



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

**ISLE OF ANGLESEY COUNTY COUNCIL AND GWYNEDD
COUNCIL**

**Gwynedd and Anglesey Joint Local Development Plan
(LDP) 2011 - 2026**

**PROCEDURAL NOTE FOR THE PREPARATION AND
ADOPTION OF SUPPLEMENTARY PLANNING GUIDANCE**

Procedural Note for the Preparation of SPGs

CONTENT

| | Page Number |
|---|--------------------|
| 1. Introduction | 1 |
| 2. Supplementary Planning Guidance (SPG) and the LDP | 1 |
| 3. Purpose of this paper | 1 |
| 4. Aims of the paper | 1 |
| 5. Status of SPG when Making Decisions | 2 |
| 6. The LDP's SPG Programme | 2 |
| 7. SPG: Content and Consultation | 2 |
| 8. Other SPG | 3 |
| 9. Assessments | 3 |
| 10. Monitoring and Reviewing SPG | 4 |
| 11. SPG Preparatory Steps | 4 |

APPENDICES

| | |
|--|-----------|
| 1. SPG List | 8 |
| 2. Community Involvement Scheme | 9 |
| 3. Glossary | 12 |

Procedural Note for the Preparation of SPG

1. Introduction

- 1.1 This Note has been prepared by the Gwynedd and Anglesey Joint Planning Policy Unit to explain how and when the series of Supplementary Planning Guidance (SPG) will be prepared to support some of the policies in the Gwynedd and Anglesey Joint Local Development Plan (LDP) 2011-2026, which was adopted in July 2017.
- 1.2 The Note explains the process of preparing the SPG, to ensure that they are clear, inclusive and transparent.

2. Supplementary Planning Guidance (SPG) and the LDP

- 2.1 The LDP contains the Isle of Anglesey County Council Planning Authority and Gwynedd Planning Authority's planning policies, and are used when making decisions on applications that relate to the development and use of land in the LDP area. The LDP area includes the whole of Anglesey, and Gwynedd Planning Authority's area, which does not include Snowdonia National Park, and this LDP is the development plan that has been adopted until 2026.
- 2.2 Although the LDP contains policies and proposals that form the basis for making decisions on planning applications, it does not include copious detail. The LDP will therefore be supplemented by a series of documents called Supplementary Planning Guidance (SPG) to assist applicants, agents and others to understand, interpret and apply some of the LDP's policies when preparing planning applications and to assist planning officers and Planning Committees when making planning decisions.
- 2.1 There must be a clear link between the SPG and the LDP's policies, and they must be consistent with the LDP and national planning policy. The SPG only contain guidance and advice and they cannot, for instance, create new policies or criteria, or amend existing policies or criteria for making decisions.
- 2.4 While the SPG to support the LDP are being prepared, the Councils decided to continue to consider the relevant SPG that were adopted to support the former development plans in existence prior to the adoption of the LDP until such a time that those guidance are abolished or replaced.

3. Purpose of this Note

- 3.1 The Councils must prepare SPG in an organised and timely manner to ensure that the LDP is as effective as possible in its management of the development of land in order to facilitate sustainable development.
- 3.2 This Note describes a methodological and consistent approach towards preparing and publishing the whole SPG programme. This includes drafting, consulting, reviewing and approving the documents, which are the procedures approved in the Welsh Government's LDP Guidance (Welsh Government, 2015, para 7.3.7). Following these steps will ensure that the adopted SPG will carry the necessary weight as material considerations during the decision-making process.
- 3.3 The flow chart in Section 11 shows the six steps in the preparation of SPG.

4. Aims of this Note

- 4.1 The Purpose of this Note is to record the process of preparing the SPG and the opportunities for stakeholders, the public and agencies to contribute.

Procedural Note for the Preparation of SPG

4.2 This Note specifies a method of ensuring that SPG are prepared in a way that is consistent with engagement and consultation. It binds the Councils to the preparation of SPG in accordance with the noted consultation processes.

