

## **Adopted Powys Local Development Plan 2011-2026**

### **Supplementary Planning Guidance (SPG) Public Consultation**

#### **Frequently Asked Questions**

##### **1. What is Supplementary Planning Guidance (SPG)?**

An adopted Local Development Plan (LDP) contains the planning policies that are used in decision-making on applications concerning the development and use of land within a Local Planning Authority area. The Powys LDP was adopted in April 2018.

Whilst a LDP contains policies and proposals which form the basis for decision-making on planning applications, it avoids excessive detail. Supplementary Planning Guidance (SPG) assists in the understanding, interpretation and application of certain LDP policies in making planning decisions. It helps ensure that certain policies and proposals are better understood and applied effectively.

SPG must be clearly linked to policies in the LDP and must be consistent with the LDP and with national planning policy. SPG only contains guidance and advice and should not, for example, set out new policies or extra criteria for decision making to those contained within the LDP itself. It provides advice and guidance to planning officers, developers and site owners.

##### **2. What is the status of SPG?**

SPG does not have the same status or “weight” as adopted LDP policies. Policies in the LDP are conferred weight by Section 38(6) of the Planning & Compulsory Purchase Act 2004 which states:

“Planning applications must be determined in accordance with the adopted plan unless material considerations indicate otherwise.”

SPG supports the policies in the plan but is not considered to be part of the adopted plan. It is therefore taken into account in decision making as a material consideration. A material consideration is a matter that should be taken into account in deciding a planning application or an appeal against a planning decision. The weight attached to material considerations in reaching a decision is a matter of judgement for the decision-maker.

For SPG to carry substantial weight in decision making, including in cases where a Planning Inspector is determining a planning appeal, the SPG must “derive from and be consistent with the development plan and have been the subject of consultation” (Planning Policy Wales ed.9) and be formally approved or adopted by the Council.

### **3. Why is the Council producing SPG?**

SPG is being produced to provide further detail on certain policies and proposals contained within the adopted Powys LDP. Appendix 2 of the Plan includes an agreed programme for the production of a range of SPG. The Council is producing SPG in line with this agreed programme to ensure that the adopted LDP is as effective as possible in managing the development of land to facilitate sustainable development.

### **4. Where can I view the draft SPG?**

The draft SPG can be viewed on the Powys LDP website at:

<http://www.powys.gov.uk/en/planning-building-control/local-development-plan/>

It is also available at all Powys public libraries and the four main council offices – County Hall and The Gwalia in Llandrindod Wells, Neuadd Brycheiniog in Brecon and Neuadd Maldwyn in Welshpool.

### **5. How can I comment on the draft SPG?**

The Council has prepared consultation draft SPG which is available for public consultation. A standard representation form is available for completing and submitting your comments which can be found at this link on our website:

<http://www.powys.gov.uk/en/planning-building-control/local-development-plan/>

Completing the representation form is our preferred method for you to comment; the form can be downloaded and returned to us by email to [LDP@powys.gov.uk](mailto:LDP@powys.gov.uk) or, you can print it out and return it by mail to: The LDP Team (SPG), The Gwalia, Ithon Rd, Llandrindod Wells, LD1 6AA.

Copies of the forms are also available at all Powys public libraries or at the four main Council offices as listed in Q.4.

Alternatively, you can comment by letter to the same address above.

### **6. How long is the public consultation and when does it take place?**

The public consultation is for six weeks. It commences on Wednesday 11<sup>th</sup> July 2018 and ends at 5.00pm Tuesday 21<sup>st</sup> August 2018. Comments received after this time will be disregarded.

### **7. What happens after the public consultation?**

Officers will review the comments received from the public consultation stage and revise or amend the Consultation Draft as considered appropriate.

A Final SPG will be produced together with a Consultation Statement to summarise details of the consultation stage, explaining the comments received and detailing any changes made as a result of the consultation process. The Council will approve and adopt the final SPG after which it will be published on our website and become a material consideration in the making of planning decisions.

The Council has produced a Protocol which outlines how it will prepare the SPG including details on what happens after the public consultation which is available at:

<http://www.powys.gov.uk/en/planning-building-control/local-development-plan/>

#### **8. Will there be a public examination into the SPG?**

No. Preparation of SPG is not a statutory requirement and there is no statutory preparation process that the Council must follow. The Council has produced a Protocol which outlines how it will prepare the SPG including details on the stages of preparation and how interested parties will be involved which is available at:

<http://www.powys.gov.uk/en/planning-building-control/local-development-plan/>