

ITEM 5

<b>MEETING</b>	<b>Joint Planning Policy Committee</b>
<b>DATE</b>	<b>12 March 2021</b>
<b>NAME</b>	<b>Supplementary Planning Guidance: Tourist Facilities and Accommodation</b>
<b>PURPOSE</b>	<b>To consider and approve the proposed responses to observations on the Supplementary Planning Guidance – Tourist Facilities and Accommodation, and adopt the Guidance.</b>
<b>RECOMMENDATION</b>	<p><b>The Committee is requested to -</b></p> <ul style="list-style-type: none"> <li><b>(i) Approve the proposed response to the observations about the Supplementary Planning Guidance: Tourist Facilities and Accommodation</b></li> <li><b>(ii) Adopt the SPG: Tourist Facilities and Accommodation, which replaces the previous relevant SPG (Holiday Accommodation (GC) and Holiday Accommodation (IoACC))</b></li> <li><b>(iii) Delegate the right to Officers to make minor editorial amendments to the document before its publication, as required.</b></li> </ul>
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**1. Introduction**

1.1 The Planning Authorities have committed to preparing a series of Supplementary Planning Guidance to support the Joint Local Development Plan. This report presents:

- i. A Consultation Report and Register regarding the Supplementary Planning Guidance: Tourist Facilities and Accommodation (Appendix 1).
- ii. A copy of the final draft of the Supplementary Planning Guidance: Tourist Facilities and Accommodation (Appendix 2).

**2. The public consultation and final draft Guidance.**

2.1 During the process of preparing the Guidance in question, the Joint Development Plan Panel has been involved in scrutinising its content. Having received consideration from the Joint Local Development Plan Panel the Guidance was given the seal of approval by the Joint Planning Policy Committee to be released for a public consultation (spring/summer 2018). Following this original public consultation period and in light of the observations received, it was considered appropriate to make further amendments to the Guidance in relation to two specific matters, namely:-

- 1. How to define an over-provision of self-service accommodation, and;

2. How to deal with applications for change of use and loss of hotels.
  - 2.2 As the SPG will be a material planning consideration following its adoption, the Councils considered that it was important for stakeholders to have their say on these significant changes. Therefore, at a meeting of the Joint Planning Policy Committee on 26 October 2018, the release of a further consultation document for public consultation was approved.
  - 2.3 During the meeting of the Joint Local Development Plan Panel held on 22 March 2019, the Consultation Report on this further consultation was presented, which noted that no further amendments to the Guidance were necessary as a result of the observations received during the period of further consultation, and requesting the right to submit the Guidance to a meeting of the Joint Planning Policy Committee for adoption.
  - 2.4 Following the meeting of the Joint Planning Policy Committee (March 2019), the Guidance was submitted to Gwynedd Council's Communities Scrutiny Committee on 4 April 2019. In light of the discussion at this meeting, it was considered appropriate to make a minor amendment to the wording of the Guidance. Furthermore, after receiving appeal decisions pertaining to the assessment of 'over-provision' of holiday accommodation, it became evident that a further amendment to the Guidance was needed.
  - 2.5 Because of the circumstances associated with preparing the Guidance, the Joint Planning Policy Committee has not had the opportunity to approve the proposed response to the second consultation period. The table showing the Council's response to the second consultation period is included in Appendix 1 (see appendix 2 of the document).
  - 2.6 A draft version of the revised SPG was approved for public consultation by the Joint Planning Policy Committee on 4 September, 2020. This draft was prepared in consultation with relevant officers from both Authorities. Prior to this, the SPG was reviewed by the Joint Local Development Plan Panel on 24 January 2020.
  - 2.7 The SPG was subject to a public consultation from 16 October to 27 November 2020.
  - 2.8 It is noted that the main amendment to the Guidance which led to the third consultation period related to making a further amendment to the definition associated with over-provision of holiday accommodation. The definition (see section 4.6 of the Guidance in Appendix 2) now includes a specific threshold in terms of when there is considered to be an over-provision of self-catering holiday accommodation within a particular area. In accordance with the revised direction within the Guidance, favourable consideration cannot be given to applications for self-catering holiday accommodation when the combined current rate of self-catering holiday accommodation and second homes has already reached the threshold of 15% of all the housing stock. It is considered that the setting of a definitive threshold will make it easier for Officers to assess 'over-provision' in the context of the requirement noted in Policy TWR 2 of the JLDP.
3. **The Communities Scrutiny Committee and the Partnership and Regeneration Scrutiny Committee (Isle of Anglesey County Council)**
  - 3.1 At the request of the Communities Scrutiny Committee (Gwynedd Council), the Guidance was submitted to the Committee for scrutiny. We originally reported to the Scrutiny Committee during

April 2019 following the second consultation period, and we then reported on the Guidance to them on 25 February, 2021. Because of the procedure of reporting on the Guidance in Gwynedd, this good practice was followed by also reporting on its contents to the Isle of Anglesey County Council's Partnership and Regeneration Scrutiny Committee.

