

Report To:	Planning Committee
Date of Meeting:	18th April 2018
Lead Member / Officer:	Cllr B Jones, Lead Member for Highways, Planning and Sustainable Travel / Angela Loftus, Strategic Planning & Housing Manager
Report Author:	Karsten Brußk, Strategic Planning Officer
Title:	Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) – Adoption of finalised document

1. What is the report about?

The report informs Members of outcomes from the 10 week public consultation exercise on the draft Supplementary Planning Guidance Note: Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). It recommends adoption in line with proposed amendments to the text of the document.

2. What is the reason for making this report?

A decision is required on the matter of adopting the finalised document following a 10 week public consultation between November 2017 and January 2018. The Welsh Government (WG) has confirmed that following public consultation and subsequent Local Planning Authority (LPA) document adoption, SPGs can be treated as a material planning consideration when LPAs, the WG and Planning Inspectors determine planning applications or appeals.

3. What are the Recommendations?

- 3.1 That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1) as part of its consideration.
- 3.2 That Members adopt the draft SPG document 'Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB)' (Appendix 2), in line with proposed amendments as set out in the Consultation Report (Appendix 3).

4. Report details

- 4.1 If the Council decides to adopt this Supplementary Planning Guidance (SPG) it will become a material planning consideration when Members are making planning decisions within the AONB or which may affect the AONB's setting. It should be read in conjunction with Denbighshire Local Development Plan 2006 – 2021 (LDP), policy VOE 2 'Area of Outstanding Natural Beauty and Area of Outstanding Beauty', and other Council SPGs.
- 4.2 AONBs are designated for their outstanding landscape and the need to conserve and enhance their natural beauty for the enjoyment of existing and future generations. The

Clwydian Range was designated as an AONB in 1985 and in 2011 the area was extended to include the Dee Valley. It is one of five in Wales and in accordance with national planning policy “must be afforded the highest status of protection from inappropriate development” which is identical to the protection afforded to National Parks.

- 4.3 This guidance is primarily targeted at individuals proposing new development and for decision makers involved in the management of the AONB. The intention is to heighten awareness of the importance of the AONB, and, in so doing, raise the standard of new development and landscape design. It provides some general design principles which should be followed to assist new development proposals. Additional guidance on when planning permission is required can be found in the draft SPG document, Appendix 3.
- 4.4 The document was produced for the three local planning authorities covered by the Clwydian Range and Dee Valley AONB, i.e. Flintshire, Denbighshire, and Wrexham; with a steer being provided by the AONB Joint Advisory Committee and Natural Resources Wales.
- 4.5 Public consultation ran from 20th November 2017 to 29th January 2018 for a period of 10 weeks, which was two weeks longer than the usual consultation period of 8 weeks. It was deemed appropriate to allow an extension for the festive season. This approach allowed additional time for individuals and businesses to submit their views and comments by the deadline.
- 4.6 Planning Officers and representatives from the AONB were available to answer questions from members of the public and private businesses at two drop in sessions. They were held at Loggerheads Country Park on the 6th of December 2017 and on the 18th of January 2018.
- 4.7 The draft document was available for viewing on the websites of all three local authorities. Hardcopies were also made available at all libraries and one-stop-shops in Denbighshire, County Hall in Mold, and at Contact in Wrexham.
- 4.8 Comments were invited in writing to Flintshire County Council who were coordinating the consultation on behalf of the three local planning authorities. Using a single point of contact assisted members of the public in only having to submit their representations to one of the three authorities. Notwithstanding, the consultation letter contained contact information for Denbighshire County Council where Planning Officers dealt with queries relating specifically to the County area.
- 4.9 For ease of reference and identification of matters raised, individual representations were subdivided into individual comments. Details can be found in the attached Consultation Report (Appendix 3). Accordingly, the number of comments (41, including Officers’ proposal) exceeds the number of representations (15). None of the submitted representations were received in Welsh.
- 4.10 None of the submitted representations principally objected to the proposed content and text but many suggested valuable amendments to improve the purpose of the SPG. Two topics were highlighted in more than one representation: Light pollution and wider

Design considerations. Both are discussed, and provided with a draft Council response, in the attached Consultation Report (Appendix 3).

- 4.11 Proposed changes are shown as **highlighted** or ~~striketrough~~ text in the attached draft SPG document (Appendix 2). Copies of all public consultation responses can be obtained by contacting the Strategic Planning & Housing team in Denbigh by phone: 01824 706916 or by email: planningpolicy@denbighshire.gov.uk.
- 4.12 The document will be subject to a final design once it has been adopted by the Council. Just like the joint SPG 'Pontcysyllte Aqueduct and Canal World Heritage Site' the intention is to have in place a SPG whose content and design is alike in all three local planning authorities.

5. How does the decision contribute to the Corporate Priorities?

Corporate Plan 2017 – 2022: 'Working together for the future of Denbighshire

The adopted SPG will support the Council's efforts in achieving a raise profile '...of the county as a location to visit, in order to capitalise on Denbighshire's economic potential.' as set out under the heading 'Environment – Attractive and protected, supporting well-being and economic prosperity. If prospective applicants for new development have full regard to the content of the SPG, it specifically contributes to 'an increase in the value of tourism spend in the county.'

6. What will it cost and how will it affect other services?

Adopting the SPG document is not anticipated to create any additional costs. The Development Management team will benefit from the document in supplying our customers with planning guidance on proposals located within or adjacent to the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1 The Well-being Assessment has shown that the draft SPG will assist in realising the seven well-being goals in a either neutral or positive way. Not all seven topics are applicable because of the very nature of the document, content, and specific limited audience – planning professionals and prospective applicants. It must also be kept in mind that Supplementary Planning Guidance is a material planning consideration but not a local policy. Identified unintended negative consequences should, if they appear depending on implementation, be dealt with through legislation and planning policies. There will be a need to revisit this Well-being Impact Assessment when the public consultation has been closed and amendments were made to the draft document. Note: Public consultation has closed now, and the content of the document was reassessed and accordingly amended.

8. What consultations have been carried out with Scrutiny and others?

- 8.1 Consultation with Scrutiny was not required for this item. The document was jointly prepared by Officers from Flintshire CC, Wrexham CBC, Denbighshire CC and the AONB Joint Advisory Committee. Members have discussed the draft document when approving the start of public consultation on the 11th October 2017.

8.2 Public consultation ran from 20th November 2017 to 29th January 2018 for a period of 10 weeks. In Denbighshire, all City, Town and Community Councils were consulted along with key stakeholders and people registered on the Local Development Plan database.

9. Chief Finance Officer Statement

Adopting the SPG document is not anticipated to create any additional costs. If any arise these will need to be contained within existing service revenue budgets.

10. What risks are there and is there anything we can do to reduce them?

In the absence of up-to-date planning guidance there is a risk that the Council will be unable to provide comprehensive advice to its customers regarding development proposals likely to adversely affect the Clwydian Range and Dee Valley AONB.

11. Power to make the Decision

Planning & Compulsory Purchase Act (2004)