

Planning Policy Wales

Technical Advice Note 20: Planning and the Welsh language

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This document consists of two sections – Part A and Part B. Part A provides supplementary policy advice to the policies contained in Chapter 4 of Planning Policy Wales. Part B provides non-prescriptive guidance to Local Planning Authorities specifically on *how* they can ensure the Welsh language is given appropriate consideration in the planning system.

Part A – Policy Advice

1. Introduction

1.1 Background

1.1.1 This Technical Advice Note (TAN) should be read in conjunction with Planning Policy Wales (PPW), which sets out the land use planning policies of the Welsh Government. PPW, TANs and Circulars should be taken into account by planning authorities in the preparation of development plans and in determining planning applications.

1.1.2 PPW sets out the Welsh Government’s land use planning policies, while TAN 2: Planning and Affordable Housing, TAN 6: Planning for Sustainable Rural Communities and TAN 23: Economic Development provide detailed planning advice that should be read alongside TAN 20.

1.2 Cancellation

Technical Advice Note (Wales) 20 “Planning and the Welsh Language” (October 2013) will be cancelled subject to the approval of this version following consultation. The supplementary document Technical Advice Note 20: Practice Guidance (June 2014) will also be cancelled.

1.3 Purpose of the TAN

The purpose of this TAN is to provide guidance on how to give consideration to the use of the Welsh language through the planning system and comply with the requirements of planning and other relevant legislation.

1.4 Planning context

1.4.1 The planning system in Wales is development plan-led, with adopted plans providing a firm basis for rational and consistent decisions on applications for planning permission and appeals. Every local planning authority (LPA) must prepare a Local Development Plan (LDP) for its area, while the Planning (Wales) Act 2015 enables Strategic Development Plans (SDPs) to be prepared on a cross-boundary, regional basis. It also makes provisions for Welsh Ministers to produce a National Development Framework (NDF), which will provide a spatial expression to Welsh Government policies across Wales. Adopted LDPs, SDPs and the NDF have development plan status.

1.4.2 LDPs should be prepared in accordance with the Planning (Wales) Act 2015; the Planning and Compulsory Purchase Act 2004; the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005; Planning Policy Wales, specifically Chapter 2 on development plans; and the Local Development Plan Manual (2015).

1.4.3 LDPs should be focused on local issues and objectives, informed by local strategies and an evidence base. One of the issues that will need to be considered when preparing a LDP is how the strategy and policies are likely to impact on use of the Welsh language and the sustainability of communities.

1.4.4 Section 62 of the Planning and Compulsory Purchase Act 2004ⁱ (PCPA) requires an authority to carry out a sustainability appraisal (SA) of the LDP and to prepare a report of the findings of the appraisal. The purpose of a SA is to assess the social, economic and environmental effects of the LDP strategy and policies from the outset of the process.

1.4.5 Section 62 PCPA requires the SA to include an assessment of the likely effects of the plan on the use of the Welsh language in the area. Section 61 PCPA requires LPAs to keep evidence of the extent to which the Welsh language is used in the area up-to-date. Part A, paragraphs 2.3 - 2.7 provide detailed advice as to how the SA should be used to assess the potential impact of the strategy, policies and allocations contained in the LDP on the Welsh language.

1.4.6 The PCPA enables the creation of new Strategic Development Plans (SDPs) to cover regions comprising a number of local authorities. Once the legislation comes into force, SDPs would be prepared by Strategic Planning Panels, who must undertake a SA of the plan, including an assessment of its likely effects on the use of the Welsh language.

1.4.7 The Welsh Ministers are responsible for the preparation of a National Development Framework (NDF). The NDF will be subject to a SA and include an assessment of its likely effects on the use of the Welsh language.

1.4.8 Section 70 of the Town and Country Planning Act 1990ⁱⁱ (TCPA) makes it clear that where it is material to the application, considerations relating to the use of the Welsh language may be taken into account when determining applications for planning permission. This provision does not give any additional weight to the Welsh language above any other material consideration.

1.5 The Well-being of Future Generations (Wales) Act 2015

1.5.1 The Well-being of Future Generations (Wales) Act 2015 seeks to improve the social, economic, environmental and cultural well-being of Wales. It contains seven well-being goals which certain public bodies (including local authorities and National Park authorities) must seek to achieve in order to improve well-being both now and in the future. One of the well-being goals is:

A Wales of vibrant culture and thriving Welsh language

1.5.2 This well-being goal will be achieved through “a society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation”ⁱⁱⁱ.

1.5.3 LPAs must have regard for well-being when preparing a LDP. The vision and objectives of LDPs should be consistent with national well-being goals and with local well-being objectives and priorities. The policies of a LDP should assist the authority to achieve greater well-being and to deliver sustainable development locally, including ensuring a thriving Welsh language.

