

Flintshire Deposit Local Development Plan 2015 - 2030

Background Paper 12 Welsh Language

September 2019

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1. Introduction

- 1.1 The Council is in the process of preparing the Local Development Plan (LDP) which will guide development in the County between 2015 and 2030. The LDP will identify certain locations where new development, such as housing and employment will be permitted, whilst also seeking to protect other areas from development. Once adopted, the LDP will form the basis for making decisions on individual planning applications in the County.
- 1.2 This background paper is one of a range of papers prepared to support the Deposit LDP and explains the Council's rationale and approach to determining the policy approach to the Welsh Language. Each background paper can be read in isolation or in conjunction with the Deposit Plan and the earlier topic papers and other background papers that have been prepared.
- 1.3 This Background Paper has been updated only to include as an appendix (Appendix No 4) the report "Flintshire the Case for a Welsh Language Planning Policy". No changes have been made to the content of the background paper which remains as per the Deposit Plan Background Paper Sept 2019.

2. Background

- 2.1 Planning Policy Wales (10th Edition) sets out the land use planning policies of the Welsh Government (WG) supplemented by a series of Technical Advice Notes (TANs). The WG's planning policy on the Welsh Language is set out in Section 3.25 of Planning Policy Wales (PPW Dec 2018) supported by Technical Advice Note (TAN) 20 The Welsh Language – Local Development Plans and Planning Control) (2017) which provides further guidance on how local planning authorities, when producing plans or making planning decisions, should take account of the needs and interests of the Welsh language and in so doing, to contribute to its well-being. This background paper explains how the Council has applied this guidance in assessing the need for a specific policy on the Welsh language in the deposit LDP.

3. Legislative and Policy Context

- 3.1 The following section summarises the relevant national and local policy context which has been considered and taken account of when preparing the LDP. The key themes within national policy will be addressed, have been considered as well as the issues specific to the County, which have been considered as part of determining whether a locally specific policy is required in the deposit LDP.

Planning (Wales) Act 2015

- 3.2 The Planning (Wales) Act introduces, for the first time, legislative provision for the Welsh language in the planning system. Taken together, Sections 11 and 31 ensure that the Welsh language is given consistent and appropriate consideration in both the preparation of development plans, and the making of planning decisions. In particular Section 11 of the Planning (Wales) Act 2015

Background Paper 12: Determining the Policy Approach to the Welsh Language in the LDP makes it mandatory for all local planning authorities to consider the effect of their Local Development Plans on the Welsh language, by undertaking an appropriate assessment as part of the Sustainability Appraisal of the plan. It also requires local planning authorities to keep evidence relating to the use of the Welsh language in the area up-to date.

Wellbeing of Future Generation (Wales) Act (2015)

- 33 The overall purpose of the Act is to ensure that the governance arrangements of public bodies for improving the well-being of Wales takes the needs of future generations into account. The protection of the Welsh language is intrinsically linked with purposes of the Wellbeing of Future Generations (Wales) Act through the following Wellbeing goal:

“A Wales of vibrant culture and thriving Welsh language: 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”.

Planning Policy Wales edition 10 (December 2018) (PPW)

- 34 PPW states that ” The Welsh Language is part of the social and cultural fabric and its future well-being will depend upon a wide range of factors, particularly education, demographic change, community activities and a sound economic base to maintain thriving sustainable communities and places” (para 3.25). It also states in paragraph 3.26 that “planning authorities must consider the likely effects of their development plans on the use of the Welsh language as part of the Sustainability Appraisal” and in para 3.27 goes on to state that “development plans should include a statement on how planning authorities have taken the needs and interests of the Welsh language into account in plan preparation and how any policies relating to the Welsh language interact with other plan policies.” Finally PPW also states that “if required, language impact assessments may be carried out in respect of large developments not allocated in a development plan which are proposed in areas of particular sensitivity or importance for the language. Any such areas should be defined clearly in the development plan.”

Technical Advice Note 20 Planning and the Welsh Language

- 35 TAN 20 states in paragraph 1.7.2 “The Welsh Government’s aims and ambitions for the Welsh language are set out in the Welsh Language Strategy – Cymraeg 2050. The strategy recognises the need to provide Welsh speakers with easily accessible opportunities to use their skills in social and work settings. The strategy also identifies the imperative need to create favourable circumstances to encourage the number of Welsh speakers. This involves securing goodwill towards the language and providing language infrastructure such as technology and legislation, but is also concerned with securing an economic and social future for Welsh speaking communities”

- 36 Whilst this broad requirement to support the Welsh Language has been translated from the above strategy by the Well-Being Act, it is important to understand the degree to which land use planning has and can have an influence in the way envisaged above. For example TAN 20 states in paragraph 1.7.3 that *“The future of the language across Wales will depend on a wide range of factors beyond the town and country planning system, particularly education, demographic change, community activities and a sound economic base to*

maintain thriving sustainable communities. The planning system can contribute to the future well-being of the Welsh language, by establishing the conditions to allow sustainable communities to thrive. For example, creating conditions for well-paid employment opportunities and a range of quality housing options are integral to planning for sustainable communities.”

- 37 Relating this point to the strategy of the Flintshire LDP, it is a fundamental aim of Flintshire’s LDP to create conditions for economic growth leading to the creation of employment opportunities. The county is seen as an economic driver for the economy of North East Wales, West Cheshire and Chester and this is reflected in the designation of the Deeside Enterprise Zone. The LDP is a land use plan which sets out to create the conditions in the County to support and facilitate the economic growth in line with the requirements of the draft National Development Framework (NDF) and the North Wales Growth Vision.
- 38 TAN 20 provides guidance on how the planning system should consider the implications of the Welsh language when Local Development Plans (LDPs) are prepared, where it states in paragraph 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 Sustainability Appraisal (SA) which 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 can assess whether the strategy should be amended or mitigation measures should be identified in the LDP.” The degree to which the SA process for the Flintshire LDP has identified any harm in a land use sense to the Welsh language is set out later in this paper.
- 39 One of the aims of the Welsh Government is to reverse the trend of fluent Welsh speakers moving out of Wales. The creation of jobs to sustain communities and the local economy is one way of addressing this. TAN 20 makes reference to this by stating “The distribution of economic growth can affect the social character and sustainability of communities. Policies to ensure 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”.
- 310 Given the employment focus of the Flintshire LDP strategy, the plan is capable of having a positive influence, since the plan focuses growth in the most sustainable locations and aims to create the conditions to sustain economic growth. The main focus for growth and development in the LDP are in the Main Services Centres, Local Service Centres and Sustainable Settlements as these are the most sustainable settlements which provide a good range of services and facilities, and where there are (with the exception of Mold) generally lower levels of Welsh speakers. For the most part, above average proportions of Welsh speaking are found in a small number of communities in the rural areas, however the plan’s strategy avoids locating unsustainable levels of growth in

these small settlements, allowing for only a sensitive level of local needs affordable based development, which inherently has the potential benefit of not diluting the use of the Welsh language in these areas.

4. Assessing the need for a specific LDP policy relating to the Welsh language in Flintshire

The Levels of Welsh Speaking in Flintshire

- 4.1 In comparison to the rest of Wales, Flintshire has a relatively low percentage of its population who can speak Welsh. The 2011 Census reported that 13.2% of Flintshire residents could speak the language with the highest levels found mainly in the rural areas. The average for Wales as a whole was 19%. The level of Welsh speaking varies across the County and ranges from the lowest level in parts of Saltney on the border with England at 6.1%, to above average levels in the main settlement of Mold (20.6%), along with 7 other smaller more rural communities where the use of Welsh exceeds the national average of 19% - Gwernymynydd (19.5%), Trelawnyd and Gwaenysgor (26.2%), Treuddyn (24.4%), Whitford (20.7%), Halkyn (20.7%), Ffynnongroyw (22.9%), and Caerwys (20.3%).
- 4.2 Broadly Welsh speaking has reduced in absolute and percentage terms since the 2001 census (-1.2%), partly due to a fall in the numbers of Welsh speaking but also due to an increase in non-Welsh speakers living in the County. This is a lower reduction than that experienced for Wales as a whole (-1.8%) over the same period. Appendix 1 shows the levels of Welsh speaking for all the wards in Flintshire at the time of the 2011 census.
- 4.3 Further research was commissioned from language consultants Sbectrwm which looked at the language profile of Flintshire in order to assess where language sensitive areas might be located, the Welsh education provision in the County, planning policy context and guidance from Welsh government, views of the Welsh Language Commissioner, and consultation with key stakeholders and neighbouring authorities.
- 4.4 In terms of its more in depth analysis of census data, the research found that "it is worth noting that Mold, which is the local authority's administrative centre, has on average across all its wards more than 20% of the population able to speak Welsh. Every ward in Mold saw an increase in actual numbers of Welsh speakers between 2001-2011, with three of the four wards also seeing a small increase in percentage terms. The 2011 Census also showed an increase in the percentage of the population able to speak Welsh in 14 electoral divisions, with the biggest gains seen in Hawarden (+2.00%), Mold South (+1.7%) and West Shotton (+1.5%). Flintshire also has five electoral divisions with over 500 Welsh speakers which represent a sizeable network of people who can communicate freely in the Welsh language. These are found in Mold South (810), Connah's Quay Golftyn (570), Ewloe (575), Caerwys (507) and Northop (503)."

