



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

# **Study of local planning policies and the Welsh language**

September 2013

## Background

In response to the recent discussions on revising Technical Advice Note 20, the Welsh Language Commissioner decided to conduct a study on local planning policies and the Welsh language. The aim of the study was to assess to what degree the Welsh language is considered under the current planning system.

The study was conducted in two stages. Firstly, the Commissioner wrote to the 25 local planning authorities in Wales during June 2013 asking three questions:

- did they have supplementary planning guidance on the Welsh language;
- had they assessed the impact of their local or unitary development plan, on the Welsh language; and
- had they assessed the impact of individual applications on the Welsh language.

By the end of September, 23 of the 25 authorities had responded.<sup>1</sup>

Further to this and as a second step, during August and September 2013, consideration was given to the policies on the Welsh language included in the development plans of the 25 authorities.

A summary of the findings is given below.

## Policies on the Welsh Language in local or unitary development plans

A study of planning authorities' current and proposed development plans showed that 14 of the 25 planning authorities had included policies on the Welsh language in their plans. This included 11 county councils and three National Parks.

There was a geographic pattern to the authorities that had included policies on the Welsh language. Every authority in north Wales and mid Wales had developed a policy as had the authorities in south-west Wales<sup>2</sup>, except for Swansea.

Some of the authorities that had not included policies on the Welsh language in their development plans, such as Bridgend and Torfaen, said that they had considered the Welsh language but had concluded that the use of Welsh in their communities was low and that planning and development policies weren't likely to have any further impact on the usage.

<sup>1</sup> The only authorities to fail to provide information were Flintshire county council and Blaenau Gwent council.

<sup>2</sup> i.e. Pembrokeshire county council; Pembrokeshire Coast national park authority; and Neath Port Talbot council.

The policies that did exist on the Welsh language varied significantly. That variation can be explained to some degree by the fact that some authorities continue to implement a unitary development plan whilst others have moved on to adopt a local development plan. Despite this, there were also significant variations in the policies on the Welsh language in local development plans.

For example, **Development Policy 18 of Snowdonia national park authority's Local Development Plan** gave detailed instructions. It clearly stated the following: 'Refusing development which, due to its size, scale or its location, would cause significant harm to the character and language balance of a community'. It provided further instruction on the type of assessment that applicants would be required to submit under different circumstances, including a 'Community and Linguistic Statement' to be submitted with the planning application for a smaller development, and 'A more detailed assessment in the form of a "Community and Linguistic Impact Assessment"' to be submitted with a planning application where developments are of a larger scale. The policy also defined the different levels of development.

**Policy GDP1 of Wrexham Council's Unitary Development Plan** was less detailed and stated that every new development should 'have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity'. But it also defined those areas where the Welsh language was considered part of the social fabric.<sup>3</sup>

The policies of some authorities such as Wrexham (above) and Powys, name the areas where the Welsh language was considered part of the social fabric, but others such as Pembrokeshire county council, Pembrokeshire Coast national park authority and Brecon Beacons national park authority set a threshold for defining where the Welsh language was part of the social fabric. Pembrokeshire county council considered communities with 25% or more Welsh speakers as part of the definition, whereas for Pembrokeshire coast national park authority and Brecon Beacons national park authority, the threshold was 30%.<sup>4</sup>

Some authorities such as Neath Port Talbot gave guidance on the headings of linguistic impact assessments in the policy itself referring also to the supplementary planning guidance on the Welsh language that would give further advice to developers.

<sup>3</sup> The term 'social fabric' derives from Technical Advice Note 20 (2000). Beneath the headline 'Unitary Development Plans', planning authorities were required to consider whether they had areas where the use of the Welsh language was part of the social fabric.

<sup>4</sup> The document Planning and the Welsh Language: The way ahead published by a consortia of organisations in 2005 proposes 20% as a threshold. Some planning authorities have used and developed the methodology proposed in the document in preparing their planning policies on the Welsh language.

Other authorities included policies in their development plans on wider issues regarding the Welsh language. For example, some authorities included a policy on encouraging bilingual signs in line with the guidance in Technical Advice Note 20 and others included statements on development and street names in Welsh.

