

PLANNING AND DEVELOPMENT IN THE AONB:

2019-2020 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 proposals and policies affecting the AONB.

Consultations

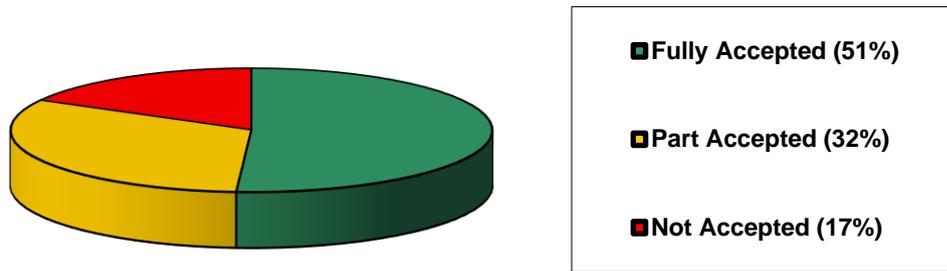
2. The overall number of consultations referred to the AONB in 2019-20 was 274. This is a slightly reduced level of activity from last year (285), which may in part be a reflection of the slowdown in activity during March 2020 as a result of the Covid-19 pandemic.
3. The majority of consultations (210 in number, 77% of the total) were planning or related applications for development referred by the three local planning authorities (LPA's). The majority of these were from Denbighshire (75%), followed by Flintshire (24%) and Wrexham (1%). Formal and informal requests for pre and post-application advice continue to account for a significant proportion of all consultations (46 in number, 17% of the total), which is an increase on last year. Policy related matters (9 in number) accounted for 3% of all consultations, which is a reduction in activity over the previous year. Planning appeals (7) made up the remaining consultations.
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 (31%) followed by new housing (25%), including conversions. The proportion of tourism related development proposals is consistent (18%) and remains the third largest category of development, followed by agriculture (11%), commercial/retail and industrial proposals (5%) and utility/energy developments (4%). The remaining consultations comprised community/educational developments, advertisements, Tree Preservation Order applications, access and mineral proposals.

6. The majority of decided planning applications (87%) were granted permission, which is comparable with the approval rate in previous years. Only 9% 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 23 formal objections lodged to development proposals, and significant concerns were raised in respect of 12 further applications. In many cases development proposals are amended to reflect the AONB's views and result in a better development outcome.

Local Planning Authority Response to AONB Comments

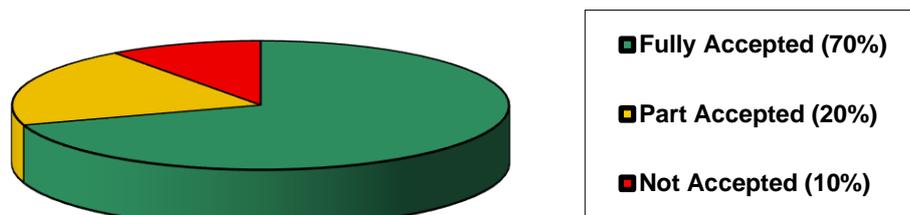
8. Analysis of LPA responses to substantive comments made by the AONB on decided planning applications (see pie-chart overleaf) shows that the majority of comments made by the AONB were accepted in full (51%) or in part (32%). Only 17% of comments were not accepted or acted upon by the LPA's. This performance shows continuing improvement over the last two years and may 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. In addition, during the year management responsibility for the AONB unit was transferred to Denbighshire's newly named Planning, Public Protection and Countryside Service.
9. Of the 17 cases where the AONB's comments were not accepted by the LPA's, 15 applications were determined by Denbighshire and 2 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 18% in Denbighshire and 12% in Flintshire. This continues to demonstrate a significant improvement in performance over the last two years. The comparable figures for Denbighshire over the previous two years were 25% in 2017-18 and 20% in 2018-19. The equivalent data for the proportion of decided applications in Flintshire where the AONB's comments were not accepted was 36% in 2017-18 and 16% in 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.

LPA Consideration of AONB Comments 2019-20



- ii. 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 10 objections submitted by the AONB where a decision was made, the LPA's refused 7 applications and granted 3. Furthermore, in two of the cases where permission was granted, significant amendments were negotiated to partly overcome the AONB's objection. Thus in the majority of these serious cases the AONB's comments were accepted in full (70%) or in part (20%), which is a higher level of acceptance of the AONB's views than the overall picture (see pie-chart below) and is consistent with the position last year. It should also be noted that four other applications to which the AONB objected were withdrawn by the applicants prior to determination, which is often in response to the level of objection to the proposals.

