



JOINT LOCAL DEVELOPMENT PLAN

Joint Local Development Plan Panel

10:00 am, 26 January 2018

Glyder Fawr, Penrallt, Caernarfon

Present:

Isle of Anglesey County Council

Cnllr. Richard Dew
Cnllr. John Griffith
Cnllr. Robin Williams

Gwynedd Council

Cnllr. Dafydd Meurig
Cnllr. Owain Williams
Cnllr. Siân Wyn Hughes
Cnllr. Berwyn Parry Jones

Officers:

Nia Haf Davies	Manager - JPPU
Dewi Francis Jones	Chief Planning Officer (IACC)
Gareth Jones	Senior Manager Planning and Public Protection Services (GC)

Apologies:

Cnllr. John Pughe Roberts (GC)
Cnllr. Nicola Roberts (IACC)
Cnllr. Catrin Wager (GC)
Cnllr. John Brynmor Hughes (GC)
Cnllr. Kenneth P. Hughes (IACC)
Dylan Williams, Head of Regulatory and Economic Development (IACC)

1. WELCOME AND APOLOGIES

Ymddiheuriadau fel y nodwyd uchod.

2. DECLARATION OF PERSONAL INTEREST

No declarations of any personal interest were received.

3. URGENT ITEMS

No urgent items were received.

4. MINUTES

The minutes of the Panel held on 17 November 2017 were accepted as a true record.

5. PUBLIC ENGAGEMENT ABOUT THE CURRENT SUPPLEMENTARY PLANNING GUIDANCE REGARDING PLANNING AND THE WELSH LANGUAGE

There was a presentation by Nia Haf Davies explaining that the Planning Policy Unit had contacted 137 individuals and organisations during June – August 2016 to seek their views on the current Supplementary Planning Guidance about planning and the language. In addition, all the planning authorities in Wales were contacted to gather information about any guidance they had. It was noted that this was one of the first steps to prepare the new Guidance, which would support the Local Development Plan's Policies. A questionnaire was sent to the individuals and organisations and a questionnaire was also sent to the planning authorities. 8 responses were received to the questionnaire about the current Guidance and it was noted that 14 of the 25 planning authorities had responded.

The following were identified as the main messages about the existing Guidance:

- Need clear guidance about how to complete assessments
- Be clear about the relevance of questions
- Be clear about what development need to be the subject of an assessment
- Need to re-think the scoring system
- A range of evidence is required
- Cumulative impact of development needs to be considered
- Need to consider the effect of development in areas beyond where the development is located
- The Language Statements need to be replaced by Language Impact Assessments.

In terms of practice in other areas, it was noted that the approach taken by other authorities regarding the development and the language is different but that there are lessons to be learned from guidance that have been adopted.

Matters raised:

- Expressed disappointment that not more individuals and organisations have taken advantage of the opportunity to comment on the current guidance especially because of how much interest has been demonstrated about the topic during the preparation of the local development plan;
- Who had responded – was there a cross-section of responses?
- Suggested that social media could be used to raise awareness about public engagement and possibly lead to more responses;
- Suggested that an on-line questionnaire is used, e.g. Survey Monkey, in order to get individuals to respond. By now people are used to using these techniques.

Response:

- Responses were received from 4 Community Councils, 2 local organisations, 1 local Planning consultant and 1 individual.
- Individuals and organisations were specifically targeted for this engagement, but it was agreed that social media could play an important role in public consultation events as well as an on-line questionnaire in order to facilitate the work of getting responses.

Decision:

The content of the report is noted.

6. SUPPLEMENTARY PLANNING GUIDANCE: MAINTAIN AND CREATE DISTINCTIVE AND SUSTAINABLE COMMUNITIES – FIRST DRAFT – CONFIDENTIAL – NOT FOR CIRCULATION

There was a presentation by Nia Haf Davies informing the Panel that this Guidance is one of a series of Guidance the Authorities have committed to prepare to support the Joint Local Development Plan. The need to keep in mind that the Guidance must be consistent with the relevant policies in the Local Development Plan was noted, and that the role of the Guidance doesn't include creating new Policies. An outline was given of the proposed structure of the Guidance, noting that the purpose of this item today was to introduce:

- The first draft of the body of the Guidance, and
- Appendix 2, 5, 6 & 7.

