

Appendix 2

Consultation Response Form

Your name:	Cllr W Mullen-James, Lead Member for Local Development and Planning
Preferred contact details (email/phone/post)	Denbighshire County Council PO BOX 62 Ruthin LL15 9AZ
Organisation (if applicable):	Denbighshire County Council

Q1 Do you agree with the proposed changes in section 6.2? Please explain where you disagree with the change.

Agree

Neither agree or disagree

Disagree

Paragraph 6.2.1 – The definition of Green Infrastructure (GI) should be extended to highlight the ‘multifunctional’ character that ‘green’ or ‘blue’ elements must exhibit in order to be classed as a GI feature. Greater clarity needs to be provided to meaningfully engage with developers as, for example, not every pond, road verge with grass, or play area constitutes GI per se as suggested by the text. There should be an acknowledgement that GI is transient in nature. If an element is no longer maintained to deliver multifunctional benefits, it should not be considered part of the GI network anymore. Paragraphs 6.2.2 and 6.2.3 refer to GI characteristics but the broad definition is contained in the first sentence of paragraph 6.2.1.

Paragraph 6.2.5 [new paragraph] – The requirement to submit a green infrastructure statement with planning applications is generally welcomed but there are concerns regarding the likely quality of the submissions and Local Planning Authorities’ (LPAs’) resources to challenge ‘substandard’ documents.

Paragraph 6.2.5 [new paragraph] - Does a certain type or size of development trigger a GI statement similar to Design & Access Statements (DAS)? What about

Appendix 1 – Draft Consultation Response Form

minor developments where landscaping schemes and SAB are also required? There is concern that a lot of smaller scale development will be missed out if GI statement is only required for an application needing a DAS. It's proposed to make a GI statement a validation requirement as it would be a far stronger and more meaningful approach. Concern is raised that GI could just become another 'tick box' in DAS with standard statements relating to the topic covered in the DAS but not necessarily shown on plan. Further clarity should be provided on "development proposals addressing well-being priorities and climate emergencies". Is this for every LPA to gauge/or have declared?

Paragraph 6.2.5 [new paragraph] – Is there any available guidance or training for developers, officers or ecologists on 'Building with Nature' standards? There will be the need to deal with enquiries and professionally assess any submission.

Paragraph 6.2.7 – There are resource implications for keeping GI assessments under continuous review; as GI may grow (or decline) not only because of development proposals. What does 'buffering' means in terms of "...*the retention, maintenance, buffering, restoration...*"

Paragraph 6.2.9 – Is there any merit in providing additional information on the content of Green Infrastructure Assessments in a Technical Advice Note (TAN) or Practice Guidance, rather than Planning Policy Wales?

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Q2 Do you agree with the proposed changes to the step wise policy in section 6.4 paragraph 6.4.21? Please explain where you disagree with the proposed changes.

Agree

Neither agree or disagree

Disagree

The step wise policy approach to maintaining and enhancing biodiversity as set out in paragraph 6.4.21 is generally supported by the Council.

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Appendix 1 – Draft Consultation Response Form

Q3 Do you agree with the proposed changes to designated sites in paragraphs 6.4.10–6.4.20. Please explain where you disagree with the proposed changes.

Agree

Neither agree or disagree

Disagree

Development on sites that are designated for nature conservation or biodiversity value should be avoided in perpetuity; unless the development is linked to site management.

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Q4 Do you agree with the proposed changes to trees and woodland in paragraphs 6.4.24-27? Please explain where you disagree with the proposed changes.

Agree

Neither agree or disagree

Disagree

Additional paragraph 6.4.25: The tree planting rates are understood to be representative of forestry enterprises and not necessarily reflective of a more natural UK woodland structure. If planting cannot be achieved through natural regeneration, it should be judged against the local woodland characteristics and adjoining landscape; ensuring biodiversity enhancement against an appropriate baseline.

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Q5 Do you agree with the consequential changes to section 5.14 paragraph 5.14.37? Please explain where you disagree with the proposed changes.

Agree

Neither agree or disagree

Disagree

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Appendix 1 – Draft Consultation Response Form

Q6 Do you agree with the consequential changes to section 6.6 paragraphs 6.6.1, 6.6.5 and 6.6.6? Please explain where you disagree with the proposed changes.