- 45 This evidence shows that although the Welsh language communities are relatively small they are well established and in some areas growing. Whilst Mold [the largest settlement with levels of Welsh above the national average] has experienced housing development over the past few years, the language research advice shows that this has not had a detrimental effect on the levels of Welsh speaking in the town. This advice suggests that Welsh speaking in Mold is robust and growing.
- 46 The Sbectrwm assessment of the education system in the county identified that there are 5 long established Welsh medium primary schools. Importantly in 2014 a new Welsh medium primary school was, due to local demand, provided in Shotton as a satellite school to Croes Atti Flint [another Welsh medium school] 4 miles away. This shows that there is a thriving demand for Welsh Medium education in the County and obviously education for both children and adults is a vital part of sustaining the language. That said, the degree to which the LDP can directly respond to such a demand as a land use plan, is limited to the policies for provision developed by the Education Authority of the Council where the LDP potentially has a secondary facilitation role in developing new schools where they are planned.
- 47 Whilst the Sbectrwm language research therefore illustrated a relatively positive picture of the strength and vibrancy of the language in Flintshire, it then went on to assert that there is a significant Welsh speaking sector in Flintshire but that unlike other counties the Welsh speaking community in Flintshire is a traditional, indigenous population. Despite attempts to seek clarification on this point, the Council is still unclear as to what this means.
- 48 Somewhat simplistically, the language research also compared Flintshire to a number of other local authorities in Wales in order to identify the need for a specific policy in the LDP. Based on this comparison the language advice concluded that a policy should be included as *“It also reflects the increasing number of local authorities with a similar language profile to Flintshire who have included a Welsh language policy in their Deposit Local Development Plan. This not only includes neighbouring authorities like Wrexham and Denbighshire but others further afield like Swansea and Neath Port Talbot. Furthermore it reflects the fact that Flintshire still has a significant number of indigenous communities which are above the national average in terms of the percentage of population able to speak Welsh. This is very different to the situation in local authorities like Caerphilly and Rhondda Cynon Taf who have similar language profiles to Flintshire. In these local authority areas there are very few indigenous communities left, if any, where Welsh is widely spoken as an everyday language. Language experts would therefore argue that this is the key difference between local authorities like Flintshire, Wrexham, Swansea and Neath Port Talbot compared to others, mainly in south-east Wales, who have a sizeable percentage of the population able to speak Welsh (mainly due to the growth of Welsh-medium education and commuting patterns) but have no traditional Welsh-speaking communities left.”*

- 4.9 Whilst acknowledging that Sbectrwm are language consultants and lack planning expertise, the advice provided is nevertheless inconsistent as the above conclusion does not seem to be supported by their earlier positive assessment of the language from the data, and has not identified any planning harm to the language from the LDP. This is the conclusion also reached by the SA/SEA (see following sections) and from both of those perspectives, does not therefore justify the need for a specific language policy in the LDP.

The Flintshire LDP Preferred Strategy

- 4.10 As part of developing the Preferred Strategy for the LDP, a significant amount of pre-deposit engagement and consultation was carried out in order to develop and test the 'direction of travel' for the strategy of the plan, as well as the options for the amount and distribution of growth that the plan should make provision for. The plan's strategy is based on a vision and a number of strategic objectives where objection number 6 makes explicit reference to "Protecting and supporting the Welsh Language". At both the 'Key Messages' engagement stage, and formal consultation on the plan's Preferred Strategy there were no negative or dissenting comments in relation to the principle of protecting the Welsh language where appropriate, as well as the need to take a proportionate approach bearing in mind the low levels of Welsh speaking in Flintshire. Whilst some comments sought the increased facilitation of Welsh learning through the provision of more Welsh medium schools, this is not directly within the control of the LDP as this would require proposals to be made by the Education Authority of the Council which, where appropriate, the LDP could assist with in a land use sense.
- 4.11 Given the above, consideration for the Welsh language was included in the Flintshire LDP Preferred Strategy published for consultation in November 2017. At that time policy STR6 Services, Facilities and Infrastructure included the Welsh language as part of the social infrastructure which needs to be safeguarded through mitigation measures. Policy STR10 also included an aim to safeguard the cultural heritage of the County, and implicit within this was consideration of the Welsh language. Although this policy relates to Tourism rather than housing development it values the fact that the Welsh language is part of the cultural heritage of the county.
- 4.12 TAN 20 clearly states that the Sustainability Appraisal of the plan is the most appropriate way of assessing the impacts of the plan on the Welsh Language. At the Preferred Strategy stage a Sustainability Appraisal was carried out which assessed the plan's vision, objectives and strategic policies and in relation to any impact on the Welsh language, and recorded that there was no identifiable adverse impact (or planning harm) on the language.
- 4.13 The Sustainability Appraisal of the Preferred Strategy recommended only 4 minor wording changes to help improve the effectiveness of promoting the Welsh language of policies STR4, STR6, STR10 and STR13. (See appendix 2)

The Flintshire Deposit LDP

- 4.14 Notwithstanding the clear steer from the emerging evidence that the Preferred Strategy of the LDP did not have an adverse impact on the Welsh language, or in effect cause planning harm, as the trend by other Local Authorities was to include a specific mitigation type policy in their deposit LDPs, and the mixed messages from the language research, some initial work was done in preparing the Flintshire deposit LDP to examine how such a policy might be written, what harm it was aiming to mitigate, and what would that mitigation be.
- 4.15 An early emerging version of the deposit LDP was considered by the Council's Planning Strategy Group, an internal Member steering group, at its meeting on 14/12/18 which included a draft policy that attempted to illustrate if and how a specific Welsh language mitigation policy was needed, and what it would comprise. In hindsight, the draft policy produced was more reflective of what others had done in their plans, rather than being specific to Flintshire or indeed addressing any identifiable harm from the emerging evidence base. This raised concerns around soundness and the question of why a policy was required if the evidence base did not indicate harm, or a need for a policy.
- 4.16 Following this the Sustainability Appraisal of the proposed housing allocations in the deposit plan made it clear that no harm to the language was identified by any of the allocations. This included the assessment of a large allocation in Mold, one of the areas with the highest proportion of Welsh speakers in Flintshire, where the SA/SEA concluded "Rates of Welsh speaking in Mold are some of the highest in the County, at approximately 30.6% in 2011 (Mold South ward), and there is a risk that these rates would be diluted to some extent due to the cumulative effect of development in Mold, although given the good access to Welsh-language medium schools here it could also be an effective means of providing a large number of residents in Flintshire with Welsh learning opportunities depending on the capacity of schools".
- 4.17 Overall therefore, no harm to the language was identified by the SA and given that both TAN20 and PPW10 refer to the results of the SA as important considerations for how the Welsh Language should be addressed in the LDP, this gave an even clearer indication from the evidence base of the lack of harm and therefore a lack of need for a specific policy in the deposit LDP. That said, as the SA had only considered the impacts from allocated sites, further work was then carried out from the results of the Urban Capacity Study to identify if there was a likelihood of any windfall sites coming forward in any of the areas where the census had recorded higher than average levels of Welsh speaking. (see appendix 3).
- 4.18 Since most of these areas are in the rural parts of the County (with the exception of Mold), and the absence of significant windfall potential in all of these areas as shown by the Urban Capacity Study, it was considered highly unlikely that there would be any adverse impact on the Welsh language from windfall development.

5. Summary and conclusion

51 From the above considerations, the most relevant points to draw from the evidence in terms of concluding the need for a specific policy relating to the Welsh language in the LDP are:

- The SA of the Preferred Strategy suggests some minor amendments to some of the strategic policies to include reference to the Welsh language.
- The SA of the Preferred Strategy does not show an overall negative impact on the Welsh Language. The SA concludes that there are either no impacts, neutral impacts or positive impacts from the LDP. No negative impacts are highlighted from the Strategic Policies.
- The SA of the allocated sites in the deposit LDP shows that the location of development in the county over the plan period is unlikely to harm the language and that overall the policies in the plan are likely to support the language.
- The evidence from the 2019 Sbcetwrm report shows that there is a vibrant and healthy Welsh speaking community within parts of Flintshire and as such a Welsh Language policy is required.
- The Urban Capacity Study of Tier 1, 2 and 3 settlements and further analysis in Tier 4 and 5 settlements suggests that there is not likely to be any windfall sites in any of the areas where Welsh speaking is above the national average, over the plan period.
- A recent planning application for 160 dwellings at Maes Gwern in the Mold South ward where representations did not raise issues of potential detrimental impact on the Welsh Language

52 It is evident that within Flintshire that overall levels of Welsh speaking are lower than the national average. Nevertheless, there are areas within the County where there are higher levels of Welsh speaking above the national average. Overall, the evidence, in conjunction with the findings of the Sbcetwrm advice, indicates a generally positive picture of Welsh speaking in the County. It does not raise issues or concern relating to a deteriorating language or that harm has occurred as a result of previous development, or indeed will occur from the LDP. The SA of the Plan has found that its strategy and policies will not have a detrimental impact on the Welsh Language, and will create conditions for a growing economy which will support the retention and creation of employment opportunities that may in turn support the development of the language. A further iteration of the SA looking at each of the allocated housing sites in the deposit LDP has also shown that there will not be any harm to the language from individual development sites. The Urban Capacity Study and following analysis has not identified likely windfalls in the potential LSA's that due to their size are likely to be harmful.

