

**CYNGOR SIR POWYS COUNTY COUNCIL**  
**PORTFOLIO HOLDER DELEGATED DECISION**  
**by**  
**COUNTY COUNCILLOR MARTIN WEALE**  
**(PORTFOLIO HOLDER FOR ECONOMY AND PLANNING)**

**July 2018**

**REPORT AUTHOR: Professional Lead - Planning Policy**

**SUBJECT: Protocol for preparing Supplementary Planning Guidance**

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**REPORT FOR: Decision**

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**1. Summary**

1.1 The Local Development Plan (2011-26) was adopted by Full Council on 17<sup>th</sup> April 2018 and became the operative statutory development plan for Powys (excluding the BBNP). The Plan includes a programme for the preparation of Supplementary Planning Guidance (SPG) on a six monthly rolling basis, with 11 topic based SPG to be completed over a two year period. SPG builds on the policies in the LDP, adding detail and assisting in interpretation, but it does not carry the weight of development plan policies in decision-making. The Planning Policy team have produced a SPG Protocol to aid the preparation and adoption of SPG in a consistent and timely manner.

**2. Proposal**

2.1 This report seeks the Portfolio Holder's approval of the SPG Protocol (Appendix 1) so that it is used by the Council for preparing SPG. It also serves to assist external organisations or parties drawing up robust SPG where a need for other individual SPG is determined and which require Council approval.

2.2 The LDP Working Group considered the Protocol in draft at its meeting on the 9<sup>th</sup> April 2018.

2.3 SPG is important in planning decision making as, once approved, it will carry weight as a material planning consideration. Importantly, the Protocol includes a community involvement scheme for SPG preparation. Only where SPG has been consulted upon, reviewed in the light of comments and formally approved will it carry significant weight in decision making. The Protocol aims to assist the preparation of SPG to ensure it that all guidance is properly consulted upon, informed by relevant stakeholders and given final approval through agreed Council procedures. It provides stakeholders with a

clear, open and transparent procedure on the preparation process and how they can participate.

### **3. Options Considered / Available**

3.1 The Council has the option not to follow a Protocol. SPG has been prepared in the past to support previous development plans without reference to a Protocol. However, the Local Development Plan Delivery Agreement contained a Community Involvement Scheme which referred to SPG preparation. The use of a Protocol provides a simple and effective way of updating and tailoring the Community Involvement Scheme for the purposes of SPG preparation.

### **4. Preferred Choice and Reasons**

4.1 The preferred choice is to approve an SPG Protocol (Appendix 1) because it will provide clear and consistent guidance to stakeholders on SPG preparation and the opportunities for getting involved. The timetable for SPG preparation within the Protocol reflects that set out in the adopted Powys LDP's monitoring framework.

4.2 The preparation and approval of individual SPG will assist applicants and decision makers in the determination of planning application by providing more certainty, and could help speed up decision-making.

### **5. Impact Assessment**

5.1 Is an impact assessment required? No.

### **6. Corporate Improvement Plan**

6.1 The Protocol provides opportunities for engagement, involvement and participation in SPG preparation which are part of Vision 2025's essentials for 'making it happen' The Protocol will support the process of preparing SPGs which in turn will support the Powys LDP which will contribute to many of Vision 2025's priorities such as the development of a vibrant economy, or improving the availability of affordable housing.

### **7. Local Member(s)**

7.1 The SPG Protocol will apply to all areas of Powys with the exception of the area of Powys within the Brecon Beacons National Park i.e. the Powys LDP area.

### **8. Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes/No

Other services will be required to input into the preparation of individual SPG. The Development Management service will be directly responsible for implementing the SPGs prepared in line with the Protocol.

## 9. Communications

Have Communications seen a copy of this report? Yes

## 10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal - Legal support the recommendation for the same reason given below.

10.2 Finance – The Finance Manager Place and Resources notes the contents of the report, the resources required to complete the SPG will be funded from within the current revenue budget of Planning Policy.

## 11. Scrutiny

The LDP Working Group considered the draft Protocol at its meeting on the 9<sup>th</sup> April 2018.

## 12. Statutory Officers

12.1 The Solicitor to the Council (Monitoring Officer) commented as follows: “I note the legal comments and have nothing to add to the report.”

## 13. Members’ Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest, he should declare it, complete the relevant notification for and refer the matter to Cabinet for decision.

Recommendation:	Reason for Recommendation:
To approve the Protocol for the preparation of Supplementary Planning Guidance 2018 (Appendix 1).	To enable the preparation of Supplementary Planning Guidance, in support of the Powys LDP, in a consistent manner.

Relevant Policy (ies):	Powys LDP, 2018		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	All
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Person(s) To Implement Decision:	Peter Morris
Date By When Decision To Be Implemented:	1 <sup>st</sup> July 2018

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**Background Papers used to prepare Report:  
Powys LDP and the LDP Delivery Agreement.**