

## CONSULTATION FORM

### Draft Planning Policy Wales: Edition 10

This consultation seeks your views on the Welsh Government's proposed revision to Planning Policy Wales in light of the Well-being of Future Generations (Wales) Act 2015.

Fundamentally, PPW has been restructured into policy themes around the well-being goals and policy updated where necessary to reflect new Welsh Government strategies and policies.

If you have any queries on this consultation, please email: [planconsultations-c@gov.wales](mailto:planconsultations-c@gov.wales) or telephone: 0300 025 5040, 0300 025 6802 or 0300 025 1128.

#### Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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## CONSULTATION FORM

Draft Planning Policy Wales: Edition 10		
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<b>Type</b> <i>(please select one from the following)</i>	Businesses	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input checked="" type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	Do you agree planning policy topics be clustered around themes which show their relationships with each other and the 7 well-being goals? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	

**Further comments**

NRW welcome the approach taken by Welsh Government to reframe Planning Policy Wales to reflect and embed the provisions of the Well Being of Future Generations (Wales) Act 2015 and the Environment(Wales) Act 2016.This will establish a framework for decision making within the planning system to maximise its contribution towards the achievement of the well-being goals and ways of working and the sustainable management of natural resources.

The diagram following paragraph 1.1 usefully sets out the component parts of the Planning System. It would be helpful if this could be amended to refer specifically to the Well Being of Future Generations (Wales) Act 2015,the Environment (Wales) Act 2016 ,the National Strategy based on Taking Wales Forward ,the Welsh National Marine Plan together with adding Area Statement to the section referring to Well-Being Plans .This would explicitly set out the strategic context for the planning system and illustrate its importance as a delivery system for economic ,social ,environmental and cultural well-being.

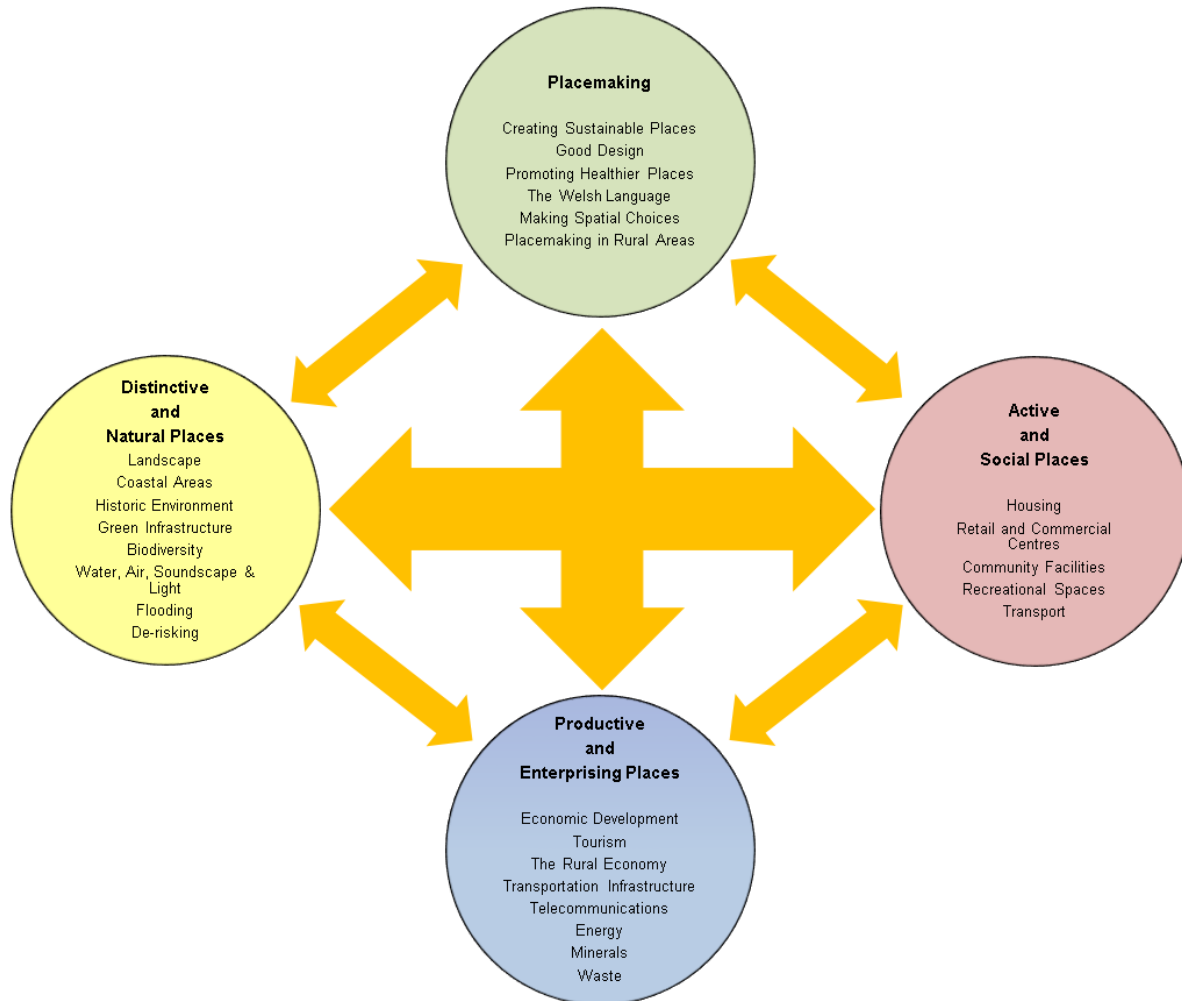
We can see that the approach to cluster individual planning policy topics around themes can be useful to show their relationship with each other, and the retention of discrete policy topics can help the legibility of a policy document which covers a broad spectrum of matters.

However, the inherent risk of clustering policies according to themes, is that certain policy topics within a certain theme are seen to be unrelated to other policy topics that are positioned within other themes. This endangers the document being read with a silo approach according to theme (rather than according to individual policy topic).

To mitigate this risk, we consider PPW requires adequate ‘bridging/ cross referencing’ text throughout the document that state the linkages across policy topics to help ensure the document is read as a whole, and to enable integrated decision-making. The Draft PPW recognises the need for such ‘bridging’ text. However, we feel there should be earlier emphasis on the need to read the document as a whole. Where we consider necessary

or beneficial, we have recommended the inclusion of additional or amended 'bridging' text as appropriate in response to the individual questions set out below.

We also believe that the table supporting paragraph 2.17 may give a confusing view on how 'placemaking' is considered alongside the other three themes. Rather than positioning 'placemaking' alongside the other three themes, we believe 'placemaking' should sit above the other three main themes to illustrate how these three themes are elements of, rather than separate to, 'placemaking'. An alternative illustration is suggested below:



To better illustrate the relationship between identified themes with the wellbeing goals and ways of working, we believe that the diagram on page 24 of the draft PPW should be amended to show that it's the wellbeing goals as the main drivers for the planning system (rather than the wellbeing ways of working), and that the wellbeing ways of working are positioned within the decision-making process (rather than as drivers) as the ways of working provides a method to deliver the wellbeing goals. We also believe that the role of the strategic management of natural resources should be reflected within this diagram (and in supporting text e.g. Chapter 2 or in support of paragraph 1.20) to show how the strategic management of natural resources approach (using the evidence from Area

Statements and SoNaRR) should be used by decision-makers to direct the right development to the right locations, and how nature based solutions should be considered to help ensure the resilience of new development. Our suggested changes are illustrated in the diagram below.

It will be important ,especially during the `transition period` between the end of the consultation period and the publication of the final version of PPW Edition 10, for Welsh Government, NRW, the Office of the Future Generations Commissioner for Wales and ,Planning Officers Society Wales to work closely together to develop a common understanding of the application of the new ways of working together with any supporting guidance and training events for both officers and elected members.

