

# Assessing the Impact on Protected Characteristics, the Welsh Language and Socio-Economic Disadvantage

For help to complete this form see the *How to Undertake an Equality Impact Assessment* leaflet. You are also welcome to contact Delyth Gadlys Williams, Policy and Equality Officer on ext. 32708 or [DelythGadlysWilliams@gwynedd.llyw.cymru](mailto:DelythGadlysWilliams@gwynedd.llyw.cymru) for further assistance.

The Council's is required (under the Equality Act 2010) to consider the effect any change in policy or procedure (or the creation of a new policy or procedure), has on people with protected equality characteristics. The Council also has a general duty to ensure fairness and foster good relations. A timely Equality Impact Assessment must be undertaken before making any decision on any relevant change (i.e. which has an effect on people with protected characteristics).

The Council is also required, under the requirements of the Welsh Language Standards (Section 44 of the Welsh Language (Wales) Measure 2011) to consider the effect of a change in any policy or procedure (or the creation of a new policy or procedure), in its opportunities for people to use Welsh and to ensure that Welsh is not treated less favourably than English. This document therefore ensures that these decisions protect and promote the use of the Welsh language.

From April 1st 2021 the Council has a duty to have due regard to tackling socio-economic disadvantage in strategic decisions.

## 1) Details

### 1.1. What is the name of the policy / service in question?

Introducing Supplementary Planning Guidance (SPG): Managing the use of dwellings as holiday homes (second homes and short-term holiday accommodation)

### 1.2 What is the purpose of the policy / service that is being created or amended? What changes are being considered?

The purpose of this Guidance is to highlight the local planning policy considerations following the implementation of the Article 4 Direction for the Gwynedd Local Planning Authority area. The planning policy guidance is included in the Joint Local Development Plan (Anglesey and Gwynedd). Although the Plan includes policies that enable the Local Planning Authority to make consistent and transparent decisions on development applications, it cannot provide officers and prospective applicants with all the detailed advice they need to inform proposals locally.

Following the implementation of the Article 4 Direction, it means that permitted development rights for the following uses have been revoked:-

- (a) Change of use from C3 to C5 or C6 and specific mixed uses;
- (b) Change of use from C5 to C6 or specific mixed uses;
- (c) Change of use from C6 to C5 or specific mixed uses.

Definition of the uses:-

**C3 - Dwelling houses, used as a sole residence or main residence:** Dwelling houses, used as a sole residence or main residence and occupied for more than 183 days in a calendar year.

**C5 - Dwelling Houses, used apart from sole or main residence:** Dwelling houses used apart from a sole residence or main residence and occupied for 183 days or less.

**C6 - Short-term holiday accommodation:** Dwelling houses used for commercial short-term lettings no longer than 31 days for each period of occupancy.

This means, for example, that planning permission needs to be obtained to change the use of a residential home that is a main residence (C3 use) to a second home (C5 use) or holiday accommodation (C6 use).

Previously, these developments counted as 'permitted development rights' in accordance with the Town and Country Planning Order (Permitted General Development) 1995 (as amended), i.e. it was possible to change the use of a residential home to holiday use (holiday accommodation or second home) without the need to obtain planning consent for that use.

### 1.3 Who is responsible for this assessment?

Planning Policy Team Leader

### 1.4 When did you commence the assessment? Which version is this?

Version 2.

This Assessment was originally prepared to support the consultation draft version of the Supplementary Planning Guidance. The Assessment was part of the information pack which was presented to Cyngor Gwynedd's Cabinet to assist their decision to approve the publication of the SPG for the public consultation period (6 weeks).

The public consultation period has now taken place. During the public consultation period a specific question was asked relating to the Integrated Impact Assessment. This assessment is an adaptation of the original version which was prepared and has been amended to address the results of the public consultation period.

The Assessment will be included as part of the supporting information to assist Cabinet's decision whether or not to confirm the SPG.