In general, the assessment of policies outlined significant variation and inconsistency in the way that the Welsh language is treated in different areas. Although some local variation is expected, it is possible that the inconsistency reflects a lack of clarity in the national policy regarding the Welsh language.

## **Supplementary planning guidance on the Welsh language**

Some policies on the Welsh language included in development plans refer to supplementary guidance. This guidance contains further information on how and when to conduct a linguistic impact assessment. Of the 23 responses received to the Commissioner's letter, five authorities responded to say that they had supplementary guidance in place on the Welsh language<sup>5</sup> and four others responded to say that they were in the process of drafting guidance.

Of the 14 Authorities that had developed a policy on the Welsh language in their development plan (see the previous section), four had stated that they didn't have supplementary planning guidance on the Welsh language and one other hadn't contributed towards the study.

## **Impact assessments of development plans on the Welsh Language**

The authorities were asked whether they had assessed the impact of their development plans on the Welsh language since publishing Technical Advice Note 20 in 2000. During that time, two main systems have been adopted, the first being the unitary development plans and more recently, the local development plans, that are gradually replacing the unitary plans.

It became clear that not much consideration was given to the Welsh language overall, during the process of preparing unitary development plans. Only 2 authorities reported with certainty that an assessment of the Welsh language was conducted. The situation with

<sup>5</sup> Anglesey; Gwynedd; Wrexham and Neath Port Talbot councils and Snowdonia national park authority.

local development plans was more positive with six authorities reporting that they had assessed the impact on the Welsh language and three others reporting that an assessment was planned as part of the process of preparing a Development Plan. Despite this, the evidence suggests that there is variation in the way the assessments are carried out.

Another six authorities reported that they had conducted a basic assessment of the Welsh language as part of another arrangement, such as a sustainability assessment or environmental impact assessment. Finally, six authorities reported that they hadn't assessed the impact of their development plan on the Welsh language. This conclusion raises doubts about the degree to which Planning Policy Wales and Technical Advice Note 20 (2000) were considered by these authorities as they prepared their development plans. The findings also raise questions about the role of the Planning Inspectorate responsible for inspecting development plans and ensuring that they are consistent with national policy before they are adopted.

## **Impact assessments of individual planning applications on the Welsh language**

The authorities were asked whether they had assessed the impact of individual planning applications on the Welsh language since publishing Technical Advice Note 20. They were also asked to give an indication of how many assessments were conducted.

The information received varied from concise answers explaining whether or not any assessments were conducted, to detailed answers that included copies of assessments. Eight authorities reported that they had conducted assessments. Of those only three reported that they had conducted more than one or two assessments, with one other authority admitting that it didn't keep information on the number of assessments. Although the evidence was incomplete, it seemed as though there had been a small increase in the number of assessments conducted in recent years.

The number of authorities requesting a linguistic impact assessment from applicants was lower than the number that had included policies on the Welsh language in their development plans. This can be explained to a degree, due to the fact that some of the policies are relatively new, but it raises the question as to what degree policies on the Welsh language in development plans are implemented by some authorities.

## The study's main findings

1. The Welsh language isn't considered consistently under the current planning system.
2. Not every planning authority has considered the Welsh language in preparing its development plan. This suggests that not every authority has complied with Planning Policy Wales<sup>6</sup> and Technical Advice Note 20 (2000).
3. There is variation and inconsistency in the content and detail of policies on the Welsh language in development plans and because of this, the procedure in terms of how and when to conduct a linguistic impact assessment differs. That suggests a lack of clarity in the national policy.
4. There is variation and inconsistency in the supplementary issues on the Welsh language considered in development plans. Some plans include policies on bilingual signs and others include policies on the name of developments. Once again, that suggests a lack of clarity in the national policy.
5. Although over half of the planning authorities had included a policy on the Welsh language in their development plans and even though good practice does exist, the policies are limited and superficial in some cases. Furthermore, not every authority has published supplementary planning guidance to give further guidance on the policy.
6. The number of linguistic impact assessments conducted on individual planning applications is small in the majority of authorities. This suggests that the policies are not being implemented fully in some areas.

<sup>6</sup> Section 4.13 of Planning Policy Wales explains the expectations for considering the Welsh language.