53 As a whole, the Plan seeks to secure sustainable economic growth, provide a sustainable amount and distribution of housing development, provide affordable housing and protect town and district centres as social hubs. It is

- considered that these measures in combination will create the conditions whereby the Welsh Language can continue to grow and flourish.
- 54 In the context of the above findings and advice in PPW and TAN20, It is not considered that it is necessary for the Plan to include a policy which seeks to mitigate language impact as the evidence base of the Plan does not point to such harm being likely. That said, so that the plan can still reflect in broad terms the positive principle of supporting the Welsh language, a criterion has been added to strategic policy STR4 (see below) which would be a material consideration in assessing a development proposals where specific evidence of language impact was provided or identified. This replaces the criterion originally included in strategic policy STR6 at the Preferred Strategy stage, which has now been removed.

STR4: Principles of Sustainable Development, Design and Placemaking

To promote and create new sustainable places, all development will be designed to a high standard in line with the sustainable placemaking design principles and should achieve local distinctiveness, be inclusive and accessible, and mitigate and adapt to climate change.

To achieve this, all development should:

- i. Be designed to be adaptable, safe and accessible, to respond to climate change, and for housing, adapt to changing needs over time;**
- ii. Respond to local context and character, respect and enhance the natural, built and historic environment, and be appropriate in scale, density, mix, and layout;**
- iii. Be accessible and connected, allowing ease of movement;**
- iv. Make the best use of land, materials and resources;**
- v. Contribute to the well-being of communities, including safeguarding amenity, the public realm, provision of open space and recreation, landscaping and parking provision in residential contexts;**
- vi. Incorporate new, and connect to existing green infrastructure, promoting biodiversity;**
- vii. Incorporate where possible on-site energy efficiency and renewable energy generation;**
- viii. Ensure there is capacity and availability of infrastructure to serve new development;**
- ix. Manage water and waste sustainably.**
- x. Ensure that it supports and sustains the long term well-being of the Welsh Language.***

Appendix 1
Percentage of Welsh Speakers by Local Authority ward Source: 2011 Census
data for Flintshire (Stats Wales)

Flintshire		13.2
Flintshire	W05000180: Argoed	15.9
	W05000181: Aston	9.6
	W05000182: Bagillt East	12.3
	W05000183: Bagillt West	13.5
	W05000184: Broughton North East	8.5
	W05000185: Broughton South	9.3
	W05000186: Brynford	17.5
	W05000187: Buckley Bistre East	9.3
	W05000188: Buckley Bistre West	9.9
	W05000189: Buckley Mountain	11.5
	W05000190: Buckley Pentrobin	10.9
	W05000191: Caergwrle	12.6
	W05000192: Caerwys	20.3
	W05000193: Cilcain	16.9
	W05000194: Connah's Quay Central	8.7
	W05000195: Connah's Quay Golftyn	11.1
	W05000196: Connah's Quay South	10.2
	W05000197: Connah's Quay Wepre	9.1
	W05000198: Ewloe	11.0
	W05000199: Ffynnongroyw	22.9
	W05000200: Flint Castle	11.6
	W05000201: Flint Coleshill	12.1
	W05000202: Flint Oakenholt	13.0
	W05000203: Flint Trelawny	11.7
	W05000204: Greenfield	11.3
	W05000205: Gronant	15.9
	W05000206: Gwernaffield	15.4
	W05000207: Gwernymynydd	19.5
W05000208: Halkyn	20.7	

W05000209: Hawarden	10.3
W05000210: Higher Kinnerton	11.5
W05000211: Holywell Central	12.7
W05000212: Holywell East	15.7
W05000213: Holywell West	17.0
W05000214: Hope	13.4
W05000215: Leeswood	15.7
W05000216: Llanfynydd	14.8
W05000217: Mancot	9.5
W05000218: Mold Broncoed	18.4
W05000219: Mold East	17.7
W05000220: Mold South	30.6
W05000221: Mold West	16.6
W05000222: Mostyn	18.2
W05000223: New Brighton	13.5
W05000224: Northop	17.1
W05000225: Northop Hall	12.1
W05000226: Penyffordd	10.9
W05000227: Queensferry	9.0
W05000228: Saltney Mold Junction	7.8
W05000229: Saltney Stonebridge	6.1
W05000230: Sealand	7.5
W05000231: Shotton East	8.7
W05000232: Shotton Higher	9.9
W05000233: Shotton West	9.4
W05000234: Trelawnyd and Gwaenysgor	26.2
W05000235: Treuddyn	24.4
W05000236: Whitford	20.7

Summary points from Table 1;

- Overall the proportion of Welsh speakers in the County, 13.2% (Wrexham is 12.9%) is below the national average (19%);
- Welsh is a minority language in all communities but it is most prevalent in the Mold South Ward at 30% (Mold Broncoed 18.4%, Mold East 17.7 % and Mold West 16.6%)

- There are several communities where the use of Welsh exceeds the national average of 19%, these are Gwernymynydd 19.5%, Trelawnyd and Gwaenysgor, 26.2%, Treuddyn 24.4%, Whitford 20.7%, Halkyn 20.7% , Ffynnongroyw 22.9%,and Caerwys 20.3%
- Broadly Welsh speaking has declined since the 2001 census (14.4% in 2001 to 13.2.% in 2011), partly due to a fall in the numbers of Welsh speaking but also due to an increase in non-Welsh speakers living in the County;
- Welsh speaking also approaches the national average within the communities of Mostyn 18.2%, Holywell West 17 %, Northop 17.1% and Brynford 17.5%. Mold Broncoed 18.4% and Mold East 17.7%.

Appendix 2

Findings of the SA/SEA at preferred strategy and deposit stages

Integrated Impact Assessment of Preferred Strategy – Welsh Language

Indicator / Target 18 ‘To encourage the protection and promotion of the Welsh Language’

Para 1.6 – explains how the IIA draws together:

- Sustainability appraisal (SA)
- Strategic Environmental Assessment (SEA)
- Habitats Regulations Assessment (HRA)
- Welsh Language Impact Assessment
- Equalities Impact Assessment
- Health Impact Assessment

Table 3.4 Key sustainability issues and opportunities – in respect of Welsh Language it is noted that:

- Key issue - Fluency in Welsh in Flintshire appears to be increasing though the rate of rise in non-fluency is faster, suggesting an overall decline of Welsh speakers within the County
- Implication / opportunity for the plan - Opportunities to increase exposure to the Welsh language should be sought

Table 3.5 IIA Framework sets out the framework for assessing the Plan:

IIA Objective and sub Objective	Indicators	Targets	Source	Link to other IIA strands	Relevance to Well-being goals
18 To encourage the protection and promotion of the Welsh Language					
Contribute to an increase in the number of Welsh language speakers across Flintshire	Number of Welsh medium school places	Increase the number of Welsh medium school Places	Welsh Language (Wales) Measure 2011; a million Welsh speakers by 2050	Welsh Language Health	A prosperous Wales
	Number of adults learning Welsh in the County.				
Contribute to an increase in the proportion of Welsh language speakers who are fluent	CIL or S106 Agreement contributions from large developments in areas where there is a high percentage of	Increase in the number of adults learning Welsh.			A healthier Wales
		Increase in bilingual			A more equal Wales
					A Wales of cohesive Communities
					A Wales of vibrant culture and

<p>across Flintshire Contribute to an increase in the number of people who speak Welsh daily and who can speak more than just a few words of Welsh</p>	<p>Welsh speakers in the Ward – for lessons or community activities in Welsh or Education.</p> <p>Number of businesses displaying bilingual signs and providing bilingual promotional information</p>	<p>signage and information throughout the County.</p>			<p>thriving Welsh Language</p>
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Table 1.2 looks at Sustainability Themes linked to IIA objectives

Themes relevant to IIA of Flintshire LDP	Source					Main IIA topics	Relevant IIA objective
	International & European	National (UK and Wales)	Local	Implications for the LDP	Implications for the IIA		
Promote and protect the Welsh language		Welsh Language (Wales) Measure 2011; a million Welsh speakers by 2050; Planning (Wales) Act 2015; One Wales – A Progressive Agenda for the Government of Wales; Well-being of Future Generations (Wales) Act (2015); One Wales: Connecting the Nation; Vibrant and Viable Places New		The LDP should support activities which promote and facilitate the use of the Welsh language.	The IIA Framework should include objectives that promote the Welsh language	Population and Cultural Heritage	18

		Regeneratio n Framework; Welsh Medium Education Strategy 2010					
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Appendix B sets out the baseline data and the Welsh Language appears in section 'O'.

