****

**Summary of an Inquiry Report of the:**

**Environmental Scrutiny Committee**

**SUPPLEMENTARY PLANNING GUIDANCE - SUMMARY**

**October 2022**

 **Cardiff Council**

# CONTENTS

[CONTENTS 2](#_Toc118105476)

[FOREWORD 3](#_Toc118105477)

[TERMS OF REFERENCE 4](#_Toc118105478)

[APPROACH TAKEN 5](#_Toc118105479)

[HEADLINE FINDINGS 6](#_Toc118105480)

[KEY FINDINGS 8](#_Toc118105481)

[Local Development Plan 8](#_Toc118105482)

[***Scope of LDP*** 8](#_Toc118105483)

[***Language in LDP*** 8](#_Toc118105484)

[***Evidence in LDP*** 8](#_Toc118105485)

[***Exceptions in LDP*** 9](#_Toc118105486)

[***LDP Preparation*** 9](#_Toc118105487)

[***Updating LDP – responding to emergencies*** 9](#_Toc118105488)

[Supplementary Planning Guidance 10](#_Toc118105489)

[***Status and Weight of SPG*** 10](#_Toc118105490)

[***Scope of SPG*** 10](#_Toc118105491)

[***Style of SPG*** 11](#_Toc118105492)

[***Exceptional circumstances in SPG*** 11](#_Toc118105493)

[***Strong SPG*** 12](#_Toc118105494)

[***Identifying SPG*** 13](#_Toc118105495)

[***Consultation on SPG*** 13](#_Toc118105496)

[***Ensuring SPG are Accessible*** 14](#_Toc118105497)

[***Good Practice SPG*** 14](#_Toc118105498)

[Other 15](#_Toc118105499)

[***Other planning tools*** 15](#_Toc118105500)

[***Annual Monitoring Report (AMR)*** 16](#_Toc118105501)

[***Regional Strategic Development Plans (SDP)*** 16](#_Toc118105502)

[***Role of Council*** 16](#_Toc118105503)

[RECOMMENDATIONS 18](#_Toc118105504)

[Environmental Scrutiny Committee Membership 21](#_Toc118105505)

# FOREWORD

*The Replacement Local Development Plan process includes a review of existing Supplementary Planning Guidance (SPG) and looks to see if new SPG is needed. It struck Members that now would be an ideal time to examine when and how to use SPG and, critically, how to strengthen SPG.*

*In addition, Members are aware that some other local authorities in Wales have reviewed their Local Development Plan policies and SPGs, resulting in a greater success rate at planning appeals; we were interested to understand how they had achieved this.*

*We also wanted to hear from key stakeholders and local organisations that have a keen interest in planning, to understand their perspective and to benefit from their knowledge.*

*I want to place on record our thanks to all those who attended our Inquiry and/ or submitted evidence, sharing good practice from elsewhere and their own thoughts and expertise. We have used this evidence to identify our findings and formulate our recommendations, which aim to strengthen future LDP policies and SPG.*

*My thanks to Councillor Lancaster who has been on the task group throughout and to previous Councillors Ramesh Patel and Emma Sandrey, both of whom contributed significantly to the evidence – gathering phase of this Inquiry.*

  A person wearing glasses and a suit

Description automatically generated with medium confidence 

**Cllr Wong** Cllr Lancaster Cllr Patel Cllr Sandrey

**Chair – SPG Inquiry** *(Previous Chair of Inquiry)*

**October 2022**

# TERMS OF REFERENCE

1. **To explore planning policy in Wales to understand when to use Supplementary Planning Guidance by**:
   * Examining the relationship between the Replacement Local Development Plan, Supplementary Planning Guidance (SPG), and other planning policy tools, such as Technical Guidance Notes and Planning Advice Notes.
   * Understanding which planning policy tool is most appropriate to use when.
   * Investigating when SPG can be used to inform adopted LDP policies, and the timescales involved
   * Considering the “weight” to be afforded to SPG against adopted LDP policies.
2. **To explore planning policy in Wales to understand how to use Supplementary Planning Guidance by**:
   * Considering what is needed in the Replacement Local Development Plan to ensure it contains the policy ‘hooks’ required to enable SPG to pass Planning Inspectorate Wales tests
   * Considering whether new SPG’s fall into the following three categories:

* Design Guidance
* Area Briefs/Masterplans
* Development Management Policy notes
  + Researching useful good practice examples in Wales and in England where these are capable of being replicated in Cardiff, including how these were successfully implemented and used.
  + Identifying any areas of Welsh planning system that prevent use of good practice English SPG.

