

Report To: Planning Committee

Date of Meeting: 13th November 2013

**Lead Member / Officer: Cllr David Smith, Public Realm
Angela Loftus, Planning & Public Protection Policy
Manager**

Report Author: Catrin Roberts, Planning Officer

Title: Welsh Language Supplementary Planning Guidance – Consultation draft

1. What is the report about?

1.1. This report accompanies a draft Supplementary Planning Guidance (SPG) document on planning and the Welsh language which, if adopted, will be used in the determination of planning applications.

2. What is the reason for making this report?

2.1. Following the adoption of the Denbighshire Local Development Plan (LDP), an SPG on Welsh language considerations of development proposals is required in order to provide further guidance for developers, Officers and Members. A draft SPG for public consultation is attached to this report.

3. What are the recommendations?

3.1. That Members agree the draft SPG on Welsh language as a basis for public consultation.

4. Report details

4.1. The Council took the decision to adopt the Local Development Plan on 4th June 2013. The theme Respecting Distinctiveness includes development plan policy RD5, which aims to protect the needs and interest of the Welsh language and the social and cultural fabric of communities. This is the first time Denbighshire has implemented a policy of this type. However, there are other local planning authorities in North Wales who implement a similar policy (namely Gwynedd/Mon, Snowdonia, Conwy).

4.2. The policy requires applicants to submit either a Community Linguistic Statement or Assessment to accompany their planning proposal depending on the nature of the application. The policy outlines that the normal requirement is for a statement is to be submitted for small proposals within villages, hamlets or the open countryside; whilst an assessment should accompany applications within all settlements where the proposal is for large scale developments. No statement would be required for a small development within a settlement

(lower growth town or Strategic Site) however an assessment would be required if the development was large scale (for example, the proposal to redevelop Indesit, Bodelwyddan required an Assessment).

- 4.3. The SPG has been produced in conjunction with the Corporate Director: Communities in light of the work undertaken on the Welsh Language Audit for the County. However, it is not possible to delay the work on the production of the SPG until the findings of the Audit have been confirmed as officers need implement the policy as soon as possible. It is important that we have clear, robust guidance in place for applicants and officers. If necessary, the findings of the Audit could be incorporated into the SPG before final adoption, this would be discussed at the LDP Steering Group meeting and subsequently Planning Committee.
- 4.4. The public consultation period would be a minimum of 8 weeks and is anticipated to start in the first week of December 2013. However, given this would include the Christmas period, it is proposed to extend the consultation period to take account of this. The results of the consultation will be reported back to Planning Committee with a final SPG for adoption.
- 4.5. In light of the recent TAN 20, we propose to consult with the Welsh Language Commissioner.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. *Corporate Priorities 2012-17.* Whilst Welsh language does not feature specifically within the 7 corporate priorities identified in the current Corporate Plan, the SPG will indirectly contribute positively too many cross cutting aspects of Council business.
- 5.2. *The BIG Plan 2011-2014.* The SPG will directly contribute positively to aspects of the BIG Plan particularly:
 - Older people can live independent and fulfilled lives;
 - Children and young people having skills for life; and
 - Needs of rural communities are recognised and met;

6. What will it cost and how will it affect other services?

- 6.1. Agreeing the SPG for consultation is not anticipated to create any additional cost.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

- 7.1 An EqIA is not considered necessary for this decision. The principle of requiring assessment of impact of development on Welsh language has been established through adoption of the LDP. The SPG provides further guidance on this. The LDP underwent a full EqIA in May 2011.

8. What consultations have been carried out with Scrutiny and others?

8.1 No formal consultation has been carried out, but internal consultation has been carried out with officers in Development Control Section and Corporate Director for Communities.

8.2 Input on the content of the SPG has also been provided through two workshop sessions held with the LDP Members Steering Group and City, Town & Community Councils.

9. Chief Finance Officer Statement

9.1 Any costs associated with the guidance should be contained within existing budgets and therefore there are no obvious financial implications contained in the report.

10. What risks are there and is there anything we can do to reduce them?

10.1 In the absence of up-to-date guidance there is a risk the Council will be unable to effectively operate the LDP policy. This would result in a failure to secure the full consideration of impacts of new development on the use of Welsh language within the social and cultural fabric of our communities to the detriment. The adoption of a new Welsh language SPG has been identified as a priority by the LDP Members Steering Group.

11. Power to make the Decision

11.1 Planning & Compulsory Purchase Act (2004).