4.3 This note:

- i. confirms which SPG are currently anticipated to be required;
- ii. explains the steps in the preparation of SPG and the process and procedures to be followed;
- iii. informs people about when they are able to participate;
- iv. explains how the Councils will publicise the SPG once they have been adopted and come into force.

5. Status of SPG when Making Decisions

5.1 The SPG do not have the same status or weight as appropriated to the adopted development plan policies in Section 38(b) of the Planning and Compulsory Purchase Act 2004 that notes:

Planning applications must be determined in accordance with the adopted plans unless relevant considerations indicate otherwise.

5.2 SPG supplements the policies in the LDP but they are not considered to be part of the adopted Plan. Therefore, they are considered as material planning considerations in the decision-making process (Welsh Government 2015¹, section 7.3). A material planning consideration is a matter that should be given attention when making a decision on a planning application or during an appeal against a planning decision. The decision-maker must come to a conclusion on how much weight is placed on relevant planning considerations in reaching a decision.

5.3 For the SPG to carry substantial weight in decision-making, including in cases where the Planning Inspectorate decide upon a planning appeal, the SPG must derive from the development Plan and be consistent with that Plan, and must have been the subject of consultation (Welsh Government, 2015², part 7.3, and formally adopted (following approval).

6. The LDP's SPG Programme

6.1 Appendix 1 includes a list of SPG that have been identified thus far, and the policies that will be supplemented by the SPG.

6.2 Priority has been given to the preparation of the SPG documents, according to the available topics, time and resources. The Council is required to monitor its performance in relation to the preparation and adoption of the SPG.

7. SPG: Content and Consultation

7.1 The Councils are committed to the inclusion of stakeholders and consultation with the public, and acknowledge the benefits that accrue when a local guidance is created with the input of local stakeholders. This inclusion of stakeholders and wider consultation ensures that Councils are entirely

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Procedural Note for the Preparation of SPG

aware of local matters and can accept advice, assistance and new ideas, which should lead to the creation of improved guidance. It should also help to prevent subsequent problems and objections.

- 7.2 The inclusion of stakeholders is central to the arrangements, and offers an opportunity for others to understand, influence and shape the content of the SPG. A structured "community involvement scheme" is an essential part of the creation of robust SPG, and the Welsh Government's guidelines (Welsh Government, 2015³, para 7.3.3) confirms that SPG will carry little weight unless they are produced in accordance with a Community Involvement Scheme (CIS).
- 7.3 The Community Involvement Scheme for the preparation of SPG is included in Appendix 2.

8. Other SPG

- 8.1 In addition to the programme of SPG that were identified during the process of preparing the LDP (Appendix 1), the need for further SPG may arise during the implementation of the LDP. The annual monitoring of the LDP will play a role in identifying any new SPG required to supplement the Plan's policies.
- 8.2 A need for new SPG may arise in conjunction with a specific additional topic dealt with in the LDP, or in relation to a specific area and/or site. The Councils have identified some sites that were allocated, where there could be a future need for development briefs. Some communities may also wish to consider Place Plans.
- 8.3 **Development Briefs:** These are site-specific guidance documents, which can be brought forward and adopted as SPG. Development briefs do not always have to be adopted as SPG, but they will carry more weight (i.e. provide more assurance) when making decisions if they follow this route. The Councils recognise that pre-application discussions, where undertaken, can be a useful basis for this type of SPG and that they will collaborate with relevant stakeholders on exchanging information about sites where this is available.
- 8.4 **Place Plans:** Welsh Government is proceeding to introduce the Place Planning method of community planning across Wales. Place Plans can be adopted as SPG on condition that they fit the overall policy structure of the LDP and have been subject to consultation, revision and approval. Place Plans are locally based, and will be heavily dependent upon the interest and participation of Town, City and Community Councils.
- 8.5 For further information about Place Plans, you should refer to the Planning Aid Wales website: <http://www.planningaidwales.org.uk/> Planning Aid Wales has held a number of workshops and networking events to promote Place Plans. For the latest information, search for 'place plans' on its website. The website includes speakers' notes and presentations (e.g. <http://www.planningaidwales.org.uk/place-plans-from-concept-to-reality/>) The Design Commission Wales offers a toolkit for Place Plans: www.shapemytown.org