An outline was given of the steps needed to be taken and the timetable for the completion of the steps. It was noted that Gwynedd Council has decided to establish a Scrutiny Working Group that would report to the Communities Scrutiny Committee, as well as the need to present information about the Guidance to Isle of Anglesey County Council's Senior Leadership Team.

In terms of the body of the proposed Guidance it was noted that the Guidance is very different to the current Guidance and that the intention was to introduce Guidance which would be sound, thorough and inclusive. These are the aspects that were highlighted:

- That section 1 of the Guidance draws a family of policies together to highlight how can development in the Plan area will contribute to maintaining and creating distinctive and sustainable communities;
- Information in section 1 set out the evidence that would need to be submitted with the relevant planning applications;
- That section 1 highlights the relevance of the Welsh language to different types of development;
- That Policy PS 1 provides detailed guidance about the Plan's expectations in relation to development and the Welsh language;
- Policy PS 1 sets criteria on when a Language Statement would be needed and when a report about a Welsh Language Impact Assessment would be required;
- Policy PS 1 requires consideration of the Welsh language for several types of development;
- The importance of engaging with planning officers to gain confirmation about the type of evidence required to support planning applications and therefore the pre-application period is very important;
- The importance of engaging with stakeholders to gain an understanding of the community even if the development falls under the threshold given in the planning regulations;
- That there is a need to screen development to see if it meets criteria 1 and 2 Policy PS 1 and to see how measures can be implanted that would be beneficial to local communities even if development doesn't meet the criteria;
- Support by a competent person will be required to prepare Language Impact Assessments and that consideration should be given to getting support of a competent person for work to prepare a Language Statement;
- Table 5 describes the virtues of competent persons;

- 'large scale development' and unexpected windfall sites' are defined;
- In cases of dispute between the competent officers/planning officer and the applicant regarding the evidence submitted, an independent competent person would be appointed with the applicant paying for this service.
- Appendix 2 – provides information about a range of data and information sources;
- Appendix 5 – provides a picture of the screening process for development and recognises good practice that can be implanted into development that falls below the thresholds and managed by the planning system;
- Appendix 6 – provides a preliminary schedule of activities that can be used to mitigate effects or enhance benefits from development;
- Appendix 7 – provides a clear framework for work related to preparing a Welsh Language Statement.

Matters raised:

- Isle of Anglesey County Council is currently consulting about Supplementary Planning Guidance concerning Wylfa Newydd – how can we ensure that there is consistency between this and other Guidance and how can we ensure that active consideration is being given to it;
- The views of the Senior Leadership Team are important;
- Noted that Scrutiny Working Group and Committee's will be given an opportunity to express their views about the Guidance – how will this dovetail with the Panel and the Joint Planning Policy Committee's work;
- Diagram 3 a 4 – consider re-arranging the order of the boxes;
- Diagram 4 – how often will the Local Housing Market Study be undertaken and therefore how practical is it to depend on it as a source of information;
- Diagram 4 criterion 1b - will consideration be given to houses with permission as well as housing already built;
- Can windfall sites be located within development boundaries?
- It was noted that the Guidance states that the principle of development has been established in the Plan, does that mean that there would be no need for evidence to support development on allocated sites or safeguarded sites?
- Unclear about the difference between the definition of 'major' development in D11 and the reference in the policy to a site for 5 or more units and later references in the Guidance to development of 5 units as being 'major' development in villages;
- Table 5- competent person-it was suggested that the text needs to be strengthened in order to provide more definitive guidance,-' you should consider the following ' instead of ' you may wish to consider the following ' ; ' you should consider using' instead of 'you may wish to consider ... ' ; and 'consultants with local knowledge will ... ' instead of ' consultants with local knowledge can ... '. Text elsewhere also needs to be more assertive about the expectations;
- Would it be possible to publish a list of competent people for information and assist applicants to identify someone to advise them;
- Is there a risk that an applicant or a group of applicants could put in applications for fewer than 10 units on unexpected windfall sites in Centres, or less than 5 units in villages to avoid undertaking language impact assessments? There is a risk of failing to consider the cumulative impact of development
- Appendix 2 – more sources of data and information could come to light during the Plan period. It should be made clear that an applicant is expected to look for sources which are available when preparing a Planning application rather than depending solely on the list in Appendix 2;
- Appendix 7 – what is meant by 'attracting people'?

