

Cabinet 29 April 2024

Draft Supplementary Planning Guidance (SPG) Revised Carmarthenshire Local Development Plan 2018-2033

Purpose:

- To set out the proposed SPG as contained within the report for approval to undertake formal consultation.
- To outline the process for the preparation and adoption of SPG as part of the documentation in support of the Revised LDP.
- Set out the programme in relation to the preparation of future SPG including those identified as for forthcoming preparation and reporting.

Recommendations / key decisions required:

- That the Draft SPG as set out in this report be approved for publication for formal public consultation.
- Provide officers with delegated authority to update or amend any factual, typographical or grammatical errors.

Reasons:

- To reflect the requirements and commitments set out within the emerging Revised Local Development Plan to prepare Supplementary Planning Guidance.
- To provide additional clarity on specific thematic policy areas to support implementation and provide guidance and elaborate on the policies and provisions of the Revised Local Development Plan at the point of its adoption.

Cabinet Decision Required YES

Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER:- Cllr. Ann Davies - Cabinet Member for Rural Affairs & Planning Policy

Directorate: Place & Infrastructure	Designations: Head of Place and Sustainability	Tel: Email addresses: RDGriffiths@carmarthenshire.gov.uk
Name of Head of Service: Rhodri Griffiths	Forward Planning Manager	IRLlewelyn@carmarthenshire.gov.uk
Report Author: Ian R Llewelyn		

EXECUTIVE SUMMARY

Draft Supplementary Planning Guidance (SPG) Revised Carmarthenshire Local Development Plan 2018 - 2033

1. Background.

This Report follows the publication of the 2nd Deposit Revised Local Development Plan (LDP) for public consultation between the 17th February 2023 and 14th April 2023. The 2nd Deposit Revised LDP sets out a strategy, vision, strategic and specific policies, proposals and development allocations as well as areas where policies have been designed to protect and enhance the environment from inappropriate development.

As part of implementing the content of the Revised LDP, it is often necessary for policies to be supported by supplementary guidance. This guidance is intended to support the interpretation and use of policies and proposals in the Plan. These are produced in the form of Supplementary Planning Guidance (SPG) and can be brought forward at various stages including to coincide with the adoption of the forthcoming Plan. They are required to undergo a formal consultation on their content prior to adoption.

In recognising the role of SPG in supporting the Plan's policies and provisions and as a means of providing additional detailed guidance, Appendix 3 of the Revised LDP identifies a series of proposed SPG for preparation during the Plan period through to 2033. 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 whilst not exhaustive, it does give a clear indication on the forthcoming areas where additional guidance will be produced.

Further commitments to prepare SPG are also contained within the Revised LDP Written Statement responding to specific policy considerations within the document. It is important to note that the timetable for their production is aligned with evolving priorities.

2. Draft SPG

3.1 This report sets out three specific SPG for public consultation, each relating to a specific policy areas within the Revised LDP. Further details on these are set out below with copies of the draft SPG appended to this report.

- **Sites of Importance for Nature Conservation (SINCs):**

Sets out the methodology for the future identification and designation of SINCs across the Plan area. These represent a local environmental designation on sites which offer significant potential as a biodiversity resource. In setting out the methodology, the SPG sets out the parameters against which any site will be designated.

By consulting on the methodology, we are seeking to ensure that the method for any future designations are fully informed, transparent and robust. At present there are no SINCs identified within the plan area, however it is the objective of the Authority to actively explore their designation.

- **Welsh Language;**

This SPG reflects the importance of the Welsh language to Carmarthenshire and seeks to elaborate on the progressive policy approaches and the innovative supporting assessment of a development's impact on the language developed as part of the Revised LDP – including

the recognition of the whole of Carmarthenshire as linguistically sensitive. It recognises the potential positive and negative impacts on the language and that the pressures on the use of the language in Carmarthenshire's communities are influenced by a number of social factors. It sets out the role planning can play including through the determination of individual applications and potential mitigation on safeguarding and promoting the use of the Welsh language.

- **Open Space: Requirements for Integrating Open Spaces within New Residential Developments;**

The SPG sets out the positive role well-designed open space can play as part of development, alongside the wider built environment. When coupled with effective design solutions and sympathetic management, open spaces can play an essential part in contributing towards the health and wellbeing of residents, user, and visitors alike and help create that sense of place and embed the principles of sustainable development.

It sets out the requirements for integrating open spaces within new residential developments providing design criteria and streamlining the process of calculating section 106 contributions, and assisting in decision making. It proposes incorporating requirements for greenspaces and community growing spaces in accordance with the 'Beyond Six Acre Standard'. It has been developed with the support of Play Sufficiency, Ecology, Leisure, Active Travel, and Estates.

Copies of the Draft SPG are appended to this report. It should be noted that the content of the SPG are subject to ongoing development/refinement and will be updated as this report progresses through to Council for consideration

Next Steps

Following Council approval, the draft SPG set out in this report will be subject to a 6-week public consultation which will be undertaken in a manner consistent with the approach set out within the Delivery Agreement for the Revised LDP. Following the consultation, the representations received will, along with any recommended amendments to the SPG, be reported back through the democratic process ahead of Council approval.

It should be noted that the SPG relate to the emerging Revised LDP and not the current adopted Plan. In this respect they will come into force concurrent with the adoption of the emerging Revised LDP, scheduled for November/December 2024.

Future SPG Production

As stated above, the Revised LDP identifies a programme for future SPG preparation – this is appended to this report along with the projected programme for development and is for information only and is subject to change. Based on this programme and to respond to emerging pressures, a further report setting out additional draft SPG will be entering the reporting cycle early 2024. These include:

- Landscape Character Assessment.
- Improvement and Alterations to Historic Buildings

It should be noted the Landscape Character Assessment SPG is being brought forward to reflect the need to provide additional clarity and revised priorities.