9. Assessments

- 9.1 **Sustainability Appraisal/Strategic Environmental Assessment/Habitats Regulations Assessment - Statutory Assessments:** As the SPG adds detail to the LDP policies that have already undergone statutory assessments (Sustainability Appraisal, Strategic Environmental Assessment and Habitats

Procedural Note for the Preparation of SPG

Regulations Assessment), these assessments should not be necessary in relation to the SPG identified during the process of examining the LDP. However, the Councils will assess this matter on a case by case basis.

- 9.2 An area- or site-specific SPG, such as Development Briefs and Place Plans can be subject to statutory assessments. Where relevant, the Councils will explain, in individual SPG, how the various assessments have been considered, and the approach used.

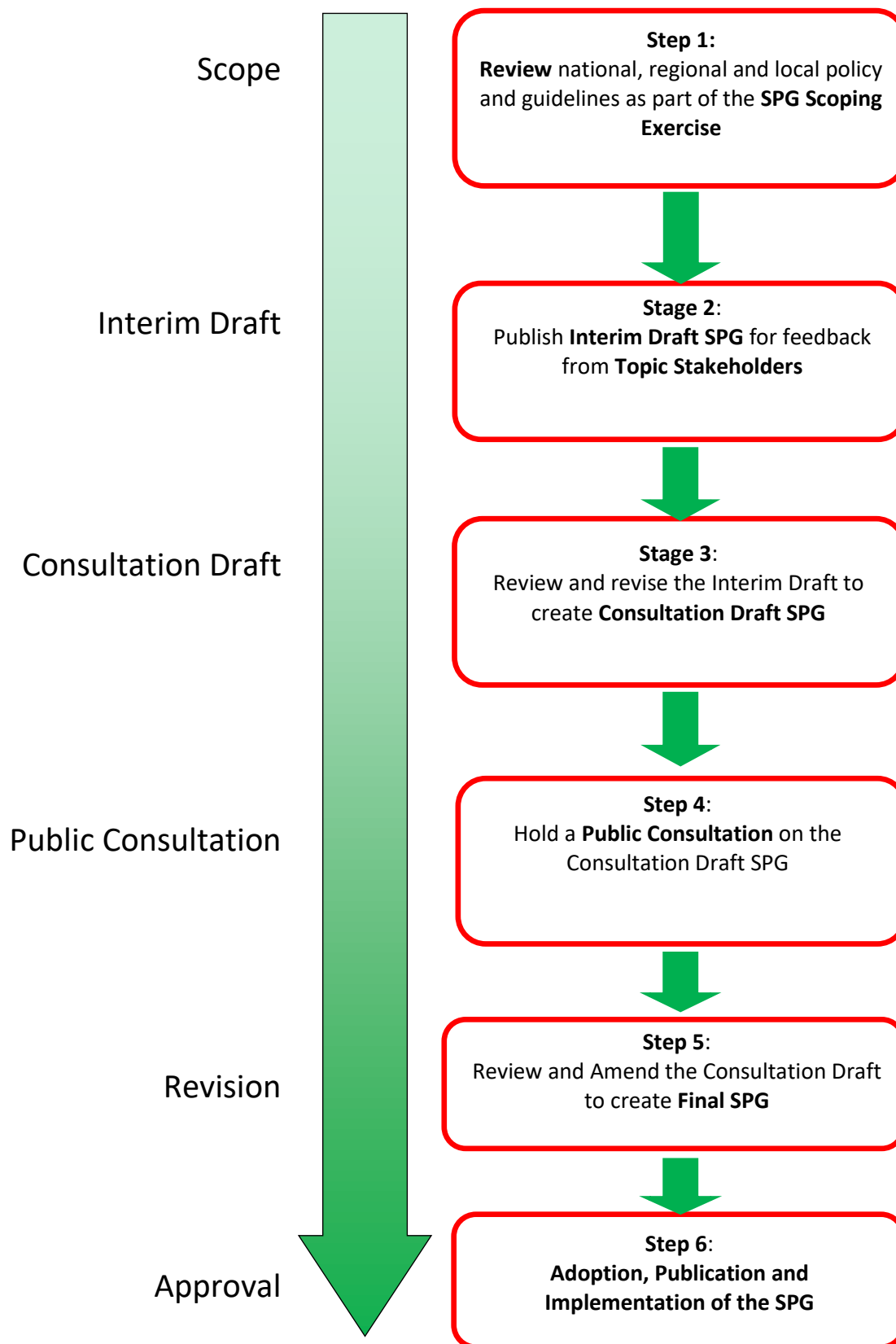
10. Monitoring and Reviewing SPG

- 10.1 The implementation and introduction of SPG will be monitored as part of the LDP's annual monitoring process that will include monitoring policies or proposals that are associated with various subject areas. As part of this process, the effectiveness of SPG will be evaluated in parallel with the policies that they supplement.
- 10.2 Individual SPG will be considered in the light of any relevant information, and they may need to be updated to reflect changes in circumstances, policies or guidelines, or as a result of matters that arise as a result of implementing the SPG. Where it is considered that updating is required, the changes will be subject to consultation, revision and approval as appropriate.

11. SPG Preparatory Steps :

- 11.1 There will be a six-step process for the process of preparing the SPG, as outlined in the flow chart below.

Procedural Note for the Preparation of SPG



Procedural Note for the Preparation of SPG

11.2 Table 1 explains each step of the preparatory process in detail, and includes the timescales that are necessary for the Councils to deliver the programme for the adoption of the SPG as noted in Appendix 1.

