

Draft Planning Policy Wales response template: Edition 10

This template is for responding to the elements that relate to the planning system and the Welsh language in the Welsh Government's consultation on Planning Policy Wales. The consultation is open until 18 May 2018.

Possible responses have been provided under the relevant headings of the [consultation document](#).

The aim of the consultation is to ensure that Planning Policy Wales fits in with the seven "well-being goals" contained in the Future Generation of Future (Wales) Act 2015. One of these well-being aims is to create a Wales "where the Welsh language is thriving ". The consultation is an opportunity to ask if the planning system is doing enough to show how the planning system contributes to the creation of Wales "where Welsh is thriving."

The consultation provides an opportunity to present some of the arguments contained in a discussion paper on the local need for housing and the Welsh language in the planning system by Siân Gwenllïan AM.

Placemaking

TAN 20 does not provide enough guidance on how to carry out a linguistic impact assessment as part of a Sustainability Appraisal in the creation of a Local Development Plan. Much more consistent and robust methodology is needed.

In a letter to the Welsh Government in March 2016, the Welsh Language Commissioner stated that "one of the biggest shortcomings in the planning process in Wales at present is the lack of guidance offered to planning authorities on a standard and consistent methodology for conducting planning impact assessments on the Welsh language ".

This compares unfavorably with the more specific guidance and the more significant resources given to assess impacts under other parts of the Sustainability Appraisal (for example, the environmental impact and resources given to Natural Resources Wales to assess this).

At present, Local Development Plans must be reviewed every four years, together with an annual monitoring process. There is a need for clearer guidelines in this area, in order to recognise any changes in relation to the Welsh language within the area concerned during the review or monitoring period. These guidelines should then be reflected in TAN20.

There is a lack of guidance about when and how to introduce "mitigation measures" and measures to promote Welsh in the Local Development Plan, following the assessment of the linguistic impact.

It is not clear when the linguistic impact of individual applications should be considered.

Under the Planning (Wales) Act 2015, authorities have a duty to consider any matter relating to the Welsh language when dealing with individual applications for planning permission, if applicable to the application.

However, TAN 20 states: "Planning applications should not routinely be subject to Welsh language impact assessment, as this would duplicate the Sustainability Assessment and Local Development Plan site selection processes. Provided that the Sustainability Assessment has given due consideration to the Welsh Language, an impact assessment at application stage would not be based on any further information than that which has been presented during the plan preparation stage."

In other words, if there has been a linguistic impact assessment in the preparation of the Local Development Plan, the local authority would have already considered matters relating to the Welsh language in relation to any individual application presented.

The only exception to this "rule", says TAN 20, is that a linguistic impact assessment of planning applications could be carried out when the developments in question are at random sites - that is, sites that have not been designated in the Local Development Plan. Usually, only when these developments are large (over 10 dwellings or 1,000 square meters) authorities are advised to carry out an assessment of the impact of the development on the Welsh language, when that development is in an area that has been defined as linguistically sensitive.

TAN 20 states that one possible strategy in the LDP is to identify areas of "linguistic sensitivity or significance". In doing so, the local authority will "make it clear to communities and developers where the use of the Welsh language may be a consideration".

If an authority is eager to create such an area, it is significant that TAN 20 emphasises that "Any such areas must be made clear on the LDP Proposals Map and their rationale and boundaries must be supported by evidence". It also says that the Census data is not just enough, but this is not explained further.

Planning Policy and TAN 20 need to be amended to:

- Provide strong guidance on how to carry out a linguistic impact assessment as part of a Sustainability Appraisal in creating a Local Development Plan based on a much more consistent and robust methodology.
- Provide greater clarity about Welsh language considerations in monitoring and reviewing the Local Development Plan.
- Provide more guidance on the mitigation measures and measures to promote the Welsh language to be introduced following the assessment of the linguistic impact.
- Reflect the duty under the Planning (Wales) Act 2015, on authorities to consider any matter relating to the Welsh language when dealing with individual applications for planning permission, if relevant to the application.
- Provide much stronger guidance on the definition of areas of linguistic sensitivity, and the factors to be considered in their designation. This should be addressed to the needs of the most Welsh speaking areas in terms of the provision of infrastructure and facilities.

Housing

Local authorities in Wales have no duty to create a register of people wishing to access land to build their own home. There is no need to maintain a register of the plots that are available either. In addition, the Welsh Government has no policy documents or guidelines in this field. To address this:

- Welsh local authorities should be obliged to maintain registers of people wishing to obtain land to build their own homes.
- The Welsh Government should offer guidance on this by providing guidance or policy documents.

Community Facilities

Planning Policy Wales and TAN 20 require much stronger guidance on the definition of areas of linguistic sensitivity, and the factors to be considered in their designation. Guidance is also required on how to meet the needs of Welsh speaking areas in terms of the provision of infrastructure and facilities, for example, schools.