1.6 Legislative framework

1.6.1 The planning system operates within the provisions of town and country planning legislation and other domestic and European legislation. In relation to the Welsh language and planning, the Equality Act 2010 and the Human Rights Act 1998 will be relevant and decision makers should be mindful of the wider legal requirements.

1.6.2 The Welsh Language (Wales) Measure 2011 made provisions for the official status of the Welsh language in Wales and created a new legislative framework for the Welsh language. The Measure introduced Welsh Language Standards, which specify how the language should be used by public organisations in service delivery, operations and policy making.

1.6.3 It is a statutory requirement for the Welsh Ministers to adopt a strategy setting out how they propose to promote and facilitate the use of the Welsh language^{iv} (section 78 of the Government of Wales Act 2006 refers). The Welsh Ministers must publish an annual report which explains how the proposals outlined in the strategy were implemented during that financial year. This TAN supports that vision and provides guidance in relation to land use planning.

1.7 The Welsh language

1.7.1 The Welsh language is part of the social and cultural fabric of Wales. It is spoken by 19% of the population^v, and many others have some knowledge of the language or are in the process of learning it. There are substantial variations between the proportions of Welsh speakers in different communities, ranging from less than 8% in Blaenau Gwent to more than 85% in some parts of Gwynedd.

1.7.2 It is estimated that between 1,200 and 2,200 fluent Welsh speakers move out of Wales each year^{vi}. One of the aims of the Welsh Government is to reverse this trend; the creation of jobs to sustain communities and the local economy is a key priority.

1.7.3 The future of the language across Wales will depend on a wide range of factors, particularly education, demographic change, community activities and a sound economic base to maintain thriving sustainable communities. The land use planning system can contribute to the future well being of the Welsh language, by establishing the conditions to allow sustainable communities to thrive.

2. Local Development Plans and the Welsh Language

2.1 Why the Welsh language is considered during the preparation of Local Development Plans

2.1.1. It is a statutory requirement for all LPAs in Wales to prepare a LDP for their area^{vii}.

2.1.2 LPAs are required to consider the relationship of the LDP strategy, policies and site allocations with social and community needs and opportunities through a SA. Consideration of the likely effects of the LDP on the Welsh language is a mandatory element of the SA.

2.1.3 The Welsh Government is committed to a plan-led system, where decisions on planning applications and appeals are made in accordance with an adopted LDP, unless outweighed by other material considerations^{viii}. An up-to-date, adopted LDP, based on sound evidence, enables planning decisions to be made in a consistent, rational and transparent way.

2.1.4 The consideration of important issues affecting communities, the economy and the environment should take place during the preparation and subsequent reviews of LDPs to ensure they are integral in every planning decision.

2.1.5 When producing LDPs it is possible to assess the potential cumulative effects of development on the Welsh language across the plan area. This provides an opportunity to consider effects on local communities and the broader plan area together. Furthermore, one of the key benefits of a plan-led system is to give certainty and confidence to developers and to communities; the best way of doing this is to consider the use of the Welsh language during the preparation of LDPs.

2.2 Delivery agreement: Community Involvement Scheme

At the outset of LDP preparation local planning authorities are required to prepare a Community Involvement Scheme (CIS). The CIS should set out the methods that will be used to enable people to contribute to the process of preparing LDPs. The approach taken by local planning authorities to their CIS will vary. Some authorities will have a high percentage of Welsh speakers, whilst in others Welsh speakers would be in the minority and therefore different involvement and engagement strategies may be required. Local authorities may prepare equality assessments which may also influence the CIS approach. The CIS provides an opportunity to seek community views on the interaction between the Welsh language, culture and LDP policies and proposals. The CIS of all LPAs should comply with the applicable Welsh Language Standards.

2.3 Sustainability Appraisals

2.3.1 The LDP should give consideration to the use of the Welsh language so far as it is relevant to the use of land. The mechanism for doing so is the SA that takes place during plan preparation. Where relevant to the use of land, the SA should include an assessment of evidence of the impacts of the spatial strategy, policies and allocations on the use of the Welsh language. Where evidence indicates a detrimental impact on the use of the Welsh language or other objectives the LPA will need to assess whether the strategy should be amended or mitigation measures should be identified in the LDP.

2.3.2 Part B of this document provides detailed practical guidance on how Welsh language considerations can be incorporated into the SA.

2.4 Evidence base – vision and objectives

2.4.1 LDPs must include a vision and land use objectives based on relevant local priorities and the evidence base. The requirement for LDPs to be ‘sound’ means that they must be informed by robust evidence. It is expected that information on the use of the Welsh language will already exist within an authority, in particular information on the number of Welsh speakers obtained from the Census; records on the numbers of children receiving Welsh medium education; records of the demand for Welsh medium education; and the number of Welsh learners.

