

<p><b>SUBJECT: MONMOUTHSHIRE ADOPTED LOCAL DEVELOPMENT PLAN INFILL DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE</b></p> <p><b>MEETING: PLANNING COMMITTEE</b></p> <p><b>DATE: 5 NOVEMBER 2019</b></p> <p><b>DIVISION/WARDS AFFECTED: ALL</b></p>
---

## 1.0 PURPOSE:

The purpose of this report is:

- 1.1 To advise Planning Committee of the results of the consultation exercise on the Draft Infill Development Supplementary Planning Guidance (SPG), to support the policies set out within the Monmouthshire Local Development Plan (LDP).
- 1.2 To seek Planning Committee's endorsement of the SPG, with a view to it being formally adopted as SPG in connection with the Monmouthshire LDP and to recommend to the Cabinet Member with responsibility for planning matters (Cabinet Member for Innovation, Enterprise and Leisure) accordingly.

## 2.0 RECOMMENDATIONS:

- 2.1 To endorse the Draft Infill Development Supplementary Planning Guidance (SPG), with a view to it being formally adopted as SPG in connection with the Monmouthshire LDP and to recommend to the Cabinet Member for Innovation, Enterprise and Leisure accordingly.

## 3.0 KEY ISSUES:

### Background

- 3.1 Planning Committee endorsed the draft Infill Development SPG on 5 March 2019, with a view to issuing it for consultation purposes. A copy of the Committee Report is attached as **Appendix 1**. Subsequently on 27 March 2019, the Cabinet Member for Innovation, Enterprise and Leisure made the decision to issue the draft SPG for consultation.
- 3.2 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 SPG. The 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.
- 3.3 The requirement for this 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.

3.4 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 Consultation Draft (Welsh Government, July 2019) 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'.*

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

#### Infill Development SPG

3.6 The Infill Development SPG is intended to provide certainty and clarity for applicants, officers and 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.

3.7 The 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, green infrastructure and drainage. Once adopted, the SPG will have a key role in shaping proposals for small scale infill development.

#### Consultation

3.8 The consultation took place for a period of 6 weeks between Thursday 28<sup>th</sup> March and Monday 13<sup>th</sup> May 2019. A total of 448 individual notifications were sent by letter and email to:

- Specific (including Town and Community Councils), General and Other consultees, as identified in the LDP Community Involvement Scheme;
- Residents who were on the LDP consultation data base and had specifically requested to be notified of the SPG;
- Agents/developers who work in the Council area.

Copies of the draft SPG and representations forms were made available in hard copy in the Council's One Stop Shops and libraries, Usk Community HUB and in electric form on the Council's website for the entire consultation period. Publicity was given to the consultation during the consultation period via the Twitter account @MCCPlanning.

3.9 As referred to in paragraph 3.5 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.

- 3.10 Twenty-two responses were received in relation to the consultation and are summarised together with the Council's response, in the Report of Consultation provided as **Appendix 2**. These responses included statements of support and general comments which were not considered to require any changes to the draft SPG. The Report of Consultation also includes the comments made by elected Members at the March 2019 Planning Committee where the draft report was initially considered.
- 3.11 Generally, no significant comments were received and only a small number of minor amendments to the SPG are considered necessary. Comments included providing further clarification in relation to privacy standards and window to window distances, a suggestion for an additional diagram relating to backland development, additional references to links to other related Policies and inclusion of references to other matters such as electric charging points and broadband connections.
- 3.12 In addition, a small number of very minor alterations have been made to the SPG text to improve syntax and flow. These minor alterations have no impact on the policy substance or meaning.
- 3.13 It is considered, therefore, that the document can be formally adopted as SPG to support the Monmouthshire LDP. The revised SPG is attached as **Appendix 3**.

#### **4.0 REASONS**

- 4.1 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 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.

#### **5.0 RESOURCE IMPLICATIONS:**

- 5.1 Officer time and costs associated with the preparation of SPG documents and carrying out the required consultation exercises. Any costs have been met from the Planning Policy and Development Management budget and carried out by existing staff.

#### **6.0 SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

- 6.1 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.

- 6.2 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.
- 6.3 In addition, an updated Future Generations Evaluation is attached as **Appendix 4**. This includes Equalities and Sustainability Impact Assessments.

## **7.0 OPTIONS APPRAISAL**

7.1 Having assessed the consultation responses, the following options were considered:

- 1) Recommend the SPG for adoption without any changes;
- 2) Recommend the SPG for adoption with some changes based on an assessment of the feedback;
- 3) Recommend the SPG for adoption with changes to reflect every response;
- 4) Do not proceed with the SPG.

## **8.0 EVALUATION CRITERIA**

- 8.1 The SPG provides specific guidance on the interpretation/implementation of the LDP policy framework in relation to infill development. The consultation responses have raised a number of valid and constructive points, all of which have been considered and responded to in Appendix 2, Option 1 and Option 3 are not considered appropriate as some changes are necessary. Option 4 is also discounted as doing nothing would not address Planning Committee's request for guidance on infill development within Monmouthshire.
- 8.2 Based on the reasons above, Option 2 is the preferred option, to formally adopt the infill development SPG, as amended, to support the Monmouthshire LDP.

## **9.0 REASONS**

9.1 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 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.

## **10.0 CONSULTEES**

- Development Management Officer Working Group
- Planning Committee
- Cabinet Member for Innovation, Enterprise and Leisure
- SLT
- Public and stakeholder consultation. The comments made are provided at Appendix 2.

## **11.0 BACKGROUND PAPERS**

- Monmouthshire Adopted LDP (February 2014)

## **12.0 AUTHORS:**

Craig O'Connor  
Head of Planning

Rachel Lewis  
Planning Policy Manager

### **13.0 CONTACT DETAILS:**

Tel: 01633 644849  
[craig'oconnor@monmouthshire.gov.uk](mailto:craig'oconnor@monmouthshire.gov.uk)

Tel: 01633 644827  
[rachellewis@monmouthshire.gov.uk](mailto:rachellewis@monmouthshire.gov.uk)

### **APPENDICES**

**Appendix 1: Planning Committee Report 5 March 2019**

**Appendix 2: Report of Consultation Responses**

**Appendix 3: The revised SPG for adoption**

**Appendix 4: Well-being of Future Generations Report**