- INVOLVEMENT - COLLABORATION - INTEGRATION - PREVENTION - LONG TERM -

- SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES -

**National Well-being Goals**

Right Development in the Right Place

Facilitating Accessible and Healthy Environments

Making best use of resources

Creating and Sustaining Communities

Maximising Environmental Protection

**Planning**

Placemaking

**Policy**

Distinctive and Natural Places

Active and Social Places

Productive and Enterprising Places

**Wales**

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- Prosperous
- Equal
- Resilient
- Healthier
- Cohesive Communities
- Vibrant
- Globally Responsible

- NATIONAL SUSTAINABLE PLACEMAKING OUTCOMES -

**DRIVERS FOR PLANNING**

**DECISION TAKING AND PLAN MAKING**

**OUTCOMES**

Q2	Do you agree the introduction provides an adequate overview of the planning system in Wales and appropriate context? If not, please explain why.	X
<b>Agree</b>		
<b>Neither Agree nor Disagree</b>		x
<b>Disagree</b>		

### Further comments

#### The Planning system in Wales/ The Context for Planning in Wales

**Paragraph 1.11** We believe this paragraph correctly indicates the aspiration inherent within the principles supporting the planning system to deliver sustainable development. However, rather than ‘expanding’ the concept, we believe the Wellbeing and Future Generations (Wales) Act *clarifies* the outcomes which are to be achieved (well-being goals) and how they are to be achieved (well-being ways of working).

It will be useful for Planning Policy Wales to illustrate how the Planning Wales Act, the Environment (Wales) Act, and the Well Being of Future Generations (Wales) Act together contribute towards the delivery of sustainable development in Wales. Please see also our comments in relation to paragraph 1,1 above.

**Paragraph 1.10:** We welcome the clarity provided in this paragraph on the relationship between the planning application process and other consenting regimes. Whilst the timetable for determining consents varies between different consenting regimes, in many cases it would be advantageous if the various applications are submitted along a similar timetable to allow issues to be considered in parallel. To facilitate this approach for development of National Significance, we have developed [guidance](#) which indicates the determination timetable for a number of consents determined by NRW so that developers can consider a common evidence and early discussion with NRW align the submission of applications for various consents to the timetable for determining the planning application to allow issues to be considered concurrently.

If the Welsh Government believes that the parallel tracking of consents would be advantageous, PPW should promote its use and highlight the risks to the developer of not following such an approach. We therefore recommend that paragraph 1.10 is amended to read:

*“In many instances, it will be appropriate to address issues in parallel, to try to ensure that there is no conflict between any planning permission and any permit / license / consent requirements. Should applicants choose not to parallel track their applications, they do so at their own risk”.*

We have many examples where parallel tracking of planning permission applications and applications for environmental permits would have resulted in better outcomes and greater confidence by the public in the determination processes. This view is also shared

by other consultees to the planning and environmental permitting processes who often feel unsighted on the potential impacts of the proposed development at the planning stage.

We would welcome the opportunity of further discussion with you on this matter, in the context of the work commenced recently between WG Planning Division , NRW and Planning Officers Society Wales.

This will also need to be framed in the context of whole-system approach recommended by the Future Generations Commissioner for Wales in her letter to NRW dated 14<sup>th</sup> May 2018 .

Please see also our below comments to paragraph 4.180.

**Planning 1.14:** Consistent with the aims of the Well-being and Future Generations (Wales) Act, we suggest that the final sentence of this paragraph should clarify that the planning system should aim to deliver for the public interests of the present and future generations.

**Paragraph 1.16:** We welcome the recognised need to deliver integrated decision-making to ensure social, environmental, economic and cultural matters are considered together with a view to maximise the delivery of all well-being goals. We believe that the need for integrated decision-making is an important concept to clarify at a very early stage within PPW, and consider further direction is required than that presented in this current draft. The text box at the bottom of page 2.6 does indicate this aspiration. However, we consider more guidance is required on how 'integrated decision-making' is reflected in practice both in plan-making and in the planning application process. We would welcome the opportunity to work with you on this matter.

We also believe that the stated expectation for the planning system to deliver a 'balanced' approach can be confusing as this may suggest that planning decisions need to deliver 'balanced' outcomes. Embedding the Wellbeing and Future Generations (Wales) Act in the planning system will help to ensure integrated decision-making where social, cultural, environmental and economic matters are considered together. However, this may not lead to a 'balanced' decision where there is an equal delivery of benefits for each of the social, cultural, environmental and economic spheres. We therefore suggest that PPW should clarify what is meant by achieving 'balance' within the planning system, and how this differs to integrated decision-making.

**Sustainable Management of Natural Resources (paragraphs 1.18 to 2.21)**

We welcome the early inclusion of a statement on the sustainable management of natural resources. However, as indicated in our response to Question 1 above, we believe that further clarity is required on the aspiration of the Environment (Wales) Act to consider the long-term resilience of ecosystems, and how the sustainable management of natural resources should be applied in the planning system. We also believe that an early



section of PPW should clarify the need to consider the evidence from Area Statements and SoNaRR to understand the existing ecosystem benefits delivered within a place to inform decisions on directing the right development to the right locations, and how nature-based solutions should be considered to help ensure the resilience of ecosystems and new development. We would welcome the opportunity to discuss this further.

**Development Plans**

We consider that this section provides a generally adequate overview of the planning system in Wales. However, we suggest reference should also be made to the role of Supplementary Planning Guidance in supporting LDPs, and the role of Wellbeing Plans in relation to LDPs. This will ensure that the text is read coherently with the content of the illustration on page 7 of the draft PPW.

**Paragraph 1.40:** We advise that this paragraph is amended as it may be interpreted that the decision to call in planning applications reflects Welsh Ministers’ view on the merits of a scheme, which is contrary to [current Welsh Government guidance on the call-in process](#).

<b>Q3</b>	Do you agree with the Planning Principles? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	

**Further comments**

We are generally supportive of the identified planning principles. However, we believe they could be presented differently in relation to the well-being ways of working. The current presentation suggests a particular well-being way of working is relevant to a particular planning principle, whereas in reality all of the well-being ways of working are relevant to each planning principle. We therefore suggest that the supporting text to each planning principle is amended accordingly.

**1. To facilitate the right development in the right place**

There appears to be a gap where there is no mention of the need to consider environmental hazards in facilitating the right development in the right place, including those areas likely to be affected by climate change effects.

**2. Making best use of Resources**

Whilst the proximity principle is a useful approach, this principle should also recognise that in certain instances the resilience of a place may require intervention that is not local e.g. reducing flood risk by intervention higher up the catchment.

**5. Maximising environmental protection and limiting environmental impact.**

We believe the use of the term ‘limiting’ in this context is ambiguous as it may be read to mean ‘reduce’ only. We consider that the principle should be ‘minimise adverse environmental impact and maximise environmental benefits’.

Additionally, we recommend that the text of the fifth identified principle should be amended to also promote environmental enhancement. This would be consistent with the requirements of Section 6 of the Environment (Wales) Act, and the priority of the Minister for the Environment to reverse biodiversity decline and improve ecosystem resilience (set out in plenary on 17<sup>th</sup> April 2018).

We welcome the confirmation in the fifth identified principle to apply the precautionary principle to ensure cost effective measures to prevent possibly serious environmental damage are not postponed just because of scientific uncertainty on the seriousness of risk. We consider that greater detail on how this should be applied in practice should be set out in the Distinctive and Natural Places chapter of PPW.

<b>Q4</b>	Do you agree with the definition of what is a ‘Sustainable Place’? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	

**Further comments**

We think the inclusion of a definition of a ‘Sustainable Place’ is useful, and we agree with many aspects reflected in the draft definition. However, to emphasise the promotion of high quality places, which are resilient for current and future generations, and resource efficient (e.g. in light of climate change implications) we suggest it is amended to read:

“The planning system should create Sustainable Places which are **high quality**, attractive, sociable, positive, secure, **resilient, resource efficient**, welcoming, healthy and friendly.

Regarding the supporting diagram “What is Sustainable Place” it might be helpful for the text to use the same colour as for the thematic headings. This would also help draw the eye to relevant sections.

