

Appendix II

Draft Supplementary Planning Guidance: Residential Development

Consultation report, including summaries of representations received and the Council's responses (October 2016)

1. Background

- 1.1 This report accompanies the draft Supplementary Planning Guidance: Residential Development which will be submitted to Denbighshire County Council (DCC) Planning Committee when considering adoption of the draft Supplementary Planning Guidance (draft document) on 12th October 2016.
- 1.2 Supplementary Planning Guidance and Site Development Briefs should only be adopted by a local planning authority and, hence, regarded as a material consideration if they have been subject to comprehensive public consultation. Accordingly, this report also aims at compliance with Welsh Government LDP Manual 2, paragraph 7.3.1 and Planning Policy Wales (PPW) Edition 8, paragraph 2.4.4.

2. Consultation undertaken

- 2.1 This public consultation run from 4th July 2016 to 2nd September 2016 for a period of 8 weeks. The draft document was available at the Council's website (www.denbighshire.gov.uk) and the Local Development Plan website for interested parties to view. Hardcopies were also available at Council libraries and one-stop-shops. Comments as part of the public consultation could be made by letter, email or comments form to the Strategic Planning & Housing team by the 2nd September 2016.
- 2.2 All City, Town and Community Councils were consulted along with key stakeholders and people registered on the LDP database.

3. Consultation responses

- 3.1 The Council received 8 representations from interest groups and members of the Public; including Natural Resources Wales, Cadw and Clwyd-Powys Archaeological Trust.
- 3.2 The following principal suggestions were put forward to the Council:
 - Residential development affecting trees and the additional requirement to survey them for presence of bats;
 - Emphasising the Strategic Flood Consequence Assessment (SFCA) as a crucial source of information on flood risk; and

- the possible requirement for a Landscape and Visual Impact Assessment (LVIA) to be submitted with planning applications in sensitive locations.

3.3 Copies of all public consultation responses can be obtained by contacting the Planning Policy team in Denbigh by phone: 01824 706916 or by email: ldp@denbighshire.gov.uk. A summary of the consultation responses are included at the end of this report in Table 1.

4. **Changes proposed to the draft document**

4.1 After carefully considering every representation, Officers decided to accept a number of proposed changes, amendments or amplifications as laid out in individual submissions. The changes primarily focus on the provision of additional information on necessary survey work to ensure no adverse effects are caused on the historic and natural environment, especially landscaping. In addition, Officers have also decide to make some minor editorial changes to the document to improve readability and provide contact details for prospective applicants.

4.2 Proposed changes are shown as highlighted or ~~strikethrough~~ text in the attached draft SPG document.

Reference number	Name, Organisation	Summary of Representation	Council's response	Changes proposed to draft document
142	Adrian Lloyd Jones, Wildlife Trust North Wales	It is recommended to include further details on the conservation of the natural environment in the document; for example, schedule for survey times, consideration of 'green gain' habitat creation and enhancement, installation of bird boxes seeding of new grass areas with native meadow species or the installation of bird boxes.	Information on the conservation and enhancement of biodiversity is provided in a stand-alone SPG which was adopted in July 2016. The document is referenced in paragraph A.17 It is the Council's intention to keep its SPGs concise, without unnecessary duplication of content.	None.
246	Angharad W Crump, Natural Resources Wales	Section 6.8 should not only refer to the need for development affecting trees but also any impact on bats and reference should be made to the "Conservation and Enhancement of Biodiversity" SPG.	Survey requirements with regard to protected species and nature conservation objectives is included in paragraph 8.11; reference to Biodiversity SPG is contained in Appendix A.17	None.
		Section 7.23 – the SPG should refer the Strategic Flood Consequence Assessment (SFCA) which provides useful information on flood risk across the County	Change agreed; text to be amended accordingly	Insert new paragraph 7.24, and renumber (former) 7.24 to 7.26 accordingly: Useful information on flood risk can be found in the Strategic Flood Consequence Assessment (SFCA) that was undertaken to support LDP residential land allocations. The updated version (2014) is available

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246	Angharad W Crump, Natural Resources Wales			on our website. Further information on Welsh Government/ Natural Resources Wales (NRW) – Development Advice Maps (DAM) can be obtained from NRW with local details provided by the Council's flood risk manager.
		Section 7.24 – to be modified to place more emphasis on the need for development to incorporate Sustainable Urban Drainage Systems (SuDS). Text suggestion: <i>'To reduce flood risk on-site and off-site, we strongly encourage the incorporation of Sustainable Drainage Systems (SuDS) as a means of controlling surface-water run-off from new developments. The overarching objective is maintaining pre-development run-off rates. SuDS may also bring additional benefits for biodiversity and open space provision, depending on the design solutions suitable in the area.'</i>	Change agreed; paragraph to be amended accordingly	Reword paragraph 7.24 (new 7.25) in line with NRW's proposal to read: <i>'To reduce flood risk on-site and off-site, prospective applicants are encouraged to incorporate Sustainable Drainage Systems (SuDS) as a means of controlling surface-water run-off from new developments. The overarching objective is maintaining pre-development run-off rates. SuDS may also bring additional benefits for biodiversity and open space provision,</i>

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246	Angharad W Crump, Natural Resources Wales			depending on the design solutions suitable in the area'.
		Section 6.9 – it is suggested to include reference to avoid disproportionate ornamentation to railings and gates, for example Chateau-like gates and elaborate finials do not for example complement and maintain the character of rural cottages, farmhouses and townhouse.	Planning has only limited powers over controlling the materials or style of fences, for example in Conservation Areas, primarily relating to heights.	None.
		NRW suggests a number of changes to a number of paragraphs focussing on rewording and amplification, drawing on its experience in providing advice on planning proposals in Denbighshire, changing policy context in Wales and the recent introduction of pre-application consultations. Paragraph no.: 7.24; 8.02; 8.12; 8.21; 8.31	Suggestions/ rewording/ amplifications are welcomed and to be implemented.	Rewording/ amendments to these paragraphs (i.e. 7.21; 8.02; 8.12, 8.21, 8.31) are highlighted in the main text.
277	Mike Pender, Anwyl Construction Company Limited	"The SPG does not address large development sites."	This Supplementary Planning Guidance (SPG) note combines information that were previously separately published documents in a single document. Chapters 7 and 8 specifically deal with new developments, which includes large developments. The Council also produced a number of Site Development Briefs for larger development sites.	None.