Appendix D sets out the detailed commentary on strategic policies:

Policy	Commentary	Mitigation Potential
STR1 Strategic Growth STR2 Location of Development	Given STR2, an increased housing availability in growing economic areas, such as Deeside, may attract individuals/families from outside of Flintshire and Wales which may dilute Welsh speakers in the county. Conversely it could ensure Welsh speakers stay in the area as more affordable housing, resulting in a reduction to the house price and average wage gap, means it is financially viable for them to stay in Flintshire.	Unclear on mitigation at present
STR3 Strategic Sites Northern Gateway Warren Hall	Increased housing availability in areas offering employment opportunities could attract individuals/families from outside of Flintshire and Wales which may dilute Welsh speakers in the county. Conversely it could ensure Welsh speakers stay in the area as more affordable housing, resulting in a reduction to the house price and average wage gap, means it is financially viable for them to stay in Flintshire. However, with this site so close to the border with England, a neutral impact is more likely. Increased housing availability in areas offering employment opportunities will attract individuals/families from outside of Flintshire and Wales which may dilute Welsh speakers in the county. Conversely it could ensure Welsh speakers stay in the area as more affordable housing, resulting in a	

	reduction to the house price and average wage gap, means it is financially viable for them to stay in Flintshire. The site is only 8km from Chester, therefore it could dilute the language and culture further.	
STR4 Principles of Sustainable Development and Design	The policy's aim to seek the protection of heritage sites in the area may increase the interest in Welsh heritage. This could benefit uptake of the Welsh language though this is uncertain and of low probability. Overall, protection of the Welsh language is not a key aim of this policy.	The policy could be extended to also cover Welsh language as a sustainability theme [AW1].
STR5 Transport and Accessibility	There could be an uncertain impact on this objective. Improving accessibility and transport within Flintshire and with its neighbours could potentially dilute the language further by increasing the cross-border travel but this is uncertain.	Unclear what mitigation could be proposed at this stage.
STR6 Services, Facilities and Infrastructure	The policy actively pursues the promotion of the Welsh language and highlights its importance but doesn't highlight how this will achieve this goal. It is however only briefly outlined in the introduction of the policy, without any information for how it will address its implementation.	The policy's effect on promoting the Welsh language could be improved by highlighting by what means the Council will ensure this is protected and encouraged and how CIL payments can help with this.
STR7 Economic Development, Enterprise and Employment	The policy aims to stimulate economic growth in Flintshire which may attract individuals/families from outside of Flintshire and Wales. This could dilute Welsh speakers in the county. Conversely it could also ensure Welsh speakers stay in the area as more affordable housing, resulting in a reduction to the house price and average wage gap, means it is financially viable for them to stay in Flintshire.	Unclear what the mitigation could be at this stage.
STR8 Employment Land Provision	The policy provides land to help stimulate economic growth which may attract individuals/families from outside of Flintshire and Wales. This could dilute Welsh speakers in the county. Conversely it could also provide jobs for local people and ensure Welsh speakers stay in the area.	Unclear what the mitigation could be at this stage.
STR9 Retail Centres and Development	There is a potential benefit for the Welsh language objective. A concentration of a variety of uses in town centre locations would contribute to the vibrancy and viability of such areas, which could in turn expose a larger percentage of Flintshire residents to other Welsh language speakers. This could in turn create	

	opportunities to provide bilingual services.	
STR10 Tourism, Culture and Leisure	By ensuring the protection and enhancing of areas of Wales for its natural or historic value, this could indirectly benefit the promotion of Welsh language. A large proportion of these parts of Flintshire are in rural areas and by diversifying the rural economy, existing Welsh speakers could be encouraged to stay in the area.	The policy could therefore be improved by highlighting the importance of maintaining Welsh culture as well as its historic and environmental spaces.
STR11 Provision of Sustainable Housing Sites	The policy aims to stimulate economic growth in Flintshire which may attract individuals/families from outside of Flintshire and Wales. This could dilute Welsh speakers in the county. Conversely it could also ensure Welsh speakers stay in the area as more affordable housing, resulting in a reduction to the house price and average wage gap, means it is financially viable for them to stay in Flintshire.	Unclear what the mitigation could include at this stage
STR12 Provision for Gypsies and Travellers	It is currently uncertain what Welsh language proficiency exists within the various groups within the travelling community and as such an uncertain impact has been assigned.	
STR13 Natural and Built Environment, Green Networks and Infrastructure	The policy's aim to seek the protection of heritage assets may assist people to connect with Welsh heritage, culture and language.	The policy could therefore be improved by making specific mention of Welsh cultural heritage.
STR14 Climate Change and Environmental Protection	There is no direct link between this objective and the policy.	No mitigation proposed.
STR15 Waste Management	There is no direct link between this objective and the policy.	No mitigation proposed
STR16 Strategic Planning for Minerals	There is no direct link between this objective and the policy.	No mitigation proposed

IIIA comments on allocations

The summary assessment table does not identify a negative symbol for any of the proposed allocations, in fact they all come out as 'green' or positive:

Minor Positive	+	Neutral/Negligible	O	Minor Adverse	-
Major (Significant) Positive	++	Positive and Adverse	+/-	Major (Significant) Adverse	--

Policy	SA Objectives																		
	1 Crime	2 Education	3 Health	4 Housing	5 Access	6 Communities	7 Economy	8 Employment	9 Rural life	10 Biodiversity	11 Landscape	12 Heritage	13 Water	14 Flooding	15 Emissions	16 Energy	17 Resources	18 Welsh	
	Site allocations																		
H1.1	O	+	+	++	+	++	O	++	O	-	-	-	-	-	-	-	-	-	+
H1.2	-	+	+	+	+	++	O	++	O	-	-	O	-	O	-	-	-	-	+
H1.3	-	++	+	++	-	++	O	++	O	-	-	O	O	O	-	-	-	-	+
H1.4	O	++	+	++	-	++	O	++	O	-	-	-	-	-	-	-	-	-	+
H1.5	O	++	++	++	++	++	O	++	O	-	-	-	-	O	-	-	-	-	++
H1.6	-	+	+	++	+	-	O	++	O	-	-	-	-	O	-	-	-	-	++
H1.7	O	+/-	-	++	-	++	O	++	O	-	--	O	-	-	-	-	-	-	+
H1.8	O	+/-	++	++	+	-	O	+	O	-	-	-	-	-	-	-	-	-	+
H1.9	O	++	+	+	++	-	O	+	O	--	-	-	-	-	-	-	-	-	+
H1.10	O	+	++	++	++	-	O	+	O	-	-	-	-	-	-	-	-	-	+
H1.11	O	++	+	++	-	++	O	+	O	-	-	O	-	O	-	-	-	-	+

In terms of the individual detailed site assessments the most relevant sites are detailed below. Both sites score as green i.e. having a positive impact but both have an additional commentary in terms of cumulative impacts.

Maes Gwern Mold:

Cumulative Comments:

The Site is one of two sites allocated in Mold. The other site, MOL044 & MOL045 & MOL025, is situated on the north-western perimeter of Mold (i.e. on the opposite side of the town). Significant cumulative effects are therefore considered to be unlikely, although there would be likely to be a growing pressure on the capacity of schools, including Welsh-medium places, in Mold as a result of both sites.

The rate of Welsh speaking for the whole of Mold is approximately 20.8%, and there is a risk that this relatively high rate would be diluted to some extent due to the cumulative effect of development in Mold, although given the good access to Welsh-language medium schools here it could also be an effective means of providing a large number of new residents in Flintshire with excellent access to Welsh learning opportunities.

Denbigh Road, Mold:

Cumulative Comments:

The Site is one of two sites allocated in Mold. The other site, MOL020, is situated on the south-western perimeter of Mold (i.e. on the opposite side of the town). Significant cumulative effects are therefore considered to be unlikely.

Rates of Welsh speaking in Mold are some of the highest in the County, at approximately 30.6% in 2011, and there is a risk that these rates would be diluted to some extent due to the cumulative effect of development in Mold, although given the good access to Welsh-language medium schools here it could also be an effective means of providing a large number of residents in Flintshire with Welsh learning opportunities depending on the capacity of schools.

STR4 Principles of Sustainable Development and Design	The policy's aim to seek the protection of heritage sites in the area may increase the interest in Welsh heritage. This could benefit uptake of the Welsh language though this is uncertain and of low probability. Overall, protection of the Welsh language is not a key aim of this policy.	The policy could be extended to also cover Welsh language as a sustainability theme [AW1]
STR6 Services, Facilities and Infrastructure	The policy actively pursues the promotion of the Welsh language and highlights its importance but doesn't highlight how this will achieve this goal. It is however only briefly outlined in the introduction of the policy, without any information for how it will address its implementation.	The policy's effect on promoting the Welsh language could be improved by highlighting by what means the Council will ensure this is protected and encouraged and how CIL payments can help with this.
STR10 Tourism, Culture and Leisure	By ensuring the protection and enhancing of areas of Wales for its natural or historic value, this could indirectly benefit the promotion of Welsh language. A large proportion of these parts of Flintshire are in rural areas and by diversifying the rural economy, existing Welsh speakers could be encouraged to stay in the area.	The policy could therefore be improved by highlighting the importance of maintaining Welsh culture as well as its historic and environmental spaces.
STR13 Natural and Built Environment, Green Networks and Infrastructure	The policy's aim to seek the protection of heritage assets may assist people to connect with Welsh heritage, culture and language.	The policy could therefore be improved by making specific mention of Welsh cultural heritage.

Appendix 3: Urban Capacity Study – potential for windfall development to affect areas with above average levels of Welsh speaking

Introduction

The areas identified as having a level of Welsh speaking above the national average of 19% have been grouped according to their position in the LDP settlement hierarchy. The results of the Urban Capacity Study for tiers 1-3 settlements have been assessed to see if there are likely to come forward in the form of windfall sites capable of accommodating more than 10 units in Mold South or 5 units in other settlements. The Urban Capacity Study did not assess tier 4 and 5 settlements so a desk based mapping exercise has been used to identify potential windfall sites.