## 2) Action

### 2.1 Who are the stakeholders or partners you need to work with to undertake this assessment?

Due to the nature of the SPG subject, it may have an indirect and direct impact on everyone (everyone needs a home to live in); as such, no specific partners or stakeholders have been contacted when undertaking the assessment.

To be able to give weight to the SPG as a material planning consideration (i.e. part of the relevant considerations when assessing and determining a planning application), and in accordance with the guidance included in the Development Plans Manual (Edition 3), SPG should be subject to a public consultation exercise and be adopted by decision of the Council. Furthermore, it is noted that:-

- A discussion should be held with development control officers.
- Relevant consultees should be consulted.
- Draft supplementary planning guidance should be made available for a public consultation.

To this end, we have directly liaised with the statutory consultants (specific consultation bodies) as noted in LDP Regulations (2005). Furthermore, we have sent correspondence to individuals who have shown an interest in the Joint Local Development Plan. The database contains approximately 1,300 contacts.

The process of preparing, consulting and receiving approval (if decided to do so) of the SPG is undertaken in accordance with the guidance included in the Procedural Note for the Preparation and Adoption of Supplementary Planning Guidance and the Community Involvement Plan and related stakeholders, which has been prepared.

As part of the process of conducting the public consultation, the measures which has been taken to raise awareness and promote the public engagement period include:-

- Material in the Council's main Offices (Caernarfon, Dolgellau and Pwllheli)
- Material in the county's local libraries
- Supplementary Planning Guidance webpage
- Social media (Instagram, X and Facebook)
- Notify the nearby Local Planning Authorities

The standard comment submission form to accompany the SPG was provided in electronic and paper format.

It is considered that the consultation arrangements noted above has ensured that all relevant stakeholders were aware of the proposal and their opportunity to have their say through the appropriate channels.

## **2.2 What measures have you taken to engage with people with equality characteristics, regarding the Welsh language or with communities (either of place or of need) that live with socio-economic disadvantage?**

The SPG has been the subject of a public consultation period which was open to anyone who wished to respond. Publicity of the public consultation was in accordance with the steps referred to above (question 2.1). The following methods for presenting a representation was available:-

- A tailored questionnaire using suitable on-line software (Limesurvey)
- Paper questionnaire
- Opportunity to respond by letter
- Opportunity to respond via e-mail
- Opportunity to discuss the proposal with relevant officers

To facilitate the process of submitting representations on the SPG it was also possible (upon request) to receive a copy of the documents in various languages and formats. It is hoped that this will provide people with the flexibility, especially those with protected characteristics to have input in the process.

Although there is no specific guidance as to the consultation requirements/method, in order to maximise the opportunities available for people to have their say it was considered appropriate that the consultation period was held for a 6-week period. The public consultation period was undertaken between 24 February and 7 April 2025.

In accordance with the requirements of the Welsh Language Standards, Section 44 Welsh Language Measure (Wales) 2011, a specific question was asked relating to assessing the impact of the decision on the Welsh language. Furthermore, in accordance with good practice a series of equality questions was asked to ensure that a cross-section of people respond.

### **2.3 What was the result of the engagement?**

A total of 28 valid representations were received from 24 different respondents. Careful consideration was given to all representations received.

A Consultation Report has been prepared (Appendix 1) which contains the representations received during the public consultation period and the Council's response to those representations.

Following the public consultation period there have been further amendments to the SPG and this Impact Assessment has been revised to address some of the issues which have been raised.

### **2.4 On the basis of what other evidence are you operating?**

The guidance contained within the SPG is derived from the Anglesey and Gwynedd Joint Local Development Plan.

It should be noted that the process of preparing a Local Development Plan is one that involves a number of statutory steps including the need to carry out an Equality Impact Assessment along with a Welsh Language Impact Assessment. As a result, it is emphasised that the SPG elaborates on policies that have already been subject to close examination.