# APPROACH TAKEN

1. Members undertook this Inquiry between March – September 2022.
2. Members invited Cllr De’Ath, Cabinet Member – Transport and Strategic Planning, and planning officers to a meeting, and received evidence from the following internal stakeholders who contributed to the Inquiry:
   * Simon Gilbert – Head of Planning
   * Stuart Williams – Group Leader – Policy, Planning.
3. Members also received evidence from the following external stakeholders:
   * Cardiff Civic Society
     1. Nerys Lloyd-Pierce - *Chair*
     2. Julia Barrell – *Vice Chair*
     3. Lyn Eynon
   * Cardiff Future Wellbeing Alliance
     1. Clare James
     2. Terry Price
   * Cardiff University – Dr Neil Harris – *Senior Lecturer, Planning*
   * Design Commission for Wales
     1. Carole-Anne Davies – *Chief Executive*
     2. Jen Heal -
   * Planning Environment Decisions Wales
     1. Victoria Robinson – *Chief Planning Inspector*
     2. Tony Thickett – *Deputy Chief Planning Inspector*
   * Planning Officers Society Wales
     1. Tom Evans *(Vice-Chair)*
4. The Planning Environment Decisions Wales witnesses – Victoria Robinson and Tony Thickett – emphasised that the views they expressed were their own and not those of Welsh Government.
5. Scrutiny Services emailed a variety of other external stakeholders, including developers and other professionals working in development and their representative bodies, offering them the opportunity to contribute to the Inquiry. Members were particularly keen to understand their perspectives. However, no responses were received from these contacts.
6. To inform the Inquiry, Members were provided with information detailing the policy context, and good practice examples of other local authorities Supplementary Planning Guidance.
7. The evidence has been used to identify suitable findings from the Inquiry.

# HEADLINE FINDINGS

1. Planning in Wales is plan-led, with local authorities required to adopt a local development plan (LDP). Crucially, planning legislation confers special status to development plan policy but not to Supplementary Planning Guidance (SPG). SPG therefore does not have the same status in law as a LDP but is a material consideration and can be afforded significant weight when considering development proposals.
2. The “Development Plan” including the National Plan and LDP are the primary bases upon which planning decisions are made. Therefore, it is important that the LDP contains evidence-based, precisely written policies, detailing the Council’s specific requirements on areas that are important to the Council for shaping developments, the rationale for these, and the criteria where the Council will make an exception and not apply the policy. The strength of the LDP in encompassing these contribute significantly to whether Planning Inspectorate Wales support planning decisions on appeal.
3. SPG supplements policy in the LDP – it cannot be used to make or amend policy but only to provide further technical guidance to support existing LDP policy. The LDP has to cover a large amount of policy areas and so cannot provide all the detailed technical information needed to implement LDP policies. SPG can be used to help guide decision makers and developers on how to achieve the objectives of the LDP policy. For SPG to be effective, there needs to be an effective LDP and the SPG needs to be both strong and strongly linked to the LDP.
4. To be effective, the LDP must conform to national planning policy (including the National Plan, Planning Policy Wales, Technical Advice Notes and other circulars and statutory instruments), be evidence-based, have policies that set out clearly what the Council wants to achieve and the scale and type of development, be precisely worded with detailed definitions, contain thresholds, numbers, percentages, targets and measures as relevant, set out the impact seeking to avoid and consequences if not avoided, and detail exceptional circumstances. These specifics and evidence will be subject to examination by the Planning Environment Decisions Wales inspectorate as part of the LDP examination. Once the LDP policies are adopted, they will carry the weight of the LDP and enable planning decisions, which have to be made in accordance with adopted development plan policies.
5. For SPG to be strong, it must state which LDP policy and paragraph it is supplementing and that it is a material consideration. It should use positive, precise language and phraseology, be as concise as possible whilst remaining fit for purpose, evidence and explain how thresholds, numbers, percentages, targets, and measures are calculated, evidence and explain how the impact seeking to avoid is measured and how the consequences of not avoiding impact, the harms arising, are measured, and provide details on exceptional circumstances and how these are worked out and applied. In addition, Councils must take SPG through the approved process, including consultation, and should formally approve SPG at a meeting of full Council. Cardiff Council planning officers highlighted that the ‘weight’ to be applied to SPG can vary depending on its relevance to the issue, the amount of consultation undertaken, the level of governance in approving the guidance and other planning factors.
6. It cannot be stressed enough how important it is to have appropriate hooks and strong linkages between the LDP and SPG. This can be achieved by having a clear policy in the LDP for those areas where the Council knows it wants to have an SPG, by stating upfront and clearly in the SPG which LDP policy the SPG supplements, and by using positive language in the SPG, such as the SPG is a material consideration.
7. This Inquiry heard from the Planning and Environment Decision Wales witnesses that the Planning system is not designed for absolute ‘*thou shalt not ever*’ policies – it is designed to enable shades of grey so decision makers can take into account the different factors that affect a particular development.

