

<b>MEETING</b>	Communities Scrutiny Committee
<b>DATE</b>	7 November 2024
<b>TITLE</b>	Planning and Welsh-speaking Communities
<b>REASON FOR SCRUTINY</b>	Assurance in relation to implementation
<b>AUTHOR</b>	Gareth Jones, Assistant Head
<b>CABINET MEMBER</b>	

## 1. Why it needs scrutiny?

- 1.1 Assurance is needed that the planning system takes seriously the impact of developments (large and small) on vulnerable Welsh-speaking communities.
- 1.2 The Supplementary Planning Guidance – 'Maintaining and Creating Distinctive and Sustainable Communities' states:
- A Language Statement will be necessary to obtain more information about a development that meets the thresholds in criterion 1 a – c, Policy PS 1.
  - In accordance with criterion 2, Policy PS 1, any large unexpected major development not noted or anticipated in the Joint Local Development Plan will require a Language Impact Assessment.
- 1.3 The Guidance provides applicants with information on the methodology for preparing a statement and impact assessment.
- 1.4 Given that the applicants are responsible for providing a Language Statement/Language Impact Assessment, scrutiny of whether applications are submitted in accordance with this methodology should occur. Also, is consideration given to the cumulative impact of applications on vulnerable Welsh-speaking communities when the Council addresses the statements/impact assessments when dealing with planning applications.

## 2. What exactly needs scrutiny?

- 2.1 What process is followed when a language statement/language impact assessment is submitted?
- 2.2 How is the content/standard of language statements/language impact assessments assessed?

- 2.3 What is the input of the Language Unit?
- 2.4 What is in place to ensure that the cumulative impact of developments is considered?

### **3. Summary of the Key Matters**

3.1 The Communities Scrutiny Committee's attention is brought to the key matters below:

- The consideration that Cyngor Gwynedd can give to the Welsh language within the planning system is limited as a result of legal requirements and what is set out in national planning policy and Technical Advice Note (TAN) 20 (Welsh Government).
- It is thought timely for the Welsh Government to consider reviewing Technical Advice Note (TAN) 20 (Welsh Government) if the Welsh language is to be properly considered in Planning authorities across Wales.
- The Joint Local Development Plan (Gwynedd and Anglesey) and the Supplementary Planning Guidance which provide more detailed guidance on how to consider the Welsh language, exceed the requirements of national policy and TAN 20.
- The Council's role as a planning authority relates to assessing evidence submitted with planning applications in the context of the JLDP requirements (and any other material planning considerations) – not preparing assessments etc. on behalf of an applicant.
- In terms of consideration of the Welsh language with planning applications, arrangements have been put in place which include the expert input of the Council's Language Unit.
- The Planning Policy Service, in accordance with the statutory requirement, monitors the JLDP and prepares Annual Monitoring Reports for a series of indicators which include those relating to the Welsh language.
- The new Local Development Plan will include an assessment of impact on the Welsh language as part of the preparation process and will include a review of all relevant planning policies, providing a new monitoring framework and new Supplementary Planning Guidance.
- With the consultations and engagement, including reporting to the Communities Scrutiny Committee, which will take place as part of the preparation of the new Local Development Plan, all Members will have the opportunity to provide input.

### **4. Background / Context**

- 4.1 Before responding to the matters requiring scrutiny, it is thought essential to clarify the statutory context, national and local policy position relevant to the planning field and consideration of the Welsh language. This part of the report will then explain the context for how the Council implements the relevant policies while also addressing the matters that require scrutiny.