Table 1 SPG Preparation Process - Step by Step

| SPG Step and Purpose | | Who is responsible and/or contributes? | Council Members' Contribution |
|--|---|--|---|
| Step 1: Review and Scoping Exercise | <p>Planning policy officers will examine national, regional and local legislation, policy and guidelines that are relevant to the subject area, past SPG, SPG published by other Local Authorities and other information linked with the topic, which will form the background and the context of the SPG. This step can include public consultation, dependent on the subject.</p> <p>The officers will identify expert Topic Stakeholders (see the Glossary) for their views and agreement on the content of the Interim Draft SPG.</p> | Planning Policy Officers | Not relevant |
| Step 2: Interim Draft SPG | The planning policy officers will engage with Topic Stakeholders to seek feedback on the Interim Draft SPG. | <p>Planning Policy Officers</p> <p>Topic Stakeholders</p> | Not relevant |
| Step 3: Consultation Draft SPG | <p>The planning policy officers will engage with the Topic Stakeholders to create a Consultation Draft SPG.</p> <p>The planning policy officers will update the Consultation Draft following feedback from the LDP Panel</p> | <p>Planning Policy Officers</p> <p>Topic Stakeholders</p> | <p>(i) LDP Panel to receive initial observations on the Consultation Draft SPG.</p> <p>(ii) Joint Planning Policy Committee approves the Consultation Draft for public consultation</p> |
| Step 4: Public Consultation | The Councils will publish the Consultation Draft SPG for consultation with specific stakeholders (see the Glossary), other stakeholders (see the Glossary), and the public. The consultation will be in accordance with the SPG Community Involvement Plan (see Appendix 2). | <p>Specific Stakeholders</p> <p>Other Stakeholders</p> <p>The Public</p> | Councillors will be informed via e-mail or letter |