The adopted Development Plan, namely the Anglesey and Gwynedd Joint Local Development Plan, sets out the local planning policy framework to make planning decisions. In accordance with the requirements outlined in section 38(6) of the Planning and Compulsory Purchase Act 2004, it is required that Planning decisions are made in accordance with the development plan unless there are relevant planning considerations indicating otherwise.

Although the Plan includes policies that enable the Local Planning Authority to make consistent and transparent decisions on development applications, it cannot provide officers and prospective applicants with all the detailed advice they need to inform proposals locally. To provide this detailed advice, the Council has/is preparing a range of Supplementary Planning Guidance (SPG) to support the Plan.

Furthermore, the legislative changes relating to the changes to the use classes came into force following the adoption of the Joint Local Development Plan (together with the implementation of the accompanying Article 4 Direction). As such, it is highlighted that the policies of the Plan have not been prepared with the wider objective of the Article 4 Direction in mind, therefore the preparation of the SPG is a means of providing the relevant guidance.

## 2.5 Are there any gaps in the evidence that needs to be collected?

It is considered that the evidence that has been gathered is robust and fit for purpose. It is emphasised that the guidance is based on the Joint Local Development Plan which has already been subject to a public consultation period and a thorough assessment process. The SPG has been amended following the public consultation period.

## 3) Identifying the Impact

### 3.1 The Council must give due regard to the effect any changes will have on people with the equality characteristics noted below. What impact will the new policy/service or the proposed changes in the policy or service have on people with these characteristics?

Characteristics	What type of impact? *	In what way? What is the evidence?
<b>Race (including nationality)</b>	<p>Positive</p> <p>Negative</p>	<p>The introduction of the Supplementary Planning Guidance will provide further guidance on the local planning policy consideration following action on the associated Article 4 Direction.</p> <p>As part of the consultation process on the Draft SPG, the relevant documents that were prepared to facilitate the process of submitting a representation clearly stated that individuals were able to receive the documents in different formats and languages.</p> <p>It is emphasised that the SPG is introducing further guidance to the policies contained within the Joint Local Development Plan (Joint LDP) and is not introducing new policies. The Joint LDP has already been the subject of a thorough assessment process during its preparation and adoption.</p> <p>The implementation of the SPG can have an impact on the housing market, causing lower prices, which will affect local residents with a home in the area along with people with second homes or holiday accommodation. It could therefore benefit people who wish to buy houses in the area, including local residents, people wanting to return to the area or people from other areas / countries.</p> <p>Having said this, some negative side-effect is also expected, which will particularly affect local residents as there will be a limit to the use that can be made of the residential unit. Furthermore, the intervention can be a deterrent to individuals wishing to invest in the holiday home market, whether they are local or not</p>
<b>Disability</b>		<p>The introduction of the Supplementary Planning Guidance will provide further guidance on the local planning policy</p>

		<p>consideration following action on the associated Article 4 Direction.</p> <p>As part of the consultation process on the Draft SPG, the relevant documents that were prepared to facilitate the process of submitting a representation clearly stated that individuals were able to receive the documents in different formats and languages.</p> <p>It is emphasised that the SPG is introducing further guidance to the policies contained within the Joint Local Development Plan (Joint LDP) and is not introducing new policies. The Joint LDP has already been the subject of a thorough assessment process during its preparation and adoption.</p> <p>The main aim of the Guidance is to try to ensure that there is better management in housing use and, as a result, that housing provision exists to meet the needs of individuals looking for a home.</p> <p>It is possible that there will be an impact on the housing market, meaning that house prices will fall. This could mean that more disabled people will be in a position to purchase a suitable house, or will have more money left over to make adaptations after they buy it. It should be noted that families that have a disabled family member are statistically more likely to experience financial poverty than families who do not have a disabled family member (page 60 of <i>Is Wales Fairer?</i>, Equality and Human Rights Commission).</p> <p>Falling house prices could also cause negative impacts. There may be cases where an individual has decided to adapt their residence to make it suitable to their needs based on the certainty that the investment will be recovered in the value of the property. The decision to invest could be made when the value of the property is higher, at a time when no restrictions exist on the use of the residence. Therefore, in light of the intervention (introducing an Article 4 Direction) there is a risk of financial losses in such cases.</p> <p>It is also a possibility that there will be a fall in the number of holiday lets and therefore there will be fewer holiday lets available that meet the needs of individuals with specific impairments.</p>
<b>Sex</b>	No impact	No specific impact of introducing the Supplementary Planning Guidance has been identified for this characteristic. The Equality Advisor will look at the accessibility of the planning system for every protected characteristic and suggest reasonable improvements as needed.
<b>Age</b>		The introduction of the Supplementary Planning Guidance will provide further guidance on the local planning policy

