GWYNEDD AND ANGLESEY JOINT LOCAL DEVELOPMENT PLAN (2011 – 2026)

PUBLIC EXAMINATION: **Hearing session 1 – The Plan's Preparation, Vision, Objectives and Spatial Strategy.**	

Action Point 1 (S1/PG4), Action Point (S1/PG5), Action Point (S1/PG6) and Action Point (S1/PG7)

1. **Action Point 1 (S1/PG 4) – Policy PS1**

   - **Criterion 5 – that the Councils consider re-wording the criteria to capture what can be given weight at a planning application stage, e.g. the need for a Signage Strategy, which could be described in more detail in a SPG. Introduce a Matters Arising Change.**

   - **Criterion 2 – Include a Matters Arising Change to re-word to refer to unexpected windfall opportunities rather than being so prescriptive, in order to reflect the possibility that large sites could come forward unexpectedly during the Plan period**

   - **Criteria 3 & 4 – that the Councils consider combining these to a single criterion and include a Matters Arising Change to reflect this matter.**

2] **The Councils' Response:**

2.1 The Councils had proposed a possible Matters Arising Change to respond to the observations received about the Focused Changes to Policy PS1 and its explanation to ensure consistency with Planning Policy Wales and to promote developments that would realise the Plan's Vision and Objectives. In accordance with the discussions held during the Hearing, the Councils agree that there are grounds to make additional/alternative changes. The Matters Arising Changes suggested above and those included in the document "Observations about Focused Changes Representations" (CDLL.029) which remain relevant can be seen in red below:

STRATEGIC POLICY PS1: WELSH LANGUAGE AND CULTURE

The Councils will promote and support the use of the Welsh Language in the Plan area. This will be achieved by:

1. Requiring a Welsh Language Statement, which will set out how the proposed development will protect, promote and enhance the Welsh language, where the proposed development falls within one of the following categories:

a) Retail, industrial or commercial development employing more than 50 employees and/ or with an area of 1000 sq m or more; or

b) Residential development which will individually or cumulatively provide more than the indicative housing target set out for the settlement in Policies TAI 14 – 18; or

c) Residential development of 5 or more housing units on allocated or windfall sites **within development boundaries** that doesn't **deal with evidence of need and demand for housing recorded in a Market Housing Assessment and other relevant local sources of evidence** propose to provide an adequate range of sizes and types of housing units;

a) 2. Requiring a Welsh Language Impact Assessment, which will set out how the proposed development will protect, promote and enhance the Welsh Language, where the proposed development **on an unexpected windfall site for a large scale housing development or large scale employment development that would lead to a significant workforce flow.;** will attract or accommodate significant numbers of people than originally anticipated in the Plan's policies and proposals;

2. Using appropriate mechanisms to ensure that suitable measures that mitigate negative impacts are provided or a contribution is made towards them mitigating those impacts;

3. Refusing proposals that due to its size, scale or its location, would cause significant harm to the character and language balance of a community;
3. Refuse proposals which would cause significant harm to the character and language balance of a community that cannot be avoided or suitably mitigated by the use of appropriate mechanisms to ensure that suitable mitigating measures are provided or contribution is made towards mitigating those impacts.

4. Requiring **bilingual Signage Plan to deal with** Encouraging all operational signage **in the public domain** that are proposed in a planning application by public bodies and by commercial and business companies to be bilingual;

5. ~~Encouraging the use of~~ <u>Expect that</u> Welsh ~~place~~ names <u>are used</u> for new developments, house and street names.