Tier 1 Main Service Centres

The urban capacity study identifies the following possible windfall sites:

Ref	Site name	Existing use	No. of units	comments
Mold (Mold West ward)				
175	Queens Park, Hendy Rd	Agricultural land / UDP allocation	51	Site not attractive to market – more likely to come forward in conjunction with adjoining land.
176	Land at corner of Fir Grove / Park Avenue	Amenity land	2	Possible small site windfall subject to consideration of loss of amenity land
177	Drovers Arms, Denbigh Rd	Surplus car park	1	Possible small site windfall subject to consideration of loss of operational parking
179	D&S Motors, Denbigh Road	Garage – car servicing	2	Possible small site windfall subject to availability of site / relocation of existing use
183	Library, Daniel Owen Centre	Existing library	2	Unlikely to be available
184	Alyn Meadows, Milford St / Love Lane	Existing housing	2	Possible small site windfall
186	Garages, Maes Bodlonfa	Existing garages	3	Possible small site windfall
187	Land near Maes y Dre, Denbigh Rd	Former employment site	n/a	Now has planning consent
189	Llyn y Glyn Fields, Denbigh Rd	greenfield	75	Site not likely to come forward – surface water and flood risk / proximity to Synthite chemical works. No developer interest.

Tier 2 Local Service Centres

There are no Welsh Language Sensitive areas / settlements within tier 2.

Tier 3 Sustainable Villages

The Urban Capacity Study identifies the following windfall sites:

Ref	Site name	Existing use	No. of units	Comments
Treuddyn				
Although the Urban Capacity Study identifies 1 site at Carreg y Llech it is not included in the figures.				
Caerwys				
36	Former garage, Chapel Street	Former commercial building	1	Possible small site windfall
37	Land rear of Chapel Street	Underused / vacant industrial building	2	Possible small site windfall
38	Royal Oak ph,	Part of pub car park	1	Possible small site windfall subject to consideration of loss of operational parking
39	Land north of Chapel Street	Undeveloped land	1	Possible small site windfall
40	Pen yr Ardd, High Street	Vacant land and buildings	7	Possible small site windfall but pre-app 059433 is only for 3 dwellings
Ffynnongroyw				
89	Land between A548 / Main Road	Undeveloped land	28	Greenfield land in C1 flood zone would not meet the tests in TAN15.
90	Former Nationwide Caravan Rental Sales	Vacant previously developed land	1	Possible small site windfall
91	Lan opp Crown Inn, Main Rd	Residential land	9	Unclear whether all brownfield therefore possible floods risk issue / conservation area / adjacent wildlife site / multiple ownerships – unlikely to come forward wholly but possibly in part.

Tier 4 – Defined Villages

The Urban Capacity Study did not look at Tier 4 settlements. However, a desk based mapping assessment for Trelawnyd , Whitford and Gwernymynydd identifies no opportunities for windfall sites capable of accommodating 5 or more units. A site in Gwernymynydd is presently the subject of a planning application for 10 units at Siglen Uchaf on north side of the A494(T).

Tier 5 – Undefined Villages

The Urban Capacity study did not look at Tier % settlements. These settlements do not have a settlement boundary and proposals for small scale infilling or rounding off to meet proven local needs will be considered on their merits. However, a desk based mapping assessment of Gwaenysgor and Halkyn shows no opportunities for windfall sites capable of accommodating 5 or more units.

Conclusion

The assessment of the results of the Urban Capacity Study for tier 1-3 settlements has not resulted in the likelihood of windfall sites arising in the Plan period which are capable of accommodating more than 5 units or 10 in Mold South. Although there is one site in the Mold West ward capable of exceeding the 10 unit threshold, it is extremely unlikely that it will come forward during the Plan period due to a mix of constraints and lack of market interest.

A mapping based desk top assessment of tier 4 and 5 settlements, combined with the policy framework applying to it in STR2, has resulted in no likely potential sites being identified for windfall developments of 5 or more units.

Appendix 4

Flintshire – the Case for a Welsh Language Planning Policy

1. Introduction

Flintshire County Council wishes to carry out an assessment of whether or not a Welsh Language Policy should be included in its Deposit Local Development Plan (LDP). Much of the desk-top research will look at data from the 2011 Census to see how many wards in the county have over 19% of the population able to speak Welsh, which is the national average. The research will also look at the targets included in Flintshire's Welsh in Education Strategic Plan (WESP) to evaluate the potential growth in the number of children receiving Welsh-medium education during the lifetime of the LDP and growth targets in Flintshire's Welsh Language Promotion Strategy.

Most language experts in Wales believe that the absence of a clear definition of what is deemed to be a linguistically sensitive area in Welsh Government's TAN 20 and the lack of guidance offered to planning authorities on a standard and consistent methodology for conducting Welsh language planning impact assessments has led to an inconsistency of approach. For that reason, this appraisal seeks to explore what other local authorities with a similar language profile to Flintshire have done to safeguard the language in the context of land use planning and whether or not they have developed a Welsh Language Policy to support this aim.

The methodology used to carry out the assessment includes the following key elements:

1.1 Methodology:

- Carry out a thorough analysis of the language profile of Flintshire and assess the potential impact of proposed housing allocations on language sensitive areas and consider what threshold levels should be used to define such areas;
- Give consideration to the current and future provision of Welsh-medium education in the authority in order to gauge projected growth figures during the lifetime of the plan;
- Explore the policy context and guidelines provided by Welsh Government which requires local authorities to consider the impacts of its spatial strategy, policies and allocations on the Welsh language, identifying mitigation if appropriate, and to consider the sustainability of Welsh-speaking communities;
- Seek the general views of the Welsh Language Commissioner on the relationship between land use planning and the Welsh language;
- Consult with key experts in the field of language planning in Flintshire and those involved in promoting the language to seek their views on whether the local authority should include a Welsh Language Policy in its Deposit Local Development Plan;
- Consult with neighbouring authorities and authorities further afield with similar language profiles to discuss the various approaches taken towards the formulation of a specific Welsh Language Policy;
- Write a brief report on the findings of the research and consultations undertaken and make recommendations.

2. Welsh Language Profile

The 2011 Census figures show that 19,343 people speak Welsh in Flintshire which equates to 13.2% of all residents three years of age and over. This figure is below the national average of 19%. The corresponding figure in 2001 was 20,599 or 14.4% of the population. During this ten year period the number of Welsh speakers fell by 1,256 or 1.2% of the general population.

The table below highlights wards with over 19% Welsh speaking or which approach the national average. They are mainly found in the western regions of the county close to the border with Denbighshire.

Electoral Division	% Welsh Speaking
Mold South	30.6
Trelawnyd and Gwaenysgor	26.2
Treuddyn	24.4
Ffynnongroyw	22.9
Whitford	20.7
Halkyn	20.7
Caerwys	20.3
Gwernymynydd	19.5
Mold Broncoed	18.4
Mostyn	18.2

It is worth noting that Mold, which is the local authority's administrative centre, has on average across all its wards more than 20% of the population able to speak Welsh. Every ward in Mold saw an increase in actual numbers of Welsh speakers between 2001-2011, with three of the four wards also seeing a small increase in percentage terms.

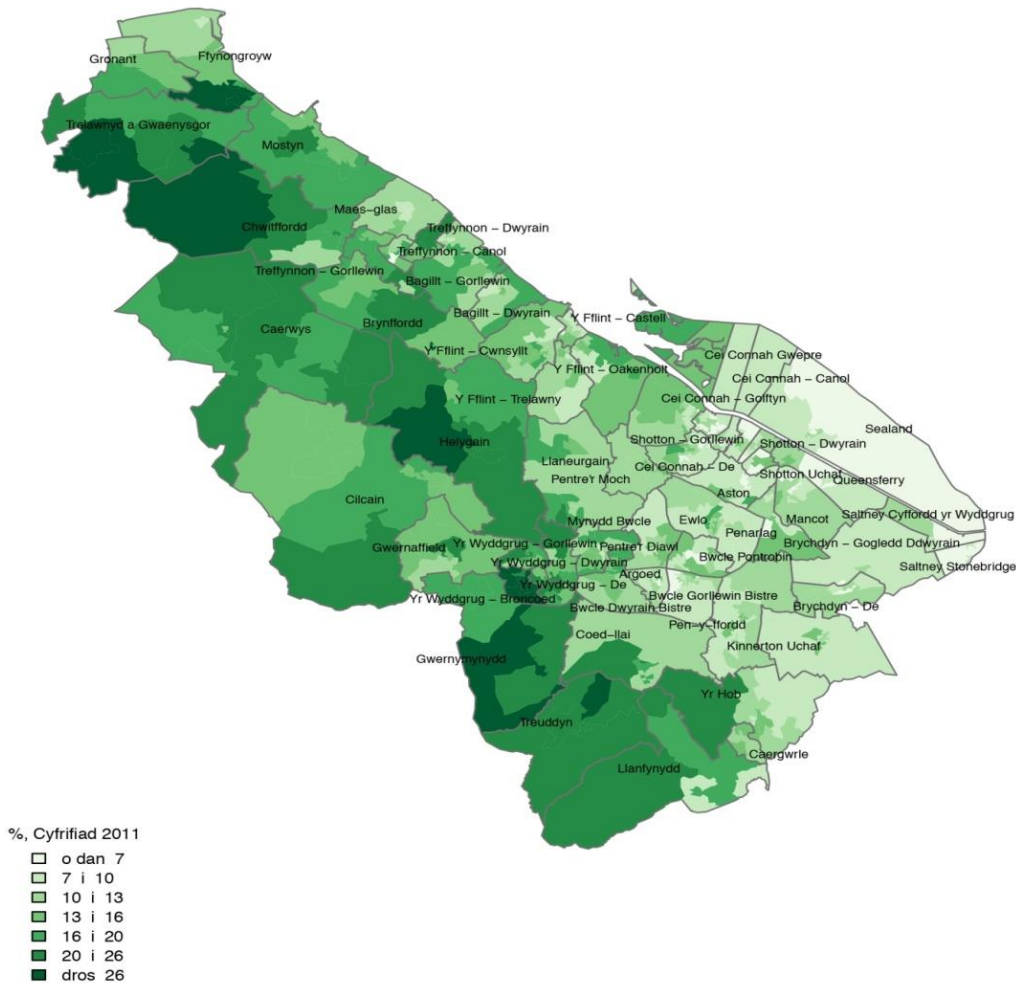
The 2011 Census also showed an increase in the percentage of the population able to speak Welsh in 14 electoral divisions, with the biggest gains seen in Hawarden (+2.00%), Mold South (+1.7%) and West Shotton (+1.5%). Flintshire also has five electoral divisions with over 500 Welsh speakers which represent a sizeable network of people who can communicate freely in the Welsh language. These are found in Mold South (810), Connah's Quay Golftyn (570), Ewloe (575), Caerwys (507) and Northop (503).