2.4.2 LPAs should work with key stakeholders and partners to consider the adequacy of the existing available information relating to the Welsh language. They should also consider whether any additional assessments are necessary, which may include local surveys or joint work with neighbouring authorities. This information should inform the SA of the plan and decisions on strategic development options; the methodology adopted should be based on robust evidence.

2.5 Strategic options and preferred strategy (pre–deposit)

2.5.1 This stage of plan preparation provides an opportunity for communities and stakeholders to influence the preferred long term development and land use strategy and suggest modifications or alternatives, providing they meet the LDP’s objectives, are compatible with its vision and are based on robust evidence. The SA accompanying the preferred strategy should include the recording of the results of the appraisal work undertaken thus far, including predicting and evaluating the effects of the LDP options on social, environmental, economic and cultural objectives.

2.5.2 LDP strategic approaches to support the language might include:

- positive promotion of local culture and heritage;

- planning the amount and the spatial distribution of new development and infrastructure, particularly where this would help to support community sustainability;
- phasing of strategic housing and employment developments; and
- directing strategic sites to communities where the evidence suggests that the likely impact on the use of the Welsh language is positive or, if the evidence suggests the likely impact to be negative, those impacts can be mitigated.

2.5.3 At this stage the LPA should be able to make available the site assessment criteria that have been used to identify any strategic sites and will be used to identify non strategic sites in the deposit LDP. Site assessment criteria should include the potential impact on Welsh language. The SA report should give details of the strategic assessment of sites on any site register. Where feasible it should identify those sites that perform well against the SA framework and could contribute to the preferred strategy and those that do not, including recommending relevant changes to the plan.

2.6 Deposit plan considerations and preparation

2.6.1 The deposit plan is the plan that the local planning authority considers to be sound. The information supporting the plan should be sufficient to explain and justify the contents of the plan.

2.6.2 The LPA should build on earlier LDP preparation and ensure the plan strategy, policies and land allocations in the deposit LDP reflect the findings of the SA and have regard to the likely effects of the plan on the use of the Welsh language. All LDPs should include a short reasoned justification of the regard had by the LPA to social, economic, environmental and cultural considerations, including the use of the Welsh language, and how any policies relating to the Welsh language interact with other plan policies. Further evidence on how this has been achieved should be provided in the SA report and a short explanation as to how the SA has influenced the final LDP.

2.6.3 The distribution of economic growth can affect the social character and sustainability of communities. Policies to ensure that there is a sufficient level and range of economic opportunities, including sites and premises, to support and develop local communities could also benefit the Welsh language. Further advice on how the planning system can support sustainable communities by providing an appropriate mix of housing and employment opportunities is provided in PPW and national planning guidance^{ix}.

2.6.4 LDP policies should not seek to introduce any element of discrimination between individuals on the basis of their linguistic ability. Planning policies must not seek to control housing occupancy on linguistic grounds.

2.7 Defined areas

2.7.1 LPAs may define areas within its LDP where the Welsh language is considered to be of particular sensitivity or significance. Any such areas must be shown on the LDP Proposals Map and their rationale and boundaries must be supported by evidence.

2.7.2 Defining such areas will enable the LPA to make it clear to communities and developers where the use of the Welsh language may be a consideration when determining large unanticipated windfall applications^x. It will also signal the areas where the LPA may outline a need for mitigation measures to make the impacts of development on the Welsh language acceptable.

2.7.3 The characteristics of these areas are likely to vary from one plan area to another. LPAs should not rely solely on Census data when assessing whether there is a rationale for identifying areas for this purpose in the LDP. The LPA should use varied data sources^{xi} to determine if it should define any areas. LPAs are not required to define such areas but it is expected that all LPAs will assess the evidence and consider whether it is appropriate to define such areas in their LDP.

2.8 Mitigation

LPAs should identify preferred mitigation measures at an early stage of plan-making, to reduce or eliminate the potential negative impacts of development. Potentially appropriate measures include phasing policies that complement the LDP's overall delivery trajectory, providing adequate affordable housing, allocating sites for 100% affordable housing for local needs, and the provision of employment opportunities and social infrastructure to sustain local communities^{xii}.

2.9 Community Infrastructure Levy and section 106 obligations

2.9.1 To ensure that mitigation measures are applied, the Community Infrastructure Levy or section 106 agreements may need to be used. The provision of infrastructure that supports the use of the Welsh language may be included on a Community Infrastructure Levy charging schedule in accordance with all applicable legislation, including the provisions of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010.

2.9.2 The LDP could include measures and mechanisms to support the use of the Welsh language where it is relevant to the use of land, through s.106 obligations.