	<div>Positive</div> <div>Negative</div>	<p>consideration following implementation of the associated Article 4 Direction.</p> <p>As part of the consultation process on the Draft SPG, the relevant documents that were prepared to facilitate the process of submitting a representation clearly stated that individuals were able to receive the documents in different formats and languages.</p> <p>It is emphasised that the SPG is introducing further guidance to the policies contained within the Joint Local Development Plan (Joint LDP) and is not introducing new policies. The Joint LDP has already been the subject of a thorough assessment process during its preparation and adoption.</p> <p>On average, 65% of the Gwynedd population has been priced out of the housing market (figure is based on average household income and average house price). This percentage has been increased over the years meaning that individuals who wish to access the housing market find it very difficult to do so. It is often young people who face this challenge. It is hoped that the SPG will have a positive impact on those individuals, and on individuals of all ages.</p> <p>Should there be a reduction in house prices in light of the guidance contained in the SPG, this could have a disproportionate negative impact on older people if they intend to sell the family home to buy a smaller house in order to release equity.</p>
Sexual orientation	No impact	No specific impact of introducing the Supplementary Planning Guidance has been identified for this characteristic. The Equality Advisor will look at the accessibility of the planning system for every protected characteristic and suggest reasonable improvements as needed.
Religion or belief (or non-belief)	No impact	No specific impact of introducing the Supplementary Planning Guidance has been identified for this characteristic. The Equality Advisor will look at the accessibility of the planning system for every protected characteristic and suggest reasonable improvements as needed.
Gender reassignment	No impact	No specific impact of introducing the Supplementary Planning Guidance has been identified for this characteristic. The Equality Advisor will look at the accessibility of the planning system for every protected characteristic and suggest reasonable improvements as needed.
Pregnancy and maternity	No impact	No specific impact of introducing the Supplementary Planning Guidance has been identified for this characteristic. The Equality Advisor will look at the accessibility of the planning system for every protected characteristic and suggest reasonable improvements as needed.
Marriage and civil	No impact	No specific impact of introducing the Supplementary Planning Guidance has been identified for this characteristic. The Equality

<b>partnership</b>		Advisor will look at the accessibility of the planning system for every protected characteristic and suggest reasonable improvements as needed.
<b>The Welsh language</b>	<p>Positive</p> <p>Negative</p>	<p>The introduction of the Supplementary Planning Guidance will provide further guidance on the local planning policy consideration following action on the associated Article 4 Direction.</p> <p>As part of the consultation process on the Draft SPG, the relevant documents that were prepared to facilitate the process of submitting a representation clearly stated that individuals were able to receive the documents in different formats and languages.</p> <p>It is emphasised that the SPG is introducing further guidance to the policies contained within the Joint Local Development Plan (Joint LDP) and is not introducing new policies. The Joint LDP has already been the subject of a thorough assessment process during its preparation and adoption.</p> <p>The guidance contained within the SPG highlights the need to ensure that any prospective development complies with the guidance contained within the Joint LDP, which includes Strategic Policy 1 (Welsh Language and Culture).</p> <p>Trying to improve the opportunities for people to live in their indigenous communities is advantageous to the prosperity of the Welsh language and its use.</p> <p>The decision does not directly affect the status of the Welsh language or opportunities to use it, however affordability figures show us that a high percentage of Gwynedd residents cannot afford to buy a new home because of the gap between average salaries and house prices. This means that young people are more likely to move out of the county to find work opportunities that will provide better salaries and a better chance of being able to afford to buy a property. This outward migration leads to a change in demography which in turn affects linguistic viability in our communities.</p> <p>It is possible that Welsh speakers might be seeking the opportunity to use a dwelling house for holiday purposes (short-term let or second homes), the parameters which have been placed within the SPG might prohibit the ability to do so and mean that the Welsh speakers will seek opportunities elsewhere, which would inevitably have detrimental impact upon the Welsh language.</p>
<b>Socio-Economic Disadvantage</b>		The introduction of the Supplementary Planning Guidance will provide further guidance on the local planning policy consideration following action on the associated Article 4 Direction.