The map below shows the geographical distribution of Welsh speakers in Flintshire - the darker the green areas the higher the percentage of Welsh speakers.

As the map shows, Flintshire has a number of communities that exceed the national average of 19% Welsh speaking.

Sir y Fflint

Tabl: Sgiliau yn y Gymraeg
(Gallu siarad Cymraeg)



According to the 2011 Census, 36% of children between 5-15 were recorded as having the ability to speak Welsh. However the percentage drops to 17.8% for the 15-30 age group and lower again (8.3%) for the 30-50 age group. There are many reasons for this dramatic decrease, which is not untypical in mainly English speaking local authority areas, which include an overestimation by parents of their children’s Welsh language ability, the diminishing influence of the education system and a lack of opportunities for community or workplace use of the language which leads to an erosion of skills and confidence.

One notable feature of the 2011 Census results is the increase in the percentage of children 3-4 years old able to speak Welsh which bodes well for the future. This probably reflects the growing number of parents who transfer the language to their children in the home and the influence of early years providers like Mudiad Meithrin who offer Welsh-medium childcare opportunities.

3. Growth of Welsh-medium Education in Flintshire

It is certainly true that Welsh-medium education and Welsh in the curriculum has contributed to over a third of children in Flintshire aged 5-15 having a command of the language to varying degrees. Currently, Flintshire has five long established Welsh-medium primary schools. In response to local demand for Welsh medium education in the Shotton area, the local authority was recently able to utilise a school building freed up by an amalgamation/new build in the English medium primary sector to create additional Welsh medium provision in 2014. This site is known as Glannau Dyfrdwy and is under the leadership and governance of Ysgol Croes Atti, operating as an extended satellite of the main school in Flint just under four miles away.

In an analysis of language growth areas in the county or where the Welsh language has been stabilised it comes as no surprise that they are generally found in communities where the Welsh-medium primary schools are located.

Flintshire County Council's vision as outlined in its Welsh in Education Strategic Plan (WESP) is to endeavour to increase the number of fluent Welsh speakers within its boundaries with the aim of creating an increasingly bilingual county.

Its target is to increase the percentage of seven year old children being taught and assessed through the medium of Welsh from its current position of 6.8% to 11% by 2019-20. The targeted percentage increase was initially low (7.4%) because it was based on the current known pupils already in the Welsh medium sector moving through the year groups within the Foundation Phase. However, a recently commissioned Welsh medium demand survey (June 2017) has provided the Council with some encouraging data that has been used to revise its targets. Based on parental responses to the question of how likely they were to choose Welsh-medium education if it was available within 2 miles of their home, which was then cross-referenced to an analysis of the numbers of pupils entering Welsh medium primary schools since 2010, the survey models a potential rising trend of annual admissions into Welsh medium education by approximately 2.0% from September 2018 to 2020 – this in addition to the current upward trajectory. Whilst the data is not fully representative of the whole cohort of future Flintshire parents, it is an encouraging sign that more are indicating a willingness to choose Welsh medium education if it was within a 2 mile radius of their home and provides useful information to the Council to plan its future Welsh medium provision.

What is clearly a strong foundation for growing Welsh-medium education in the county is the fact that each Welsh medium primary school has very strong links with a playgroup affiliated to, or run directly by, Mudiad Meithrin. Of the seven registered providers, five are co-located on the same site as the primary school and two are based in the local community. Each of these playgroups is also approved by the local authority to deliver the part-time education offer for three year olds. These two factors are important in ensuring that virtually all children transfer from Welsh playgroup provision into school nursery classes in the Welsh-medium sector.

As the WESP notes, Flintshire's strategy for increasing the number of pupils being taught through the medium of Welsh by the age of 7 is a long term one which focuses on parents choosing the route of Welsh-medium education for their children at the outset of their educational journey. This approach is dependent on providing quality information to new parents about the benefits of their children being bilingual in Welsh and English, even if parents are not Welsh speaking themselves. It requires the authority to use a range of strategies and work effectively with its key partners to

provide quality information to parents about the family/early years' services that are available across the authority to support them engaging in Welsh language provision.

The authority believes that only by helping parents to make an informed choice, by making quality Welsh pre-school services accessible and addressing any misconceptions or removing potential barriers, will more English speaking parents consider Welsh-medium education for their children. Similarly, the authority believes it is vital that parents from Welsh speaking backgrounds recognise the value of being bilingual in today's world and send their children into the Welsh-medium system.

Pupil number projections for Welsh-medium education indicate that in some areas pupils demand will rise, whilst in others it is predicted to drop. Based on current numbers and an agreed methodology for calculating pupil numbers accepted by Welsh Government, pupil numbers in Ysgol Maes Garmon, Ysgol Mornant, Ysgol Croes Atti and Ysgol Terrig are projected to rise over the next five years, while pupil numbers in Ysgol Glanrafon and Ysgol Gwenffrwd are projected to fall slightly. Overall projected pupil numbers in the Welsh-medium sector at 2021 are predicted to be around 1454 which is an overall increase.

Analysis of the progression rates from Welsh-medium primary to secondary school over time has shown that the vast majority of pupils do remain within the Welsh language system but a few are lost due to various reasons. For many pupils from Welsh-medium primary schools, Ysgol Maes Garmon in Mold is their secondary school of choice. However, in the northern end of the authority, a number of pupils transfer to Ysgol Glan Clwyd in Denbighshire which means that they still remain within the Welsh-medium sector. The education authority hopes that the recent federation between Ysgol Mornant (right on the border with Denbighshire and close to Prestatyn) and Ysgol Maes Garmon in Mold, will encourage more pupils to remain within Welsh-medium education and choose to attend Flintshire's only Welsh medium secondary school.

Flintshire's Welsh Language Promotion Strategy clearly states that the local authority recognises that it has a responsibility and a duty to promote, support and safeguard the Welsh language for the benefit of present and future generations and is confident that the language has a prosperous future.

The aim of the Promotion Strategy is to increase the numbers and percentage of population currently able to speak Welsh from 19,343 (13.2%) to 21,891 (15%) by 2024. This equates to an increase of approximately 2,548 Welsh speakers (aged 3 and over) over the next five years. This takes into account the proposed increase in the number of children attending Welsh-medium schools and the estimated number of adults learning Welsh. The number of adults currently learning Welsh on community courses is 390 and about 64 Council employees are also learning the language at different levels.

This increase is an important factor to consider when developing land use policies and impact assessments for unallocated 'windfall' sites.

4. National Policy Context

4.1 *Planning Policy Wales (2016)*

Planning Policy Wales (2016) sets out the land use planning policies of the Welsh Government and provides guidance to local authorities when formulating planning policies. This overarching policy document states that the future well-being of the language across the whole of Wales depends upon a wide range of factors, particularly education, demographic changes, community activities and a sound economic base to maintain thriving sustainable communities. The document states that local authorities in their land use planning system should take account of the Welsh language and in so doing contribute to its well-being.

The Planning (Wales) Act 2015 contains provisions relating to the consideration of the Welsh language in the appraisal of development plans and in dealing with applications for planning permission. It states that Local Planning Authorities must consider the likely effects of their development plans on the use of the Welsh language in the Sustainability Appraisal of their plans, and should keep their evidence up to date. All Local Planning Authorities should include in the reasoned justifications to their development plans a statement on how they have taken the needs and interests of the Welsh language into account in plan preparation, and how any policies relating to the Welsh language interact with other plan policies.

Considerations relating to the use of the Welsh language may be taken into account by decision makers so far as they are material to applications for planning permission. If required, language impact assessments may only be carried out in respect of major development not allocated in, or anticipated by, a development plan proposed in areas of particular sensitivity or importance for the language.

It should be the aim of Local Planning Authorities to provide for the broad distribution and phasing of housing development taking into account the ability of different areas and communities to accommodate the development without eroding the position of the Welsh language. Policies should not however seek to introduce any element of discrimination between individuals on the basis of their linguistic ability, and should not seek to control housing occupancy on linguistic grounds.

Planning Policy Wales, Edition 10 (December 2018) reiterates that the Welsh language is part of the social and cultural fabric of Wales and its future well-being will depend upon a wide range of factors. Local planning authorities must consider the likely effects of their development plans on the use of the Welsh language in the Sustainability Appraisal of their plans, and should keep their evidence up to date. All local planning authorities should include in the reasoned justifications to their development plans a statement on how they have taken the needs and interests of the Welsh language into account in plan preparation, and how any policies relating to the Welsh language interact with other plan policies.

It notes that it should be the aim of local planning authorities to provide for the broad distribution and phasing of housing development taking into account the ability of different areas and communities to accommodate the development without eroding the position of the Welsh language. Where possible, the planning system should seek to create conditions which are conducive to the use of the Welsh language.