We also recommend the following amendments to the supporting diagram:

- Add 'to deliver multiple social, economic, environmental and cultural benefits' at the end of 'Integrates green infrastructure' so that emphasis is placed on the positive outcomes of green infrastructure.
- Add new outcome: 'Reduces risk to third parties'.
- Add new outcome: 'Low carbon'.
- Replace "Minimises and makes best use of natural resources" with "Minimises adverse impacts and enables the sustainable use of natural resources"
- Add new outcome "Protection of floodplains"
- Add new outcome "Positive design response to distinctive landscape and built character"
- Replace "Appropriate soundscapes" with 'Protect tranquility and dark skies'.

**Creating Sustainable Places**

**Paragraph 2.10:** We advise that this paragraph is amended to read: "places can take many forms and interpretation of local distinctiveness in what makes a good place will vary. Distinctive characteristics may be scenically pleasing or distinctively unique to the place."

<b>Q5</b>	Do you agree with high-level planning outcomes highlighted by People and Places: The National Placemaking Outcomes? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	

**Further comments**

We welcome the emphasis on Green Infrastructure in this section. We are aware that the term 'green infrastructure' can be a contested and/ or misunderstood term. We believe that PPW should provide a definition of the term, or at least refer to a definition to ensure consistent understanding by actors within the planning system. We advise that the definition used in [The EU Strategy on Green Infrastructure](#) should be recognised in PPW given it adopts a whole territory approach integrating, rural, peri urban and urban elements of Green Infrastructure.

Whilst we are supportive of many of the identified placemaking outcomes, we believe that in a number of cases the contribution of identified outcomes towards wellbeing goals are not comprehensively identified. In particular, we are concerned that the contribution of ecosystem resilience and green infrastructure towards delivering all well-being goals is not evident. The Welsh Government's Natural Resource Policy recognises the contribution of green infrastructure towards Wales's prosperity, resilience, culture, and in

supporting the nation's communities and health, as well as addressing inequalities. We reflect on this further in our detailed comments below.

We advise that the Outcomes should be amended to reflect the Welsh Government's own view on the contribution of green infrastructure as set out in the Welsh Government's Natural Resources Policy.

To help expand understanding of the multiple benefits of green infrastructure (e.g. regulating air pollution, managing surface water run-off) we consider it useful to amend the 6<sup>th</sup> Outcome to explicitly state that green infrastructure is integrated "to deliver multiple benefits/ services to communities and the environment".

Further, the national placemaking outcomes should recognise the contribution of sustainable travel modes to:

- Globally responsibility: Reducing carbon emissions
- Prosperity: For example: [Wales Coast Path economic benefit reports](#);
- Vibrant Culture: The network of paths and routes that make up the rights of way network and enable people to walk, cycle etc links people and places.

The above are only examples of how the contribution of outcomes are not fully recognised . We can highlight other examples if helpful.

### **Assessing the sustainable benefits of development**

**Paragraph 2.25:** We suggest the following factors are added:

Economic Considerations

- How people are given access to environments good for their health

Environmental Considerations.

- will important landscape and townscape, and features of the natural, historic and built environment be protected and enhanced.

**Paragraph 2.32:** We welcome the recognition of the role of Green Infrastructure.

However, we suggest that an additional sentence is included which explains that the integration of green infrastructure can help the maximisation of well-being goals.

### **Character**

**Paragraph 2.34:** We welcome the guidance here, which is clear on working with what's special and distinctive. A policy requirement for development to make a positive contribution to its locality would also be helpful to where built and natural character is perhaps less distinctive and could benefit from improving. Otherwise there is a risk of new development simply replicating what is characteristically poor of an area. We would therefore ask for the following amendment to the first sentence of this paragraph, as highlighted in bold font, "In areas recognised...reinforce local distinctiveness, **which makes a positive contribution**".

**Paragraph 2.37:** We recommend this paragraph is amended to clarify that appraising context is as important within the open countryside as in the built environment e.g. “...This process will ensure that a development is well integrated into the existing **settlement or open countryside context**”.

**Paragraph 2.38:** We recommend that the paragraph is amended to read: “...Development plans should include policies and guidance that promote good design in the built **and natural** environment.”

**Paragraph 2.40:** To help the Design and Access Statement (DAS) being an informative positive process to better development and not simply a report stating the development is ‘appropriate to its context’, some policy wording in PPW followed by planning manual guidance would be helpful, to make clear the reasons and steps for undertaking place contextual analysis. In our experience, there are varying levels of ability within the planning profession on how the DAS should be used to improve the standard of development, which means a limited ability to critique and seek improvements to submitted designs

<b>Q6</b>	Do you agree with the search sequence outlined for the formulation of development plan strategies? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	
	<b>Disagree</b>	<b>x</b>

**Further comments**

We have concerns that the strategic placemaking approach set out in paragraphs 2.52 to 2.56, and the supporting ‘Settlements Strategies’ contradicts the clear advice set out in paragraph 2.24 that assessing the sustainable benefits of development should ensure that economic, social, cultural and environmental benefits are given equal consideration in the decision making process. Paragraph 2.53, for example, only refers to economic and market conditions as considerations for directing the location of development.

We believe that an important aspect of strategic placemaking is considering the capacity of places to accommodate development and central to the identified planning principle ‘To facilitate the right development in the right place’. We therefore believe that this section of PPW should include a clear expectation of the need to consider the evidence from Area Statements and SoNaRR to understand the existing ecosystem benefits delivered by a place to inform decisions to direct the right development to the right locations, and how nature-based solutions should be considered to help ensure the resilience of ecosystems and new development.

We recommend that the section is amended to reflect the above , and would welcome the opportunity to discuss this further.

**Paragraph 2.57:** Further to our comments to paragraph 1.16, we advise that the first sentence should be amended to reflect the need for integrated decision-making which considers the identified needs, and further explanation should be given to what is meant by ‘balancing’ those needs.

**Paragraph 2.81:** We advise this paragraph should be amended to reflect the need for decision making to be integrated with the aim of maximising well-being goals.

<b>Q7</b>	Do you agree with our revised policy approach for the promotion of new settlements and urban extensions If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>X</b>
	<b>Disagree</b>	
<b>Further comments</b>		
<p>Whilst we support much of what is set out in paragraphs 2.61 and 2.62 we suggest that this section of Planning Policy Wales should also clarify that the decision-making for such strategic proposals within Development Plans should be informed by evidence from Area Statements and SoNaRR to understand the existing ecosystem benefits delivered in considered locations in ensuring new settlements/ urban extensions are directed to the most appropriate locations, and to maximise nature-based solutions to support the resilience of existing ecosystems and new development. Furthermore, PPW should also clarify the need for such allocations to be supported by Development Briefs or Masterplans which have been developed (and therefore subject to consultation) as part of the Plan making process and will be expected to show how wellbeing goals are maximised.</p>		

<b>Q8</b>	Do you agree with our revised policy approach to the preference for the re-use of previously developed land? If not, please explain why.	<b>X</b>
	<b>Agree</b>	<b>x</b>

<b>Neither Agree nor Disagree</b>	
<b>Disagree</b>	
<b>Further comments</b>	
We are generally supportive of the proposed approach.	

<b>Q9</b>	Do you agree with our revised policy approach for the designation of Green Belts and Green Wedges? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
<p>We have no concern regarding the change introduced in paragraph 2.69 in relation to how Green Belts are designated. However, we note that the general purpose of Green Belts and Green Wedges remain largely unchanged (as set out in paragraph 2.70).</p> <p>The refresh of Planning Policy Wales offers the opportunity to re-evaluate the purpose of such designations which to date has focused on preventing the coalescence of settlements and protecting the setting of the urban area. Paragraph 2.72 of the draft PPW recognises some additional benefits provided by these designations. However, other benefits include; supporting habitat connectivity, and the delivery of nature-based solutions.</p> <p>Given the legislative and policy aspiration towards the sustainable management of natural resources, we suggest further consideration should be given to exploring how the purpose of these designations could be amended to also reflect the wider ecosystem benefits and services that are/ can be protected within such designations. This could be strategically planned by incorporating them into Green Infrastructure Assessments. We would welcome further discussion on this matter.</p>		

<b>Q10</b>	Do you agree with the issues and inter-linkages highlighted in the introduction to the Active and Social Places chapter?	<b>X</b>
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What other issues and linkages could be identified to support this theme?	
<b>Agree</b>	
<b>Neither Agree nor Disagree</b>	<b>x</b>
<b>Disagree</b>	

**Further comments**

The Welsh Government’s Natural Resources Policy (page 9: Maintaining healthy, active and connected communities) highlights the contribution of green infrastructure to support mental health and wellbeing, improve physical activity, and as a regulator of pollutants. It also highlights the cost-effective returns on investment. Green infrastructure also helps to mitigate against urban heat islands, and climate.