2.10 Monitoring and reviewing the plan

2.10.1 LPAs are required to submit an Annual Monitoring Report (AMR) to the Welsh Government every year (31 October) following adoption of the LDP, which identifies the extent to which the land use objectives set out in the plan are being achieved. The AMR will assess the relevance and success of the LDP, monitor the performance of the LDP strategy and policies and it should identify if changes should

be made to the plan. A monitoring framework contained in the LDP should identify the key challenges and reasons for revising and adjusting LDP policies.

2.10.2 Where the LDP contains policies relating to the Welsh language appropriate indicators should be identified in the monitoring framework. These could also include indicators in relation to the mitigation measures in the plan. Where LDP objectives complement those in other strategies, monitoring should highlight common targets and indicators.

2.10.3 LPAs with an adopted LDP must consider re-visiting their approach to the Welsh Language at the 4-year review stage, if supported by evidence.

2.11 Welsh Language Commissioner

2.11.1 The Welsh Language Commissioner has a responsibility for promoting and facilitating use of the Welsh language. The Commissioner is a consultee on LDPs, with the specific role of considering from an early stage the impact of LDP proposals and policies on the Welsh language.

2.11.2 LPAs may seek the support of the Commissioner in the gathering and assessment of evidence at pre-deposit stage and for the purposes of annual monitoring. The Commissioner can also provide assistance and support to LPAs in the process of defining areas of language sensitivity or significance.

3. Development Management

3.1 Determination of planning applications and appeals

3.1.1 LPAs must determine planning applications in accordance with the relevant adopted development plan unless material considerations indicate otherwise. Planning decisions should be concerned with the use of land rather than the identity or personal characteristics of the user.

3.1.2 In determining individual planning applications and appeals, considerations relating to the use of the Welsh language may be taken into account. Section 70 TCPA does not give any additional weight to the Welsh language above any other material consideration and decisions on all applications for planning permission must be based on planning grounds only and be reasonable. Adopted development plan policies are planning grounds, including those which have taken the needs and interests of the Welsh language into account.

3.1.3 Planning applications should not be subject to Welsh language impact assessment, as this would duplicate the SA and LDP site selection processes. An impact assessment at application stage would not be based on any further information than is available at the LDP preparation stage, making an assessment burdensome and unhelpful. The only exception to this is outlined below in paragraph 3.3.

3.2 Windfall sites

3.2.1 All LPAs will have assessed the implications of the LDP strategy, policies and allocations on the Welsh language. As LDPs include an allowance for non-allocated sites (windfall sites) for various types of development, planning applications on non-allocated sites should not be subject to a further Welsh language impact assessment.

3.2.2 The precise location and scale of individual windfall developments may not be known at the plan-making stage, but it is expected that LPAs consider the scale of their contribution and whether the level of anticipated windfall developments could affect use of the Welsh language in certain areas. The broad scale of windfall development and its effect on the Welsh language should be subject to scrutiny through the same SA processes as LDP policies and site allocations.

3.2.3 The LDP may include a requirement for a phasing plan on allocated housing sites in areas where evidence suggests that developments of a certain scale may otherwise, without mitigation, have a negative effect on the Welsh language. In those areas, it may be reasonable to expect similar mitigation measures on windfall developments. These requirements can be made clear either in the LDP or in relevant SPG. In those areas where evidence suggests allocated sites will not adversely affect the Welsh language a windfall site should be treated similarly.

3.3 Applications for departures from the development plan

3.3.1 Some windfall sites are unanticipated at the time the LDP is prepared and examined, and proposals to develop such sites should be assessed against the strategy and policies of an adopted LDP, and with regard to relevant national planning policies. In the plan-led system this is likely to be a rare situation - for instance the redevelopment of a large out-of-town brownfield site. These circumstances are the only situations in which a language impact assessment may be appropriate.

3.3.2 If a large windfall residential development is proposed in an area defined in a LDP as being of particular sensitivity or significance (see paragraph 2.8 above) the LPA may wish to undertake its own language impact assessment, to assess whether the proposal complies with its policies. Large residential development would normally be defined as 10 or more dwellings, but LPAs may set their own definition for this purpose, based on evidence.

3.4 Welsh language impact assessments

3.4.1 The LPA is responsible for undertaking any assessment and for determining its form. The LPA may consult with stakeholders including the Welsh Language Commissioner when undertaking an assessment.

3.4.2 Evidence from the language impact assessment may inform whether such proposals should be approved or rejected, and whether measures to mitigate the impacts of the development on the use of the Welsh language should be applied.

3.5 Mitigation

3.5.1 Mitigation measures can reduce or eliminate potential adverse impacts of development on the Welsh language. Circumstances in which the LPA expect mitigation measures to be applied should be identified in the LDP, while further matters of detail may be set out in SPG. These should provide the developer and decision maker with information relating to appropriate mitigating measures for the type and location of development.