3.2 The purpose of this process was to raise awareness amongst the members of both Scrutiny Committees of the development of the Supplementary Planning Guidance: 'Tourist Facilities and Accommodation' and ensure that the Guidance along with the relevant Consultation Report were scrutinised.

3.3 The following matters were identified during the meeting of the Partnership and Regeneration Scrutiny Committee (IoACC):-

- The ability of the threshold set in the Guidance to have control over the provision of holiday accommodation in coastal areas.
- Concern regarding the lack of responses to the consultation period, especially given the field it dealt with.
- General concern regarding the misuse of garages/houses for use as holiday accommodation.
- Questioned the purpose and status of Supplementary Planning Guidance in general

3.4 The following matters were noted by the Communities Scrutiny Committee:-

- Concern as to how the planning policy within the Joint Local Development Plan deals with touring and static caravan sites.

3.5 We note that both committees approved the report that was submitted to them.

#### **4. Sustainability Assessment and Habitats Regulations Assessment**

4.1 A screening assessment was undertaken to determine whether this Guidance should be the subject of a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC and the associated Environmental Assessment of Associated Plans and Programmes Regulations 2004. A Habitat Regulations Assessment (HRA) of plans and programmes which could affect sites of international importance is one of the requirements of the Habitats Directive (92/42/EEC). Therefore, the Guidance was assessed to determine whether a full, appropriate assessment was required under the Habitats Regulations.

4.2 The Regulations notes the process for Authorities to undertake a screening opinion. As the Guidance supports policies that have been the subject of a SEA, the conclusion was that the Guidance was not required to be subject to a SEA. The Plan's policies were assessed under the Habitats Regulations and it was concluded that an Appropriate Assessment of the Plan was not needed. As the Guidance supports some of those policies, the screening assessment referred to in paragraph 3.1 above concluded that an Appropriate Assessment of this Guidance was not required.

4.3 In accordance with the processes for the above-named Regulations, the screening assessment was sent to Natural Resources Wales and CADW, namely the specific environmental statutory bodies. These bodies had to express their views within a five-week period.

4.4 This process has led to a decision that the Councils' screening assessment is accurate, and, therefore, there is no need for a SEA or Appropriate Assessment of the Guidance. A Screening Statement will be published accordingly.

## **5. National Planning Policy Guidance**

5.1 On 24 February 2021 a revised version of Planning Policy Wales was published, which is the 11th Edition. The National Planning Policy guidance in relation to tourism remains unchanged within the revised version of Planning Policy Wales, however, it is noted that the Guidance has been amended to ensure that correct references are made to sections of the current National Planning Policy guidance as applicable.

5.2 Also, on the same day 'Future Wales: The National Plan 2040' was published. A paragraph has been added to the Guidance (para 2.1) that refers to the National Plan in the context of the guidance given in relation to tourism.

## **6. Next steps**

6.1 Following its adoption, the Guidance will be a material planning consideration.

6.2 A copy of the final Guidance will be available to view on the websites of both Councils and a hard copy will be available to view at the offices of both Planning Services and at the office of the Joint Planning Policy Service when restrictions allow.

6.3 A copy of the Public Consultation Report will be available to view on the websites of both Councils and a hard copy will be available to view at the offices of both Planning Services and at the office of the Joint Planning Policy Service when restrictions allow.

6.4 A copy of the Sustainability Assessment and Habitats Regulations Assessment Screening Statement will be available to view on the websites of both Councils and a hard copy will be available to view at the offices of both Planning Services and the office of the Joint Planning Policy Service when restrictions allow.

6.5 We will inform everyone who contributed to the public consultation of the decision to adopt this Guidance.

## **7. Recommendation**

7.1 The Committee is asked to -

- (iv) Approve the proposed response to the observations on the Supplementary Planning Guidance: Tourist Facilities and Accommodation
- (v) Adopt the SPG: Tourist Facilities and Accommodation, which replaces the previous relevant SPG (Holiday Accommodation (GC) and Holiday Accommodation (IoACC))
- (vi) Delegate the right to Officers to make minor editorial amendments to the document before its publication, as required.

**APPENDICES:**

Appendix 1: Public Consultation Report on the Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units

Appendix 2: Supplementary Planning Guidance: Change of use of community facilities and services, employment sites and retail units