We believe these multiple benefits should be explicitly highlighted in the introduction to the Active and Social Places Chapter of PPW to help promote Green Infrastructure’s contribution towards delivering the various positive outcomes with good placemaking. We therefore recommend the following amendments:

**Paragraph 3.7:** Reference should be made to the importance of maintaining and enhancing resilient ecosystems and the benefits they provide.

**Paragraph 3.8:** Amend to reflect the multiple services provided by green infrastructure to a healthier Wales e.g. as regulator of pollutants, supporting mental health and well-being.

**Paragraph 3.9:** Amend to highlight the lack of access to good quality green space which contributes to poor health (as recognized in Natural Resources Policy, page 9).

**Paragraph 3.17:** Add as new issue to address: Ensuring communities are supported by high quality green infrastructure to support mental health and well-being, help manage air borne pollutants, have access to green areas to enjoy outdoor recreational activity.

**Paragraph 3.18:** Add as new aim: “Maximize the delivery of the adequate provision of green infrastructure in the right places to deliver multiple services which support active, healthy and social places”.

**Paragraph 3.108:** We welcome the recognised benefits from recreational spaces. However, we believe it would be useful to clarify that such spaces come in many forms, including natural green spaces which can support mental health and well-being.

**Paragraph 3.132:** We welcome this provision, but in encouraging active travel, we suggest whether the provision should also promote the need for *attractive* travel routes to encourage usage by the incorporation of green infrastructure.



<b>Q11</b>	Do you agree that it is important for viability to be assessed at the outset of the plan preparation process and for this to be supported by an enhanced role for housing trajectories? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
We have no comment on the assessment of viability.		

<b>Q12</b>	Do you agree that it is important for a flexibility allowance to be included as a policy requirement in order to facilitate the delivery of planned housing requirements? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
We have no comment on the flexibility allowance.		

<b>Q13</b>	Do you agree that to deliver the new housing Wales needs it is necessary for local planning authorities to allocate a range of site sizes, including small sites, to provide opportunities for all types of house builder to contribute to the delivery of the proposed housing? If not, please explain why.	<b>X</b>
	<b>Agree</b>	

<b>Neither Agree nor Disagree</b>	<b>x</b>
<b>Disagree</b>	
<b>Further comments</b>	
We have no comment on the proposed approach intended to provide opportunities to all types of house builder.	
<b>Housing Delivery</b>	
<b>Paragraph 3.37:</b> To ensure early awareness within PPW to plan for green infrastructure, we recommend that the final sentence is amended to read: wording highlighted in bold font be added to the text, “Higher densities must be encouraged on sites in town centres and other sites which have good public transport and walking and cycling links but ensuring the protection, creation of <b>and good access to green infrastructure</b> and ensuring a high quality environment”.	

<b>Q14</b>	To ensure that small sites are allocated, should there be a requirement for a specific percentage (e.g. 20%) of sites to be small sites? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
We have no comment on the proposed requirement relating to small sites.		

<b>Q15</b>	Do you agree that the custom and self-build sector can play an important role in housing delivery, in particular when linked to the use of Local Development Orders and design codes? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		

We have no comment on the contribution of custom and self-build sector towards housing delivery.

<b>Q16</b>	Do you agree that negotiating on an 'open book' basis would help to improve trust between the parties and facilitate the delivery of both market and affordable housing? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
We have no comment on the proposed 'open book' approach but would encourage developers to seek early engagement with NRW, on either a 'portfolio' or individual site basis to ensure the right development can be enabled in the right places maximising economic, social, environmental and cultural benefits .		

<b>Q17</b>	Do you agree with the changes to emphasise the need for the appropriate provision of community facilities when considering development proposal? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	
	<b>Disagree</b>	
<b>Further comments</b>		
We are generally supportive of the proposed approach. However, we suggest additional 'bridging text' is included to clarify how planning authorities should assess the need for allotments/ community growing spaces and the potential role of Green Infrastructure Assessments to inform allocations within Development Plans.		

<b>Q18</b>	Do you agree that giving greater emphasis to the transport hierarchy will improve the location and design of new development? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
<p>If the intention is for the transport hierarchy to inform the location, as well as the design/ layout, of new development, it would be expected that developers and authorities will need to be able to clearly demonstrate how the transport hierarchy has informed the location of a new scheme or allocation. If this is the intention this should be clearly stated in this section of Planning Policy Wales.</p> <p>Further, evidence for the Area Statement process can help inform the siting and location of new development including integration with green infrastructure.</p>		

<b>Q19</b>	Do you agree that the policy will enable the planning system to facilitate active travel and the provisions of the Active Travel (Wales) Act 2013? If not, please explain why.	<b>X</b>
	<b>Agree</b>	<b>x</b>
	<b>Neither Agree nor Disagree</b>	
	<b>Disagree</b>	
<b>Further comments</b>		
<p>Paragraphs 3.130 to 3.134 help to show how the planning system can support and align with Active Travel (Wales) Act 2013 requirements. We welcome the recognition in paragraph 3.132 of the need to ensure cycling and walking routes which are both accessible and comfortable. We recommend that Planning Policy Wales should highlight the potential of suitable green infrastructure to support safe and attractive routes.</p>		

<b>Q20</b>	Do you agree that the policy will enable the creation of well-designed streets? If not, please explain why.	<b>X</b>
	<b>Agree</b>	

<b>Neither Agree nor Disagree</b>	
<b>Disagree</b>	<b>x</b>

**Further comments**

Whilst we welcome much in the policy, we consider that this section of Planning Policy Wales should include more statements which recognises how well integrated green infrastructure can support the delivery of well-designed streets e.g.

- Increase the attractiveness of cycling and walking routes;
- Better manage surface water;
- Regulate air pollution;
- Well-designed traffic calming measures.

Consistent with the Natural Resources Policy priority on the delivery of nature-based solutions, we recommend that this section of Planning Policy Wales should promote the need for authorities and developers to integrate green infrastructure into schemes, policies, allocations to develop such benefits as noted above.

<b>Q21</b>	Do you agree with the requirement for non-residential development to have a minimum of 10% of car parking spaces with ULEV charging points? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	

**Further comments**

We are supportive of the need to make provision to increase deployment of ULEV. However, we have no comment on the proportion of car parking spaces that should be allocated for this purpose.

<b>Q22</b>	Do you agree with the issues and inter-linkages highlighted in the introduction to the Productive and Enterprising Places chapter? What other issues and linkages could be identified to support this theme?	<b>X</b>
	<b>Agree</b>	

<b>Neither Agree nor Disagree</b>	
<b>Disagree</b>	<b>x</b>
<b>Further comments</b>	
<p>We are concerned that the draft Planning Policy Wales seems only to recognise the contribution of Wales’s environment and natural resources to its prosperity in the context of tourism. This endangers reinforcing the conventional way of thinking which sets economic interests and aspirations in conflict with, or at least different to, environmental objectives. The Welsh Government’s Natural Resources Policy highlights the wider opportunities provided by Wales’s natural resources as well as risks to it, and should be reflected in this section of Planning Policy Wales.</p> <p><b>Paragraph 4.86:</b> We welcome the recognition of these routes as green infrastructure. We recommend it should be supported by further text which encourages the role of LPAs to take account of relevant Rights of Way Improvement Plans as part of their Green Infrastructure Assessments so as to plan the delivery of better connected routes for walking and cycling (and other non-motorised use e.g. horse-riding), and access to them should not be prevented or impeded. Further consideration should be given to better bridging text with the Recreational spaces in the preceding chapter of the Draft PPW, and in particular paragraph 3.112.</p> <p><b>Paragraph 4.87:</b> We believe the use of the term ‘limit’ in this context is ambiguous as it may be read to mean ‘reduce’ only. This would be contrary to the aim to maximise well-being goals. We therefore advise that the use of the term in this context should be replaced with ‘minimise’. This should be replicated throughout PPW.</p>	

<b>Q23</b>	Do you agree with the changes to Telecommunications section of the draft PPW? If not, what other changes could be made to clarify the situation? If not, please explain why.	<b>x</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
<p>We welcome the provision (in paragraphs 4.29 and 4.30) which encourages mobile operators to share telecommunication masts to minimise adverse environmental impact. We recommend Planning Policy Wales should set out what this provision means in practice by including an additional statement which requires operators who submit a planning application for a new mast to demonstrate (as part of their planning application)</p>		

why sharing an existing mast within the vicinity of the application site is not possible or would have a greater adverse effect on the environment.