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		"Parts of the SPG use language that is difficult to understand, more plain English would help."	The document is considered to be written in a consistent language and style just like the Council's other SPGs and Site Development Briefs. Some technical language is unavoidable because of the topic and the need for detail.	None.
760	Tony Hughes, Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) Joint Advisory Committee	Draft document is welcomed and supported by AONB Joint Advisory Committee (JAC).	Support is welcomed.	None.
		Sections 7.1; 7.2 and 8 should refer to the possible requirement for a Landscape and Visual Impact Assessment (LVIA) to be submitted with applications in sensitive locations such as the AONB. This should include the implementation of mitigation measures where required.	Change agreed. A new paragraph 8.12 will be inserted to that effect to avoid any text duplication in 7.1.; 7.2; and 8.	Insert new paragraph 8.12, and renumber (former) 8.12 to 8.14 accordingly: Prospective applicants may be required to submit a Landscape and Visual Impact Assessment with their planning proposal in sensitive locations such as the Clwydian Range and Dee Valley Area Of Outstanding Natural Beauty (AONB). The Assessment should not only identify potential adverse effects on the locality and but set also

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				out how the proposal is going to address them.
782	Jo Hall	“why bother as you don't listen to us anyway”	All representations that were received by the Council during the public consultation period are carefully considered by officers and reported to Members of the Planning Committee. Text amendments are discussed by Members of the LDP Steering Group.	None.
1077	C H R Martin, Clwyd-Powys Archaeological Trust	Every local planning authority is required to maintain a Historic Environment Record (HER) that contain information on valuable, but not necessarily protected features, in existing buildings or the presence of archaeological remains on or in the vicinity of the application site. Accordingly, the HER should be given greater prominence throughout the document.	The Council maintains records, surveys and registers containing information on the historic environment in the County. Prospective applicants are made aware of this source of information in the document. Change agreed.	Include the following sentence in paragraph 6.73: Prospective applicants may also wish to consult the Council regarding any records and registers containing information on the historic environment in the County.
		Historic environment features are just as likely to be encountered when building extensions as new builds. They should be referred to in section 6.7.	Whilst not explicitly labelled ‘historic environment features’, paragraphs 6.71 and 6.72 (dealing primarily with extensions) contain reference to conservation areas, historic landscapes, and listed buildings. New developments are dealt with in Section 7 and 8. Reference to the historic environment is made in paragraphs 7.12 and 8.11	None.

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			with amendments proposed below. No change proposed.	
		There is no reference to the historic environment in section 8, especially paragraph 8.1.	Change agreed. Site surveys that are conducted to assess the landscape potential should also focus on the possibility of archaeological remains and historic features in the vicinity and on the site.	Include additional bullet point in paragraph 8.11: <ul style="list-style-type: none"> ▪ the presence of historical and archaeological remains;
		Appendix 1 should also include reference to Supplementary Planning Guidance (SPG) notes on Archaeology and Listed Buildings	Change agreed. Both SPGs are going to be referenced in paragraphs A.2 and A.14	Insert in paragraphs A.2 and A.14: <ul style="list-style-type: none"> ➔ SPG: Archaeology (June 2003); ➔ SPG: Listed Buildings (March 2015)
3130	Helen May, Welsh Government - Cadw	Paragraph 6.71 should include into the list of sensitive areas the following: - in the setting (or proximity) of a scheduled monument; - in the setting (or proximity) of a registered historic parks and gardens	Change agreed.	Include two bullet points in paragraph 6.71: <ul style="list-style-type: none"> ▪ in the setting (or proximity) of a scheduled monument; ▪ in the setting (or proximity) of a registered historic parks and gardens;
		Paragraph 7.26: previously developed land may by its nature contain archaeological features and, therefore, the Council may	Regardless of the fact whether the development takes place on greenfield or brownfield land, prospective applicants have to investigate the	None.

Appendix 1 – Summary of representations received on draft document

Reference number	Name, Organisation	Summary of Representation	Council's response	Changes proposed to draft document
		also request an assessment of the potential archaeological resource.	presence of archaeological remains on or in the vicinity of the site as part of the site & context analysis (see paragraph 7.12).	
4650	Tim Bettany-Simmons, The Canal and River Trust	'The Trust are pleased that the document encourages access to green/blue infrastructure (para 7.22). Development should utilise such assets as canals and incorporate them as an integral part of a developments layout.'	Support welcomed.	None.
n/a	LDP Member Steering Group, Denbighshire County Council	Include reference to the Council's street naming policy	Insert new paragraph 7.06 'Depending on the size of the proposed development and number of houses, it is important that developers contact the Council about street naming and numbering before building work commences. The policy in relation to new street names is to adopt either a Welsh language name or a bilingual name that is consistent with the local heritage and history of the area. Failure to do so may result in a delay as approval must be given for street naming and numbering prior to any signs being erected or postal addresses provided. Further information on requirements with regard to the promotion of Welsh language and culture can be found in the SPG 'Planning and the Welsh language'.	