#### **THE STATUTORY CONTEXT AND PLANNING POLICY CONTEXT**

## **Statutory framework and requirements**

- 4.2 The planning system operates within a statutory framework which includes three tiers namely primary legislation, secondary legislation and then the material planning policies and guidance. The primary legislation includes the Planning (Wales) Act 2015, with other primary legislation including the Town and Country Planning Act 1990, The Planning and Compulsory Purchase Act 2004 and the Planning Act 2008.
- 4.3 The Planning (Wales) Act 2015 refers specifically to the Welsh language and notes the need to give any relevant consideration to the use made of the Welsh language when it is a material consideration in the application in question. At the time, this raised the profile of the Welsh language in relation to the statutory framework; however, it must be borne in mind that the language was already a planning consideration prior to the Planning (Wales) Act 2015.
- 4.4 In terms of determining planning applications, section 38(6) of the Planning and Compulsory Purchase Act states that decisions must be made in accordance with the development plan unless material planning considerations state otherwise. This is the statutory test when making decisions on planning applications, and the Joint Local Development Plan (Gwynedd and Anglesey) is the current Local Development Plan for the Gwynedd planning authority area. There are three tiers of development plans in Wales which include at national level Future Wales: The National Plan 2040, at regional level Strategic Development Plan (not adopted) and the Joint Local Development Plan (Gwynedd and Anglesey) for the Gwynedd local planning authority area.

## **National Planning Policy**

- 4.5 The planning system controls development and land use in the public interest, prioritising long-term collective benefit, contributing to improving the economic, social, environmental and cultural well-being of Wales. Planning Policy Wales (PPW) outlines Welsh Government policies on land use planning. It is supported by a series of Technical Advice Notes (TANs), Welsh Government Circulars and policy clarification letters. This is the national planning framework in Wales. The following part highlights the guidance found within PPW and TAN 20 for the Welsh language:

### **Planning Policy Wales (PPW) (Issue 12 February 2024) –**

- 4.6 Paragraphs 3.25 to 3.29 refer to 'The Welsh language and Place-making'. The main issues it highlights are:
- The land use planning system should consider the conditions essential to the Welsh language and, in doing so, contribute to its use and the well-being aim of A Thriving Welsh Language.
  - The likely impacts of the development plan on the use of Welsh as part of the Sustainability Appraisal must be considered.
  - Phased distribution and development should be sought to be achieved that takes into account the ability of the area or community to allow the development without adversely affecting the use of the Welsh language.

- A Development Plan should include a statement on how consideration has been given to the needs and interests of the Welsh language in preparing the plan and how any policies relating to the Welsh language interact with other policies.
- Considerations relating to the use of the Welsh language may be taken into account by decision-makers so far as they are material to applications for planning permission.
- Policies and decisions must not introduce any element of discrimination between individuals on the basis of their linguistic ability and should not seek to control housing occupancy on linguistic grounds.
- If necessary, language impact assessments may be carried out in relation to major developments not allocated in a development plan being proposed in areas of particular sensitivity or importance to the language. Any such areas should be clearly defined in the development plan.

### **Technical Advice Note (TAN) 20 Planning and the Welsh Language (October 2017)**

4.7 Chapter 2 within TAN 20 refers to Local Development Plans and the Welsh language: [Technical Advice Note \(TAN\) 20 Planning and the Welsh Language | LLYW.CYMRU](#)

- It highlights the need to consult on linguistic matters within the Plan area identifying any additional work for gathering an evidence base about the Welsh language.
- The mechanism for considering the Welsh language in terms of its relevance to land use is the Plan's Sustainability Appraisal (SA) which will consider likely impacts on the use of the Welsh language.
- Paragraph 2.5.2 states the Plan's strategy to support the language may include:
  - promoting local heritage and culture;
  - planning the dispersion and scale of developments to help communities be sustainable;
  - phased introduction of housing and strategic employment developments;
  - identifying areas of linguistic sensitivity or significance, these must be shown on a proposal map;
  - referring strategic sites to communities where there is evidence to suggest that they will have a likely positive impact on the use of the Welsh language; and
  - developing mitigation measures if an impact on the Welsh language is likely to be negative.
- Paragraph 2.6.4 states planning policies must not seek to control housing occupancy on linguistic grounds.
- Mitigation measures should be identified to reduce or eliminate potential negative impacts from a development. Mitigation measures may include phased introduction of development policies, adequate affordable housing, dedicating entire sites of affordable housing to meet local needs and providing job opportunities and social infrastructure to sustain the local communities.
- Indicators may be included in connection with the mitigation measures contained in the plan. Mitigation measures must be acceptable from a

planning point of view and directly related to the development and must comply with all applicable laws.

