

PLANNING AND DEVELOPMENT IN THE AONB:

2018-2019 ANNUAL REPORT

Background

1. The built environment is one of the special qualities of the AONB and contributes to the character and appearance of the area. There is pressure for new development in and around the AONB as an attractive place to live, work and visit, but particular care is required to ensure that new development fits well in the landscape. An important role of the Joint Committee and Partnership is to advise on development policies and proposals affecting the AONB.

Consultations

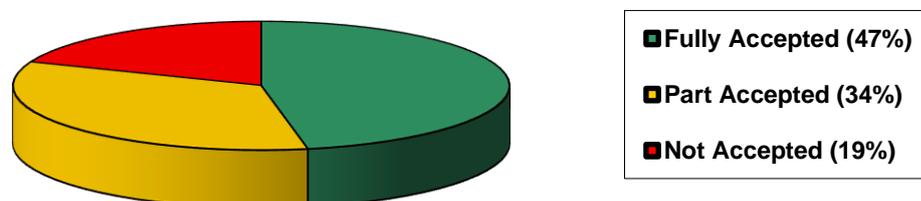
2. The overall number of consultations referred to the AONB in 2018-19 was 285, which is a very similar level of activity to last year (286).
3. The majority of consultations (222 in number, 79% of the total) were planning or related applications for development referred by the three local planning authorities (LPA's). As expected, the majority (79%) were from Denbighshire, followed by Flintshire (21%) and Wrexham (3%). Formal and informal requests for pre and post-application advice continue to account for a significant proportion of all consultations (38 in number, 13% of the total), although this is a slight reduction on last year. Policy related matters (18 in number) accounted for 6% of all consultations, which represents a slight increase in activity over the previous year. Other consultations comprised planning appeals (4) and Welsh Development of National Significance Projects (DNS) (1).
4. A summary of all planning consultations to which the AONB responded during the year are attached as Appendices covering the two half-yearly periods. These show details of the proposal, a summary of the AONB's comments, the LPA's decision where this has been made and an assessment of their response to the AONB's comments.
5. The largest category of proposals continues to be for householder development (35%) followed by residential (22%), including conversions. The proportion of tourism related development proposals continues to grow (19%) and is now the third largest category of development, followed by agriculture/forestry (8%) and commercial/retail and industrial proposals (7%). The remaining consultations comprised energy, utility, Listed Building, advertisements, community and waste developments. The DNS consultation related to an Environmental Impact Assessment (EIA) Scoping request in respect of a possible windfarm at Alwen Forest.

6. The majority of decided planning applications (83%) were granted permission, which is comparable with the approval rate in previous years. Only 13% were refused, and 4% of applications were withdrawn by the applicant prior to determination.
7. The AONB raised no objection to the majority of applications, but often suggested design changes, alternative materials or additional landscaping or lighting conditions to help conserve and enhance the character and appearance of the AONB. There were 16 formal objections lodged to development proposals, and significant concerns were raised in respect of 27 further applications.

Local Planning Authority Response to AONB Comments

8. Analysis of LPA responses to substantive comments made by the AONB on decided planning applications (see pie-chart overleaf) shows that the majority of comments made by the AONB were accepted in full (47%) or in part (34%), which is a significant improvement on last year's position. Only 19% of comments were not accepted or acted upon by the LPA's, which compares favourably to the 26% of comments not accepted in the previous year. This improvement in performance could in part be the result of efforts to develop the AONB's relationship with the LPA's and planning officers, coupled with increased awareness as a result of the adoption of AONB Supplementary Planning Guidance (SPG) by the LPA's in 2018.
9. Of the 21 comments not accepted by the LPA's, 17 applications were determined by Denbighshire and 4 by Flintshire. There were no cases in Wrexham where the AONB's comments had not been accepted in full or in part. Taking into account the overall number of decisions made by each authority, the percentage of cases where the AONB's comments were not accepted or acted upon was 20% in Denbighshire and 16% in Flintshire. This is a significant improvement over the position last year when the comparable figures were 25% and 36% for Denbighshire and Flintshire respectively.

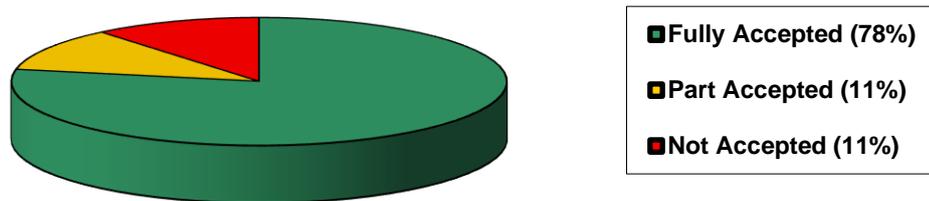
LPA Consideration of AONB Comments 2018-19



10. For the most part, comments made by the AONB which were not accepted related to design, materials, lighting and landscaping, and to suggestions for enhancement as part of a development project. The AONB's response to the DNS consultation on EIA scoping for a proposed windfarm at Alwen Forest was fully accepted by the Planning Inspectorate.
11. Whilst the LPA's did not always accept the AONB's comments, further analysis of decisions in the most significant cases where the AONB had lodged a formal objection to an application shows that the AONB's position has been fully accepted by the LPA in the

overwhelming majority of cases. Of the 9 objections submitted by the AONB where a decision was made, the LPA's refused 7 applications and granted 2. Furthermore, in one of the cases where permission was granted, significant amendments were negotiated to overcome the AONB's objection. Thus in majority of these serious cases the AONB's comments were accepted in full (78%) or in part (11%), which is a much higher level of acceptance than the overall picture (see pie-chart below). It should also be noted that four other applications to which the AONB objected were withdrawn by the applicant prior to determination, which is often in response to the level of objection to the proposals.

