

CYNGOR SIR POWYS COUNTY COUNCIL.

**CABINET EXECUTIVE
21st of January 2020**

REPORT AUTHOR: County Councillor James Evans
Portfolio Holder for Economic Development, Housing
and Regulatory Services

REPORT TITLE: Supplementary Planning Guidance – Conservation
Areas, Residential Design

REPORT FOR: Decision

1. Purpose

1.1 To approve:

(a) Supplementary Planning Guidance (SPG) prepared in support of the Powys Local Development Plan (LDP) for:

- Conservation Areas.
- Residential Design.

(b) The updated SPG Consultation Statement.

2. Background

2.1 The LDP was adopted by Powys County Council on 17th April 2018 and on adoption immediately became operative as the statutory development plan for Powys (excluding the BBNP). The LDP includes a programme for the preparation of eleven topic based SPG to be completed over the two year period up to April 2020. SPG builds on the policies in the LDP, adding detail and assisting in interpretation.

2.2 Appended to this report for Cabinet's consideration and approval are the third set of SPG included in the LDP's programme:

- Conservation Areas (Appendix 1).
- Residential Design (Appendix 2) including accompanying Town Character Appraisal (Appendix 2B).

2.3 In order to prepare SPG in a consistent, clear and transparent manner, an SPG protocol was prepared and approved in June 2018. Each of the SPG has been prepared in accordance with the SPG protocol including involvement and engagement with stakeholders. This follows the procedure set out within the Community Involvement Scheme in the SPG protocol.

Welsh Government's LDP Manual stresses the importance of engagement and involvement and that without it SPG would carry little or no weight.

2.4 Following consideration by the LDP Working Group, the draft SPGs were published for a six week period of public consultation from 9th August to 20th September 2019. Comments received for each have been collated and summarised as issues in the updated SPG Consultation Statement (Appendix 3).

2.5 The LDP Working Group considered the issues raised during the period of public consultation and draft Council responses to these at its meeting on the 9th October 2019. At the meeting, it was agreed that it would be useful to produce easy reference documents summarising the key messages of the SPG. It is intended for the summaries (see Appendix 1A and Appendix 2A) to be published alongside the SPG. Officers will also consider investigating the production of informal residential design guidance notes to accompany the Residential Design SPG. The intention is to produce these guidance notes after the SPG is adopted.

2.6 It should be noted that the Residential Design SPG is accompanied by a separate document containing Town Character Appraisals for 12 towns within the Powys LDP area (Appendix 2B), which identify the special characteristics of each townscape.

2.7 In line with the Council's constitution, the Cabinet is responsible for considering and approving the SPG. On approval they will become material planning considerations that will be afforded weight in decision-making for planning applications and at appeal.

3. Advice

3.1 There is a commitment to prepare SPGs in the LDP. The content of each SPG is however a matter for consideration, although each of the SPGs appended has been informed by engagement and public consultation and with input from the LDP Working Group.

3.2 It is proposed for Cabinet to approve the SPGs and updated SPG Consultation Statement in order to meet the commitment and programme of SPG preparation set out in Appendix 2 of the LDP.

4. Resource Implications

4.1 Other services have been involved in the preparation of the SPGs so have had a direct input into the content of each. This involvement is explained in the relevant sections of the Consultation Statement. In particular, the Development Management service will be directly responsible for implementing the SPGs and has been engaged in the preparation of each SPG.

4.2 All required work required to compile and keep the Supplementary Planning Guidance up to date is carried out by staff within the Planning Policy team which is funded by the current revenue budget of the service.

4.3 The Head of Finance (Section 151 Officer) is content that the costs associated with the proposal can be accommodated within the service budget.

4.4 The report is of public interest and requires communication action to publicise the recommendation/decision.

5. Legal implications

5.1 This report presents a further two SPGs and updated SPG Consultation Statement as programmed in the LDP that are considered appropriate for adoption.

5.2 The Legal (Principal Solicitor (Shire)) notes that these two SPG's represent further important material considerations in the determination of planning applications in Powys and are supported by Legal Services.

5.3 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Comment from local member(s)

6.1 The SPG will apply to all areas of Powys with the exception of the area of Powys within the Brecon Beacons National Park.

6.2 The LDP Working Group has been involved in the preparation of the SPGs and in considering how the Council should respond and amend the SPGs in light of the comments received from the period of public consultation.

6.3 Local Members have been informed of the public consultation on the SPGs and have, therefore, had the opportunity to respond.

6.4 Councillor Stephen Hayes, local member for Montgomery, responded to the public consultation on the Conservation Areas SPG, in particular raising issues around the proportionality of the process for character appraisal. The comments received are summarised and responded to in the updated Consultation Statement. Amendments were made to the Conservation Areas SPG in response to these comments.

7. Integrated Impact Assessment

7.1 The SPGs interpret and clarify the implementation of policies in the LDP and, as a consequence, impact assessments for each are not necessary. The policies in the LDP were subject to an Impact Assessment.

8. Recommendation

8.1 To approve:

(a) Supplementary Planning Guidance for:

1. Conservation Areas, January 2020 (Appendix 1)
2. Residential Design, January 2020 (Appendix 2) including accompanying Town Character Appraisal (Appendix 2B)

(b) The Supplementary Planning Guidance Consultation Statement, January 2020 (Appendix 3).

Reason: To meet the commitment and programme for Supplementary Planning Guidance preparation in the adopted Powys LDP.

Contact Officer: Dr Adrian Humpage
Tel: 01597 827774
Email: adrian.humpage@powys.gov.uk

Head of Service: Gwilym Davies

Corporate Director: Nigel Brinn