# KEY FINDINGS

Local Development Plan

***Scope of LDP***

1. LDPs must have regard to national planning policy and take an evidence-based policy approach to address local issues. In Cardiff, the LDP will need to contain policies to cover the breadth and complexity of Cardiff’s planning landscape, ranging from urban areas, river corridors and woodland areas to post-industrial landscapes.
2. Cardiff Council needs to think carefully about what it seeks to achieve and how best to reach this, so that LDP policies are clear and do not cause unintended harms. It needs to make careful decisions on which policy areas to include in the LDP, including whether new policies are needed, for example a tall buildings policy.
3. This Inquiry heard that it is important LDP policies embed tackling the climate change and biodiversity crises and enable the achievement of Cardiff being a Carbon Neutral City by 2030.

***Language in LDP***

1. This Inquiry heard that it is important the language used in LDP policies is precise, with proper definitions, specified targets and measures. General statements and vague wording must be avoided. Whilst the LDP is meant to be a fairly slim document, it must contain enough detail for policies and SPG to stick, without becoming too lengthy and unwieldy.

***Evidence in LDP***

1. LDP policy must be evidence based – it is essential the Council has evidence to support policy requirements, such as thresholds, numbers, and percentages, and evidence of the harms the policy is seeking to avoid and the impact that will result if these harms are not avoided.

***Exceptions in LDP***

1. It is important for LDP policy to set out exceptional circumstances/ criteria where the local planning authority may depart from the principles of the policy, where this is in the over-riding interest. This gives decision makers clarity and flexibility in specific circumstances.

***LDP Preparation***

1. The LDP preparation process is set out in legislation and includes the need to involve local stakeholders and local populations. Producing an LDP is expected to take 3-4 years and is agreed with the Welsh Government through the preparation of a ‘Delivery Agreement’.
2. The LDP preparation process includes examination by the Planning Environment Decisions Wales inspectorate. Their examination tests whether there has been sufficient consultation and whether there is a robust evidence base for policies.
3. This Inquiry heard that Planning Inspectors are encouraged to say, during the examination stage, if a policy needs tightening to achieve the LDP’s stated aims.

***Updating LDP – responding to emergencies***

1. The Inquiry heard concerns that the LDP process does not allow for rapid response to emerging challenges, such as the biodiversity, nature and climate emergencies and the Covid-19 pandemic.
2. Members believe that, as the replacement LDP Vision includes ensuring Cardiff is carbon-neutral by 2030, the replacement LDP will need to embed tackling the climate change, nature, and biodiversity crises. However, Members recognise the challenges posed by the need to respond appropriately and quickly to as yet unknown crises. Members believe the short-term review process, set out below, provides a mechanism to address this.
3. Local authorities can carry out a short-term review if they find that a policy is not delivering as intended. These reviews take close to 2 years to complete and require the Planning Environment Decisions Wales inspectorate to schedule inspector time to look at the review.
4. Witnesses from the Planning Environment Decisions Wales inspectorate commented that, as Cardiff is underway with its replacement LDP, it is not worthwhile carrying out a short-term review currently, unless something is felt to be a major issue.

Supplementary Planning Guidance

***Status and Weight of SPG***

1. Supplementary Planning Guidance (SPG) derives from LDP policy, which provides the substantive intended policy, the ‘hook.’ SPG does not have the same status as the LDP in law due to the way the legislation has been drafted. SPG is a material consideration but is not enforceable.
2. The English planning system enables Supplementary Planning Documents (SPD) to be taken as part of the Local Plan document and thus be part of the statutory process and examined. This gives these SPD added weight. There is no similar provision in Wales.
3. During his evidence to the Inquiry, Dr Harris, Cardiff University, raised the possibility that, in the absence of a similar system to England, an independent review of SPG may add weight to SPG. This approach has not been tested or substantiated in Wales.

