustainable communities whilst respecting the varied role and character of the centres, villages and countryside

### **STRATEGIC POLICY PS 1: WELSH LANGUAGE AND CULTURE**

***The Councils will promote and support the use of the Welsh language in the Plan area. This will be achieved by:***

- 1. Requiring a Welsh Language Statement, which will protect, promote and enhance the Welsh language, where the proposed development falls within one of the following categories:***
  - a. Retail, industrial or commercial development employing more than 50 employees and/or with an area of 1,000 sq. m. or more; or***
  - b. Residential development which will individually or cumulatively provide more than the indicative housing provision set out for the settlement in Policies TAI 1 – TAI 6; or***
  - c. Residential development of 5 or more housing units on allocated or windfall sites within development boundaries that doesn't address evidence of need and demand for housing recorded in a Housing Market Assessments and other relevant local sources of evidence.***
- 2. Requiring a Welsh Language Impact Assessment, which will set out how the proposed development will protect, promote and enhance the Welsh Language, where the proposed development is on an unexpected windfall site for a large scale housing development or large scale employment development that would lead to a significant workforce flow;***
- 3. Refusing proposals which would cause significant harm to the character and language balance of a community that cannot be avoided or suitably mitigated by appropriate planning mechanisms;***
- 4. Requiring a bilingual Signage Scheme to deal with all operational signage in the public domain that are proposed in a planning application by public bodies and by commercial and business companies;***
- 5. Expect that Welsh names are used for new developments, house and street names.***

## **4 WHAT IS THE PROCESS TO PREPARE, SCRUTINISE AND ADOPT THE SUPPLEMENTARY PLANNING GUIDANCE?**

- 4.1 Here is an overview of the arrangements:

- i. Whilst preparing the SPG, we shall address the feedback we received when we engaged with individuals and organisations about current SPGs during June – August 2016.
- ii. Whilst preparing the SPG, we shall consider examples of SPGs adopted by other Planning Authorities.
- iii. Whilst preparing the SPG, we will include development management colleagues and other services within the Councils (e.g. language development units, research and information unit) and partners (Menter Iaith Môn, the Welsh Language Commissioner's Office).
- iv. Whilst preparing the SPG, we shall consider the revised Technical Advice Note 20 (2017), which is also a planning consideration.
- v. Present papers to relevant Scrutiny Committees/ Working groups within both Councils.
- vi. Present a draft SPG to the Joint Local Development Plan Panel for scrutiny and feedback before publishing it for public consultation.
- vii. Publish a draft SPG for a six weeks public consultation. A notice will be published on both Councils' websites. We shall send the notice to: Community and Town Councils; Councillors; groups, organisations and individuals with an interest in the topic; adjoining Planning Authorities; Welsh language Subdivision, Welsh Government.
- viii. We shall submit the conclusions of the Strategic Environment Assessment and the Habitat Regulations Assessment 'screening' process to Natural Resources Wales.
- ix. We shall consider every representation submitted during the public consultation period before preparing a final draft SPG.
- x. We shall submit the final draft SPG to the Joint Planning Policy Committee for its formal adoption.
- xi. The adopted SPG will include a consultation statement that will record the work to prepare and consult publically and will refer to the amendments made as a result of public consultation.
- xii. We shall evaluate the efficiency of the SPG alongside the Policy that it supports as part of the annual monitoring process of the Plan.

## **5 WHAT IS THE DRAFT TIMETABLE TO PREPARE THE SUPPLEMENTARY PLANNING GUIDANCE: MAINTAINING AND CREATING DISTINCTIVE AND SUSTAINABLE COMMUNITIES**

5.1 Here is the draft timetable:

<b>Task</b>	<b>When?</b>
i. Prepare the consultation draft SPG	October 2017 – January 2018
ii. Discuss with, and receive views from, a Scrutiny Working Group	December 2017 – January 2018
iii. Joint Local Development Plan Panel – scrutinise a consultation draft version before publishing it for public consultation	26 January 2018
iv. Public consultation – 6 weeks	February – March 2018
v. Consider comments, in consultation with Scrutiny Committee	April 2018
vi. Joint Planning Policy Committee - adopt the SPG	May 2018 <sup>1</sup>

<sup>1</sup> The definitive timetable will depend on the number and scope of the comments submitted at the public consultation stage

**6 WHAT IS THE PRELIMINARY OUTLINE OF THE CONTENTS OF THE SUPPLEMENTARY PLANNING GUIDANCE: MAINTAINING AND CREATING DISTINCTIVE AND SUSTAINABLE COMMUNITIES?**

6.1 Here are possible headings for the SPG:

Part 1 – general information

- i. What is a distinctive and sustainable community
- ii. What can be built and where
- iii. Planning considerations relevant to all development proposals
- iv. Planning considerations for specific types of development
- v. Additional information to be submitted with a planning application

Part 2 – requirements of Policy PS 1

- vi. Process to prepare and present a planning application
- vii. Defining term sin Policy PS 1, e.g. large development, an unexpected windfall site, significant harm, mitigation measures
- viii. Framework to prepare a Welsh Language Statement – how and who
- ix. Framework to prepare a Welsh Language Impact Assessment – how and who
- x. Possible mitigation and improvement measures
- xi. Arrangements to assess a Welsh Language Statement, Welsh Language Impact Assessment report, - the case officer's role, the Joint Planning Policy Unit's role, Gwynedd Council's Language Service's role, Isle of Anglesey County Council Strategic Policy Unit's role and Menter Iaith Mon's role
- xii. Approve or refuse a planning application
- xiii. Monitoring arrangements

**7 RECOMMENDATION**

7.1 Note the information in the report