Procedural Note for the Preparation of SPG

| SPG Step and Purpose | | Who is responsible and/or contributes? | Council Members' Contribution |
|---|--|---|--|
| Step 5: Final SPG | <p>Planning policy officers will consider the observations received through the public consultation step and will revise/amend the Consultation Draft SPG in discussion with the Topic Stakeholders.</p> <p>The Final SPG is published, to be supplemented by a Consultation Statement to summarise the details of the consultation step, detailing any changes made as a result of the consultation process.</p> | <p>Planning Policy Officers</p> <p>Topic Stakeholders</p> | <p>LDP Panel</p> <p>Joint Planning Policy Committee to adopt where the SPG is relevant to the whole LDP area</p> <p>Gwynedd Council Cabinet / Anglesey County Council Executive where the SPG is relevant to only one of the Planning Authorities.</p> |
| Step 6: Adoption, Publication and Implementation of the SPG | <p>Once adopted, the SPG will be used for the purpose of Development Control.</p> <p>The Councils will publish the adopted SPG, and ensure that they are available and promoted in accordance with the SPG Community Involvement Plan (see Appendix 2)</p> | <p>Planning Policy Officers</p> | <p>Anglesey County Council Executive where the SPG is relevant to only one of the Planning Authorities.</p> |

Procedural Note for the Preparation of SPG

Appendix 1

SPG List

| Name | Relevant policies in the LDP |
|--|--|
| Planning obligations, which include contributions from developers for a range of infrastructure. | PS 2 and ISA 1, in addition to relevant land uses e.g. ISA 15 - (open spaces), TAI 15 (affordable housing) |
| Maintaining and creating unique and sustainable communities | PS 1, ISA 1, PS 5, TAI 8 |
| Affordable housing | PS 17, PS 18, TAI 18, TAI 16 |
| Local market housing | TAI 5 |
| Type and mix of housing | TAI 8 |
| Open spaces within new residential developments | ISA 5 |
| Tourism development - attractions and accommodation | TWR 2, TWR 3, TWR 4, TWR 5 |
| Design, including carbon management, accessibility, infill sites, lighting (the above list is not comprehensive) | PS 5, PS 6, PCYFF 2, PCYFF 3, PCYFF 4, PCYFF 5, PCYFF 6 |
| Development briefs for individual sites / areas | TAI 8, PCYFF 2, CYF 7, CYF 8 |
| Adapting buildings into self-contained flats or houses in multiple occupancy | TAI 9, PCYFF 2, PCYFF 3 |
| Conversion of buildings in the countryside | TAI 7, CYF 6 |
| Change of use of community facilities, employment sites, retail units | ISA 2, CYF 3, CYF 4, MAN 2, MAN 4 |
| Good practice in Safeguarding Biodiversity when planning and developing | AMG 5, AMG 6 |
| Heritage assets | AT 1 |
| Locating standalone renewable energy developments | PS 7, ADN 1, ADN 2, ADN 3 |
| Wylfa Newydd | PS 9, PS 10, PS 11, PS 12 |
| Parking Standards | TRA 2 |

Procedural Note for the Preparation of SPG

Appendix 2

Community Involvement Scheme (CIS)

1. Introduction

This CIS is for the preparation of Supplementary Planning Guidance (SPG) and is tailored to the process of preparing the SPG. This means that the approach reflects, and is commensurate with the details and content of work that involves the SPG and is appropriate for the parties that are expected to participate, when delivering the preparation timetables.

2. Aims of the CIS

To ensure that the process is clear, transparent and consistent, the Councils will prepare all the supplementary planning guidance in accordance with this CIS, which aims to:

- i) Inform you how and when you can contribute to the preparation of the SPG.
- ii) Ensure that you are aware of the approaches that the Council will use to communicate and the periods when you are able to contribute observations.
- iii) Inform you about how the Council will provide feedback on how your views have been considered.