LPA Consideration of AONB Objections 2019-20



Planning Appeals

12. Four of the seven planning appeals referred to the AONB during the year were decided and three are still pending. Of those appeals which were decided, three were dismissed by the inspectorate and one was allowed. The dismissed cases were a large house extension near Llanarmon yn Ial, a new dwelling near Trelawnyd and the hours of operation of a plant hire depot near Caerwys. The AONB objected or raised concerns in respect of all three applications which were taken into account by the inspectorate. The appeal which was allowed concerned the same plant hire depot near Caerwys and was related to external lighting design. The inspector had regard to the concerns of the AONB and others about

potential adverse impacts on the AONB's dark sky but concluded that as the site is some distance outside the AONB these were not so significant as to refuse permission.

13. Two of the pending appeals relate to a major housing development and associated road infrastructure in Meliden. The AONB did not object in principle to either application. The other pending appeal is for a caravan and camping site near Nercwys. The AONB raised concerns about the potential impact of access improvements which would involve the removal of established hedges and stone boundary walls.

Unauthorised Development

14. During the year, 25 potential cases of unauthorised development affecting the AONB were referred to the LPA enforcement teams for investigation. The majority (21cases) were in Denbighshire and 4 were in Flintshire. No cases were referred to Wrexham. A significant proportion of these cases were concerned with engineering operations and tipping works, but there were also cases of change of use, vehicle storage, horse shelters, shipping containers, caravans, works to trees and deviation from approved plans. 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

15. The number of policy and strategic consultations referred to the AONB in 2019- 20 was 9, which is a reduction in activity over the previous year, largely as a result of far fewer consultation documents being issued by Welsh Government relevant to the AONB. However, Welsh Government did publish the consultative draft *National Development Framework 2020-2040* (NDF) during the year, which potentially has significant implications for the AONB. The NDF will form part of the statutory development plan system in Wales and local development plans must conform to the national policies and proposals set out in the document. The AONB submitted a number of comments on the draft NDF and raised particular concerns in respect of the on-shore wind energy proposals and their potential impact on the setting of our nationally protected landscape. Welsh Government are currently considering responses to the draft document and intend to publish the final NDF in late 2020.
16. The planning authorities continued to make progress on their Local Development Plans (LDP's) during the year. The AONB responded to the *Denbighshire LDP 2018-2033 Draft Preferred Strategy and Candidate Sites Consultation* and a subsequent *Additional Candidate Sites Consultation*. Flintshire published the *Draft Flintshire Deposit Local Development Plan 2015-2030* and associated *Candidate Sites Consultation*. The AONB made comments on all these consultations seeking modifications to conserve and enhance the character and appearance of the AONB consistent with our Management Plan. During the year the *Wrexham LDP Deposit Plan 2013-2028* continued its examination, which is still ongoing.

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 and reducing visual intrusion. The working group also reviewed the latest position on mineral and waste planning issues in and around the AONB.

18. The AONB's aspiration to secure formal Dark Sky Community recognition from the International Dark Sky Association (IDA) moved forward during the year. Agreement was reached with the IDA to submit an application for designation of the AONB as a Dark Sky Community in December 2020, although it is very likely that our application will have to be deferred as a result of inevitable delays caused by the Covid-19 pandemic. The application to the IDA is subject to the adoption of specific supplementary planning guidance (SPG) relating to lighting matters and agreement of a Lighting Policy. With the support of the three local planning authorities (LPA's), consultants were engaged to take forward the SPG and a first draft of a document was produced, which is currently being reviewed by an officer working group including representatives of the three LPA's, NRW and the AONB. The Lighting Policy principally relates to the work of the public street lighting authorities and meetings took place with representatives from these agencies. Agreement was reached on a way forward with an AONB Dark Sky addendum to the current Highway Lighting Policy and work is ongoing on drafting the document. Community engagement and awareness raising of dark sky issues through various events organised by the North Wales Protected Landscapes Dark Sky Officer also continued during the year. In addition, the AONB's comments on planning applications continue to promote the need for dark sky friendly lighting where this might be an issue.
19. 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 a successful bid made to continue and extend the initiative to the Minera area. The AONB's long standing partnership with Scottish Power to secure removal and undergrounding of prominent overhead electricity lines also continued, with schemes completed at Horseshoe Pass and Moel Hirradug. These practical and positive landscape improvement projects make a valuable contribution to conserving and enhancing the character and appearance of the AONB's landscape.
20. This year's Annual AONB Forum was led by the Landscape Character and Built Environment Working Group and the theme was 'Conserving and Enhancing Landscape Quality and Character'. The forum was held in the newly restored Old Ruthin Courthouse in November and, despite the weather, there was a good turnout with a number of interesting and informative presentations. These included how to design new development to respect the AONB's character and qualities, and mitigating visual intrusion through the National Grid Visual Improvement Programme (VIP) and associated LEI scheme and Scottish Power's overhead electricity line undergrounding programme. The forum also received an update on the excellent 'Our Picturesque Landscape' project.