- The Welsh Language Commissioner should be consulted in preparing the Plan.

4.8 Chapter 3 of TAN 20 refers to Development Control issues, and how consideration should be given to the Welsh language in the process of dealing with planning applications. It is believed that the following issues should be considered from this section which can also influence the Development Plan namely:

- An assessment of the impact of planning applications on the Welsh language should not normally be carried out as that would duplicate the work of the SA and the LDP site selection processes.
  - The only exception to this is an application for a major development on a windfall site within an area defined as linguistically sensitive or major one, then an assessment of the likely impact of the development on the Welsh language could be undertaken.
  - A major development for the purpose of this is 10 or more residential units or a development of over 1,000 square metres or 1 hectare although a Local Planning Authority may set its own definition in the Local Development Plan based on evidence.
  - Careful consideration should be given to whether it is beneficial to request an assessment of employment, retail or commercial developments.
  - The Local Planning Authority will be responsible for carrying out any assessment and the form of the assessment.

4.9 Chapter 4 of TAN 20 refers to Signage and Advertisements stating:

- Local Development Plan policies may promote the provision of bilingual signage.
- People could also be encouraged to keep traditional Welsh names for new developments and streets.

### **Local Planning Policy - Gwynedd and Anglesey Joint Local Development Plan 2011-2026**

4.10 The following highlights the consideration given to the Welsh language during the preparation of the current joint Local Development Plan:

- Evidence Base – as part of the evidence base the following documents were prepared:
  - PT.019 Topic Paper 10 Welsh language and Culture
  - PT.020 Topic Paper 10A Language Profile - Gwynedd
  - PT.021 Topic Paper 10B Language Profile - Anglesey
  - DC.014 Housing and the Welsh language Survey
- Assessments – to assess the impact of the Plan, the following was provided:
  - CDLL.007 Sustainability Appraisal (March 2016) (Welsh language is one of the Objectives within the Sustainability Appraisal Framework)
  - CDLL.011 Welsh Language Impact Assessment (2013)
  - CDLL.012 Welsh Language Impact Assessment (2015)

- CDLL.013 Welsh Language Impact Assessment (March 2016)
- Consultation on the Plan – throughout all the statutory stages of preparing the Plan a large number of Stakeholders including the Welsh Language Commissioner were consulted.
- Area of Linguistic Sensitivity / Significance - The Plan does not identify areas of linguistic sensitivity or significance on the proposals map as the Plan was prepared before this became a requirement in the current PPW and TAN 20. However, the following highlights the importance of the Welsh language in the Plan area:
  - Part of the Plan Vision states the Plan area is "**where the Welsh language is an integral part of Communities**"
  - Strategic Objective SO1 states the Plan will "**Safeguard and strengthen the Welsh language and culture and promote their use as an essential part of community life.**"
  - The Plan Strategy in chapter 5 refers to the Welsh language and given the importance of the language within the Plan area states "**It is therefore considered necessary for the Plan to include a specific policy to stipulate those circumstances where the Council will need to consider a development's impact on the Welsh language and culture. In addition, safeguarding and enhancing the language within the Plan area is promoted through various policies in the Plan. The policies facilitate the type of development that can contribute to creating the right circumstances to contribute to the maintenance and creation of Welsh-speaking communities, e.g. a mix of tenured housing and type of employment opportunities, services and community facilities.**"
- Strategic Policy PS 1 The Welsh language and Culture – this policy sets the context for assessing the impact that proposals may have on the language and culture (see a copy of the Policy in Appendix 1 to this report)
  - The Policy sets out thresholds for requiring a Welsh Language Impact Assessment for large-scale developments on windfall sites for housing and a significant flow of workforce to employment developments.
  - There are thresholds for a linguistic Statement which are:
    - A retail, industrial or commercial development employing more than 50 workers and/or with a surface area of 1,000 square metres or more; or
    - A residential development that either alone or cumulatively provides more than the indicative housing provision set for the settlement; or
    - A residential development of 5 or more housing units on allocated or windfall sites that does not address evidence of housing need and demand.
  - There is a criterion for proposals that would cause substantive harm to the character and language balance of a community that cannot be avoided or mitigated satisfactorily.
  - There is also a criterion requiring a bilingual signage scheme and an expectation that Welsh names will be used.
  - A Supplementary Planning Guidance has been prepared to accompany Strategic Policy PS 1 which is 'Maintaining and Creating Distinctive and Sustainable Communities'. This provides guidance for the implementation of Policy PS 1 including a methodology for preparing a Welsh Language