Development Briefs and Place Plans that could be prepared under the guidance of organisations apart from the Councils should be based on the six steps of preparing the SPG (Section 11 of this Note) and should follow the principles noted in this Note and CIS for adoption.

3. Steps for Preparing and Adopting the SPG

3.1 This Note outlines the six steps in the preparation and adoption of the SPG. The preparation of the SPG will be guided by Planning Policy Officers and will include three main consultation groups:

1. Topic Stakeholders
2. Joint Local Development Plan Panel / Joint Planning Policy Committee Members
3. Specific Stakeholders, other Stakeholders and the Public

4. Topic Stakeholders

4.1 The Planning Policy Officers will target participation during the initial preparation stages. They will identify topic specific professional officers to be Topic Stakeholders (see the Glossary). The officers to be designated Topic Stakeholders will vary according to the topic/content of the SPG.

5. Include Specific Stakeholders, other Stakeholders and the Public

5.1 The main consultation phase for specific stakeholders, other stakeholders and the public is Step 4, when the Council, having considered the initial draft and the consultation draft, undertakes a public consultation on the Consultation Draft SPG.

5.1 During the Public Consultation Step (Preparation Step 4), the Council will:

- Inform all specific stakeholders and other stakeholders via e-mail (unless they have contacted the unit to request written correspondence or where no e-mail address is available) that an SPG is available for public consultation.

Procedural Note for the Preparation of SPG

- Publicise the consultation through the publication of the SPG on the LDP's pages on the Council's website, and social media, as appropriate.
- Arrange for all the relevant documents to be available on-line and on the Councils' LDP pages, and in the form of a hard copy at the following locations:

i) The **Councils' Main Offices** – Siopau Gwynedd and Anglesey Council Headquarters;
and

ii) All **Public Libraries** in Anglesey and Gwynedd

- Provide a standard observation submission form for each consultation draft SPG to assist with the receipt of observations in a structured form, and to set out the consultation arrangements.
- Provide a **6 week consultation period (usually)** for the submission of observations.

5.2 How to make observations:

- The Councils welcome all feedback. Consultation observations should be made in writing and submitted on a standard observations form or via letter/e-mail separately to the Joint Planning Policy Unit
- The Councils may request more detailed or specific feedback by devising a set of consultation questions to be included as part of the observations form, which can be very useful in ascertaining people's views.
- Consultation observations should be submitted before the consultation closing date.

6. Response to the Feedback from the Consultation and Adoption of the final SPG (Preparatory Steps 5 and 6)

6.1 The Councils' responses to the observations that arose from the Public Consultation will be published in a Consultation Statement. The Statement will explain why the SPG has been revised/amended to give consideration to the observations that were made. Once the Final SPG have been adopted by the Council through the formal procedures, they will be considered as adopted guidance and implemented, and the Councils will inform stakeholders and the public as follows:

- Send an e-mail/letter to all who submitted observations during the public consultation period about any SPG that were adopted, as soon as reasonably practicable following their adoption.
- The SPG will be published on-line and on the Councils' SPG web pages as soon as is reasonably practicable.
- Provide a hard copy of the adopted SPG in Siopau Gwynedd and in the Isle of Anglesey County Council's main office.

6.2 The agenda, reports and minutes of the Joint Planning Policy Committee will be available on the Councils' committee pages, recording the progress of the SPG through the approval process, and providing a useful reference source.

❖ Joint Planning Policy Unit's Contact Details:

E-mail: polisicynllunio@gwynedd.llyw.cymru

Procedural Note for the Preparation of SPG

Post: Planning Policy, Council Offices, Castle Street, Caernarfon, GWYNEDD LL55
1SH
Telephone: 01766 771000 and ask to speak to an officer in the Joint Planning Policy Unit

