

The Vale of Glamorgan Council

Cabinet Meeting: 30 April, 2018

Cabinet Member for Regeneration and Planning

Welsh Government Consultation on Draft Planning Policy Wales: Edition 10

Purpose of the Report

1. This report has been prepared to advise Cabinet of the Welsh Government's consultation on the proposed revision to Planning Policy Wales (PPW) in light of the Well -Being of Future Generations (Wales) Act 2015. The report also seeks Cabinet endorsement of the responses to the Welsh Government's consultation questions attached at [Appendix A](#).

Recommendations

1. That subject to consideration by Cabinet, the completed consultation response form attached at appendix A is endorsed as the Council's formal response to the Welsh Government consultation on Draft Planning Policy Wales: Edition 10.
2. That the report be referred to Planning Committee for information.

Reasons for the Recommendations

1. To obtain Cabinet's endorsement of the response submitted to the Welsh Government consultation on Draft Planning Policy Wales: Edition 10.
2. To advise Planning Committee of the public consultation.

Background

3. PPW is the national land use planning policy document of the Welsh Government. It was first published in 2002 and has since been updated nine times. PPW is supplemented with Technical Advice Notes (TANs), Circulars and ministerial letters. It provides the policy context for Local Development Plans (LDPs) and is a material consideration in the determination of planning applications and appeals.
4. When the Planning (Wales) Act 2015, the Well- Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 were being developed, the Welsh Government made a commitment to restructure PPW so it more clearly evidenced the legislative requirements of the above legislation. The Well-Being of Future Generations (Wales) Act 2015 places a statutory duty on public bodies in

Wales to consider sustainable development in their decision making and to show how they will meet the following seven well-being goals set out in law:

- (i) A prosperous Wales
 - (ii) A resilient Wales
 - (iii) A healthier Wales
 - (iv) A more equal Wales
 - (v) A Wales of cohesive communities
 - (vi) A Wales of vibrant culture and thriving Welsh language
 - (vii) A globally responsible Wales.
5. The new edition of PPW also seeks to promote the concept of 'place making' in both plan making and development management decisions which is central to the wider objectives of the Well-being of Future Generations (Wales) Act 2015. In addition, the Welsh Government has updated planning policy in key areas where necessary to reflect new Welsh Government strategies and policies.
6. The consultation documents were issued on 12th February 2018 and the closing date for responses is the 18th May 2018. The consultation documents can be viewed on the Welsh Government web site via the following link:

<https://beta.gov.wales/planning-policy-wales-edition-10>

Relevant Issues and Options

7. In terms of the new structure, the Welsh Government has sought to re-align the existing planning policy topic areas to the 7 well-being goals set out in the Well-Being of Future Generations (Wales) Act 2015 (see paragraph 4 above). Following an examination of the goals, the policy topic areas have been grouped under 4 new thematic headings namely 'Place Making', 'Active and Social Places', 'Productive and Enterprising Places' and 'Distinctive and Natural Places' which show their relationship with each other. For example, the 'Active and Social Places chapter' includes policy statements on housing, retail, community facilities, open space and transport. Each chapter highlights the connections between the policy topic areas and the place making outcomes and refers to the linkages with the 7 well-being goals and the 5 ways of working in the Well Being of Future Generations (Wales) Act 2015.
8. Chapter 2 of PPW refers to 'place making' and paragraph 2.1 states that "everyone engaged with or operating within the planning system in Wales must embrace the concept of place making in both plan making and development management decisions in order to achieve the creation of sustainable places". Place making is a multi-faceted approach to the planning, design and management of public spaces. Place making capitalises on a local community's assets, inspiration and potential, with the intention of creating developments that promote people's health, happiness and well-being. It is therefore central to the wider objectives of the Well-being of Future Generations (Wales) Act 2015.
9. PPW also sets out 5 new key planning principles which should be the starting point for all those involved in considering what they are trying to achieve and defines

what it means by a 'sustainable place'. In addition, the Welsh Government has introduced a suite of national sustainable place making outcomes which seek to ensure that all developments make or contribute to the creation of sustainable places.

10. As stated above, the Welsh Government has also used this opportunity to update planning policy in a number of key areas. The consultation questions attached at Appendix A focus on the policies where changes have been made. However, some of the key changes are outlined below:

- (i) A new policy in relation to the promotion of new settlements or major urban extensions of 1000 or more dwellings. It states that they should only be proposed as part of a joint LDP, Strategic Development Plan (SDP) or the National Development Framework due to their strategic nature and significance which goes beyond a single local authority boundary.

- (ii) A stronger emphasis on previously developed land. It acknowledges that land is a finite resource and states that a search sequence process should be followed when formulating development plan strategies and identifying areas for new development.

