

<b>SUBJECT: MONMOUTHSHIRE ADOPTED LOCAL DEVELOPMENT PLAN DRAFT INFILL DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE</b>
<b>MEETING: INDIVIDUAL CABINET MEMBER</b>
<b>DATE: 27 MARCH 2019</b>
<b>DIVISION/WARDS AFFECTED: ALL</b>

1. **PURPOSE:**

- 1.1 The purpose of this report is to seek Cabinet Member's endorsement of the Draft Infill Development Supplementary Planning Guidance (SPG), with a view to issuing for consultation.

2. **RECOMMENDATIONS:**

- 2.1 To endorse the Draft Infill Development SPG and issue for consultation.

3. **KEY ISSUES:**

Background

- 3.1 The Monmouthshire Local Development Plan (2011-2021) was adopted in February 2014 to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). This statutory development plan contains a number of policies relating to new housing development in the County's settlements which are set out in Appendix A of the Draft SPG (attached as Appendix 1). The Draft SPG provides guidance on proposals for small scale infill development (i.e. fewer than 10 dwellings) within the County's designated settlements as defined under Policies S1, H1, H2 and H3 of the Monmouthshire LDP, namely Main Towns, Severnside Settlements, Rural Secondary Settlements, Main Villages and Minor Villages.
- 3.2 The requirement for this Draft SPG has arisen from the suggestion by Planning Committee that it would be useful to have additional guidance in place to help shape proposals for small scale infill development in the County's settlements.
- 3.3 Selective use of SPG is a means of setting out more detailed thematic or site specific guidance in the way in which the policies of an LDP will be applied in particular circumstances or areas. The Draft Development Plans Manual Edition 3 (Welsh Government, November 2018) notes that:

*'SPG does not form part of the development plan and is not subject to independent examination, but it must be consistent with the plan and with national planning policy. SPG cannot be linked to national policy alone; there must be an LDP policy or policy criterion that provides the development plan 'hook' whilst the reasoned justification provides clarification of the related national policy'.*

- 3.4 The Manual further states that SPG can be a material consideration in the determination of planning applications, provided that it is consistent with the development plan and appropriate consultation has been undertaken:

*'Only the policies in the development plan have special status under section 38(6) of the PCPA 2004 in deciding planning applications, but SPG can be taken into account as a material consideration. SPG that is derived from and is consistent with the development plan and has been the subject of consultation will carry more weight'.*

#### Draft Infill Development SPG

- 3.5 The Draft Infill Development SPG is attached to this report as **Appendix 1**. The SPG is intended to provide certainty and clarity for applicants, officers, Members and communities in the interpretation and implementation of the LDP policy framework in relation to small scale infill development proposals within the settlements identified in Policies S1, H1, H2 and H3 of the Monmouthshire LDP.
- 3.6 The Draft SPG sets out the detailed matters that need to be taken into account when considering proposals for small scale infill development in the County's settlements. Such matters include site context, design, privacy/amenity, access/parking, planting/trees and drainage. Once adopted, the SPG will have a key role in shaping proposals for small scale infill development.

#### Next steps

- 3.7 As referred to in paragraph 3.4 above, for SPG to be given weight in the consideration of planning applications, appropriate consultation needs to be undertaken and any comments received should be taken into account in the Council's decision making process. Following a resolution to consult, targeted notifications will be sent to those considered to have an interest in the SPG topic such as local agents. All town and community councils will also be consulted. The consultation will be publicised via our Twitter account @MCCPlanning and the corporate Monmouthshire Twitter account. All consultation replies will be analysed and responses/amendments reported for Members' consideration when seeking a resolution for the adoption of any SPG document.

### **4. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

- 4.1 Under the Planning Act (2004), the LDP was required to be subject to a Sustainability Appraisal (SA). The role of the SA was to address the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environmental Assessment Directive 2001/42/EC; requiring the 'environmental assessment' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. SPG is expanding and providing guidance on these existing LDP policies, which were prepared within a framework promoting sustainable development.

#### Equality

- 4.2 The LDP was also subjected to an Equality Challenge process and due consideration was given to the issues raised. As with the sustainable development implications considered above, SPG is expanding and providing guidance on these existing LDP policies, which were prepared within this framework.
- 4.3 In addition, a Future Generations Evaluation is attached. This includes Equalities and Sustainability Impact Assessments (attached as **Appendix 2**)

## 5. OPTIONS APPRAISAL

5.1 The options in relation to the Draft SPG are to:

- 1) Endorse the Draft SPG as attached for consultation.
- 2) Endorse the Draft SPG for consultation with amendments.
- 3) Do nothing in relation to the Draft SPG.

## 6. EVALUATION CRITERIA

6.1 Option 1: endorse the Draft SPG as attached for consultation. **This is the preferred option.** The Draft SPG sets out the key issues that need to be taken into account when considering proposals for small scale infill development in the County's settlements, including site context, design, amenity/privacy, access/parking, planting/trees and drainage. It is considered that the SPG will provide guidance and clarity to help shape proposals for small scale infill development in the County, reflecting Planning Committee's requirement for such guidance.

6.2 Option 2: endorse the Draft SPG for consultation with amendments. As noted above, the Draft SPG sets out the key issues that need to be taken into account when considering proposals for small scale infill development in the County's settlements. It is not considered necessary to amend the Draft SPG prior to consultation. Any comments received in response to the consultation on the Draft SPG will be analysed and the document will be amended, as appropriate, prior to reporting back for Members' consideration to seek a resolution to adopt the SPG. This option should therefore be discounted.

6.3 Option 3: do nothing in relation to the Draft SPG. The SPG will provide further guidance and clarity to help shape proposals for small scale infill development in the County in accordance with Planning Committee's request for such guidance. The option of doing nothing would not address Planning Committee's request for this guidance and should, therefore, be discounted.

Recommendation:

6.4 Based on the reasons above, Option 1 (to endorse the Draft SPG as attached for consultation) is the preferred option.

## 7. REASONS

7.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on 27 February 2014 and decisions on planning applications are being taken in accordance with policies and proposals in the LDP. This Draft SPG provides guidance on proposals for small scale infill development within the designated settlements as defined under Policies S1, H1, H2 and H3 of the Monmouthshire LDP i.e. Main Towns, Severnside Settlements, Rural Secondary Settlements, Main Villages and Minor Villages.

## 8. RESOURCE IMPLICATIONS

8.1 Officer time and costs associated with the preparation of SPG documents and carrying out the required consultation exercises. Any costs will be met from the Planning Policy budget and carried out by existing staff.

## 9. **CONSULTEES**

- Development Management Officer Working Group
  - Planning Committee 5<sup>th</sup> March 2019. Members' raised a number of issues in relation to the Draft SPG including:
    - Potential to include more specific reference to the relevant considerations for backland development.
    - Potential to provide further clarity on how 'neighbours' are defined in relation to infill and backland development (i.e. immediate or wider context);
    - Potential to include more specific reference to affordable housing/ SuDS in relation to infill development.
- The comments raised at Planning Committee will be considered and taken into account when finalising the SPG post consultation.
- SLT

## 10. **BACKGROUND PAPERS**

- Monmouthshire Adopted LDP (February 2014)

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