Agree

Neither agree or disagree

Disagree

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Q7 The proposed changes will provide a framework for the development of further guidance on the DECCA framework and a potential means of measuring whether a net benefit for biodiversity has been achieved and the resilience of ecosystems promoted. Do the proposed changes provide a sufficient framework to enable this or are there omissions which would need to be included with PPW itself? Please explain further if you consider there to be omissions which would prevent the effective development of further guidance.

Agree

Neither agree or disagree

Disagree

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Q8 It is considered that the order of paragraphs in section 6.4 could be changed so that the stepwise approach comes before the paragraphs on designated sites. The order of the paragraphs has been changed in the proposed changes document; do you agree with this suggestion? Please explain if you do not agree.

Agree

Neither agree or disagree

Disagree

There is no preference in terms of the order of paragraphs in section 6.4.

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Appendix 1 – Draft Consultation Response Form

Q9 Please also explain how you believe the proposed policy could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language, and on treating the Welsh language no less favourably than the English language.

Opportunities for people to use the Welsh language will be enhanced through identifying species of plants and living creatures by both their Welsh, English and Latin names. The location of habitats may be identified by their original and/or historic names which are likely to be in Welsh. Etymology research could lead to the discovery of a suitable Welsh title where a place may be known locally by its English name only. 19th century tithe maps are a valuable source for discovering such titles. DCC has a current policy of naming streets in the Welsh language only. Such a policy could be extended to the naming of biodiversity sites.

All signage and information boards relating to areas of biodiversity interest should be in both Welsh and English as per DCC Welsh Language Policy.

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Q10 We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

- 1) How to calculate (or quantify) net benefit for biodiversity and ecosystems resilience in principle when appraising development proposals? For example, if a house is to be extended that will result in reducing the extent of open ground, soil and associated habitat features. The addition of a bat or bird box will not necessarily be a biodiversity net gain despite the fact that some species receive further roost or nest niches but are likely to have less food availability. In such cases, would the LPA be able to insist on additional garden space to provide native plant species, and, hence, enhance the biodiversity?
- 2) Welsh Government is encouraged to provide greater clarity on the use and interpretation of the term 'major development' in paragraph 6.3.1. *"The following change is proposed to paragraph 6.3.10 because it is not accurate*

Appendix 1 – Draft Consultation Response Form

to definitively suggest that the meaning of major development can only be related to that which is ‘more national than local’ in character. (...) It is considered that NPAs need to be able to decide what constitutes ‘major’ depending on local context and the particular application in question and therefore paragraph 6.3.10 is proposed to be amended as follows.” Could the interpretation of the term ‘major development’ as intended by Planning Policy Wales cause confusion with the definition of ‘major development’ that is set out in article 2 of the “Town and Country Planning (Development Management Procedure) (Wales) Order 2012” for development management purposes?

Paragraph 6.3.10: *“Major developments should not take place in National Parks or AONBs except in exceptional circumstances.”* It is assumed that LPAs are able to define what ‘major development’ means in relation to AONBs?

- 3) Should a definition of ‘geodiversity’ be included in PPW, paragraph 6.0.1; for clarification and consistent interpretation?
- 4) While additional measures to gain net benefits for biodiversity are generally supported, there are likely to be impacts on the viability of new development. Did WG carry out an economic impact assessment of the new policy? Concern is raised regarding the LPA’s ability to secure urgently required affordable housing against new biodiversity requirements. There is also some concern at the potential impact on community projects where any additional costs may impact on proposals. Grant funded community projects also often have very tight timeframes for spending monies which may be impacted by additional requirements for evidence gathering.
- 5) Councils are under great financial pressure to deliver their statutory obligations within existing budgets that are continuing to decrease over the next few years. Individual (new) policy measures will require additional resources in terms of experience/ knowledge and staff (especially, monitoring and reporting). Is WG going to provide additional financial support to LPAs in order to comply with new policy?

Appendix 1 – Draft Consultation Response Form

- 6) Will there be an update to Technical Advice Note 5 as a result of the policy changes to PPW, Chapter 6?
- 7) Are there any examples in Wales that demonstrate how net benefits for biodiversity have been gained in light of the objective to provide high-density residential development in light of minimizing finite greenfield land?

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:	
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