

EXECUTIVE BOARD
2ND NOVEMBER 2015

Draft Supplementary Planning Guidance
Carmarthenshire Local Development Plan

Recommendations / key decisions required:

- To consider and approve the Draft Supplementary Planning Guidance set out within the report for formal public consultation for 6 weeks.
- To delegate to the Head of Planning authority to correct typographical, cartographical or grammatical errors, and to make amendments in order to enhance accuracy and clarity of meaning.

Reasons:

- To reflect the requirements and commitments set out within the Adopted Local Development Plan
- To support implementation of, and provide guidance and elaborate on the policies and provisions of the Adopted Local Development Plan
- To ensure compliance with the Community Infrastructure Levy Regulations 2010

PEB :

Relevant scrutiny committee to be consulted – N/A

Exec Board Decision Required YES

Council Decision Required YES

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr M Gravell

Directorate

Name of Head of Service:

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EXECUTIVE SUMMARY

2ND NOVEMBER 2015

Draft Supplementary Planning Guidance Carmarthenshire Local Development Plan

1. BRIEF SUMMARY OF PURPOSE OF REPORT

- 1.1 This Report presents five Draft Supplementary Planning Guidance (SPG) prepared to support and elaborate on the policies and provisions of the Adopted Carmarthenshire Local Development Plan (LDP). It seeks to progress the preparation of these SPG through formal public consultation to adoption reflecting the commitment set out within the LDP including Appendix 3 in relation to their preparation.
- 1.2 It should be noted that it is not the purpose of the SPG to devolve policy matters from the LDP.

2. Background

- 2.1 The Carmarthenshire Local Development Plan (LDP) was adopted by Full Council on 10 December 2014 along with 8 thematic and site specific SPG prepared concurrent to the LDP. The LDP is now the statutory development plan for the County (excluding that area contained within the Brecon Beacons National Park). The LDP, as supported through the SPG, is one of the high level strategies which must be prepared and approved for the County, setting out in appropriate land-use terms, the priorities expressed in the Integrated Community Strategy.
- 2.2 In recognising the role of SPG in supporting the Plan and as a means of providing more detailed policy guidance, Appendix 3 of the LDP sets out a series of proposed SPG for preparation during the Plan period through to 2021. These SPG, range from thematic policy guidance through to site-specific Development Briefs. Each of these is accompanied by an indicative date for their publication and represents commitments within the Plan. The preparation of the SPG, are key indicators in the LDP Monitoring Framework and will be subject to reporting to the Welsh Government through the Annual Monitoring Report (AMR).
- 2.3 Whilst not exhaustive, Appendix 3 of the LDP provides a clear statement on SPG preparation whilst recognising the need to review their preparation given the potentially changing requirements emerging from the implementation of the LDP. Further commitments to prospective SPG preparation are contained within the LDP Written Statement responding to specific policy considerations within the document. In this respect this report will where applicable provide an update on their preparation and outline where the requirement for SPG is deemed no longer necessary.

3. Draft SPG

3.1 The following Draft SPG are presented for consideration within this report:

- Placemaking and Design;
- Archaeology and Development;
- Leisure & Open Space Requirements for New Developments;
- Natural Environment and Biodiversity; and,
- Rural Development.

3.2 Copies of the Draft SPG are attached. The appended Draft SPG as set out within this report will be updated and finalised as appropriate to ensure they are up to date and reflective in terms of matters of accuracy as they proceed through the reporting process. The final published SPG will also where appropriate include additional photographs and images to illustrate matters discussed and considered within the respective document.

3.3 Placemaking and Design – This guidance seeks to guide and promote high quality and sustainable design aimed at securing high quality development, which reflect the character, and the requirements of Carmarthenshire. It should be noted that this Draft SPG includes matters in relation to Landscape and Special Landscape Area design as well as Sustainable Drainage Systems (SuDS) and as such fulfils the requirement for their preparation as contained within Appendix 3 of the LDP.

3.4 Archaeology and Development – This Draft SPG seeks to protect the archaeological heritage of the County and its setting by advising how development proposals can best take account of archaeological issues. It also provides detailed information and guidance on the handling of archaeology in the planning process and the Authority's development management requirements and procedures.

3.5 In recognition of Carmarthen Town's special historic significance and high archaeological potential, the guidance provides additional information in relation the procedures and requirements of the planning process in relation to developments within the town.