<b>Q24</b>	Do you agree with the location of the transport infrastructure section in the Productive and Enterprising Places chapter? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	

#### Further comments

Whilst we support the recognised value of natural landscapes to tourism, the contribution of green infrastructure towards supporting Wales’s resilience is not limited to this aspect alone. The Welsh Government’s Natural Resources Policy recognises the key benefits supported by our natural resources as well as the potential of promoting a green economy. Furthermore, green infrastructure can make an important contribution towards sustaining existing businesses and communities from the effects of climate change e.g. managing flood risk, reduce the intensity of urban heat islands, and regulate potential. We therefore recommend that paragraphs 4.7, 4.8, 4.18 and 4.19 are amended to reflect the wider contributions of green infrastructure towards Wales’s resilience and prosperity.

**Paragraph 4.43:** We suggest that this paragraph should refer to the Design Manual for Roads and Bridges, and should also refer to the need for new transport routes to, wherever possible, integrate green infrastructure to deliver multiple benefits and complement local distinctiveness.

**Paragraph 4.47:** We welcome the recognised potential of disused routes as open space corridors. We advise there should be a cross-reference in this paragraph to how the Green Infrastructure Assessment should be used to identify opportunities and areas for protection and enhancement.

**Paragraph 4.83:** For improved clarity, we suggest the following amendment to the final sentence: “In some places however there may be a need to limit new development to avoid damage to the environment (for example in undeveloped areas), or to the **landscape and visual** amenity of residents and visitors”.

**Paragraph 4.86,** We suggest a further point is added at the end the paragraph: “*The continuity of these routes is important to protect, including bridges and engineered gradients as appropriate for cycleways.*”

<b>Q25</b>	Do you agree with the new requirements for local renewable energy planning as set out in the draft PPW? If not, please explain why.	<b>X</b>
<b>Agree</b>		
<b>Neither Agree nor Disagree</b>		<b>x</b>
<b>Disagree</b>		
<b>Further comments</b>		
<p>We welcome the inclusion of policy provision that supports the delivery of appropriately located renewable energy schemes. This is consistent with the natural resource policy priority to increase renewable energy and the wider target to reduce greenhouse gas emissions by at least 80% by 2050. The approach will also <i>contribute</i> towards the delivery of Welsh Government targets as identified in paragraph 4.104 of the Draft PPW. However, it is not clear within PPW how the Welsh Government aspires to strategically deliver the target for 70% electricity consumption from renewable energy direction by 2030. It should be clarified that the preferred strategy for delivering this target requires supporting large scale renewable energy schemes, local schemes, improving energy efficiency, and/or supporting domestic generation and that this is delivered by a mix of specific technologies. We feel this direction is necessary to better ensure that the planning system can support the delivery of this target whilst ensuring the sustainable use of natural resources.</p> <p>When adopted, the National Development Framework, informed by the energy atlas, will provide a framework for nationally important energy generation, storage and distribution infrastructure.</p> <p>The provision in the Draft PPW requiring planning authorities to identify local targets and undertake a Renewable Energy Assessment will give further impetus to the increased deployment of energy schemes. These will need to be informed by and integrated with the NRW led Area Statement process. However, we consider that in addition to the stated role of these targets and assessments, they should also be based on the need to:</p> <ul style="list-style-type: none"> <li>- direct the right development (technology) to the right location(s),</li> <li>- be reflective of environmental capacity, informed by an understanding of the impact on ecosystem resilience and benefits of place. NRW are currently working with WG to provide guidance on landscape sensitivity assessment recognising the key role of landscape in the decision-making process relating to wind turbine developments in particular.</li> </ul> <p>We therefore recommend that PPW should make explicit reference to these considerations (e.g. paragraphs 4.106 to 4.108, and paragraph 4.134).</p>		



**Paragraph 4.125:** We recommend that the bullets should also refer to the need to protect carbon stores (woodland, and peatland).

We also advise for text to be added to the seventh bullet to read: “take into account landscape sensitivity especially in designated landscapes.”

#### **Locational Policies for local energy generation and low carbon energy development**

**Paragraph 4.132:** For improved clarity, we suggest the following amendment to the final sentence: “*Development plan policies should be informed by an evidence base, including landscape sensitivity studies and other environmental information, which assesses the opportunities and potential for renewable energy in the area.*”

#### **Large scale wind energy development**

**Paragraph: 4.136:** Whilst the boundaries of SSAs were identified on the basis of empirical research available at the time of preparing Technical Advice Note 8 (TAN8): Planning for Renewable Energy, we are aware that the physical features of turbines that are directed to these locations have changed since the inception of TAN8. Specifically, the height of these turbines is notably increasing and therefore the potential for the zone of theoretical visibility increases. Additionally, the availability of new information since the publication of TAN8 e.g. an all Wales quality-assured LANDMAP visual and sensory evidence suggest a review of these boundaries is timely. The development of a National Development Framework (NDF) provides an opportunity to review current SSA boundaries in this or future iteration of the NDF. The emergence of the NDF and the policy direction set out in paragraphs 4.126 to 4.141 of the Draft PPW will require a review of the role and content of TAN 8, including discussion of tension between existing guidance and the new approach suggested in draft PPW.

**Paragraph 4.138:** We suggest that the following text (highlighted in bold font) is added to the last sentence “Developers will need to be sensitive to local circumstances, including siting **and design** in relation to local landform, **distinctive landscape, historic and ecological features**, proximity to dwellings and other planning considerations.”

**Paragraph 4.143:** Whilst it is important for planning authorities to ‘identify and consider’ avoidance and mitigation measures, we consider that this paragraph should also seek to ‘ensure’ suitable avoidance and mitigation measures for the environment so as to deliver the Minister’s priority to reverse biodiversity decline and improve ecosystem resilience (Plenary 17<sup>th</sup> April 2018). We also suggest that the second criterion is amended to include a specific reference to ‘landscape’.

<b>Q26</b>	Do you agree with the use of the energy hierarchy for planning as contained in the draft PPW? If not, please explain why.	<b>X</b>
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<b>Agree</b>	<b>x</b>
<b>Neither Agree nor Disagree</b>	
<b>Disagree</b>	

### **Further comments**

#### **Energy Hierarchy**

The inclusion of the energy hierarchy in PPW helps to visually illustrate the Welsh Government's priorities set out in 'Energy Wales: A Low Carbon Transition' (2012). As is stated in paragraph 4.114 of the Draft PPW, the energy hierarchy is applicable for all development. However, we query whether its current location within the Draft PPW (and the location of the 'Sustainable Buildings' section) is 'visible' to all potential audiences, with the risk of it being read by certain audiences as only being applicable for energy generation schemes. We recommend that the Energy Hierarchy and the 'Sustainable Buildings' should be relocated to the start of the 'Energy' chapter and should precede detailed policy relevant only to energy generation schemes. Opportunities to include new additional bridging/ cross-referencing text under the Placemaking cluster should also be considered to help promote the visibility of these sections to all audiences.

#### **Sustainable Buildings**

**Paragraphs: 4.115 to 4.112:** We welcome the inclusion of provision which promotes climate change mitigation and adaptation within the context of sustainable design. However, this section should also refer to how these considerations are also relevant in the location and layout of new development (in the addition to their design).