4.2 Technical Advice Note (TAN) 20: The Welsh Language (2013)

TAN 20 supplements the policies set out in Planning Policy Wales (2016) and later editions of the policy, providing guidance on how the planning system should consider the implications of the Welsh language when LDPs are prepared, including the important roles of the Single Integrated Plan (SIP) and LDP Sustainability Appraisal (SA). The guidance states that the land use planning system should, where feasible and relevant, contribute to the future well-being of the Welsh language by establishing the conditions to allow sustainable communities to thrive.

TAN 20 stipulates that a Welsh Language Impact Assessment should be undertaken at the LDP preparation stage (i.e. when formulating the strategy, policies and site allocations). Where the Welsh language has been identified as a significant part of the social fabric of some or all of the community, LPAs should ensure that plan strategies, policies and land allocations have regard to the needs and interests of the Welsh language. Possible approaches to support the Welsh language could include provision of mitigation measures such as appropriate phasing policies, adequate affordable housing, including sites for 100% affordable housing for local needs, and the provision of employment opportunities and social infrastructure to sustain local communities.

Supplementary Planning Guidance (SPG) could specify the mitigation measures to support LDP policies. Where the Welsh language is considered to be a significant part of the social fabric of some or all of the community, appropriate Welsh language indicators should be identified in the LDP and monitored. These could also include indicators in relation to the mitigation measures in the Plan.

It is generally believed that the out-migration of young people from Wales, especially by Welsh speakers, and the depopulation of rural communities are key factors in language decline especially in traditional Welsh-speaking communities. Welsh Government recognises this demographic challenge and seeks to reverse the trend. TAN 20 acknowledges that the creation of jobs to sustain communities and the local economy is a key priority. It also notes that strategic approaches to support the language might include:

- the distribution of economic growth;
- ensuring there is a sufficient level and range of economic opportunities including sites and premises to support and develop local communities;
- providing an appropriate mix of housing;
- 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;
- identifying areas of linguistic sensitivity or significance;
- directing strategic sites to communities where the evidence suggests the likely impact on the use of the Welsh language is positive;
- developing mitigation measures if evidence suggests the likely impact on the Welsh language to be negative.

4.3 Planning and the Welsh Language: the Way Ahead (2005)

Prior to the publication of the aforementioned policies and technical advice notes it was broadly acknowledged that local authorities had difficulty in applying the policies and guidance available at the time to their land use policies in relation to the Welsh language. In response, guidance was produced through collaboration between local planning authorities, the Welsh Language Board (now the Welsh Language Commissioner), the Home Builders Federation and the Welsh Government. The resultant document - *Planning and the Welsh Language: the Way Ahead (2005)* suggested the following actions:

- Local Planning Authorities (LPAs) should have regard to their community strategies and engage with their communities in the preparation of linguistic land use policies;
- LPAs should start to define Language Sensitive Areas within their areas based on a threshold of whether 25% or more of their Community Council area speak Welsh;
- Once Language Sensitive Areas have been defined, it is suggested that LPAs identify when developers would be required to provide a Language Statement to accompany a proposal in an LSA;
- Exceptionally, following LPA evaluation of the Statement and an assessment that impact is substantially detrimental, the LPA could require a Language Impact Assessment (LIA).

Although *Planning and the Welsh Language: the Way Ahead (2005)* remains as guidance only and has yet to receive official status by the Welsh Government the advice contained in the document formed the basis for a number of LDP policies and SPGs across Wales for a number of years, in particular using the threshold of 25% for defining Language Sensitive Areas. However recent re-submissions or the formulation of new LDPs have led some local authorities to reconsider the 25% threshold as will be explained later.

4.4 Welsh Government Strategies

The Welsh Language (Wales) Measure 2011 made provision 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.

Although the Welsh Language Standards are a fairly recent development, local authorities and other public bodies have been required to produce Welsh Language Schemes since the passing of the Welsh Language Act in 1993 which stipulated that the Welsh language and English language should be treated on the basis of equality

Since the establishment of the Welsh Assembly in 1999 there have been rafts of policies and strategies aimed at increasing the numbers able to speak Welsh and promoting its use in everyday life. For example, in 2003 the Welsh Assembly Government published a national plan to create a bilingual Wales entitled *Iaith Pawb*. In the introduction to the plan, the First Minister at the time, Rhodri Morgan said:-

'[the] Welsh Assembly Government believes that the Welsh language is an integral part of our national identity. The Welsh language is an essential and enduring component in the history,

culture and social fabric of our nation. We must respect that inheritance and work to ensure that it is not lost for future generations.'

The introduction went on to say that - *'[the] Assembly Government is committed to taking the lead in working to support and promote the Welsh language[and] will do all we can to create the right conditions in which the Welsh language can grow and flourish in all aspects of Welsh life.'*

This was the first time in the nation's long history that a government has committed to the principle of creating a truly bilingual Wales. The vision presented in *laith Pawb* is a country - *'where people can choose to live their lives through the medium of either or both Welsh or English and where the presence of the two languages is a source of pride and strength to us all.'*

One of the key policy documents underpinning this vision was the Welsh Government's *Welsh-medium Education Strategy* launched in 2010 which endeavours to create an education and training system - *'that responds to the growing demand for Welsh-medium education and increase the numbers of learners able to reach fluency and use the language in their communities, families and the workplace.'*

The education strategy clearly states that – *'Welsh-medium education from the early years, with robust linguistic progression through every phase of education, offers the best conditions for developing future bilingual citizens. Developing language skills is a process that happens over a period of time.'*

In order to develop Welsh-medium education, all local authorities have been required to create a framework through Welsh in Education Strategic Plans (WESPs) which describe how they will contribute to the outcomes and targets set out in the Welsh Government's overarching *Welsh Medium Education Strategy*. The School Standards and Organisation (Wales) Act 2013 aimed to build upon the previous non-statutory WESPs by placing them on a statutory footing. The Act placed a duty upon local authorities to consult on, produce and publish a five-year Welsh in Education Strategic Plan to be submitted for approval by Welsh Ministers.

In order to promote and facilitate the community use of the language, the Welsh government published a Welsh Language Strategy in April 2012 called - *'A living language: a language for living 2012-1017'*. The strategy reflects the government's vision for increasing the number of people who both speak and use the language. It builds on the vision outlined in *'laith Pawb - A National Action Plan for a Bilingual Wales'* that was published in 2003.

The document underlines the importance of a strong Welsh-medium education system as a long term basis for promoting the use of Welsh across a variety of social domains. By the same token, it also notes that the education system alone is not enough to produce Welsh speakers who see value in using the language in their daily lives at home, socially or professionally.

There are two core elements to the strategy, which is first to encourage children and people of all ages to acquire the language, such as encouraging language transmission in the home, ensuring further growth in Welsh-medium education and Welsh for Adults, and secondly, to create

opportunities for people to use the language on a daily basis, either socially, at work, when receiving services or when enjoying entertainment and recreation.

The strategy has six aims:

- to encourage and support the use of the Welsh language within families;
- to increase the provision of Welsh-medium activities for children and young people and to increase their awareness of the value of the language;
- to strengthen the position of the Welsh language in the community;
- to increase opportunities for people to use Welsh in the workplace;
- to improve Welsh language services to citizens;
- to strengthen the infrastructure for the language, including digital technology.

In 2014 the Welsh Government published a policy statement building on the foundations of the original strategy called – ‘*A living language: a language for living – Moving Forward*’ which sets out the government’s policy objectives for the Welsh language up to 2017. These amendments were informed by a number of developments since the initial launch which included the publication of the 2011 census results and a series of high-level policy discussions and reviews.

In light of this, the government has identified four themes to focus on for the next three years:

- The need to strengthen the links between the economy and the Welsh language that recognises the synergy between nurturing economic growth, jobs, wealth-creation, and the well-being of the Welsh language;
- The need for better strategic planning for the Welsh language by Welsh Government, local authorities and other public bodies;
- The need to encourage more use of Welsh in the community with a particular focus on increasing the number of people who learn Welsh through the education and training system and turning these learners into speakers;
- The challenge of changing linguistic behaviour by being more positive and less negative about the way we talk and feel about the language.

The Strategic Framework *Mwy na Geiriau / More than Words* was drawn up by the Welsh Government in 2012 with the aim of strengthening Welsh language services in health, social services and social care. The framework provides a systematic approach to improving services for those who need or choose to receive their care in Welsh. It recognises that for many Welsh speakers being able to use your own language needs to be seen as a core component of care, not an optional extra. Many service users are very vulnerable, so placing a responsibility on them to ask for services through the medium of Welsh is unfair. Central to the strategy is the challenge of developing the 'Active Offer', namely that staff members offer Welsh language services to patients, rather than wait for patients to request them.

The strategy was updated in 2016 with '*More than just words.... follow-on strategic framework for Welsh Language Services in Health, Social Services and Social Care 2016-2019*'. The ultimate aim of the follow-on strategic framework is to ensure that NHS Wales, social services and social care will have mainstreamed the Welsh language into virtually all aspects of their day-to-day business. This will involve recognition that many vulnerable people, such as older people who suffer from dementia or stroke also lose their second language and many toddlers only speak Welsh. It also highlights the fact that care and language go hand in hand and the quality of care can be compromised by the failure to communicate with people in their first language.