- (iii) More clarification is provided on the difference between green belts and green wedges. It contends that green belts should only be proposed as part of a Joint LDP or an SDP due to their strategic nature.

- (iv) New policy statements on housing. The revised PPW encourages LPAs to plan for a greater mix of market and affordable housing types to meet the housing requirement and specifically consider the differing needs of their communities. It also recognises the role that all house builders have in the delivery of new housing. Consequently, LPAs are now obliged to allocate a range of housing sites (including small sites) in development plans to facilitate this.

- (v) More weight is given to the provision of appropriate community facilities in both development plans and when considering development proposals for new development.

- (vi) Promotion of the transport hierarchy and active travel in line with the provisions of the Active Travel (Wales) Act 2013.

- (vii) PPW now seeks to encourage the use of Ultra Low Emission Vehicles (ULEVs) and requires a minimum of 10% of non-residential car parking spaces to have ULEV charging points.

- (viii) Revised policies on coal and on-shore oil and gas.

- (ix) Natural environment updates to reflect the requirements of the Environment (Wales) Act 2016.

- (x) Introduction of the 'agent of change' principle in terms of addressing compatibility of uses and activities.

Resource Implications (Financial and Employment)

11. The response to the consultation has been prepared by Council Officers within existing departmental budgets.

Sustainability and Climate Change Implications

12. Draft PPW seeks to take a more joined up approach to sustainable development and tackling climate change. It also acknowledges that the creation of sustainable

places is the main contribution that the planning system can make in terms of the successful implementation of the Well-being of Future Generations (Wales) Act 2015.

Legal Implications (to Include Human Rights Implications)

13. Once adopted, PPW edition 10 will become the national land use planning policy document for Wales. It will be a material consideration in the preparation of development plans and the determination of planning applications and appeals. Draft PPW reflects the legislative requirements of the Planning (Wales) Act 2015, the Well-being of Future Generations Act 2015 and the Environment (Wales) Act 2016.
14. There are no specific human rights implications from the report. However, draft PPW promotes the concept of place making which capitalises on a local community's assets, inspiration and potential with the intention of creating development which promotes people's health, happiness and well-being.

Crime and Disorder Implications

15. Draft PPW refers to community safety and states that crime prevention and fear of crime are social considerations which should be taken into account in the preparation of development plans and when making development management decisions.

Equal Opportunities Implications (to include Welsh Language issues)

16. LPAs and other listed public authorities are required by the Public Sector Equality Duty (Wales) to have due regard to the need to advance equality of opportunity between different groups. This entails encouraging people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.
17. Draft PPW seeks to promote and protect culture and the Welsh language. It states that "the land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its well-being and use" (paragraph 2.47 refers). In line with the Planning (Wales) Act 2015, it also states that LPAs must take Welsh language considerations into account when preparing development plans and in decision making, so far as material to the application.
18. The consultation documents published by the Welsh Government are available in both Welsh and English.

Corporate/Service Objectives

19. PPW informs policies and land use allocations in LDPs and is a material consideration for decision makers in determining individual planning applications and appeals. The LDP is a key policy and implementation document for the Council set out in the Corporate Plan and Regeneration and Planning Service Plan under Well-being Outcome 2, Objective 4. The Service Plan also contains a number of actions which relate to some of the key themes in the draft PPW such as ISO 11 (Affordable Housing), ER02 (Regeneration, Economic Growth and Employment) and AC16 (Built, Natural and Cultural heritage).

Policy Framework and Budget

20. PPW sets the context for sustainable land use planning policy within which LPA's statutory LDPs are prepared and development management decisions on individual planning applications and appeals are made. It is important that national planning policy continues to evolve to reflect new legislation and changing circumstances.
21. This is a matter for Executive decision by Cabinet.

Consultation (including Ward Member Consultation)

22. No specific ward member consultation has been undertaken.

Relevant Scrutiny Committee

23. Environment and Regeneration

Background Papers

Welsh Government Consultation Document - Draft Planning Policy Wales: Edition10 (February 2018)
The Planning (Wales) Act 2015
The Well-Being of Future Generations Act 2015
The Environment (Wales) Act 2016
Active Travel (Wales) Act 2013

Contact Officer

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Officers Consulted

Operational Manager Legal - committee reports
Operational Manager - Accountancy
Principal Engineer (coastal and flood risk management)
Principal Engineer (highways and engineering)
Principal Transport and Road Safety Officer
Ecologist
Principal Landscape Architect
Energy Manager
Environmental Health Officer
Operational Manager Public Housing Services
Operational Manager for Regeneration
Operational Manager for Neighbourhood Services, Healthy Living and Performance

Responsible Officer:

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