DETAILED REPORT ATTACHED?	YES Appendix 1: SPG Programme Draft SPG: Sites of Importance for Nature Conservation Draft SPG: Openspace Draft SPG: Welsh Language
--------------------------------------	--



IMPLICATIONS

ALL IMPLICATIONS REQUIRE SIGN OFF BY THE DIRECTOR OR HEAD OF SERVICE

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: **R Griffiths**

Head of Place and Sustainability

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets	Bio-diversity & Climate Change
YES	YES	YES	NONE	NONE	YES	NONE	YES

1. Policy, Crime & Disorder and Equalities

The Revised LDP and these associated SPG identify and develops the links and requirements necessary to ensure they, and the processes in their preparation are compatible with Carmarthenshire County Council's well-being objectives. It also ensures alignment with the national Well-being Goals set out within the Well-being of Future Generations Act 2015. Through its land use planning policies, the Revised LDP will seek to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable, cohesive and provide access to local services and facilities and reducing the need to travel.

The integration of sustainability as part of the preparation of the LDP, and by extension these SPG, is reflected in the undertaking of a Sustainability Appraisal and Strategic Environmental Assessment reflecting national and international legislative requirements. The formulation of the Revised LDP will closely consider matters of sustainability and will be prepared with the outcomes of the Plan measured in light of the Sustainability Appraisal indicators. This iterative approach ensures sustainability is at the heart of the Plan and that it is reflective of the requirements emanating from the Wellbeing and Future Generations Act 2015 and the Carmarthenshire Well-being Plan.

The LDP and these SPG will have full regard to the national legislative provisions and will relate and have regard to the Carmarthenshire Well-being Plan. They will be assessed against the National and local Well-being Objectives. The Revised LDP will ensure the requirements emanating from the Act are fully and appropriately considered within the Plan, reflective of its duties.

2. Legal

The preparation of the draft SPG and the Revised LDP reflects the provisions of the Planning and Compulsory Purchase Act 2004, the requirements of the Planning (Wales) Act 2015 and secondary legislation in the form of the Local Development Plan (Regulations) Wales (As amended) 2015.

Their preparation also has appropriate regard to other sources of primary and secondary legislation including the Environment (Wales) Act and the Well-being of Future Generations Act 2015. They must also have regard to the provisions of the Habitat Regulations as transposed into the Conservation of Habitats and Species Regulations 2017 (as amended) and our legal duties as competent authority.

Their preparation is in accordance with the 2004 Planning and Compulsory Purchase Act. It is also in line with national regulations and guidance in relation to its scope and content.

Note: The Revised LDP will be required to comply with the provisions of Future Wales: the National Plan 2040 (formerly the National Development Framework) which sets out a high-level spatial strategy for Wales.

3. Finance

Financial costs to date are covered through the financial provisions in place - including growth items and reserves as required. Should the Planning Division Budget not be in a position to provide further funding necessary to meet the statutory requirements to review and prepare a development plan then an application will be made for a further growth bid for future years.

Should the Planning Division Budget not be able to provide further funding necessary to meet the statutory requirements emerging from the specialist input necessary to address the phosphates impacts, then an application will be made for further funding. In addition, we will look to share financial burden of such work with partners and seek financial assistance (where applicable) from the Welsh Government as well as maximising grant income (where available).

The Delivery Agreement, in making reference to such matters, outlines the Council's commitment to prepare and adopt an up-to-date LDP in accordance with the Council's statutory duty.

6. Staffing Implications

Whilst the progression of the Revised LDP will be delivered through current staffing provisions, any delay may require extensions to contracts of those temporary posts in place to support Plan preparation and delivery. Funding would be through current financial provisions and/or future growth items.

Provision will be required for a Programme Officer for the Examination into the LDP (scheduled 2023/24), this accommodated within existing financial provisions.

8. Biodiversity and Climate Change

The report and its provisions have full regard to our duties in relation to the biodiversity and climate change responsibilities. In this regard both the proposed SPG in relation to Sites of Importance for Nature Conservation and that for open space include provisions compatible with our duties under the environment act and as expressed through the declaration of nature emergencies as well as delivering on the nature and biodiversity requirements set out in Planning Policy Wales.

It should be noted that SPG support the implementation and provision of the Revised LDP which has been prepared against the backdrop of legislation and corporate policies.

CONSULTATIONS

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

Signed: R Griffiths

Head of Place and Sustainability

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

1. Scrutiny Committee request for pre-determination	YES
If yes include the following information: -	
Scrutiny Committee	Communities, Homes and Regeneration
Date the report was considered:-	07/03/24
Scrutiny Committee Outcome/Recommendations:-	

2. Local Member(s)

The proposed SPG will be subject to full public consultation. Members will be engaged throughout the Plan making process.

3. Community / Town Council

The proposed SPG will be subject to full public consultation. Town/Community Council(s) are a specific consultee at statutory stages throughout the Plan making process.

4. Relevant Partners

The proposed SPG will be subject to full public consultation. Contributions have been made and will continue to be sought throughout the revision process.

5. Staff Side Representatives and other Organisations

The proposed SPG will be subject to full public consultation. Internal contributions have and will continue to be sought throughout the Plan making process.

**CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE/CONSULTED**

YES

**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
2nd Deposit Revised Local Development Plan		Second Deposit Revised Local Development Plan (gov.wales)
Integrated Sustainability Appraisal and Habitats Regulations Assessment		Integrated Sustainability Appraisal and Habitats Regulations Assessment (gov.wales)
Revised Delivery Agreement		Delivery Agreement (gov.wales)
Local Development Plan 2018 - 2033		Local Development Plan 2018 - 2033 (gov.wales)