3.5.2 Mitigation measures will be applied to the permission either through conditions attached to a planning permission^{xiii} or through section 106 obligations^{xiv}. All section 106 obligations in relation to mitigating the impacts on the Welsh language which are considered necessary to make the development acceptable in planning terms and which are directly related to the development are required to comply with regulations^{xv}.

4. Signs and Advertisements

4.1.1 Signs can have a strong visible impact on the character of an area, including its linguistic character. They are also one method of promoting the distinctive culture of Wales, which is of significance both to the identity of individual communities as well as the tourism industry. Policies in LDPs relating to signage and advertising that are subject to planning control may promote the provision of bilingual signs.

4.1.2 Detailed advice on signs and advertising, to encourage and assist bilingual provision, could be set out in SPG. Encouragement may also be given to using traditional Welsh names for new developments and streets.

Part B - Practice Guidance

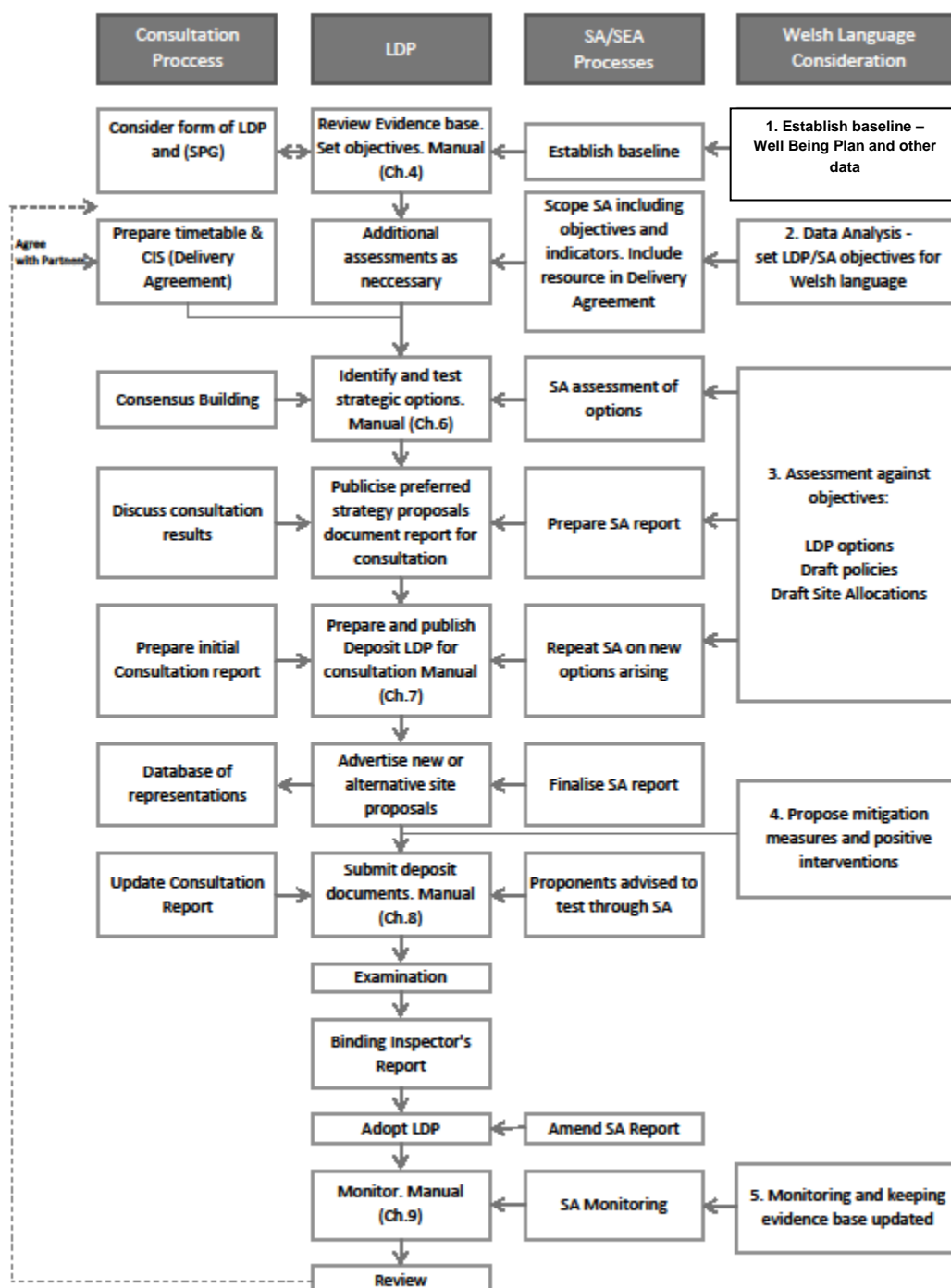
Purpose of this section

- I. This section may assist LPAs with the consideration of Welsh language issues during the preparation, monitoring and review of LDPs. This section is not prescriptive and is intended to provide suggestions of how the Welsh language could be considered during the production of LDPs, in accordance with national planning policy.
- II. LPAs are best placed to make decisions affecting their area and their approach should continue to respect and reflect local trends and characteristics. This section contains guidance for LPAs on how Welsh language considerations could be incorporated into the SA of a LDP. The SA is an ongoing process that begins at the outset of preparing an LDP and continues when monitoring and reviewing the Plan. It will also be relevant to LPAs seeking to identify areas where the Welsh language is sensitive or significant in their LDPs.
- III. This section provides an indicative list of relevant data that could form a baseline of evidence on the Welsh language in a plan area. LPAs should analyse and consider the implications of data and develop appropriate, measurable objectives and policies.

Local Development Plan preparation

- IV. This section outlines step-by-step how and when consideration of the Welsh language might be embedded by LPAs in the process of preparing a LDP.
- V. For illustrative purposes, an amended version of Figure 2.1: *Main Stages of the LDP preparation process* originally contained in the LDP Manual is included below as a possible model, indicating where consideration of impacts on the Welsh language fits into the broader plan-making process.

Amended – Main stages of the LDP preparation process^{xvi}



N.B Plan preparation, SA and consultation should be undertaken in an integrated manner.

Step 1 - Establish the baseline

1.1 The baseline will be a compilation of relevant statements, policies and data relating to the use of the Welsh language in the Plan area. The Assessment of

Local Well-being and the Local Well-being Plan can be key sources of information.

Local Well-being Plan