Impact Assessment and a Welsh Language Statement. A copy of this Guidance can be found at the following link - [Canllaw-Cynllunio-Atodol-Cynnal-a-Chreu-Cymunedau-Nodedig-a-Chynaliadwy-Gorff-2019.pdf \(llyw.cymru\)](#)

- Windfall housing developments. If a windfall site considered significant was unexpectedly introduced, the Plan's policies would provide the basis for exercising the necessary controls such as phased development, such as for example policy PS 1 in response to concerns about potential impacts on the Welsh language and culture. It must be remembered that no housing strategic site has been identified in the Plan where it may be appropriate to have a phased development policy.
- The Plan's Monitoring Framework includes indicators relating to the Welsh language.
- The Annual Monitoring Report which is prepared responds to the monitoring framework within the Plan. The monitoring framework includes indicators about the Welsh language.

4.11 As can be seen from the above, the joint Local Development Plan addresses and exceeds the linguistic issues highlighted within PPW and TAN 20. Indeed, the thresholds for a Welsh Language Impact Assessment or Welsh Language Statement exceeds what is found within the national Policy on TAN 20. Policy PS 1 applies to the whole area of the Plan and so although the Plan does not specify areas of linguistic sensitivity or significance, this clearly applies to the whole Plan area.

#### **New Local Development Plan (Gwynedd Local planning authority area)**

4.12 The process of preparing a new Local Development Plan has begun and the Plan has been included as one of the priorities, under the A Green Gwynedd theme in the Council Plan 2023-28. On linguistic matters, the guidance within PPW and TAN 20 will be followed as well as gathering a relevant evidence base. There will be an opportunity in the process of preparing the new Plan to re-examine the policies of the existing Plan, including of course the consideration given to the Welsh language with planning applications.

#### **Article 4 Direction**

4.13 The amendments carried out to the Town and Country Planning (Use Classes) Order 1987<sup>1</sup> for the creation of three new use classes (use class C3: Main home, C5: Second Home and C6: Short-term holiday let) together with the amendment of the Town and Country Planning (General Permitted Development) Order 1995<sup>2</sup> allows unrestricted changes between the 3 new use classes. Cyngor Gwynedd has followed the appropriate steps to introduce the Article 4 Direction, which repeals some of the rights to switch between the use classes without receiving planning permission. The Article 4 Direction has been in effect since 1 September 2024 within the Gwynedd planning authority area, and it is noted that this work is also included in the Council Plan under the theme of A Homely Gwynedd.

---

<sup>1</sup>[Town and Country Planning \(Use Classes\) Order 1987 \(as amended\)](#)

<sup>2</sup>[Town and Country Planning \(General Permitted Development\) Order 1995 \(as amended\)](#).

- 4.14 In accordance with the requirements associated with the introduction of an Article 4 Direction, evidence supporting the exceptional circumstances was required to be gathered to justify the implementation of the Direction. The Article 4 Direction Notice was issued on 2 August 2023 and was accompanied by a public engagement exercise for a period of 6 weeks.
- 4.15 Among the considerations given to justify the introduction of the Article 4 Direction (the Justification Paper) was to consider the impact of the provision of short-term holiday accommodation and second homes on Gwynedd communities, including the housing market, social fabric and the Welsh language.
- 4.16 One of the main aims of acting on the Article 4 Direction is to seek to protect the existing housing stock and thereby ensure that there is adequate provision of housing available to meet local needs. As well as ensuring the provision of housing to satisfy local needs, a side-effect of this will be ensuring that there is a permanent population living in our communities to sustain services and facilities, thereby hopefully contributing to the prosperity of the Welsh language.
- 4.17 Along with the consideration given to the linguistic benefits in justifying implementing the Article 4 direction, consideration has also been given to the related impact. A specific question was asked during the public engagement period about how the Article 4 Direction would affect people's ability to use the Welsh language and the status of the Welsh language. The responses were used to update an integrated Impact Assessment (which considered the impact of the proposal on the Welsh language).