Explanation:

7.1.4 It is intended that all of the measures outlined in the paragraphs that precede this Policy will support communities and the Welsh language. <u>The Plan's key objectives demonstrate a commitment to the promotion of balanced, sustainable and distinctive communities. This means that the Plan includes policy tools to allow local communities to change and grow sustainably and to address the needs of all members of society. There are a number of strategic and detailed policies that will provide an explanation about how development proposals will be managed. On the whole the Sustainability Assessment (that was enlightened by the Language Impact Assessment) takes a positive view of the Plan's policies and proposals on the grounds that the development takes place on an appropriate scale and in appropriate places, and includes measures to promote the positive impacts and measures to mitigate negative impacts.</u>

<u>7.1.4 As can be seen in criteriaq 1 and 2 in Policy PS1</u>, in order to make an informed judgement at a planning application stage information will be sought in relation to applications where development, if permitted would come forward at a rate or scale different to that envisaged at the Plan preparation stage <u>as set out in criteria 1 and 2.</u> <u>Policy PS1 reinforces other relevant policies in the Plan which describe the assumptions made, e.g. the housing growth level per settlement (TAI 14 - TAI 18); that the housing development provides an appropriate choice of market housing and affordable housing (TAI 1). If there is uncertainty,</u> pre-application advice should be sought from the LPA as to whether a Statement or an Assessment should be provided. <u>Having signs in Welsh and English, and Welsh place and property names are a clear indication of the character of the area, including its linguistic character.</u> ~~The Welsh language will promoted through different policies within the Plan. The range of opportunities, provided by the strategic and detailed policies, including a variety of diffwerent dwelling types, local employment growth and protecting and enhancing the cultural heritage will contribute towards improving the vitality of the Welsh language.~~<u>The Maintaining and creating distinctive and sustainable communities and Type And Mix Of Housing Supplementary Planning Guidance</u> will be published to provide further guidance on the matter. <u>They will explain the type and location of developments that are likely to be acceptable in the Plan area, and will explain the relevant planning considerations. The Creating and Maintaining Distinctive and Sustainable Communities SPG will describe what is expected to be included in a Signage Plan to promote bilingual signs, e.g. public information signs, advertisements, display advertisements. The Statement or report on the Assessment will allow the developer to explain the application in more detail and to consider the possible positive and negative effects on the community and its linguistic balance. The SPGs will look for evidence that the proposal has been discussed with Community, City and Town Councils and local community groups to obtain information and ask for their opinion, and that consideration has been given to surveys about the local housing market, and/ or the labour market. In addition, they will refer the applicant to such assistance as is available from the Office of Language Commissioner about designing bilingual signage and marketing material, the advice that is available to the private sector by the Welsh Government/Business Wales regarding bilingualism.</u>

3] Action Point (S1/PG5) – Policy ISA 1 - Infrastructure Provision:

The Council to review the Welsh and English version of the Matters Arising Change to ensure that there is consistency.

4] The Councils' Response:

4.1   At the hearing, reference was made to the fact that there was a difference in the Opinion document about the Observations on the Focused Changes (CDLL.029) between the Welsh and English in relation to the change that was proposed to the wording of part of Focused Change NF20.

4.2   Having reviewed this, the Councils can confirm that the English version is correct and reflects the terminology used in the relevant Topic Paper regarding the different types of infrastructure.

4.3   In light of this, the Councils wish to propose the following changes to NF20, in paragraph 7.1.10 of the Explanation to policy ISA 1 as a Matters Arising Change to the Plan (changes shown in Red):

> **Explanation:**
>
> 7.1.10 New development will often require new or rely on existing infrastructure, services and facilities to make proposals acceptable in land use planning terms. **The list included in the Policy is not intended to be exhaustive or limiting, but it gives an indication of the potential scope of infrastructure which may be required. Statutory** community benefits, related to proposed development and necessary for the grant of planning permission, can be sought from developers providing they **meet the meet the tests in the Community Infrastructure Levy Regulations 2010 as set out in paragraph 7.1.6** are fairly and reasonably related in scale and in kind to the proposal. **Topic Paper 13 on Community infrastructure differentiates between necessary, fundamental and community~~essential and preferred~~ infrastructure.** It is important that the provision of infrastructure for a development site is located and designed in such a way as to minimise the impact on the natural and built environment. The amenities of local residents should also be protected. Statutory Benefits community infrastructure contributions will be secured either through planning **Section 106** obligations as set out in **under** the Town and Country Planning Act 1990, **as planning permission conditions** or, **in the event a CIL charging regime is introduced by the Councils,** through levy CIL receipts under the Community

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Infrastructure Levy Regulations 2010.