- 1.2 Public Services Boards will prepare Local Well-being Plans which will contain local objectives for the area that are designed to maximise the contribution of the Board to achieving the national well-being goals. In preparing a LDP the LPA must have regard to the Local Well-being Plan, for example by addressing how objectives that relate to land-use and development will be delivered in the area.
- 1.3 When preparing a LDP and undertaking the SA, LPAs should try to make use of existing data wherever possible. For example the Assessment of Local Well-being that the Public Services Boards will produce will provide an overview of the state of economic, social, environmental and cultural well-being in the area. Potential sources of additional data and evidence are listed below.

Gathering data

- 1.4 LPAs are expected to gather a range of evidence to support the LDP strategy, policies and site allocations. It may be helpful and appropriate to undertake joint working with neighbouring authorities at this stage. Useful sources for data on the use of the Welsh language may include:
 - Other departments within the local authority, e.g. Education, Social Services, Leisure
 - Office for National Statistics
 - Welsh Language Commissioner
 - StatsWales
 - Primary evidence e.g. residents' surveys, focus groups etc.
- 1.5 The following evidence may be relevant indicators of the use of the Welsh language in communities in the Plan area:

Census data

- The number of Welsh speakers and percentage of population that speak Welsh at plan area, community, electoral division and ward levels. Are there spatial concentrations where the language is particularly widely spoken?
- How does the most recent data compare with 2001, 1991 etc? Are the numbers of Welsh speakers increasing, decreasing or staying the same? Where are the greatest levels of change occurring?
- Do migration patterns affect the area's linguistic character?
- Does the age profile of Welsh speakers raise any issues?

Local strategies and initiatives

- What are the authority's stated aims and objectives for the language in its Well-being Plan, Welsh language action plans and strategies?
- Are the authority's strategies consistent with its Welsh language action plan?
- What are the priorities and action areas of the local *Menter Iaith*?

Education provision

- How many children, and what proportion of all children, receive Welsh-medium education?
- Is the demand for Welsh-medium education fully met? How do English-medium and Welsh-medium schools compare in terms of surplus places?
- What percentage of children educated through the medium of Welsh at primary stage move into Welsh-medium secondary education?
- Where is the demand for Welsh-medium education based? Where are the Welsh medium schools? How do these compare with proposed housing developments?^{xvii}
- What are the local education authority's intentions with regard to new school provision or rationalisation?
- How many people are enrolled on Welsh for Adults courses?

Economic factors:

- How many people are estimated to use Welsh in their workplace?
- What are the opportunities to use the language in the workplace? Is it used always, frequently, occasionally etc?
- What is the current and anticipated employment situation? Is unemployment a particular problem for any specific section of society?
- Is there a concentration of Welsh speakers in certain employment sectors?
- Are any major employment initiatives and/or construction projects expected during the plan period?

