

Report To: Planning Committee

Date of Meeting: 10 November 2021

Lead Members/Officer: Cllr. Mark Young, Planning, Public Protection and Safer Communities and Cllr Tony Thomas, Chair of the AONB Joint Committee /Howard Sutcliffe, AONB Officer

Report Author: Tony Hughes, AONB Planning Officer

Title: **‘Planning for Dark Night Skies’ - Supplementary Planning Guidance for lighting in the Clwydian Range and Dee Valley AONB – Report on Public Consultations**

1. What is the report about?

1.1 This report relates to draft Supplementary Planning Guidance (SPG) for lighting in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) which was the subject of public consultations earlier this year. The report sets out the results of the consultations and recommends changes to the draft SPG with a view to its formal adoption by the Planning Committee. When adopted, the SPG will be a material planning consideration in the determination of planning applications and development proposals within the AONB and its setting.

2. What is the reason for making this report?

- 2.1 The adopted AONB Management Plan defines the Special Qualities which make the area a nationally protected landscape. One of the special qualities is tranquillity – which is defined as ‘an atmosphere of calm and stillness; peace and quiet; and with **dark night skies**’. The SPG will help conserve this special quality by providing further guidance for developers and local planning authorities on lighting. In addition, the AONB Joint Committee and Partnership is seeking formal recognition of the area as a Dark Sky Community by the International Dark Sky Association (IDA) and the SPG is an essential pre-requisite to such a designation.
- 2.2 The SPG supplements adopted LDP policies VOE2: Area of Outstanding Natural Beauty and RD1: Sustainable development and good design. The draft Key Policies in the emerging replacement LDP which are relevant are Placemaking and Natural and Built Environment.
- 2.3 The draft SPG was approved for public consultations by the Planning Committee in May 2021. As this is a joint initiative involving the three local planning authorities covering the AONB - Denbighshire, Flintshire and Wrexham - our partner authorities also approved the document for public consultation. This report sets out the results of the consultations and recommends changes to the draft SPG with a view to its formal adoption by the Planning Committee.

3. What are the Recommendations?

- 3.1 That Planning Committee agree the proposed changes to the SPG and formally adopt 'Planning for Dark Night Skies - Supplementary Planning Guidance for lighting in the Clwydian Range and Dee Valley AONB'

4. Report details

- 4.1 The consultative draft document was published for comment on 14th June 2021. The public consultation period was 8 weeks, closing on 9th August 2021. Given that this is a joint project involving the three local planning authorities together with the Clwydian Range and Dee Valley AONB, the document was publicised in all three council areas and made available to view on the websites of all these organisations. Denbighshire acted as the lead authority for coordinating the consultations and made the document available for comment on its consultation portal.
- 4.2 Given the restrictions imposed by the Covid-19 pandemic it was not possible to convene public meetings or exhibitions to promote the consultation, but efforts were made to raise awareness of the consultation and to encourage participation and comment on the proposals. Measures to encourage engagement in the process included:
- An initial press release explaining the background to the proposed Supplementary Planning Guidance and informing the public where to view the document and submit comments.
 - A formal consultation letter was sent to all statutory consultees, including City, Town and Community Councils to invite comments.
 - A consultation letter was also sent to the local planning authority contact databases, which includes local planning consultants, agents and other non-statutory consultees.
 - Social Media was also used to generate awareness and interest in the consultation. Posts on the Twitter and Facebook accounts of Denbighshire and the AONB were released at the start of the consultation and during the consultation period to maintain interest.
 - Hard copies of the document were also made available to view at Denbighshire's libraries
- 4.3 The total number of representations received during the consultation period was 31. These are set out in the table appended to this report, which also summarises the joint Councils' officer working group response to the comments received and the changes proposed to the draft document. A copy of the SPG incorporating the proposed amendments is also appended to this report.
- 4.4 Members will note from the comments received that there is considerable support for conservation and enhancement of our dark skies, which the SPG is seeking to achieve. Whilst most respondents are supportive of the aims of the SPG a small number made specific comments which have been addressed by the joint officer working group and, where considered appropriate, changes are proposed.

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

- 5.1 The draft SPG contributes to Corporate Priority: Environment – ‘attractive and protected, supporting well-being and economic prosperity’. Reducing light pollution will reduce carbon emissions, contribute to human health and well-being and reduce the negative effects of excessive light on biodiversity. It will also assist in conserving the special qualities of the AONB as a nationally protected landscape and enhance its appeal to visitors. There will also be a positive effect on the local economy by enhancing opportunities for astro-tourism during the off-peak autumn/winter months.

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

- 6.1 Adopting the SPG is not anticipated to create any additional costs. Other services will be affected when they are proposing external lighting schemes or associated development which should be designed and specified to be dark sky friendly. Please note that a dark sky friendly lighting design will not necessarily incur increased costs.

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

- 7.1 The main conclusions are that the draft SPG will overall have positive impacts on the local economy, health and well-being and biodiversity. It will also contribute to a reduction in carbon emissions. The completed Well-being Impact Assessment is appended to this report.

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

- 8.1 The AONB covers part of three local planning authority areas – Denbighshire, Flintshire and Wrexham – and the SPG will apply to the relevant area of all three authorities. A joint officer working group comprising planning officers from the three authorities together with representatives from the AONB was established to take forward and co-ordinate preparation and adoption of the SPG.
- 8.2 To ensure cross-boundary consistency in approach across the AONB it will be necessary for all three planning authorities to adopt the same version of the SPG. The report on consultations and amended SPG together with a recommendation that it should be adopted will be put before Wrexham’s Executive Board on 7 December and Flintshire’s Cabinet on 14 December.
- 8.3 Denbighshire’s Strategic Planning Group considered this matter at their October meeting. The group are very supportive of the Dark Sky initiative and endorsed the SPG and report on consultations and agreed that it should go forward to Planning Committee with a recommendation that the amended SPG be adopted. The Planning Strategy Group did suggest a further amendment to clarify that the section on ‘Advice by type of development’ also relates to tourism developments (see page 22). The title of the ‘Commercial’ section should be changed to *Commercial/Tourism* and para 5.34 be amended to read ‘These principles apply to smaller retail/commercial properties, public houses *and tourism developments*.’ This change was agreed by the joint officer working group and has been incorporated into the amended SPG document appended to this report.

8.4 For details of the public consultations on the draft SPG please see section 4 above.

9. Chief Finance Officer Statement

9.1 There are no direct negative financial consequences of the recommendations.

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

10.1 Failure to put in place an SPG to provide dark sky friendly lighting advice and guidance for developers in and around the AONB will undermine efforts to conserve and enhance tranquillity as one of the AONB's Special Qualities. In addition, such a failure would present a significant barrier to the AONB's aspiration to secure formal recognition of the area as a Dark Sky Community by the IDA.

11. Power to make the Decision

11.1 Planning & Compulsory Purchase Act (2004).