Where the deliverability of a development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary. This should be informed by the particular circumstances of the site and proposed development in question. Assessing the viability of a particular site requires more detailed analysis than at plan level.

5 Action Point(S1/PG6) – Development Boundaries:

Consider introducing a policy that states the exact role of development boundaries, introducing it as a Matters Arising Change, ensuring that the new policy doesn't prevent all development in the countryside.

6 The Councils' Response

6.1   Following a discussion at the Hearing, the Councils wish to introduce a Matters Arising Change that would add a new policy to Chapter 7.1 in the Plan to confirm the role of development boundaries in the Plan. The wording of the proposed Policy can be seen below:

New Policy – Development Boundaries

The Plan identifies Development Boundaries for the Sub-regional Centre, Urban Service Centres, Local Service Centres, Service Villages and Local / Rural / Coastal Villages. Proposals within Development Boundaries will be approved in accordance with the other polices and proposals of this Plan, national planning policies and other material planning considerations.

Proposals on sites outside the Development Boundaries must conform to this Plan's Policies and national planning policies and, unless there is specific support within them for the proposed development located in the countryside, the proposal must demonstrate that its location in the countryside is essential for the development.

Explanation - Development boundaries were identified for all types of settlements in the Plan apart from Clusters. A number of policies in the Plan refer to new developments within sites or to construction within the development boundaries. The development boundaries:

   i.   **prohibit inappropriate development from being located in the countryside;**
   ii. **provide definite guidance and clarity in relation to where exceptions can be applied, e.g. rural exception policy directly on the edge of the**

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> **development boundary.**
>
>   iii.   **avoid the coalescence of settlements and a fragmented development pattern;**
>
>   iv.   **identify areas where developments could be approved; and**
>
>   v.   **promote the efficient and appropriate use of land and buildings.**
>
> **The remainder of the Plan area which is outside the Development Boundaries includes Clusters, fragmented developments and open countryside. Developments in the remainder of the Plan area are subject to more control and are mainly restricted to developments which require a location in the countryside or that meet a local rural need, support rural diversification or sustainability.**
>
> **Within the context of rural protection however, this policy acknowledges that some types of developments are necessary if the plan is to address the area's social, economic or environmental needs. If a development is acceptable in principle, this Policy and the Plan's other detailed Policies and national planning policies will ensure that the development will not threaten or harm the attributes of the countryside within the Plan area.**

7.   Action Point (S1/PG7) – Tables 2 and 17 (Clusters)

The Council to confirm whether the number of Clusters should be 111 or a 112.

8.   The Councils' Response

8.1 Table 2 in part 1.28 of the Deposit Plan and Table 17 in part 7.4.113 both refer to 112 Clusters in the Plan. Having examined Policy TAI 18, Appendix 4 ('List of Settlements'), the Proposals Maps and Topic Paper 5A, it is noted that there are 111 Clusters in the Plan.

8.2 In light of this, the Councils wish to propose the following change to tables 2 and 17, as matters which lead to a change in the Plan (changes shown in Red or with a ~~strike-through~~). The contents of the tables are consistent with one another, so it is only shown once below:

Table 17 - Distribution of Housing Growth within the Plan

Type of Settlements	Number of Settlements	Percentage of the Growth	Number of Units
Sub-regional	**8**	**Up to 55%**	**4,346**

Type of Settlements	Number of Settlements	Percentage of the Growth	Number of Units
Centre & Urban Service Centres			
Local Service Centres	**20**	**At least 20%**	**1,580**
Villages	**87**		**1,502**
Clusters	~~**112**~~ **111**	**No more than 25%**	**224**
Open Countryside	**-**		**250**

8.3 In responding to this action point, it is important to recognise that there is ongoing work to respond to the linked action points S1/PG2 and S3/PG1 in relation to looking at this aspect of the Settlement Hierarchy and amending the Plan to ensure that it reflects the editorial changes. This could lead to further Matters Arising Changes.