LPA Consideration of AONB Objections 2018-19



Planning Appeals

12. Of the four planning appeals referred to the AONB during the year, three were dismissed by the inspectorate and one was allowed. The dismissed cases were a Listed Building Appeal for the replacement of timber windows with uPVC, a Lawful Development Certificate application for a caravan and camping site at Carrog Station and a large house extension near Llanarmon yn Ial. The AONB objected or raised concerns in respect of all three applications which were taken into account by the inspectorate. A major development for a raw board store at Kronospan, Chirk was allowed on appeal. The inspector had regard to the concerns of the AONB and others about potential adverse impacts but concluded that these were not so significant as to refuse permission.

Unauthorised Development

13. During the year, 19 potential cases of unauthorised development affecting the AONB were referred to the LPA enforcement teams for investigation. Eleven cases were in Denbighshire and 8 were in Flintshire. No cases were referred to Wrexham. Issues raised included engineering/tipping works, outbuildings, shipping containers, caravans/chalets, vehicle storage, access works, kennels, public footpath restrictions, works to trees and non-compliance with conditions. A site of particular concern is Field Cottage, Gwaenysgor where several potential breaches of planning control have occurred over the past year, including major earthworks and engineering operations, construction of an ornamental pond and unsightly security fences and gates. Enforcement matters are often complex and take some time for the planning authorities to investigate and resolve and many cases are still outstanding.

Policy/Strategic Consultations

14. The number of policy and strategic consultations referred to the AONB in 2018-19 was 18. Welsh Government was the most significant source of consultations during the year, and the AONB commented on eight policy documents, including Draft Planning Policy Wales: Edition 10; National Development Framework: Issues and Options; Subordinate Planning Legislation Review; Petroleum Extraction Policy; Achieving our Low Carbon Pathway; Noise and Soundscape Action Plan 2018-23; Delivery of Housing through the Planning System and the Draft Climate Change Adaptation Plan for Wales. The AONB also contributed evidence to the Welsh Affairs Committee Inquiry into Renewable Energy in Wales.
15. The planning authorities continued to make progress on their Local Development Plans (LDP's) during the year, and the AONB responded to the Wrexham LDP Deposit Plan and Focussed Changes consultations. Flintshire also consulted the AONB on their Draft Planning Enforcement Policy. The AONB also wrote to the three planning authorities about the importance of and enforcement of pre-commencement conditions.
16. Comments were submitted to Natural Resources Wales (NRW) on their review of Landscape Sensitivity and Capacity Assessments and to National Grid on their Electricity Transmission Network Environment Consultation. The AONB also supported and commented on the Pontcysyllte Aqueduct and Canal WHS Draft Management Plan.

Landscape Character and Built Environment Working Group

17. The AONB Partnership Landscape Character and Built Environment Working Group leads on planning and development matters affecting the AONB. The group met on three occasions during the year and continues to develop and review their forward work programme, which prioritises actions arising from the AONB Management Plan. In addition to commenting on policy matters and major development proposals, the group took forward a number of important Management Plan actions during the year, the most significant of these being the AONB Dark Sky Initiative, reducing visual intrusion, monitoring landscape change and developing the AONB's relationship with the LPA's.
18. As part of their work on responding to planning applications, the group had previously expressed concern about the proportion of AONB comments not accepted by the LPA's. The group recognised the need to develop and improve the AONB's relationship with planning officers and committees and in response arranged two workshop sessions with senior planning officers from Denbighshire on development management and planning enforcement. These have helped enhance mutual understanding of the issues faced by both organisations.
19. The AONB's aspiration to secure formal Dark Sky recognition for the area from the International Dark Sky Association moved forward in partnership with the other protected landscapes in North Wales through the joint appointment of a Dark Sky Officer. In addition, developing a better understanding between the AONB and the street lighting authorities, and exploring and learning from successful dark sky initiatives elsewhere in the UK has also been a feature this year. It should also be noted that when making comments on planning applications the AONB now regularly promotes the need for dark sky friendly lighting where this might be an issue, which is being increasingly taken on board by the LPA's.

20. Further progress has been made on reducing visual intrusion through the National Grid Landscape Enhancement Initiative (LEI) in the Morwynion Valley and Tremeirchion areas, and further work undertaken with Scottish Power to secure removal and undergrounding of prominent overhead electricity lines at Ty Mawr Country Park and Horseshoe Falls. Efforts continue to be made to secure mitigation and ideally the removal of Pontcysyllte Sewage Works, which detracts from the outstanding universal value of the WHS. With regard to monitoring of landscape change, a particular area of concern highlighted by the Working Group is the potential impact of Ash Dieback on the landscape, and survey work was initiated to assess the problem in the Alyn Valley and surrounding areas. The possibility of long-term monitoring of landscape change through a fixed point photography project capitalising on the contribution which can be made through volunteer action was also supported by the group.