Community facilities

- What activities and societies are available through the medium of Welsh?
- Are there Welsh medium local media outlets, e.g. radio stations, newspapers?
- Where are the community facilities which offer opportunities for people to converse in Welsh? Are they in accessible, sustainable locations? What is the future planned provision of such facilities?

Step 2 - Analysing the data: set objectives for the Welsh language

- 2.1 Once data has been gathered it will be necessary to analyse it and consider how and to what extent land use affects the use of the Welsh language and

how this may be reflected in the LDP. It will also be necessary to consider whether the language is an issue of equal significance across the plan area, or whether it would be more appropriate to consider specific areas within the plan area. GIS can be a useful tool to identify whether the language is a plan area-wide issue or not, by mapping those elements of the evidence base that have a spatial dimension. This exercise could help LPAs determine whether there are areas of linguistic sensitivity or significance in the plan area.

- 2.2 A key task at this stage is for the authority to determine what it wants the LDP to achieve for the Welsh language. It should be borne in mind that the tools available to deliver this are LDP policies, relating to the use and development of land as specified in town and country planning legislation.
- 2.3 The LPA's approach is likely to be influenced by some or all of the following factors:
 - Is Welsh the majority, or a significant, language to certain groups within communities in the plan area?
 - Is Welsh generally growing or declining?
 - Migration patterns and the age profile of those moving out of, and into, the area. What demands does this place on services and infrastructure?
- 2.4 LPAs might also consider what policies and provisions for the Welsh language were included in previous development plans in the area:
 - Were objectives achieved?
 - Were policies used and were they used appropriately?
 - What lessons have been learnt from previous plans that can inform the LDP approach?

Step 3 – Assessment of LDP Options, Policies, Site Allocations and Welsh language SA objectives

- 3.1 The LDP objective(s) concerning the Welsh language, set at Step 2 above, is expected to be part of a broad set of objectives that the LDP is designed to achieve. The SA will normally consist of an assessment against specific sustainability objectives, which should include the Welsh language. Various aspects of the LDP will be assessed against these sustainability objectives as it takes shape, including the options, draft policies and draft site allocations. This assessment would usually take the form of a scoring matrix, where likely impacts of the proposals are scored on a scale (e.g. +, 0, ?, -), and supplemented by a commentary explaining the rationale for the score.
- 3.2 It is expected that LPAs will amend and improve their options, policies and allocations as a result of outcomes of the SA process.

LDP Options

- 3.3 The preferred strategy of the LDP will derive from a series of strategic options. These options will set out potential levels of growth and key locations for growth. LPAs should identify how each option is expected to impact on the use of the Welsh language. Details on how to assess options through SA can be found in section 6.3 of the LDP Manual

Draft LDP policies

- 3.4 The assessment of policies is likely to be a gradual process, spread across LDP preparation. Draft policies relating to the LDP strategy will be contained in the Preferred Strategy, whilst detailed policies will emerge during preparation of the Deposit Plan. All policies should be assessed against SA objectives, with any changes made as a result of the assessment logged in the SA report.

- 3.5 Key policy matters to be assessed may include:

- Housing
 - the scale and location of growth.
 - the type, tenure and size of proposed new homes.
 - affordable housing policies and targets.
 - phasing policy
 - windfall housing developments.
- Employment land
 - the scale and location of the provision.
 - provision for local businesses, SMEs and large-scale inward investment schemes
- Community facilities and education infrastructure
 - the location of proposed facilities and proximity to residential areas
- Planning obligations
 - the use of s.106 agreements and/or the Community Infrastructure Levy (CIL) charging schedule for the delivery of infrastructure that supports the Welsh language
- Signage
 - encouragement for Welsh language signage, which can lead to developing Welsh as a visible feature in an area.

- 3.6 This is not intended as an exhaustive or exclusive list. LPAs may feel that other policies could have potential effects on the Welsh language.

Draft site allocations

- 3.7 The SA of options and policies will have led to levels of anticipated growth that are appropriate and reasonably balanced between the social, economic, environmental and cultural priorities and considerations for the Plan area - including the Welsh language. To deliver the LDP growth aspirations the authority must allocate land for particular land uses, including housing, employment, retail and community facilities.
- 3.8 Welsh language considerations may be relevant to the LPA's site selection process. For instance, it may be more appropriate and sustainable in some areas to meet housing need through one large housing allocation, supplemented by a phasing scheme; in others however, a number of smaller sites spread across a number of settlements might be preferable. The size and tenure of dwellings may also affect whether a development has a positive or negative effect on the language. Similarly, the LPA's approach to site allocations should be consistent with their strategy for educational infrastructure and community facilities.
- 3.9 Maintaining and enhancing use of the Welsh language requires the provision of appropriate employment and community facilities. The LDP can play an important role either by protecting existing facilities or by allocating land for the development of new facilities.