In helping to deliver the Natural Resources Policy priority of 'delivering nature-based solutions' this section should also explicitly promote the expectation for climate change mitigation and adaptation measures to be delivered by suitable green infrastructure. This should be further supported in PPW by including an explicit provision which gives greater direction to planning authorities to include appropriate policies in development plans which support the delivery of Green Infrastructure in relation to climate change mitigation and adaptation measures, as well as clarification on when schemes which do not include such measures should be refused.

**Paragraph 4.103:** In addition to the identified requirements for the planning system to help climate change commitments, there should also be a reference to the role of the planning system to protect, and where appropriate enhance, the role of green infrastructure as carbon stores. Recognition should be given to the carbon value of peatland and woodland habitats (which are the main terrestrial carbon stores) throughout PPW, and to their protection and enhancement.

<b>Q27</b>	Do you agree with the approach taken to coal and onshore oil and gas as contained in the draft PPW? If not, please explain why. Please consider each source separately.	<b>X</b>
	<b>Agree</b>	<b>X</b>
	<b>Neither Agree nor Disagree</b>	
	<b>Disagree</b>	
<b>Further comments</b>		
<p>The proposed approach is consistent with the energy hierarchy and is consistent with the Welsh Government’s aspiration of reducing of fossil fuel extraction. As such it should help avoid an increase in carbon emissions from schemes in Wales which involve the extraction of energy minerals.</p> <p>The existing world reserves of fossil-fuels greatly exceed those that could be extracted and burnt whilst meeting the goal of limiting global temperature rise to 2 degrees. Greater reference could be included in Planning Policy Wales of our global responsibility, and how this approach towards schemes involving fossil fuel extraction is informed by that responsibility.</p>		

<b>Q28</b>	Do you agree with the approach taken to promoting the circular economy and its relationship to traditional waste and minerals planning as contained in the draft PPW? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>X</b>
	<b>Disagree</b>	
<b>Further comments</b>		
<p>We welcome the promotion of the circular economy within Planning Policy Wales. However, in ensuring a consistent approach, further clarity may be required to indicate where it may be reasonable to refuse a planning application on the grounds that it is contrary to the approach set out in this section of Planning Policy Wales.</p> <p><b>Sustainable Waste Management Facilities</b>  <b>Paragraph 4.180:</b> We welcome the recognised benefits of parallel tracking. However, to help deliver an approach that facilitates the delivery of complementary conditions across</p>		

different consenting regimes we believe that parallel tracking should be promoted as best practice rather than an exceptional approach. As indicated in our above comments to paragraph 1.10 we recommend that this paragraph should clearly state that in many instances, it will be appropriate to address issues in parallel, to try to ensure that there is no conflict between any planning permission and any permit / license / consent requirement. We are concerned with the current drafting of this paragraph which suggests that NRW will always be in a position to advise on the regulation of a scheme regardless of whether or not a permit application has been submitted, or the adequacy of information submitted in support of an application.

**Paragraph 4.183:** It is our experience that there is some confusion as to the form of expert advice that can be expected from NRW, and when such advice should be sought. We are working with POSW and the Regional Waste Groups to help improve understanding, but there may also be an opportunity to reflect agreed roles within national planning policy or in national planning guidance. We would welcome further discussion with you on this matter

If Welsh Government believe that parallel tracking should be best practice rather than an exceptional approach, we believe this paragraph should be amended to highlight the risks to applicants who choose not to parallel track their applications. We are currently working with Local Authorities and Welsh Government with the aim to improve how the planning system interacts with consenting processes and the Environmental Permitting Regulations, including clarifying the respective roles of different authorities and public bodies. The outcome from that work should also be reflected in PPW.

#### **National, Regional and Local Needs for Non-Energy minerals Peat**

We welcome the protection afforded to peat and the recognised benefits it provides, including its role as a carbon store. However, the protection afforded to it should not be limited to development involving peat extraction. PPW should also set out how soils including peat should be protected from other development types which can impact on the ecosystem benefits provided of peat.

Further information about peat protection and restoration is important for water management and quality can be found in [Guidance Note 12 The role of wetlands in the Water Framework Directive](#). This explains that pressures on wetlands (for example physical modification or pollution) can result in impacts on the ecological status of water bodies. In appropriate circumstances wetland creation and enhancement can offer sustainable, cost-effective and socially acceptable mechanisms for helping to achieve the environmental objectives of the Water Framework Directive (WFD). Wetlands can help to abate pollution impacts, contribute to mitigating the effects of droughts and floods, help to achieve sustainable coastal management and to promote groundwater re-charge.

Further, we in NRW aim to increase the level of advice available on our website to developers and planning authorities. This may obviate the need for individual consultation on particular schemes. We therefore suggest that the requirement to consult NRW (as set out in final sentence of paragraph 4.220 should be replaced with the need for authorities should *consider the advice* of NRW.

### **Protecting Special Characteristics and Qualities of Places**

Paragraph 4.228 usefully provides provision to ensure appropriate consideration of impacts on the quantity and quality of surface and groundwater supplies from mineral development. However, such impacts are not limited to this form of development. For example, any development involving earthworks and rock cutting associated with some developments may have the potential to intercept or divert surface or subsurface water movement.

We therefore recommend that PPW should also ensure such provision to non-mineral development, for example inserting the below text in an early section of Chapter 4:

*“Planning authorities and developers should take into account the need to protect the quantity and quality of surface and groundwater supplies”.*

### **Restoration and Aftercare**

**Paragraph 4.238:** Some older minerals sites, if left over time, can become very important for heritage and ecology and it will be important to protect and manage with only limited disturbance.

This paragraph should be expanded to encourage creative after-use because some minerals sites offer opportunities for new uses not previously feasible, as a result of the working. This opportunity can provide multiple benefits for natural resources and well-being greater such as geological exposures, public access or habitat creation, and the creation of a legacy for aftercare.

**Paragraphs 4.173-4.174:** There is an opportunity for waste management to tie in with sustainability criteria for remediation of land contamination rather than excavation and removal to landfill. The sustainability of the remediation may be a material consideration if considering the de-risking (front loading) approach outlined in paragraphs 5.195-5.201. Developers should plan for a sustainable remediation option as opposed to a single disposal option.

<b>Q29</b>	Do you agree with the issues and inter-linkages highlighted in the introduction to the Distinctive and Natural Places chapter? What other issues and linkages could be identified to support this theme?	<b>X</b>
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<b>Agree</b>	
<b>Neither Agree nor Disagree</b>	<b>x</b>
<b>Disagree</b>	

#### **Further comments**

We are generally supportive of the issues and inter-linkages set out in the introductory text to the 'Distinctive and Natural Places' cluster. However, as indicated to our response to Questions 1 and 2 above, we believe greater clarity is required on the need for decision-makers to consider and understand (via SoNaRR and Area Statements) the existing ecosystem resilience and benefits of/from a place to inform decisions on directing the right development to the right locations, and how nature-based solutions should be considered to help ensure the resilience of ecosystems and new development. We would welcome the opportunity to discuss this further.

Notwithstanding the above, we also suggest the following amendments to improve clarity:

**Paragraph 5.3:** the penultimate sentence can be interpreted to mean that only 'natural and distinctive places' should maintain or incorporate green infrastructure whereas consistent with the objective of placemaking 'all places' should deliver on this requirement. We recommend that the current text is amended to clarify this aspect.

**Paragraph 5.4:** With reference also to our response to Question 5 above, we welcome the recognised contribution of green infrastructure in the distinctiveness of places. However, it may be more useful to identify the integration of green infrastructure to deliver multiple benefits as the desired outcomes which contributes to placemaking e.g. recreational areas, surface water management, improved air quality, supporting biodiversity. We therefore suggest that "integrates green infrastructure" is amended to read "Maximized multiple benefits from green infrastructure".

**Paragraph 5.6:** The contribution of the natural environment contribute towards national prosperity is not limited to those features in the wider landscape. This paragraph should be amended to recognise a prosperous Wales can be supported by providing and managing green infrastructure at all scales, from the wider landscape to green roofs and walls in urban areas. By providing green infrastructure of the right size and kind in the right places it will contribute to prosperity by:

- Providing cost-effective services such as clean water, flood control and clean air;
- Supporting enterprises such as tourism;
- Promoting the health of the general population,

**Paragraph 5.7:** This paragraph should also recognise the important contribution of carbon stores in rural areas (in addition to carbon sinks within urban areas). Additionally, this paragraph should recognise the need to enhance water quality (in addition to its protection).