3.6 Leisure & Open Space Requirements for New Developments – This provides additional clarity in relation to the Council's leisure and open space requirements for new residential developments of 5 or more dwellings. The need to ensure the level of contribution sought from new development through Planning Obligations is considered with guidance on the level and nature of any contribution sought from a development for the provision of leisure and open space, as well as ongoing management requirements. This guidance seeks to ensure that future planning obligations are sought in a manner which accords with the requirements of the Community Infrastructure Levy Regulations 2010. In this respect, it reflects the need for contributions to be based on the need arising from the new development, ensuring that the planning obligation relates to the provision of open space required to make the development acceptable.

3.7 It should be noted that on adopting this Draft SPG, consequential non-substantive factual

amendments will be required to the current adopted SPG on Planning Obligations. Approval for such changes will be sought in subsequent reports.

3.8 Natural Environment and Biodiversity – The Draft SPG recognises the important contribution that planning can make to nature conservation and to maintaining and improving biodiversity. This includes enhancing the international, national and local areas of recognised importance, as well as species and habitats. The development of our urban and rural areas can have a profound effect on nature conservation and biodiversity. These impacts can be significant and lead to the decline of biodiversity. However, development can also have positive impacts through management, restoration and enhancement.

3.9 The aim of the Draft SPG is to ensure that the provisions of national policy and the LDP are delivered at a local level and that developments and planning applications are well placed through the information submitted to be determined in a clear and timely manner reflecting the need to protect and wherever possible enhance the County's natural environment. This guidance will assist developers in identifying the potential for projects and proposals to impact on biodiversity before a planning application is submitted.

3.10 Rural Development – Sets out clear guidance on the interpretation and implementation of LDP planning policies and TAN6 policies in relation to:

- Design Principles for the Conversion, Re-Use and Adaptation of Rural Buildings
- Rural Enterprise Dwellings
- One Planet Wales Developments

3.11 The Draft SPG also incorporates the considerations in respect of LDP policy H5 - Adaptation and Re-use of Rural Buildings for Residential Use, and will on adoption supersede the content of the current SPG - Adaptation and Re-Use of Rural Buildings for Residential Use (Adopted December 2014).

4. Next Steps

4.1 The Draft SPGs will be published for formal public consultation for a proposed six week period, during this time comments will be invited from a range of organisations and members of the public. There is no identified requirement in relation to the length of any consultation in respect of SPG within National Planning Policy and statutory regulations. However, the use of the six week period proposed within this report would ensure that any consultation is consistent in length with the statutory consultation period for an LDP set out within Local Development Plan Regulations.

4.2 The Draft SPG and the representations received will be reported back to a future meeting of Council for consideration prior to their adoption and will be informed by the outcomes of Equalities Impact Assessments.

4.3 In accordance with the requirements of the LDP and in response to emerging issues, further SPG will be prepared and reported in due course. However, it should be noted that the necessity to prepare an SPG in relation to the Nantycaws Waste Management Site has been superseded by the inclusion of details in relation to landfill and residual waste treatment

in the impending Regional Waste Plan. The potential requirements in relation to a SPG for Nantycaws will be monitored and its production reviewed accordingly.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Llinos Quelch

Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

The Draft SPG as an elaboration on the policies and provisions of the Local Development Plan feature in the **Integrated Community Strategy for Carmarthenshire 2012-17**. They, as part of the LDP, are key factors in the delivery of the outcomes, particularly **Supporting Opportunities for the Building of Economically Viable and Sustainable Communities**. Through land use planning policies, the LDP seeks to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable providing access to local services and facilities and reducing the need to travel.

2. Legal

The Local Authority currently secures planning contributions as governed by Section 106 of the Town and Country Planning Act 1990. On the 6th April 2010 the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) came into force in England and Wales which set the parameters within which planning contributions can be sought.

3. Finance

Financial costs (including production of the final SPG, translation, publicity etc) are covered through the financial provisions in place - including reserves. Established provisions are in place in relation to the gathering and apportionment of financial contributions from developer contributions.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Llinos Quelch

Head of Planning

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Local Member(s)

Requirement for SPG established through LDP with consultation as part of preparation. Members will be consulted as part of the SPG's preparatory process.

2. Community / Town Council

Community and Town Councils represent a statutory consultee within the LDP process and will be further consulted as part of the SPG's preparatory process.

3. Relevant Partners

Statutory consultees, the public, interested parties and key agencies and bodies will be consulted as appropriate, with identified partners including Dyfed Archaeological Trust contributing to the preparation of specific draft SPG.

4. Staff Side Representatives and other Organisations

Contributions have been sought and comments received from relevant identified representatives to ensure the draft SPG reflect the specialist and detailed nature of their subject matter.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire Local Development Plan		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/
Adopted Supplementary Planning Guidance		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/supplementary-planning-guidance/