

Report to	Planning Committee
Date of meeting	13th December 2023
Lead Member / Officer	Cllr W Mullen-James, Lead Member for Local Development and Planning
Head of Service	Emlyn Jones, Head of Planning, Public Protection and Countryside Services
Report author	Karsten Brußk, Senior Planning Officer
Title	Addressing the Nature Emergency through the Planning System: Updated National Planning Policy for Chapter 6 of Planning Policy Wales

1. What is the report about?

- 1.1. This report provides a summary of the changes that were made by Welsh Government to Planning Policy Wales (PPW) Edition 11 Chapter 6 on the 11th of October 2023; see Appendix 1.

2. What is the reason for making this report?

- 2.1. PPW establishes the key principles for the planning system. It sets out what development plans and decision taken by the planning system must achieve and how development should be shaped to deliver the best possible outcomes.
- 2.2. To inform Members of the Planning Committee of national policy changes that were made to PPW Edition 11 Chapter 6 and could be material to the determination of planning applications and planning appeals.

3. What are the Recommendations?

- 3.1 Members note the content of this report.

4. Report details

- 4.1. Welsh Government (WG) consulted with Local Planning Authorities (LPAs) on the proposed changes to PPW Edition 11 Chapter 6 in Spring 2023. Officers discussed the proposals with Members of the Strategic Planning Group (April 2023) and Planning Committee (May 2023). Consultation documents were distributed to all Members, who were invited to submit their views. The Council's response was subsequently finalised and submitted to WG by the 31st of May 2023, see Appendix 2.
- 4.2. The Welsh Minister for Climate Change, Julie James MS, wrote to all Heads of Planning on the 11th of October 2023 to announce that updated chapter 6 policy would come into immediate effect. The letter is supplemented by an annex that sets out the amendments but was not published before the 18th of October 2023.
- 4.3. Comprehensive policy changes are generally accompanied by the publication of a new edition of PPW, not by a letter to Chief Planning Officers (CPO letters) or Heads of Planning. WG aims to publish PPW Edition 12 as soon as practical and works with stakeholders on the preparation of additional guidance documents. Officers are not aware of any forthcoming changes to Technical Advice Note (TAN) 5 "Nature Conservation and Planning" (September 2009).
- 4.4. WG have not published a consultation report with feedback on individual changes, yet. The consultation report would however provide Officers with details on sources of information, justification, evidence, and the consideration of alternatives. Until the consultation report is published, Officers have only limited background information to assist Members with policy interpretation.
- 4.5. Officers would have welcomed the publication of Chapter 6 in a consolidated form because of the complex nature of the subject. It is difficult to track changes as presented in the annex to the Minister's letter. There are many 'new paragraphs' that set out new policy or the need to provide additional documents with planning applications, but without any reference number to assist the communication of changes to the public and the preparation of Officer reports.
- 4.6. Besides commenting on draft policy as part of the public consultation in Spring 2023, Officers cautiously raised concern regarding the impact of new policy on the Council's resources in terms of staff availability, experience, and monitoring.

Planning applications should principally be determined within eight weeks. There is, for example, the new statutory duty to consult the Council's Ecologist on every planning application that effects a non-statutory designated site (wildlife sites, nature reserves, etc.); see PPW 11 Chapter 6 (as amended), paragraph 6.4.20. Expertise/ knowledge is required on 'Building with Nature' standards when such information is submitted with future planning applications; see PPW 11 Chapter 6 (as amended), third 'new paragraph' below paragraph 6.2.5. Monitoring will not only become necessary in terms of net biodiversity gains but also of species and habitats that are likely to be reported upon in Local Development Plans AMRs; see PPW 11 Chapter 6 (as amended) paragraph 6.2.12.

- 4.7. Appendix 3 sets out the national policy changes (summary); commencing with a brief introduction to national policy objectives, followed by the requirements for plan preparation and the selection of candidate sites, and concludes with implications for the submission of planning applications and decision-making in Development Management.
- 4.8. Officers welcome the changes in principal as they support the Council's Corporate Priority "A greener Denbighshire" and the provisions contained in the "Climate and Ecological Change Strategy" (2021).

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- 5.1. Implementing national policy on 'net benefit for biodiversity' and 'resilient ecosystems' supports the Council's Corporate Priority "A greener Denbighshire" and the provisions contained in the "Climate and Ecological Change Strategy" (2021).

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

- 6.1. Planning will require additional support in terms of knowledge and expertise in the fields of biodiverse, nature conservation and enforcement.

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

7.1. A Well-being Impact Assessment has not been carried out because this report is an information item to Planning Committee. Changes to national planning policy are the responsibility of WG.

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

8.1. Changes to PPW 11 Chapter 6 were presented to Members of the Strategic Planning Group on the 13th of November 2023. Training was requested, and Officers are in the preparation process. Details to be shared with Members when they become available.

9. Chief Finance Officer Statement

9.1. This report is for information purposes only.

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

10.1. There is no risk associated with noting the content of the report and appendices.

11. Power to make the decision

11.1. This report does not seek a decision, it is for information purposes only.