- Appendix 7 – that the framework is far more rigorous than the current one;
- That place names are important and as much encouragement as possible is needed to ensure that Welsh names are kept and that appropriate new Welsh names are used.

Response:

- The Wylfa Newydd Supplementary Planning Guidance has been prepared to support the policies of the local development plan, and the joint planning policy unit is part of the group guiding its preparation, ensuring its consistency. When it is adopted it will be a material planning consideration that will carry weight;
- Arrangements are being made to include information about the Supplementary Planning Guidance: maintain and create a distinctive and sustainable communities on the Senior Leadership Group meeting agenda in February;
- The recommendations of the Scrutiny Working Group/Committee, as well as the Senior Leadership Group's recommendations, will be presented to the Panel/Joint Planning Policy Committee to be considered. It will be the Panel's role to support the release of a draft version of the Guidance and the role of the Joint Planning Policy Committee to adopt this Guidance and any other Guidance which will be common to both authorities;
- Note the comment about the order of boxes in diagram 3 & 4;
- It was agreed that reference to the Local Housing Market Study only does not give a complete picture of the information that should be addressed. Reference should also be made to studies by rural housing enablers, the register of social housing, the Tai Teg register and other sources;
- Confirmation was given that housing that had already been built and housing with permission but not completed or not started would be included in the equation to determine if development is going beyond the indicative supply set in the relevant policies;
- The Policy can be applied to windfall sites inside the boundaries if the site is an unexpected windfall site, i.e. that it was not known at the time of preparing the Plan, or to a windfall site if criterion 1b or 1c apply;
- The Policy can apply to an allocated site for housing or a safeguarded site for employment if the development meets with criteria 1a – c;
- It was noted that D.11 refers to the definition given in the planning regulations in relation to when public consultation will be required about developments before submitting a planning application. The flow chart in D.15 refers to scenarios when there would be a need for a Language Impact Assessment. It was agreed that there was a need to better explain the difference;
- Table 5 – agreed to make the suggested changes and ensure that the text in other relevant places is more assertive;
- It was noted that there are risks in providing a list even if it is for information purposes - **how to apply is the person/company**, is there another individual or a company. Reference was made to provide a training opportunity for individuals and companies who provide advice to applicants in order to raise awareness of the requirements associated with the preparation of a Language Statement and Language Impact Assessments. It was agreed to make enquiries with relevant officers within the Councils & the Mentrau Iaith;
- Agree that there is a need to amend the text in order to clarify that the authorities will consider the capacity of the whole site and consider the potential cumulative impact. This is the approach taken relating to applications where affordable housing thresholds apply;
- Agree the text should be amended to highlight the need to consider other sources and look into the possibility of being able to update the Appendix when required;

- Note the comment regarding the content of Appendix 7;
- Agree that there is a need to promote the use of Welsh names and to check if the message can be strengthened in the Guidance.

Decision:

Subject to the comments received during the meeting, the Panel supports the direction being taken in the first draft of the submitted documents.

7. PROGRAMME TO PREPARE OTHER SUPPLEMENTARY PLANNING GUIDANCE – AN UPDATE

A table was presented outlining the main steps and timetable for the preparation of the series of SPG. It was noted that the timetable has been changed to reflect the capacity within the Unit and internal arrangements within the two Councils.

Decision:

The content of the table is noted.

END OF MEETING.