***Scope of SPG***

1. SPG helps guide decision makers and developers on how they might achieve the aim of the LDP policy, how the policy is going to be interpreted, and how to implement LDP policy. They provide technical guidance, design parameters and minimum/ maximum standards, for example for parking, floorspace etc., and can be site specific masterplans, area-based guidance, design guidance or development management policy notes. SPG should set out the mechanism by which thresholds, numbers and percentages are calculated, and provide detail on harm(s) seeking to avoid and the impact if these harms are not avoided, and exceptional circumstances. SPG can only provide additional advice and guidance and cannot contain the criteria for deciding planning applications upfront.
2. Whilst SPG derives from LDP policy, this Inquiry heard that SPG needs to be kept relevant, within the bounds of the LDP policy, for example by:
3. updating SPG to reflect changes in the legislative, policy and local government landscape
4. ensuring SPG are future-proofed and address the Climate and Nature emergencies
5. introducing new SPG as needed, such as for tall buildings and conservation of historic buildings.

***Style of SPG***

1. This Inquiry heard that SPG should be as concise as possible whilst remaining fit for purpose. They should use positive, precise language and:
2. Cite LDP policy and paragraph upfront
3. State SPG is a material consideration
4. Be clear and unambiguous re what the Council is expecting
5. Use positive phraseology, such as ‘e*xpectations of local authority’* and ‘*basis for negotiations’*
6. Contain evidence for thresholds, numbers, percentages
7. Contain details of the harm(s) the SPG is seeking to avoid and the implications if harm(s) is not avoided
8. Contain details of exceptional circumstances
9. Not state ‘*this is a non-statutory document.’*
10. This Inquiry heard that the phraseology and content of SPG can be strengthened by using an iterative consultation process that enables stakeholders and the general public to work with the Council to suggest improvements and tighten wording.

***Exceptional circumstances in SPG***

1. This Inquiry heard from the Planning and Environment Decisions Wales inspectorate witnesses that the planning system is not designed to be prescriptive, and there has to be some flexibility to enable decision makers to apply judgement within the context of the LDP vision and objectives.
2. To provide a framework for flexibility, the LDP and SPG need to provide clear advice on the exceptional circumstances where the usual LDP and SPG expectations will be disapplied in the over-riding interest. Providing detail in the SPG on exceptional circumstances gives decision makers clarity on when flexibility is required, when the impacts the SPG seeks to avoid are outweighed by the individual circumstances. Cardiff Council planning officers added that each development proposal has to be considered on its own merits, having regard to all factors and with planning officers having the consider the ‘planning balance’ in the public interest.
3. The SPG should provide details on the exceptional circumstances, the evidence to support these, the calculations that will be used to reach a decision where exceptions relate to thresholds, numbers or percentages, and the way in which the Council will approach the exceptional circumstance.

***Strong SPG***

1. This Inquiry expressly sought the views of witnesses on how to strengthen SPG and, specifically, how to ensure they are strong enough to withstand appeals against local Planning Committee decisions that rely on SPG.
2. The Inquiry heard that Planning Inspectors will give considerable weight to SPG where:
3. it complies with national planning policy
4. it is clearly linked to the substantive policy within the LDP
5. it has been subject to public consultation, and
6. it has been approved by Council as supplementary planning guidance.
7. This Inquiry heard that the following factors also strengthen SPG:
   1. positive phraseology
   2. clearly stating the impact they seek to avoid and the implications if this impact is not avoided
   3. evidencing specifics in the SPG such as thresholds, numbers, and percentages, harms avoiding and the impact if these harms are not avoided, and
   4. providing details of exceptional circumstances.
8. Swansea Council provided the Inquiry with examples of cases where the Planning Inspector upheld decisions in favour of the local planning authority, following strengthening of their LDP policy and SPG for Houses in Multiple Occupation (HMOs).
9. Dr Harris, Cardiff University, mooted the possibility of consulting on critical SPG in parallel with LDP, so that these SPG go through the same process as the LDP and thereby draw weight from this. Witnesses from the Planning and Environment Decisions Wales inspectorate commented that they could see the advantages to this. However, both Dr Harris and witnesses from the Planning and Environment Decision Wales inspectorate highlighted that this would be resource intensive, as it would require officers to draft LDP policy and SPG in the same timeframe, and therefore there may be capacity issues that prevent this taking place. However due to the way the current legislation has been drafted, planning legislation only confers special status to development plan policy and not to Supplementary Planning Guidance (SPG).

