

Appendix B

Report of Consultation

Draft Supplementary Planning Guidance Planning and the Welsh Language

1 Introduction

- 1.1 This report sets out the consultation that was undertaken on the draft Supplementary Planning Guidance Conversion of Rural Buildings, including a summary of the responses received and how they have been taken into account by the Council.
- 1.2 The Council consulted the general public on the proposed guidance note for a period of 10 weeks between 2nd December 2013 and 10th February 2014. The consultation included public notices in local papers, press releases, and a letter to all people on the Local Development Plan database, including (but not limited to): City, Town and Community Councils; Councillors; Assembly Members; Members of Parliament; adjacent local authorities, Menter Iaith, Welsh Language Board, Welsh Language Commissioner and the general public informing them of the consultation and telling them how to respond. Copies of the document were made available on the Denbighshire website, in public libraries and Council One Stop Shops.

2 Responses received

- 2.1 3 individuals and organisations responded to the consultation, Anwyl Construction, Campaign for the Protection of Rural Wales and the AONB Joint Advisory Committee. Responses to the public consultation raised the following issues:
- Overall support for the document
 - Question validity of document in light of recent publication of TAN 20 ‘ Planning and the Welsh Language’ by Welsh Government.
 - Question need for the document as Welsh Language and cultural impact was considered as part of the LDP preparation process in relation to allocated and windfall sites.
 - Policy should not be applied across the County as potential impact will be different in different areas, ie coastal areas lower levels of Welsh speakers and therefore lower impacts likely.
 - Suggest SPG is withdrawn or substantially amended.
- 2.2 Detailed consultation responses are included at the end of this report in table A.

2.3 It was not considered that any amendments needed to be made to the SPG in the light of the comments received.

Table A – Detailed Consultation responses

Anwyl Construction	
Comments	Council Response
Denbighshire LDP only recently adopted and was subject to substantial and rigorous Sustainability Appraisal. KSS at Bodelwyddan also subject to Community Linguistic Impact Assessment. Council and Inspector should have requested additional Welsh Language Impact work at this stage if felt necessary. None were requested.	Welsh language and cultural impact was considered as part of the development of the LDP strategy and in terms of housing allocations. The Sustainability Appraisal identified the need for more detailed appraisals at the planning application stage to reflect the nature of the development proposed. Housing numbers on sites in the LDP are indicative and the final numbers and impacts etc are only determined at the application stage. The policy requiring additional impact assessments (RD5) was found to be sound by the planning inspectors at the Examination in public.
Housing and other land use allocations have already been established in the LDP, scale, location and impact will have already been assessed as part of site selection process and SA as stated in Tan 20 <i>“planning applications should not be subject to WLIA, as this would duplicate LDP Site selection process where LDP objectives indicated the need for such an assessment”</i>	The LDP was Examined, found to be sound and adopted prior to the publication of TAN 20 from which this statement is derived. It is considered that a locally relevant and recently adopted LDP policy (RD5) is still valid and that the policy and SPG should stand.
Windfall sites of 20 or more dwellings should also not require WLIA in accordance with TAN 20.	As above
In West Rhyl housing developments are exempt from the need to provide affordable housing. Council should adopt a similar approach to Welsh Language Impact in West Rhyl and other northern parts of the County where Welsh Language impact is likely to be minor.	This would require a change in the policy RD5 rather than the SPG. The policy has been subject to Examination and found to be sound. The policy applies across the County in recognition of the fact that impacts can be felt even in areas that currently have lower but rising numbers of Welsh speakers.
Other non-planning related measures than WLIA and refusing planning applications are available to the Council which would more beneficially preserve and enhance Welsh language and culture.	It is unlikely that Welsh Language impact would be a sole reason for refusal on any planning application. The role of the policy and the SPG is to ensure that full consideration of Welsh language and culture is given in any relevant application and that where potential impacts are identified that appropriate mitigation and enhancement measures are included.
SPG should be withdrawn or revised to target vulnerable areas in respect of Welsh language and culture and to provide detailed guidance on how to go about a WLIA in those areas.	It is not appropriate to withdraw the SPG and revise it to target specific areas as this would require a change to the policy RD5 rather than just featuring in the SPG. The SPG already provides detailed guidance on the production of assessments and statements and no changes are proposed.

AONB Joint Advisory Committee

<p>“The JAC recognises that the Welsh language and culture is a vital component of the character of the area and is highlighted as one of the less tangible ‘Special Qualities’ of the AONB. In response to this, the current AONB Management Plan includes a specific policy (PSQ3) which seeks to protect and promote traditional cultural distinctiveness in the AONB, notably in respect of the Welsh language. The draft SPG is consistent with this ambition, and the JAC supports the local planning authority in this endeavour.”</p>	<p>Support is welcomed from the AONB JAC and no changes are proposed.</p>
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CPRW

<p>We consider the contents to be comprehensive and adequate and do not intend to submit for consideration and recommendations as to amending the draft SPG.</p>	<p>Support is welcomed from the CPRW and no changes are proposed.</p>
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