Step 4 - Mitigation measures

- 4.1 Following the assessment of the LDP strategy, policies and site allocations against SA objectives, it should become apparent if, and where, specific measures are required to mitigate effects on the use of the Welsh language. Part A contains guidance on potential mitigation measures at section 3.5.
- 4.2 Measures to mitigate adverse impacts, and actions to promote positive impacts, should be identified at the development plan making stage:
- By outlining possible mitigation requirements during the plan-making process, the developer will be informed of the implications of those measures when it comes to preparing a planning application. This allows fully costed proposals to be submitted with the consequence that the need to make amendments is significantly reduced. This also benefits the LPA which must determine the application and deal with amendments to schemes.
 - From the community's point of view, it means they should not be presented with planning proposals that inadequately address language issues and which can sometimes result in campaigns to significantly change or refuse planning applications. More constructive and positive community involvement can be gained at the plan making stage, reducing potential conflict at the planning application stage.

- 4.3 Mitigation measures should be set out in the Deposit Plan, and matters of detail may also be included in SPG. This could include site specific development briefs.

Step 5 - Monitoring the LDP and keeping evidence up to date

- 5.1 Guidance on monitoring and reviewing LDPs is contained in Part A paragraph 2.10, and will be of particular relevance to those LPAs with an adopted LDP.
- 5.2 Following the adoption of a LDP, it is important that the LPA implements its monitoring framework, to assess whether the policies are used appropriately and are contributing to the delivery of the LDP strategy.
- 5.3 It is important that LPAs have a 5-year housing land supply in place. The requirement to maintain a 5-year supply of readily developable housing land in each LPA across Wales remains a key planning policy requirement of the Welsh Government^{xviii}. There is a need, therefore, to ensure that sites allocated in areas where the Welsh language has been identified as being important are deliverable and contribute to the land supply.
- 5.4 The LPA should also keep its evidence base up to date, in order to evaluate whether the LDP is having an effect on the objectives. This might require conducting studies or research occasionally to update information. An accurate evidence base will also be valuable for the production of AMRs and for the periodic reviews of the LDP.

Abbreviations

AMR	Annual Monitoring Report
CIL	Community Infrastructure Levy
GIS	Geographic Information System
LDP	Local Development Plan
LPA	Local Planning Authority
NDF	National Development Framework
PCPA	Planning and Compulsory Purchase Act 2004
PPW	Planning Policy Wales
PSB	Public Service Board
SA	Sustainability Appraisal
SDP	Strategic Development Plan
SME	Small and Medium sized Enterprises
SPG	Supplementary Planning Guidance
TAN	Technical Advice Note
TCPA	Town and Country Planning Act 1990

References

- ⁱ As amended by [Section 11 of the Planning \(Wales\) Act 2015](#)
- ⁱⁱ As amended by [Section 31 of the Planning \(Wales\) Act 2015](#)
- ⁱⁱⁱ [The Well-being of Future Generation \(Wales\) Act 2015](#)
- ^{iv} [A living language: a language for living - Welsh Language Strategy 2012 – 2017](#)
- ^v According to the [2011 Census](#), Welsh is spoken by 562,000 people (19% of the population) over the age of 3 in Wales.
- ^{vi} Source: Welsh Government estimate in [A living language: a language for living - Welsh Language Strategy 2012 – 2017](#)
- ^{vii} [Section 62 Planning and Compulsory Purchase Act 2004](#)
- ^{viii} [Section 38\(6\) Planning and Compulsory Purchase Act 2004](#)
- ^{ix} [Planning Policy Wales](#): Chapter 7 - Economic Development and Chapter 9 - Housing; [TAN 2 Planning and Affordable Housing](#), [TAN 6 Planning for Sustainable Rural Communities](#), [TAN 23 Economic Development](#).
- ^x See Part A, paragraph 3.3
- ^{xi} See Part B, paragraph 1.4 for examples of potential sources
- ^{xii} Further detail on mitigation is included at Part A, paragraph 3.5 and in Part B, step 4
- ^{xiii} See [Welsh Government Circular 016/2014: The Use of Planning Conditions in Development Management](#)
- ^{xiv} See [Welsh Office Circular 13/97 Planning Obligations](#) and part 11 of the [Community Infrastructure Levy Regulations 2010](#)

^{xv} Specifically, Regulation 123 of the [Community Infrastructure Levy Regulations 2010](#)

^{xvi} Source: Figure 2.1 - [LDP Manual – Edition 2, Welsh Government, August 2015](#)

^{xvii} Local authorities will be aware of [The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education \(Wales\) Regulations 2013](#)

^{xviii} See [Technical Advice Note 1: Joint Housing Land Availability Studies, 2015](#)