



# Welsh Language Impact Assessment

## Supplementary Planning Guidance: Implementing the Article 4 Direction

### The Proposal:

The Notice to introduce an Article 4 Direction under the Town and Country Planning (General Permitted Development) Order 1995 was served on the 12<sup>th</sup> of April 2024. Following this a comprehensive public engagement process was undertaken between the 12<sup>th</sup> of April and the 24<sup>th</sup> of May 2024. The consultation attracted 355 written response which were thoroughly considered and responded to in detail.

The Authority's Planning and Access Committee confirmed the implementation of the Article 4 Direction on the 22<sup>nd</sup> of January 2025, which means that it will become operational on the 1<sup>st</sup> of June 2025.

This draft Supplementary Guidance has been produced primarily to provide detailed information on how policies contained in the revised Eryri Local Development Plan (2016-2031) will be applied in practice. It also sets out how the Article 4 Direction sits within the wider National Policy context as well as how it aligns with Cynllun Eryri (Eryri's National Park Management Plan) and with the Authority's adopted Wellbeing Objectives.

### The Purpose / Aim of the Proposal:

The purpose of the Supplementary Planning Guidance is to:

- Set the context of the Article 4 Direction;
- Provide guidance on the relevant Use Classes and the effect of the Article 4 Direction upon permitted development rights;
- Provide guidance to users of the planning system on which current planning policies are relevant, and how they will be applied;
- Provide guidance on how planning applications for changes of use required by the Article 4 Direction will be assessed; and to
- Clarify interaction with other policies.

By introducing the Article 4 Direction, the long-term aim is to create sustainable communities, ensuring a sufficient supply and a suitable choice of housing that meets the needs of local people. High numbers of holiday accommodation and second homes ("holiday homes") can be a real threat to the social, cultural and economic prosperity of communities across Eryri.

The core objective of introducing the intervention is the hope that over the longer term the Authority can protect and maintain Welsh-speaking communities, through offering opportunities for people to live and work within them.

To this end a detailed document which provided evidence to justify the introduction of the Article 4 Direction was prepared as part of the comprehensive public engagement process in 2024, as well as a full [Welsh Language Impact Assessment](#).

As this document is solely on how in practical terms the Article 4 Direction will be applied; the issues set out in the original Welsh language Impact Assessment will not be revisited here, as they have already been addressed. Rather, this document will focus only on any impacts that can be identified on the ability of people to use the Welsh language and on identifying any possibilities were the Welsh language may be treated less favourably than English in the process, and what mitigation measures or improvements can be put in place.

### Who will this Proposal Effect?

This document is for Planning Officers and Staff, Planning Professionals and members of the public using the planning system.

### Direct Impacts of this Proposal on the Welsh Language

The development of this Supplementary Planning Guidance follows the same long-established process already in place within the Authority, which includes a full public consultation and scrutiny by Authority Members. This is a fully bilingual process, with all correspondence and documents available in Welsh and English, set out in identical size and layout which does not favour or make more prominent either language over another. This ensures that the process is fully compliant with the Authority's Welsh Language Policy and reflects the overall ethos of the Authority.

No direct impact has therefore been identified on the opportunities for people to use the Welsh language when considering and responding to the consultation. The consultation will also ask for any additional impacts that this assessment may

have overlooked, and these will be considered thoroughly, and changes made if necessary, before the Supplementary Planning Guidance is adopted.

Once implemented, the process for submitting a planning application under the Article 4 Direction will follow the long-established current planning application process within the Authority. This already ensures that all application forms and guidance notes (paper and electronic) are available in both Welsh and English, with both languages being used identically i.e. using the same font, size and layout.

The whole planning application process in terms of written documentation can be submitted entirely through the Welsh language. This includes written or electronic correspondence with the Planning Officer, Planning Technicians and other planning service staff, without any additional delay in response.

Due to the current number of fluent Welsh speakers in the Authority's planning service, it will always be possible to have a verbal discussion regarding a planning application through the medium of Welsh.

Therefore, due to the above reasons, no new or additional direct impacts have been identified on the ability of people to use the Welsh language or on treating the Welsh language no less favourably than the English language, other than the current positive action in place by the Authority which is in-built within the planning process.

**Direct Impact: Neutral**

#### Indirect Impacts of this Proposal on the Welsh Language

The draft Supplementary Planning Guidance sets out a 15% threshold for short term lets or second homes in a community and once reached, control measures will be implemented to restrict further increases. The data will be derived from Council Tax records provided by both Cyngor Gwynedd and Conwy County Borough Council as the most reliable source of data available.

This data will be updated annually, thus ensuring that the decisions made by the Planning Officers when deciding on planning applications for change of use, utilises the most up to date information available. This lessens the risk that there will be indirect negative effects on Welsh language communities due to decisions being made based on out of date information.

The guidance makes clear that each application will be assessed on its own merits alongside the relevant policies within the Eryri LDP and all other material considerations. The guidance specifically notes that any developments that are in connection with a genuine community led venture or project may be looked upon favourably.

As with any policy there will always be individual cases which will not fit the narrative for the overall aim of the policy, and may have a negative impact on a local family living within that community. However, it is difficult to identify a scenario by which refusing to grant permission to turn a current permanent dwellinghouse into a second home or short term holiday let will indirectly lead to a negative impact on the number of Welsh speakers within that community. That being said, should such a case arise and compelling evidence supports this, the guidance makes clear that these material considerations will be taken into account.

The guidance notes clearly that it is not intended to cover every eventuality. This along with the inbuilt flexibility to consider each case on its own merits is sufficient to state that implementing the Article 4 Direction using this guidance document will not have a negative effect on the ability of people to use the Welsh language or on treating the Welsh language no less favourably than the English language within Eryri communities.

**Indirect Impact: Neutral**

#### Additional Considerations

During the public consultation process, the Authority would like to hear views on whether there are additional direct or indirect impacts on the Welsh language that need to be considered, and which have not been identified in this assessment. Those impacts could be positive or negative.

For any additional negative direct or indirect impacts identified on the Welsh language, the Authority would also like to seek views on what changes can be made to this proposal to mitigate the negative effects.

	Date
Impact assessment completed for first consultation:	14.01.2025
Assessment updated:	
Further updates:	
Final assessment:	