



CYNGOR SIR
YNYNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

JOINT LOCAL DEVELOPMENT PLAN

Joint Planning Policy Committee

10.00am, 26 April 2018

Council Chamber, Llangefni

Present:

Isle of Anglesey County Council

Cllr Richard Dew
Cllr John Griffith
Cllr Kenneth P. Hughes
Cllr Bryan Owen
Cllr Nicola Roberts
Cllr Robin Williams

Gwynedd Council

Cllr Sian Wyn Hughes
Cllr Berwyn Parry Jones
Cllr John Pughe Roberts
Cllr Owain Williams

Officers:

Nia Haf Davies	Manager - JDLP (GC)
Gareth Jones	Senior Manager, Planning and Public Protection Service (GC)
Dewi Francis Jones	Chief Planning Officer (IACC)
Linda Lee	Senior Planning Officer – JPPU (GC)
Robyn Jones	Legal Services Manager (IACC)

Apologies:

Cllr John Brynmor Hughes (GC)
Cllr Richard Owen Jones (IACC)
Cllr Dafydd Meurig (GC)

- 1. WELCOME AND APOLOGIES**
Apologies as noted above.
- 2. DECLARATION OF PERSONAL INTEREST**
No declarations of personal interest were received.
- 3. URGENT ITEMS**
No urgent items were received.
- 4. MINUTES**
The minutes of the Committee held on 1 February 2018 were accepted as a true record.
- 5. SUPPLEMENTARY PLANNING GUIDANCES**

Nia Haf Davies gave a presentation about:

- The purpose of Supplementary Planning Guidance
- The process thus far
- Next steps and timetable

APPENDIX 1 - MAINTAINING AND CREATING UNIQUE AND SUSTAINABLE COMMUNITIES

It was noted that the process of preparing this Guidance from a Gwynedd Council perspective was the subject of a Scrutiny Investigation led by a Scrutiny Working Group. The Scrutiny Working Group presented its recommendations to the Communities Scrutiny Committee. Its report included the recommendations, the response of the Local Development Plan Panel (meeting 26 March 2018), its response to the Panel's observations, and further questions and observations - see table 3 of Appendix 4 to the report to the Joint Planning Policy Committee. It was noted that the Communities Scrutiny Committee had approved the Working Group's recommendations. The Chair of the Communities Scrutiny Committee was invited to present those recommendations and the reasons for their inclusion in the Joint Planning Policy Committee.

Matters raised:

It was noted that accepting recommendations 1 and 1A would create a new policy and the procedure would not comply with regulations that set statutory thresholds for pre planning application public consultations. It was explained that amending the Guidance in accordance with recommendations 1 and 1A would lead to a significant risk that operating in accordance with the Guidance would be subject to a court challenge, and a risk that Policy PS1 would not be given appropriate weight in case of appeal against a decision to refuse a planning application based on it and the Guidance. If using the Guidance were subject to a court challenge, the Councils would lose their right to use it, with a substantial risk of a decision being made to revoke the Guidance because it goes beyond its remit.

In response to an observation about amending Policy PS1, it was explained that Local Development Plan Regulations were in place, which provided a statutory procedure for so doing. This would entail following the annual monitoring arrangement, evaluating the evidence from the monitoring work, then deciding whether there were grounds for starting the work of amending the strategy and/or the policies of the Plan. When determining grounds for amendments, a statutory procedure would have to be followed - creating a draft version, public consultation, public enquiry, and then adopting the amended plan.

It was proposed that a letter be sent to Welsh Government enquiring about the policy amendment procedure within a plan and the ability, or not, to change the threshold for requiring a pre planning application statutory public consultation.

The need to ensure that the content of the Guidance was sufficiently robust to be published for a public consultation was noted. It was suggested that the Committee could delegate the right for officers to commission a qualified multidisciplinary consultant to undertake a critical appraisal of the Guidance. The scope of the work was suggested:

- Summarise and evaluate the advice and guidance provided in Section 2 with regard to applying Policy PS1 of the Plan during the pre and post planning application stages.
- Analyse the Plan in a balanced way and note its strengths and weaknesses. The purpose of a critical evaluation was not to highlight the negative aspects only.

- Look at the Guidance and evaluate its success in light of its purpose.
- Suggest the types of questions a consultant should ask him/herself when undertaking the work, e.g. what is the aim of the Guidance? Has the aim been fulfilled? The Guidance refers the applicant and the competent person to information sources - are there any other sources? What is the structure of Section 2 of the Guidance? Is it effective? Is the methodology in Appendix 7 and in Appendix 8 effective?
- Recommend changes as required.

It was agreed that commissioning the work would be a sensible way forward.

Decision:

- i. Authorise relevant Senior Officers to write to Welsh Government on behalf of both Authority's Planning Services to enquire about the rights to change policy within a local development plan and the rights to change the threshold to impose a requirement to hold a pre planning application public consultation for five houses in villages and the countryside rather than for ten houses;
- ii. Authorise relevant Senior Officers on behalf of both Authority's Planning Services to commission qualified external experts to undertake a critical evaluation of the Supplementary Planning Guidance: maintaining and creating unique and sustainable communities, and specifically Section 2 of that Guidance.

APPENDIX 2 - SUPPLEMENTARY PLANNING GUIDANCE: HOUSING MIXTURE

Presentation by Nia Haf Davies explaining the changes to the guidance since its introduction to the Joint Local Development Plan Panel on 22 March 2018.

Decision:

Approve the publication of the Guidance for public enquiry

APPENDIX 3 - SUPPLEMENTARY PLANNING GUIDANCE: TOURIST ATTRACTIONS AND ACCOMMODATION

Presentation by Nia Haf Davies explaining the changes to the guidance since its introduction to the Joint Local Development Plan Panel on 22 March 2018.

Decision:

Approve the publication of the Guidance for public enquiry

END OF THE MEETING.

DRAFT