#### **Implementation of planning policies and responding to the matters for scrutiny.**

#### **What process is followed when a language statement/language impact assessment is submitted?**

- 4.18 In assessing a planning application, it must be noted that the Welsh language is one planning consideration among many other considerations. Policy PS 1 establishes when a linguistic assessment or statement is required to support a planning application and more guidance about that can be found within the Supplementary Planning Guidance, Maintaining and Creating Distinctive and Sustainable Communities.
- 4.19 In circumstances where an application is submitted without an assessment or statement but one is required due to the scale or nature of the development, the case officer shall request the information from the agent or applicant. It is not possible to invalidate a planning application on the basis that an assessment or statement is not included where one is required, due to the requirements that apply with the verification process. However, a number of planning applications have been refused in recent years on the grounds of a lack of consideration for the Welsh language. During the period April 2023 to March 2024, 3 planning applications were refused partly due to various language issues. In the same period 1 Linguistic Assessment and 17 Linguistic Statements were received with determined applications that met the thresholds within Planning Policy PS 1.



- 4.20 If it is unclear if a Welsh language assessment or statement is required, the case officer will seek an opinion from the Planning Policy Service.
- 4.21 The need to prepare and submit a linguistic assessment or statement is the responsibility of the agent or applicant. The Council's role as a local planning authority is to assess planning applications and the information submitted, and not to prepare assessments on behalf of the agent or applicant.
- 4.22 When a linguistic assessment/statement is received, the Planning Service consults with the Language Unit, and an explanation of the Unit's role is given further on in the report. The Language Unit does not offer an assessment of the likely impact of the development as a whole. In assessing an application, the role of the case officer is to assess the development as a whole. The Case Officer assesses all information and evidence in the context of the JLDP and any other material planning considerations (which includes national policies), in a planning report for a delegated decision or for a decision by the Planning Committee. The report will include an assessment of any likely impact against PS 1 policy requirements and the advice within the SPG. Should an application be granted, planning conditions can be imposed where justified and that may include measures to mitigate the impact of the development on the language.

#### **How is the content/standard of language statements/language impact assessments assessed?**

- 4.23 Early identification of the characteristics of the community and the factors influencing the viability of the language offers the best opportunity to ensure that the Welsh language is given fair consideration in developments. The qualified person advising the applicant is expected to contact the officers responsible for promoting the Welsh language to discuss the measures as well as discuss with the Planning Officer. As a result, each assessment or language statement is expected to have regard to specific factors to demonstrate that fair consideration has been given to the potential impacts of the development on the Welsh language, in line with what is set out in the supplementary planning guidance.
- 4.24 A checklist is used by language unit staff to ensure adequate information, statistics and evidence are included. Data such as ward and surrounding area census statistics, demand for local housing and empty spaces in local schools is expected. Further details on this can be found in Appendix 2.
- 4.25 The linguistic assessment/statement is a stand-alone document so the Language Unit expects the applicant to include all relevant information in the document so that there is no need to look in another document for the details. If no sufficient and up-to-date evidence has been presented to justify the impact set out in the assessment, this is stated in the comments on the assessment/statement.
- 4.26 A fortnightly meeting of Language Unit staff is held to discuss the assessments/statements and try to ensure that there is consistency in the comments submitted. This is also an opportunity to check that consideration has been given to other developments in the affected area when checking the application.