***Identifying SPG***

1. Cardiff Council planning officers highlighted that, in their view, there is merit in identifying where future SPG will be required at an early stage in the replacement local development plan preparation and consulting on this. They added that work on the evidence base could then be used to inform new SPG quicker following adoption of the Plan. Likewise, existing SPG that remain fit for purpose could be brought forward quicker in early tranches on SPG preparation.

***Consultation on SPG***

1. The Inquiry heard that SPG must be consulted on and that the Council needs to set out how they have assessed representations, responded to these and whether they have made resultant changes to the SPG. As SPG derives from LDP policy, it is essential to ensure LDP consultation is right, so that the LDP is robust, passes examination and is adopted.
2. The Inquiry heard conflicting views on SPG consultation in Cardiff, to date. Dr Harris commented that he could see, on Cardiff Council’s website, that SPG have been consulted on, that representations have been assessed and responded to, and that SPG have been approved by Council resolution. However, Cardiff Civic Society wanted to see a more expansive consultation, as they felt examples and suggestions made by themselves and other stakeholders had not been taken on board. Cardiff Council planning officers explained to the Inquiry that consultation listens to a variety of views, sometimes conflicting views, and that reasons are given for amendments; however, it is not possible to take on board everyone’s, sometimes conflicting, views. They emphasised that SPG include appendices to identify the consultation responses and the actions/ changes made following consultation, which helps add ‘weight’ as does the fact the Council consults for a reasonable period, publicises this consultation and seeks to approve SPG through Cabinet and Full Council.
3. Cardiff Future Wellbeing Alliance witnesses emphasised the replacement LDP and SPG consultation process is a real opportunity to engage, educate, increase understanding, and build trust in the planning process. They highlighted the need for engagement and an iterative process, to seek views once citizens know more about the planning system, rather than the current, periodic consultation exercise. Cardiff Council planning officers stated that they appreciated the point made, adding that the consultation process is governed by legislation with national guidance the Council needs to follow. They added that they have made concerted efforts to amplify community voices, including children and young people, throughout the replacement local development plan process.

***Ensuring SPG are Accessible***

1. This Inquiry heard from several witnesses that there is a need to ensure the accessibility of SPG by:
2. Including all SPG on a specific section of the Council’s website
3. Ensuring the status of SPG is clear
4. Replacing draft SPG with approved SPG
5. Providing a table of proposed SPG, clearly stating where these later morph into other planning tools, such as Technical Guidance Notes
6. Ensuring documents are capable of being downloaded onto mobile devices without compromising their usability.
7. Cardiff Council planning officers explained that there is a section on the Council’s website for SPGs, with a list of approved SPGs, a page for draft SPGs for consultation, and a list of related Technical Guidance Notes. They stressed the need for Council website documents to meet the accessibility regulations that apply to public sector bodies[[1]](#footnote-1).

***Good Practice SPG***

1. Members undertaking this Inquiry were keen to find good practice SPG to illustrate the points made about how and when to use SPG effectively. They sought the advice of the Planning and Environment Decisions Wales inspectorate officers and were advised that:
   1. in general, the best LDP and SPG are the simplest.
   2. whilst policies in England and Wales are diverting, the principles and mechanisms of the planning systems are the same and there is no harm in looking for good practice SPG examples in England.
2. Members also heard, from Cardiff Civic Society, that, given the range of SPG in England and Wales, it is essential for the Council to be clear what it is aiming to achieve so that relevant good practice examples are selected.
3. Bearing this advice in mind, the Inquiry sought witnesses’ views on good practice SPG relating to biodiversity, climate change, and sustainability – given the LDP Vision aims to be carbon-neutral by 2030 and to tackle the climate and nature emergencies - and Houses in Multiple Occupation (HMO) and Purpose-Built Student Accommodation (PBSA) – as Members are aware of issues in Cardiff relating to these areas. The body of this report cites the following good practice examples:
   1. Bath & North-East Somerset Council – Houses in Multiple Occupation SPD
   2. Bristol Council – Climate Change SPG
   3. Bristol Council – Trees SPG
   4. Cornwall Council – Biodiversity SPG
   5. Monmouthshire Council - Green Infrastructure SPG
   6. Newcastle City Council – Sustainability Statements Planning Process Note
   7. Public Health Wales – Healthy Weight Environment SPG template
   8. Swansea Council – Biodiversity and Development SPG
   9. Swansea Council – Houses in Multiple Occupation and Purpose-Built Student Accommodation SPG
   10. Swansea Council – Placemaking - Street Trees SPG
   11. Swansea Council – Trees, Hedgerows and Woodlands SPG
   12. Woking Council – Climate Change SPG.