**Paragraph 5.9:** This paragraph should recognise that a more equal Wales can be achieved by reducing the deficiency in provision of high quality green infrastructure such as parks and street trees particularly in many disadvantaged communities.

**Paragraph 5.14:** We suggest that reference is also made to ‘tranquility’ as it does not have the same meaning as soundscapes, and tranquil areas may cross administrative boundaries requiring a collaborative approach.

**Natural and Distinctive Trends**

**Paragraph 5.16:** The third bullet should take account of the cumulative impact from a number of small changes. For example, the following text could be added: *“Small incremental changes can cumulatively adversely impact upon local landscape character and qualities. Retaining and enhancing local distinctiveness whilst accepting change may be improved through the appropriate use of materials and working with local character and sense of place.”*

**Natural and Distinctive Linkages**

**Paragraph 5.19:** The fourth bullet in this paragraph refers to urban areas only. However, the aim should be to maximise opportunities in all areas to improve health and wellbeing.

<b>Q30</b>	Do you agree with the approach taken to landscape, biodiversity and green infrastructure? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	
	<b>Disagree</b>	
<b>Further comments</b>		
<p><b>Landscape</b>  <b>Recognising the Special Characteristics of Places, Landscape,</b>  <b>Paragraph 5.20:</b> It would be helpful for the European Landscape Convention (ELC) (also known as the Florence Convention) to be cited in this paragraph. This Convention has been ratified by the UK government in 21 November 2006 and came into effect on 1 March 2007. This sets out all landscape definitions:  <a href="http://www.coe.int/en/web/landscape/the-european-landscape-convention">http://www.coe.int/en/web/landscape/the-european-landscape-convention</a></p> <p>Our website provides further information:  <a href="http://www.naturalresources.wales/landscape?lang=en">http://www.naturalresources.wales/landscape?lang=en</a></p>		

**Paragraph 5.22:** We suggest that PPW should provide clarity about the nature of collaboration between planning authorities and NRW.

We consider that the reference in the third bullet point to ‘natural beauty’ can lead some users of the document to think that it applies only to protected landscapes. We therefore suggest that it is amended to read: *“Ensuring the value of all landscapes for their distinctive character and special qualities is protected.”*

**Paragraph 5.23:** We suggest the following amendment: *“In some cases, where...on landscape character **and visual amenity** cannot be avoided, it...permission”*.

### **Nation Parks and Areas of Outstanding Natural Beauty**

**Paragraph 5.28:** We consider that this paragraph should be amended to also indicate how statutory designated landscape management plans should be used to inform decision-making.

### **Landscape Information**

**Paragraph 5.30:** We ask that the following wording, highlighted in bold font, is included in this paragraph, *“LANDMAP is an important information resource, ...LANDMAP assessments can help to inform ...including character assessment, **development management decisions, development plan allocations**, special landscape areas, local distinctiveness, design, and landscape sensitivity studies”*.

### **Biodiversity and Ecological Networks; and Biodiversity and Resilience of Ecosystems Duty**

We support the statement that *“Development plan strategies, policies and individual development proposals must take into account the need to”* deliver the stated requirements set out in paragraph 5.42.

We welcome the clarity that *“biodiversity and resilience considerations are taken into account at an early stage both in plan preparation and when proposing or considering development proposals.”* We believe this is an important statement that will support delivery of the aspirations contained in the Natural Resources Policy. And we agree that this must be delivered strategically and collaboratively. We also welcome the direction provided in paragraphs 5.44 to 5.47. The evidence base provided by SoNaRR and Area Statements will help inform this approach.

However, in order to realise the Minister’s priority to reverse biodiversity decline and improving ecosystem resilience (17<sup>th</sup> April 2018), we consider that as a **minimum** the aim of the first criterion under 5.46 should be for development to provide a net benefit for biodiversity rather than avoiding “significant” loss.

We are conscious that the need to promote the resilience of ecosystems through development plans, and through individual development proposals represents a new consideration for all parties in the planning system. Consequently, it is reasonable to expect some uncertainty and potentially conflicting views on how to give appropriate



consideration to ecosystem resilience. For example, there may a difference of opinion between different parties on how the content of SoNaRR and/ or Area Statements should be demonstrably and adequately reflected in information prepared in support of a development plan/ planning application. There may also be cases where views on the effect on ecosystem resilience and its significance is contested. This could potentially lead to costly delays both in plan-making and in determining planning applications.

Whilst we recognise that PPW is primarily a policy document, the **early** provision of further national planning guidance that address these potential areas of uncertainty and conflict will help to minimise the potential for delays to decision-making. We would welcome the opportunity to support you in developing such guidance, and how best to present it within Welsh Government's planning policy/ guidance framework.

**Paragraph 5.43:** The penultimate sentence should be amended to reflect the need to protect **and** enhance biodiversity, **and** to promote ecosystem resilience. Consistent with the Natural Resources Policy, it also needs to reflect the Welsh Government's recognition of the **multiple social, economic, cultural and environmental value** of the services provided by Wales' ecosystems and the role of resilient ecosystems to maximise the full range of well being goals. The planning system can make a significant contribution to address the key challenges set out in the Natural Resources Policy, and the final sentence should also reflect that it would be reasonable for planning authorities to refuse planning applications in light of the adverse effects on biodiversity, and ecosystem resilience. This clarity of recognition of the importance of biodiversity and ecosystem resilience in placemaking is required to ensure consistency with the planning principles set out in page 17 of the Draft PPW.

#### **Hierarchy of Designations**

**Paragraph 5.51:** Describing LNRs as 'non-statutory' could lead to confusion as the power to designate LNRs is set out in Section 21 of the National Parks and Access to Countryside Act 1949. For improved clarity, this paragraph and its supporting table should refer to 'statutorily protected sites' and 'non-statutorily protected sites'.

**Paragraph 5.52:** This paragraph refers to all statutory designated sites. However, the 4<sup>th</sup> sentence seemingly only relates to 'International obligations'. Given the statutory duties applicable to planning authorities in relation to SSSIs, we suggest this sentence is amended to refer to both 'international' and 'national' obligations. Furthermore, we consider this paragraph should be amended to explicitly refer to the need to make provision for enhancement (in line with relevant legislation e.g. Wildlife and Countryside Act 1981 (as amended)).

We also recommend that a new second sentence is added to the paragraph which clarifies when development should be refused in light of adverse impacts on features for which a site has been designated/ notified. This would be consistent with the Minister's priority to reverse biodiversity decline and improve ecosystem resilience (Plenary 17<sup>th</sup> April 2018).

### **Sites of Special Scientific Interest**

Paragraph 5.55: We welcome the affirmation that there is a presumption against development to damage a SSSI. However, we consider PPW should also clarify that on this basis plan-making authorities should not allocate or permit sites for development which would damage the features for which a SSSI is of special interest.

We welcome the provision for proposed SSSIs to be protected under the same policy principles as designated SSSIs. This will help ensure that important environmental interests are given appropriate consideration in the preparation of development plans and when determining planning applications, and will help maintain and/ or improve the resilience of ecosystems. However, we are aware that information on the definition, location, and the special interests of proposed SSSIs are not currently widely available. We would welcome the opportunity to further discuss with you how this information can be best made available to all parties to ensure the effective delivery of this policy.