### **What is the input of the Language Unit?**

- 4.27 The role of the Language Unit is to offer an objective and independent view on the content of the Language Assessment or Statement submitted by the developer as a part of the planning application. The unit does not offer an assessment of the likely impact of the development, but rather it looks at the opinion provided in the documents and the evidence submitted to support that view.
- 4.28 The accuracy of the evidence will be examined, and if there is not thought to be sufficient evidence to support the view presented, recommendations may be made to the developer about issues they should consider and changes that should be made to the documentation so that they can offer a fair assessment of the likely impact on the community and language. Any changes are expected to be incorporated into the documents by the time an application goes to Committee.

### **What is in place to ensure that the cumulative impact of developments is considered?**

- 4.29 Within Appendix 5 to the Joint Local Development Plan there is an indicative growth level for all Centres and Villages contained in the Plan. Criterion 1(b) of Policy PS 1 (Welsh Language and Culture) refers to residential development that will either alone or cumulatively provide more than the indicative housing provision. A housing survey is carried out annually to identify what has happened over the year to all sites with planning permission. Therefore, when considering any new planning application, the cumulative effect of the number of units completed since 2011 together with sites in the existing land bank (i.e. sites with planning permission) is assessed to see if a linguistic Statement is required to support any application i.e. if the proposal does not reach the threshold at which a Welsh Language Impact Assessment is required. This may require the submission of a linguistic statement for the erection of only 1 house within a Centre or Village which cumulatively has or can achieve its indicative growth level. This means that the Plan thresholds require statements well below what is recommended within PPW and TAN 20.
- 4.30 Within the SPG 'Maintaining and Creating Distinctive and Sustainable Communities' in directing developers to preparing an Assessment or Statement or Supporting Evidence, it is emphasised that it is essential that applicants ensure they have all the necessary knowledge of the community, and planning policy knowledge and use the conclusions of the assessment of the information objectively to predict the most likely cumulative impact on the Welsh language. Further, in Appendix 7 of the Guidance it is expected that the qualified officer within the Council will check the Statement to see whether or not the analyses and conclusions based on the accumulated information presented are reasonable. Within Appendix 8 of the Guidance which is the methodology for preparing a Welsh Language Impact Assessment, the question at the end of each part refers to the possible cumulative impact of the proposal.
- 4.31 Each application will be considered individually to ensure that attention is paid to the cumulative impact of developments. Planning officers mainly work in specific areas, which means they are familiar with the planning history of an area and other

undetermined applications and therefore the cumulative impact can be more easily assessed when necessary. Comments submitted will be looked at and arrangements will be made for further discussions and information if necessary.

## **5. Consultation**

- 5.1 There are statutory requirements with consultation and publicising planning applications. In terms of Welsh language considerations there is consultation between the Planning Service, Planning Policy Service and the Language Unit on planning applications.
- 5.2 The process of preparing the JLDP and SPG are subject to statutory consultations as will be the case with the new Local Development Plan.

## **6. The Well-being of Future Generations (Wales) Act 2015**

- 6.1 The Well-being of Future Generations (Wales) Act 2015 sets a duty to improve the economic, social, environmental and cultural well-being of Wales, in line with the sustainable development principle. All planning application reports show consideration to the Well-being Act. As the Joint Local Development Plan was submitted to the Welsh Government prior to April 2016, it did not have to align directly with the well-being goals highlighted in the Well-being of Future Generations Act.
- 6.2 However, as part of the examination of the Plan, the legislative framework was updated, and the ways of working outlined in section 5 of the Well-being of Future Generations Act were considered. As a response to Action Point S16/PG41 the Council demonstrated that the Plan aligns with the well-being goals highlighted. The Inspector's conclusion in his report to the Plan was "... Indeed, the Plan, as modified, will contribute towards the economic, social, environmental and cultural well-being of Wales and, in this sense, we are satisfied that it conforms to the overarching principle of achieving sustainable development...".