		<p>As part of the consultation process on the Draft SPG, the relevant documents that were prepared to facilitate the process of submitting a representation clearly stated that individuals were able to receive the documents in different formats and languages.</p>
	Positive	<p>It is emphasised that the SPG is introducing further guidance to the policies contained within the Joint Local Development Plan (Joint LDP) and is not introducing new policies. The Joint LDP has already been the subject of a thorough assessment process during its preparation and adoption.</p> <p>One potential side effect of the guidance contained in the SPG is the impact it may have on the value of residential properties. A reduction in house prices could mean that more people will be able to afford to buy houses.</p>
	Negative	<p>It is also expected that more property will be available in the area for people who wish to have a home here, whether they are local people or people moving to the county from other areas.</p> <p>On the other hand, should it affect property values, there is a chance that this could affect the living standards of the owners of the property in question and could push them to a position of economic disadvantage.</p> <p>Furthermore, there is a threat that the proposal will affect the tourism sector, with fewer holiday lets that could then lead to fewer people being employed in this field of work which would have associated side effects on the labour market.</p>

- 3.2 The Council has a duty under the 2010 Equality Act to contribute positively to a fairer society by promoting equality and good relations in its activities regarding the following characteristics – age, gender, sexual orientation, religion, race, gender reassignment, disability and pregnancy and maternity. The Council must give due attention to the way any change affects these duties.**

<b>General Duties of the Equality Act</b>	<b>Does it have an impact?*</b>	<b>In what way? What is the evidence?</b>
<b>Abolishing illegal discrimination, harassment and victimisation</b>	No	The Supplementary Planning Guidance (derived from the adopted Local Development Plan) does not operate on the basis of any unlawful discrimination, harassment or persecution.
<b>Promoting equal opportunities</b>	Yes	The main aim of the guidance contained within the Supplementary Planning Guidance is to seek to provide clear policy guidance on the planning policy considerations that apply when considering planning applications. The guidance contained within the Guidance seeks to facilitate and secure opportunities for people to live in their communities. It will also add to people's opportunity to influence what happens in their community through the submission and consultation process on the associated planning applications.
<b>Encouraging good relationships</b>	Yes	The proposal can promote good relationships with people within Gwynedd communities as it would help to give the people of Gwynedd the opportunity to live in their area of choice. Therefore, it is hoped there will be a feeling of fairness and equal opportunity within Gwynedd's communities. Having said this, it could have a negative impact, and the possibility of misinterpreting the proposal could cause bad feeling.

\* to be deleted as appropriate

- 3.3 How does your proposal ensure that you work in accordance with the requirements of the Welsh Language Standards (Welsh Language (Wales) Measure 2011), to ensure that the Welsh language is not treated less favourably than English and that you seize every opportunity to promote the Welsh language (beyond providing services bilingually) and increase opportunities to use and learn the language in the community?**

The process of preparing and approving the SPG will be in accordance with the requirements of the Welsh Language Standards (Welsh Language Measure (Wales) 2011).