Other

***Other planning tools***

1. This Inquiry heard that, whilst there are other planning tools alongside the LDP, none of these carry more weight than SPG. Tony Thickett, Deputy Chief Planning Inspector, stated Councils can prepare what they like and call it what they like but they need to get it approved as SPG for it to have as much weight as possible. Additionally, the SPG must have a strong linkage to an existing substantive policy within the LDP.

***Annual Monitoring Report (AMR)***

1. Councils are required to produce an annual monitoring report that sets out progress in delivering the LDP policy objectives and highlights issues with SPG. This Inquiry heard that Cardiff Council’s 5th AMR does not highlight concerns re SPG, stating that most SPG are working as intended. Members of the Inquiry were aware that the LDP Review, March 2021, identified, at point 3.36, ‘*the issue of sub-divisions/ conversions into HMOs and flats is a matter which is considered to warrant a detailed analysis in response to concerns regarding the cumulative impact of proposals on local communities and amenity considerations of occupiers and neighbours. Whilst additional SPG has been prepared, appeal decisions are not always supporting the Council’s position, so a review is considered timely.’* Members therefore concluded that the Annual Monitoring Report required strengthening, to make it clearer to readers the areas needing actions to address deficiencies, perhaps by highlighting these and including an action plan, with steps to address these deficiencies.

***Regional Strategic Development Plans (SDP)***

1. In the future, Wales’s planning system will have three tiers – the national tier set out in Future Wales, the regional tier set out in SDPs and the local tier set out in LDPs.
2. As yet, there is no guidance or framework regarding SDPs, although Welsh Government are currently consulting on SDP preparation. Members heard that concerns have been raised that the resources required to prepare SDPs will impact on the preparation of local authority SPG as local authority staff may be called on to draft the SDP. It may also be possible that the SDPs themselves require SPG; this is still to be determined.

***Role of Council***

1. Over the course of this Inquiry, it has become clear that it is essential for the Council to:
2. Think through what outcomes it wants to achieve and whether this is best achieved via LDP policy or other mechanisms
3. Consider carefully whether proposed LDP policies may result in unintended harms
4. Think carefully about which policies to include in the LDP and what SPG is required
5. Think carefully about what information needs to go into the LDP policy and what information can be deferred to SPG, using good practice examples to assist consideration
6. Ensure SPG are able to be linked to specific policies in LDP
7. Ensure SPG are up to date, reflect climate and nature emergencies, and address issues that have grown in importance since the last LDP, such as tall buildings and conserving historic buildings, post-pandemic recovery, cost of living crises, homelessness and affordable housing
8. Consider whether to consult on some SPG in parallel to LDP
9. Examine how to ensure an accessible and inclusive consultation and engagement process for LDP policies and SPG, in line with legislation and national guidance
10. Assess how best to publicise SPG, for example by ensuring SPG are accessible.

# RECOMMENDATIONS

This Inquiry sought to understand how and when to use Supplementary Planning Guidance (SPG) and how to strengthen planning policy to ensure SPG is robust. Having considered the evidence to this Inquiry, the Environmental Scrutiny Committee makes the following recommendations to ensure the replacement Local Development Plan process establishes strong foundations for required SPG and that future SPG are fit for purpose.