### **Have you included residents / service users? If not, when and how do you intend to consult with them?**

- 6.3 As part of the process of determining a planning application, a statutory consultation period must be completed which includes informing statutory consultees, community and town councils, neighbours / neighbouring landowners, local members and a site notice will usually be displayed on public land close to the site. A copy of planning applications is also available on the council's website and there are several options to be able to search for applications. A copy of any linguistic statement/assessment on a planning application forms part of the public planning file and it is not uncommon for the service to receive comments on the content of linguistic assessments and statements. In assessing and determining, any comments received must be taken into account.

### **Have you considered working together?**

- 6.4 The Planning Service forms part of the Gwynedd Native Place Names Protection Project Board and therefore collaborates on the board with other services within the Council. Through the use of policy PS 1 a planning condition is imposed on any new housing developments and commercial developments to ensure a Welsh name is used. During 2023/24, a condition was placed on 35 planning permissions which ensures a Welsh name for new businesses and over 120 new homes.
- 6.5 The Planning Service has also been collaborating with the Council's Language Unit on the work of Welsh in Business. A note that raises awareness and also offers advice goes out with pre-application advice responses and an information note is also available for officers to use on planning decisions.

### **What has been done or will be done to prevent problems arising or getting worse in the future?**

- 6.6 Continued collaboration and communication between Council departments is key, and the evidence from the Joint Local Development Plan Annual Monitoring Reports will contribute to the process of preparing the new Local Development Plan which will include reviewing the planning policies.

### **How have you considered the long-term and what people's needs will be in years to come?**

- 6.7 Decisions on planning applications need to be made in accordance with the Joint Local Development Plan, which provides a planning policy framework for meeting the social, economic and environmental needs of the area and residents for a period of 15 years.

### **To ensure integration, have you considered the potential impact on other public bodies?**

- 6.8 The statutory process of consultation on planning applications, and the process of preparing the Joint Local Development Plan – and the new Local Development Plan (Gwynedd) gives consideration where necessary to the potential impact on other public bodies.

## **7. Impact on Equality Characteristics, the Welsh Language and the Socio-Economic Duty**

- 7.1 The Public Sector Equality Duty requires the Council to give due consideration to the need to eradicate discrimination, promote equality of opportunity and build good relationships between different communities. The Council has undertaken and publicised a Joint Local Development Plan Equality Impact Assessment to ensure

that equality issues have been considered throughout the process of preparing the Plan. This process has been repetitive to ensure that the Joint Local Development Plan promotes equality of opportunity and diversity and does not adversely affect or discriminate against any people protected under the Equality Act 2010.

- 7.2 The Council is required, under the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011), to consider the impact that any change in policy or procedure (or creating a new policy or procedure), will have on opportunities for people to use the Welsh language and to ensure that the Welsh language is not treated less favourably than English. As highlighted in part 3.6 above as part of the process of preparing the Plan, a Welsh Language Impact Assessment was prepared which looked at the Plan Strategy, the Deposit Plan, the Detailed Policies of the Plan and Growth Areas namely the Service Centres and Villages of the Plan.
- 7.3 From 1 April 2021, the Council has a duty to give due attention to addressing socio-economic disadvantage in strategic decisions. This duty has come after the adoption of the Joint Local Development Plan.
- 7.4 The new Local Development Plan will be prepared in accordance with these duties.

## **8. Next Steps**

- 8.1 The Council has published a [Delivery Agreement](#) which sets out a timetable for all the statutory steps of preparing the new Local Development Plan for the Gwynedd Local Planning Area. It is anticipated that the new Plan will be adopted in September / October 2027.

## **Background Information**

Technical Advice Note (TAN) 20 Planning and the Welsh Language (October 2017)

[Technical Advice Note \(TAN\) 20 Planning and the Welsh Language | LLYW.CYMRU](#)

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

[Canllaw-Cynllunio-Atodol-Cynnal-a-Chreu-Cymunedau-Nodedig-a-Chynaliadwy-Gorff-2019.pdf \(llyw.cymru\)](#)

Gwynedd's new Local Development Plan Delivery Agreement

[Delivery Agreement](#)

## **Appendices**

Appendix 1 Policy PS 1 'The Welsh Language and Culture' from the Joint Local Development Plan.

Appendix 2 Language Unit checklist