As noted in 3.1 above, there will be a positive impact on the balance of communities as, it is hoped, the guidance contained within the Guidance highlights the wider objective of the joint Local Development Plan, which is to protect the county's communities, create balanced communities and ensure that there are opportunities for people to live locally.

- 3.4 What other measures or changes could you include to strengthen or change the policy / practice in order to have a positive impact on people's opportunities to use the Welsh**

**language, and to reduce or prevent any adverse effects that the policy / practice may have on the Welsh language?**

During the public consultation period, a specific question was asked about the impact of the SPG on the Welsh language. No comments were received outlining the need to introduce measures or changes to strengthen or change the policy/practice in order to have a positive impact on people's opportunities to use the Welsh language and to reduce or prevent any adverse impact that the SPG may have on the Welsh language.

**3.5 How does the proposal show that you have had due regard to the need to address inequality caused by socio-economic disadvantage? (Note that this is about closing inequality gaps rather than just improving outcomes for everyone)?**

As noted in part 2 above, the main objective of the guidance contained within the Supplementary Planning Guidance is to seek to reverse the social inequality that exists in some of Gwynedd's communities, seeking to ensure that there is provision of housing available to meet local need. It is hoped that the leadership promotes the creation of sustainable and balanced communities in line with the core objective of the Joint Local Development Plan.

**3.6 What other measures or changes might you include to strengthen or change the policy / practice to show that you have had due regard to the need to reduce disproportionate outcomes as a result of socio-economic disadvantage, in accordance with the Socio-Economic Act?**

Not applicable as it is not a strategic issue.

**4) Analysing the Results**

**4.1 Is the policy therefore likely to have a significant, positive impact on any of the above and what is the reason for this?**

It is believed that the introduction of the SPG will have a positive impact on all individuals including individuals with protected equality characteristics.

The social inequality that currently exists in some communities due to the lack of available housing along with house prices that are beyond their reach is creating an unsustainable divided society. In an attempt to try to overturn the current situation, the SPG is going to provide the opportunity to assess the appropriateness of any proposal relating to changing the use of a residential house to holiday use, whether that be holiday accommodation use or second home in accordance with local planning policy guidance. It is hoped that this will create a fairer society and will ensure opportunities for all to be able to live in their area of choice.

**4.2 Is the policy therefore likely to have a significant, negative impact on any of the above and what is the reason for this?**

The Assessment (see part 3 above) identifies some potential impacts that may result from the implementation of the SPG. It is not anticipated that these are significant impacts. This assessment will be updated following the engagement period and it will certainly note any significant negative impacts that are highlighted.

#### **4.3 What should be done?**

Choose one of the following:

Continue with the policy / service as it is robust	
Adapt the policy to delete any barriers	
Suspend and delete the policy as the detrimental impacts are too big	
Continue with the policy as any detrimental impact can be justified	✓
No further action at this time because it is too soon to decide, or there is insufficient evidence	

#### **4.4 If continuing with the project, what steps will you take to reduce or mitigate any negative impacts?**

As part of the decision-making process associated with the adoption of the SPG, every attempt has been made to ensure that negative impacts are highlighted and mitigated.

The impacts which were highlighted during the public consultation period have been considered and the Assessment has been accordingly amended as appropriate.

#### **4.5 If you are not taking any further action to delete or reduce the negative impacts, explain why here.**

See response to 4.4 above.

### **5) Monitoring**

#### **5.1 What steps will you take to monitor the impact and effectiveness of the policy or service (action plan)?**

A monitoring framework has been prepared which is specifically relates to the Article 4 Direction. In relation to the monitoring framework, some of the indicators relate to the process of considering planning applications arising from the implementation of the Article 4 Direction. The Supplementary Planning Guidance is a core element of the considerations that apply for Planning applications.

Further discussions with Officers within the Authority regarding the above will be undertaken to receive their input and guidance in pursuing reporting on the Monitoring Framework.

Following the engagement process, if deemed appropriate this Monitoring Framework will be reviewed/updated as required. This assessment will also be updated.