The Well-being of Future Generations (Wales) Act 2015 was published by the Welsh government to improve the social, economic, environmental and cultural well-being of Wales. It requires public bodies to think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach to sustainability. The Act puts in place seven well-being goals, including – '*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.*'

The Act establishes a statutory Future Generations Commissioner for Wales and also establishes Public Services Boards (PSBs) for each local authority area in Wales. Each PSB must improve the economic, social, environmental and cultural well-being of its area by working to achieve the well-being goals.

In 2016 however, the Welsh Government launched its most ambitious strategy yet, which is to create a million Welsh speakers by 2050. The then First Minister, Carwyn Jones in his introduction to the document - '*Cymraeg 2050: A Million Welsh Speakers*' said:-

'Our ambition as a Government is to reach a million Welsh speakers by 2050. There is no doubt that this is a challenge, but I believe that we need to set such an ambition if we are to make a real difference where the Welsh language is concerned.....For us to achieve that, we believe that several things need to happen: more children in Welsh-medium education, better planning in relation to how people learn the language, more easy-to-access opportunities for people to use the language, a stronger infrastructure and a revolution to improve digital provision in Welsh, and a sea change in the way we speak about it.....If we want to achieve this, the whole nation has to be part of the journey – fluent Welsh speakers, Welsh speakers who are reluctant to use the language, new speakers who have learned the language, and also those who do not consider themselves to be Welsh speakers. Everyone has a part to play, and we want everyone to contribute to realising our ambition.'

With particular reference to the link between land use planning and the Welsh language the document clearly states that planning measures should be used to safeguard and promote the language in communities where it is a distinct and evident characteristic:

'The land use planning system should contribute to the vitality of the Welsh language by creating suitable conditions for thriving, sustainable communities, supported by an awareness of the relevant principles of language planning.'

Decisions regarding the type, scale and exact location of developments within a specific community has the potential to have an effect on language use, and as a result on the sustainability and vitality of the language. This calls for strengthening the relationship between language planning and land use planning.

The Welsh Government maintains that Welsh language considerations should inform the process of preparing local development plans, and guidance is available to assist planning authorities in this regard. Under the Planning (Wales) Act 2015, development planning at all levels now requires such plans to include an assessment of the likely effects of their policies on the Welsh language.'

5. Welsh Language Commissioner

The Welsh Language Commissioner carried out a study in 2013 on the extent to which the Welsh language was considered as a material consideration by Local Planning Authorities in Wales which included the National Parks. Of particular interest to this appraisal it specifically wanted to know how many had included planning policies as part of their Local Development Plans and how many had undertaken Language Impact Assessments.

Of the Local Planning Authorities who had responded to the Welsh Language Commissioner's letter (23/25), 14 of the 23 had included Welsh language policies in their LDPs including the three National Parks. It may not come as a surprise that the 11 local authorities who had answered in the affirmative were in north-west, south-west and mid Wales. Swansea City Council at the time was the only exception in south-west Wales but has by now included a language policy in their most recent LDP as has Wrexham Borough Council in north-east Wales.

Those who did not have a specific language policy considered that the use of the Welsh language was not sufficiently intensive to require a specific LDP Policy to address the issue and said that national planning policy provides guidance on the consideration of the Welsh Language in development and would be taken into account in the determination of any future planning applications where appropriate.

The report shows that most planning authorities had carried out an assessment of the effects of land use planning on the Welsh language, but surprisingly given the fact that it is a requirement of Planning Policy Wales (2016), six planning authorities had not undertaken any assessments and had chosen to ignore Welsh Government policy and guidance. This probably reflects the weakness in the policy guidelines in the sense that they are not statutory and legally binding, unlike environment and sustainability impact assessments.

As a result the Welsh Language Commissioner in her response to consultations on the draft Planning Bill (Wales), the draft Planning Policy (Wales) and the new TAN20 and in various submissions to Welsh Assembly committees and working groups has consistently called for the carrying out of a Welsh language assessment to become a statutory obligation. She also called for clearer and more consistent methodological guidelines on how to carry out language impact assessments and for those assessments to be made available for individual planning applications after local, regional and national development plans have been approved. This she argues would

lead to a more consistent approach across all planning authorities and to better quality assessments which would provide confidence to local communities that the Welsh language is given serious and meaningful consideration by planners.

In addition she believed that specific definitions should be made available on what constitute Language Sensitive Areas. There is a danger that if left to the discretion of planning authorities many communities that should be included could potentially be left out altogether. She also argues that mitigation plans should be re-worded to convey a more positive approach to language promotion. Rather than managing the potential threats to the language, she believes that plans should contain innovative ways of developing language use in the community which changes the emphasis from containment to growth.

The term of office of Meri Huws the previous Welsh Language Commissioner referred to above finished at the end of March this year and has now been replaced by Aled Roberts who started in his role on 1st April.

6. Local Policy Context

As mentioned above, TAN 20 recognises that the future of the language across Wales will depend on a wide range of factors beyond the town and country planning system, particularly the impact of education, demographic changes, community activities and the need for a sound economic base to maintain thriving sustainable communities. It is widely recognised that the planning system can certainly contribute to the future well-being of the Welsh language, by establishing the conditions to allow sustainable communities to thrive such as creating conditions for well-paid employment opportunities and a range of quality housing options which are integral to planning for sustainable communities.

To this effect TAN 20 recognises the significance and importance of language sensitive areas, however it does not provide guidance on the percentage threshold that would define such areas. As a result, local authorities have come up with their own way of determining how to apply the policy. Across Wales, authorities have either set specific development thresholds which cover the whole of the county or identified Language Sensitive Areas or Language Strongholds where the levels of Welsh is particularly high.

The local authorities of Gwynedd, Ynys Môn, Conwy and Denbighshire along with Snowdonia National Park have taken a blanket approach to their land use policy across all communities within their boundaries based on the principle that developments should support and sustain the long term wellbeing of the Welsh language, and if necessary they will resist development which, because of its size, scale or location, may significantly harm the character and linguistic balance of a community.

On the other hand, some local authorities with a similar language profile to Flintshire have designated clusters of communities as Language Sensitive Areas. However, the percentage threshold for defining these areas varies from local authority to local authority.

Consultations that *Sbectrwm* have carried out with a sample of local authorities reveal that in Neath Port Talbot Borough Council for example the threshold level is 25% with 15.3% being the percentage of Welsh speakers across the county borough. In Pembrokeshire the 25% threshold is

also used although the county average for those able to speak Welsh is just over 19%. Swansea City Council seeks to protect the integrity of the Welsh language within identified Language Sensitive Areas, where averages of over 18% of the population speak Welsh, using the national average of 19% as a broad barometer. Similarly Wrexham County Borough Council has adopted the national average of 19% as their level. Research further reveals that Pembrokeshire Coast National Park Authority uses 30% as the benchmark for defining Language Sensitive Areas while Powys uses 25%.

On the other hand further consultations show that local authorities like Rhondda Cynon Taf and Caerphilly Borough Council have decided against adopting a specific Welsh language policy. Although recognising the importance of the Welsh language and culture they have concluded that given the relatively low levels of Welsh language use, it is not considered that major development proposals will materially affect the linguistic balance of the area, to the detriment of Welsh language use within its communities.

The fact that Local Planning Authorities use varying percentage levels to define Language Sensitive Areas highlights the absence of clear guidelines by Welsh Government which would ensure a consistent approach across Wales. Although it is not the subject of this appraisal it is nevertheless an important issue that planning authorities ought to discuss with Welsh Government as a matter of urgency as it would ensure greater clarity and consistency moving forward.

7. Consultation with Local Language Organisations

In determining whether Flintshire County Council should include a specific Welsh language policy in its deposit Local Development Plan, it was decided to seek the views of local language organisations involved in the promotion of Welsh like Menter Iaith Sir y Fflint, the Urdd and Cymdeithas yr Iaith (Welsh Language Society) along with key individuals involved in language planning.

The unanimous verdict of those consulted was that Flintshire most certainly should include a language plan as part of its LDP as it would show that the authority is positive about promoting the language. It's fair to say that some respondents wondered why the question was being asked in the first place and that it expects Flintshire to show the same commitment to safeguarding the future of the language as its neighbouring authorities and to put measures in place to support and sustain the long term well-being of the Welsh language.

8. Recommendation

The following recommendation is based on the ambition and commitment of Flintshire County Council to grow the number and percentage of people able to speak Welsh over the next five years and beyond as evidenced in the Welsh in Educations Strategic Plan and the Welsh Language Promotion Strategy.

It also reflects the fact that an increasing number of local authorities with a similar language profile to Flintshire have now included a Welsh language policy in their Deposit Local Development Plan. This not only includes neighbouring authorities like Wrexham and Denbighshire but others further afield like Swansea and Neath Port Talbot.

Furthermore it reflects the fact that Flintshire still has a significant number of indigenous communities which are above the national average in terms of the percentage of population able to speak Welsh. This is very different to the situation in local authorities like Caerphilly and Rhondda Cynon Taf who have similar language profiles to Flintshire. In these local authority areas there are very few indigenous communities left, if any, where Welsh is widely spoken as an everyday language. This unique linguistic characteristic is probably the key difference between local authorities like Flintshire, Wrexham, Swansea and Neath Port Talbot and others, mainly in south-east Wales, who have a sizeable percentage of the population able to speak Welsh (mainly due to the growth of Welsh-medium education and commuting patterns) but have no traditional Welsh-speaking communities left.

For these reasons, the recommendation is that Flintshire County Council should incorporate a Welsh Language Policy as part of its Deposit Local Development Plan.

Cefin Campbell
Sbectrwm
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