***IMPORTANT:** Please ensure that the contact details held by the Joint Planning Policy Unit are up to date.

Procedural Note for the Preparation of SPG

Appendix 3

| GLOSSARY | |
|--|--|
| Development Brief | A Statement that outlines the proposals and general requirements for developing a specific site, including detailed planning. |
| Supplementary Planning Guidance (SPG) | Additional information about the policies in an LDP. SPG do not form part of the development plan, and they are not subject to an independent inspection, but they must be consistent with the Plan and with national planning policy. SPG can be (definitions from TAN 12: Design, WG, March 2016): <ul style="list-style-type: none"> • Based on Topics: Where there is a need for guidance in relation to specific matters or uses. • Area-specific: Relevant to leading development in key areas such as town centres, conservation areas or a particular neighbourhood or urban edge. • Site-specific: Guidance on the way in which a particular site should be developed, or to provide information on site-specific characteristics in accordance with local/national policy. |
| Participation | People being actively included by policy makers and service planners from the early stages of planning and revising policies and services. (Participation Wales, 2011 ⁴) |
| Place Plan | Place Plans offer an opportunity for individual towns or areas to put a comprehensive plan in place within the framework of the Local Development Plan. They are favoured by Welsh Government (WG, Dec 2015 ⁵) although there is no specified format for a Place Plan. Publishing Place Plans promotes the inclusion of communities within planning, enabling them to shape their own localities. They are not restricted to towns and they can include, for instance, a village, cluster of villages/community, neighbourhood, town centre or regeneration area. WG has developed a series of pilot projects, aiming to help Town and Community Councils to develop Place Plans. |
| Community Involvement Scheme | Notes the project plan that the Local Planning Authority has used for the inclusion of local communities, businesses and others in the preparation of the LDP. The Community Involvement Scheme is agreed by Welsh Government as part of the Delivery Agreement for the preparation of local development plans. This Note was created in relation to the purpose of involvement in the SPG. |
| Local Development Plan (LDP) | The statutory required development plan for each Local Planning Authority area in Wales under Section 6 of the Planning and Compulsory Purchase Act 2004. |
| Delivery Agreement | A document that includes the Local Planning Authority's timetable for preparing the JLDP and its Community Involvement Plan, submitted to Welsh Government for approval. |
| LDP Panel | Members of the Joint Planning Policy Committee meet as a panel to provide an overview, and to consider the draft documents relating to the preparation of the SPG in detail, prior to their submission for determination by the Joint Planning Policy Committee. The Panel was established in 2011 and it has participated in each step of preparing the LDP up to its adoption, and as seen above, it will continue to participate following the adoption of the SPG and to monitor and review the Plan annually. It meets as required. |
| Nurturing consensus | A process of early dialogue with targeted interest groups to understand relevant viewpoints and agree a course of action. (WG, 2015 ⁶) |

4 National Principles for Public Engagement in Wales

5 Positive Planning Implementation Plan

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Procedural Note for the Preparation of SPG

| | |
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| Stakeholders | <p>"Any one that can have an effect, or can be affected, by an organisation, strategy or project". "Participation can be via a representative group". In relation to participation in the SPG, the following have been identified:</p> <p>Topic Stakeholders: Officers within the Councils who have professional expertise associated with planning and/or experience of the subject area, for example, planning, housing, Welsh language development, landscape, legal officers.</p> <p>Specific Stakeholders: These include Community, Town and City Councils, organisations and individuals known to the Joint Planning Policy Unit who have associated professional expertise in the subject area and/or experience of the subject area e.g. Natural Resources Wales, Local Housing Associations, Welsh Language Commissioner's Office.</p> <p>Other Stakeholders: These include planning agents/consultants, anyone else who wishes to be provided with information about the LDP and any other associated documents.</p> |
| Consultation | <p>A formal process in which comments are invited on a particular topic or set of topics, or a draft document. (WG, 2015⁷)</p> |
| Engagement | <p>An active and participative process by which people can influence and shape policy and services that includes a wide range of different methods and techniques (Participation Wales, 2011⁸)</p> |

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8 National Principles for Public Engagement in Wales