1. *Members recommend that Cabinet task officers to identify opportunities to seek views from the public and stakeholders on existing SPG and the need for new SPG, as early as possible in the replacement LDP process.*
2. *Members recommend that Cabinet task officers to use Headline Findings 1 to 7 and Key Finding 14 to Key Finding 37 when reviewing existing SPG and drafting new SPG, as part of the replacement Local Development Plan process, to ensure future SPG is fit for purpose.*
3. *Members recommend that Cabinet task officers, as part of the replacement Local Development Plan process, to gather and collate the evidence required to support LDP policy and associated SPG, including evidence of any harms these seek to avoid and evidence of the implications if these harms are not avoided.*
4. *Members recommend that Cabinet task officers, as part of the replacement Local Development Plan process, to review the findings of this Inquiry with regard to Houses in Multiple Occupation SPG, identify aspects that will assist Cardiff Council (including collating evidence of harm) to strengthen its LDP policy and SPG re Houses in Multiple Occupation and flat conversions, and build these into relevant draft SPG for consultation.*
5. *Members recommend that Cabinet task Planning Officers to meet with local members on specific issues/ hot topics that impact their wards to help inform the review of current SPG, and support the collation of evidence, as part of the replacement Local Development Plan process.*
6. *Members recommend that Cabinet task Planning Officers to analyse and regularly publish data on the number of successful and unsuccessful appeals at Planning and Environment Decisions Wales (PEDW), in regard to Cardiff SPG, to inform where SPG are effective/ ineffective, to commence by 31 March 2023.*
7. *Members recommend that Cabinet task officers to use Headline Findings 1 to 7 and Key Finding 1 to Key Finding 6 when reviewing existing LDP policies and drafting new LDP policies, as part of the replacement Local Development Plan process, to ensure future LDP policies are fit for purpose and provide the hooks and linkages between the LDP and SPG.*
8. *Members recommend that Cabinet task planning officers to work with web content officers to ensure SPG on the Council’s website is accessible on portable devices, is clearly labelled as either draft or approved, and is the latest version available, by 31 March 2023.*
9. *Members recommend that Cabinet task officers to strengthen future Annual Monitoring Reports, by highlighting any areas requiring work to address deficiencies and including an action plan detailing the steps to achieve this.*

During the course of this Inquiry, Members reflected that much of what they had learned about the LDP and SPG, the interface between them and their essential nature, was new to them, despite having attended internal Cardiff Council training on planning. Members believe that this knowledge gap exists for other Members as well and believe it would benefit Cardiff Council for this to be addressed, enabling Members to better focus their enquiries. Therefore:

1. *Members recommend that Cabinet task officers to arrange external training for new and existing Members on the areas covered by this Inquiry, by the end of March 2023.*
2. *Members recommend that Cabinet consider whether there is a need to offer Member training on specific issues/ hot topics prior to the adoption of the replacement Local Development Plan.*

There are likely to be a number of either new or amended SPG following adoption of the replacement Local Development Plan. Members recognise effective scrutiny of SPG is crucial and that the findings of the Inquiry are useful to assist this. Therefore:

1. *Members recommend that Cabinet task the Head of Democratic Services to use the findings of this Inquiry to prepare a checklist for scrutiny committees to use when undertaking future scrutiny of SPG.*

# Environmental Scrutiny Committee Membership

[[[Councillor](http://www.cardiff.gov.uk/content.asp?nav=2872,4274,4280&parent_directory_id=2865&id=7120&Language=)](http://www.cardiff.gov.uk/content.asp?nav=2872,4274,4280&parent_directory_id=2865&id=6940&Language=)](http://cgov/content.asp?parent_directory_id=2872&id=1209) Owen Jones (Chairperson)

Councillor Bob Derbyshire

Councillor Jackie Parry

[Councillor](http://www.cardiff.gov.uk/content.asp?nav=2872,4274,4280&parent_directory_id=2865&id=1156&Language=) Jamie Green

[Councillor](http://www.cardiff.gov.uk/content.asp?nav=2872,4274,4280&parent_directory_id=2865&id=6973&Language=) Helen Lloyd Jones

[Councillor](http://www.cardiff.gov.uk/content.asp?nav=2872,4274,4280&parent_directory_id=2865&id=1129&Language=) Bethan Procter

Councillor John Lancaster

Councillor Ashley Wood

[Councillor](http://www.cardiff.gov.uk/content.asp?nav=2872,4274,4280&parent_directory_id=2865&id=6966&Language=) Andrea Gibson

**Scrutiny Services, Cardiff County Council**

**Room 263, County Hall, Atlantic Wharf, Cardiff CF10 4UW**

**Tel: 029 2087 3506 Email: scrutinyviewpoints@cardiff.gov.uk**

**© 2022 Cardiff County Council**

1. Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 [↑](#footnote-ref-1)