### **Potential Special Protection Areas and candidate Special Areas of Conservation**

Paragraph 5.56: We welcome the clarity provided in this paragraph in relation to potential SPAs, candidate SACs and Ramsar sites. However, there seems to be an omission in the draft PPW in relation to the policy for designated SACs and classified SPAs. We believe this is a gap in policy coverage, and recommend that it is addressed by inserting relevant text e.g.:

*'SACs and SPAs are of European importance. Under the Conservation of Habitats and Species Regulations (2017) (the Habitats Regulations), all public bodies (including planning authorities) must have regard to the requirements of the EC Habitats and Birds Directives when carrying out their functions. SACs and SPAs on land are underpinned by designation as SSSIs and hence subject to protection afforded by the SSSI provisions. In addition, before authorising development which is likely to have a significant effect on a SAC or SPA (including development outside the boundary of the SAC or SPA), planning authorities must carry out an appropriate assessment of the implications for the designated features, consult NRW and have regard to NRW's representations. The development can normally only be authorised if the planning authority ascertains that it will not adversely affect the integrity of the site, if necessary taking into account any additional planning conditions or obligations. Development for which there is no alternative solution and which must be carried out for imperative reasons of over-riding public interest may be authorised notwithstanding a negative assessment of its implications, subject to notifying Welsh Ministers. Any necessary compensatory measures to protect the overall coherence of the network of SACs and SPAs must be secured. For further information on assessment under the Habitats Regulations see TAN 5: Nature Conservation and Planning.'*

### **Maintaining and Enhancing Biodiversity**

Paragraph 5.58: We welcome the inclusion of a section on 'Maintaining and Enhancing Biodiversity'. However, we have concerns at how it is currently drafted:

Additional guidance is required to explain what may be considered as ‘reasonable alternative sites’, and whether the need to consider alternative sites will be required for all schemes affecting all types of nature conservation sites and all species and habitats listed under Section 7 of the Environment (Wales) Act 2016.

We are also unclear as to how ‘advisory notes’ alone will secure beneficial biodiversity outcomes and are concerned that little reference is made to how enhancement measures and net benefit for biodiversity (as set out in paragraph 5.46 of the draft PPW) should be ensured by planning authorities as part of a scheme.

In certain cases, compensation may not be an appropriate option. We recommend this should be recognised in PPW, as this recognition will also be consistent with the expectation set out in paragraph 5.46 in relation to (avoiding) the loss of local species populations.

We also recommend that there should be a clear statement in this paragraph that requires the long-term management of agreed and appropriate mitigation and compensation measures to ensure their effectiveness.

In addition to the above, this section seemingly only refers to the role of planning authorities in determining planning applications. We believe this section should also **clearly** clarify the **need** for planning authorities to proactively maintain and enhance networks of habitats and green infrastructure at a landscape scale by taking account of Area Statements and SoNaRR, and consulting neighbouring planning authorities, to inform their Green Infrastructure Assessments and in turn their development plan policies. We also recommend that PPW should **explicitly** encourage planning authorities to identify opportunities for habitat and green infrastructure protection and enhancement when allocating strategic sites, and when developing masterplans for allocations to support biodiversity and deliver other multiple ecosystem services.

The inclusion of such additional policy direction is required to help meet the Natural Resources Policy priorities of ‘Delivering nature-based solutions’ and ‘Taking a place-based approach’ as it would support the development of resilient ecological networks to maintain and enhance the resilience of Wales’s ecosystems, and encourages collaboration between planning authorities to identify landscape interventions to deliver good local outcomes.

We would welcome the opportunity to further discuss how the content of paragraph 5.58 should be amended.

### **Trees, Woodlands and Hedgerows**

**Paragraph 5.61:** We also consider that attention should be drawn to the particular multi-beneficial role of trees with the addition of new text e.g. *“The particular role and siting and design requirements of urban trees, in providing health and wellbeing to communities*

*should be promoted and encouraged as part of development plan making, and in the throughout the planning application process”.*

**Paragraph 5.62:** We welcome the identified need to protect trees, woodlands, hedgerows in light of their ecological value, contribution to amenity, and/ or their green infrastructure function. *Woodlands for Wales* sets out the WG strategy and priorities for woodland with a strong presumption against permanent loss of woodland (page 21). We recommend that paragraph 5.62 of the Draft PPW is amended to include the following new text as a new sentence to complete the paragraph: *“Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland is removed as part of a proposed scheme, developers will be expected to provide compensatory planting.”*

**Paragraph 5.63:** We do not consider that the provision to afford “additional levels of protection” and “every effort” provides sufficient direction to how ancient and semi-natural woodlands are protected under the planning system. We believe that the existing provision in Edition 9 of PPW should be retained for this purpose.

Further, we in NRW aim to increase the level of advice available on our website to developers and planning authorities. This may obviate the need for individual consultation on particular schemes. We therefore suggest that the requirement: “authorities should consult with NRW” should be replaced with “authorities should consider the advice of NRW”.

#### **Green Infrastructure Assessments**

**Paragraph 5.65:** We are aware that the term ‘green infrastructure’ can be a contested and/ or misunderstood term. We believe that PPW should provide a definition of the term, or at least refer to a definition to ensure consistent understanding by actors within the planning system. We advise that the definition used in [The EU Strategy on Green Infrastructure](#) should be recognised in PPW given it adopts a whole territory approach integrating urban, peri urban and rural areas..

**Paragraphs 5.70 – 5.75:** We welcome the introduction of Green Infrastructure Assessments. As indicated in our above response to paragraph 5.58, we believe these assessments should be developed to inform the strategic planning for protecting, connecting and enhancing green infrastructure to support biodiversity, ecosystem resilience, and the delivery of ecosystem services. In so doing, these assessments will be a key tool for planning authorities in delivering their Section 6 duty in the Environment (Wales) Act, as well as well-being goals. PPW should **explicitly** encourage planning authorities to use Green Infrastructure Assessments to identify opportunities for habitat and green infrastructure protection and enhancement as part of the development plan making process to support biodiversity and deliver other multiple ecosystem services which addresses existing deficiencies/ risks, and supports the resilience and placemaking of new development.

Whilst we welcome the recognised potential for Green Infrastructure Assessments to develop a robust approach to enhancing biodiversity and increasing ecological resilience, there is a danger that Green infrastructure is perceived by some users of the document in terms of biodiversity only and overlooking the other benefits it delivers. This is further justification for a clear definition of 'Green Infrastructure' to ensure a consistent understanding of the term.

To facilitate the delivery of effective and useful Green Infrastructure Assessments, we consider that additional guidance is provided to plan-making authorities to provide greater certainty and direction on the scope of those assessments, and how they should be informed by Area Statements, and other information sources, to identify and address deficiencies.

NRW is currently developing a GIS data set for all towns and cities in Wales that is intended to show the extent of green infrastructure provision to: manage surface water, ameliorate urban heat islands, access to green space provision, mitigate environmental noise, and improve air quality. This data set, when completed and published, could provide a useful information source in identifying current provision and areas of deficiency. We would welcome the opportunity to discuss this work further with you.

We welcome WG's commitment to a regular review of Green Infrastructure Assessments but would welcome further clarification on the suggested timescale for doing this., and how this should align with each new iteration of the Area Statement.

### **Historic Landscapes**

**Paragraph 5.94:** We support comments in PPW seeking to protect historic landscapes. However, further clarity should be provided on what this means for development. For example, further direction should be provided on where a historic landscape management plan would be appropriate, and when it would be appropriate to refuse a planning application because of the impact on a historic landscape.

**Paragraph 5.95:** We recommend that the final sentence is amended to read: "In particular, the register should be taken into account in considering the implications of development which is of a sufficient scale to have more than local impact on the historic landscape, including those which meet the criteria for Environmental Impact Assessment. We also consider that this paragraph should clarify when an ASIDOHL or a historic landscape assessment may be required.

### **Enabling development**

**Paragraph 106:** We recommend that an additional bullet is added to protect the wider historic interests: "*Where the enabling development does not damage or compromise other heritage assets or the setting of heritage assets.*"

<b>Q31</b>	Do you agree with the approach taken to distinctive coastal? If not, please explain why.	<b>X</b>
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<b>Agree</b>	
<b>Neither Agree nor Disagree</b>	<b>x</b>
<b>Disagree</b>	

#### **Further comments**

##### **Distinctive Characteristics of Coastal Areas**

We welcome the reference to the Welsh National Marine Plan and to the recognition of the interface between land, coast and marine.

Following the recent completion of the consultation in relation to the WNMP and the imminent completion of the PPW consultation there is an opportunity to develop detailed guidance on operationalising the new ways of working, with a particular focus on the land/sea interface at the coast.

We would be happy to discuss this matter further with you.

**Paragraph 5.113:** We recommend that reference should also be made to the role and status of Shoreline Management Plans and how they should be used in identifying potential areas for development. SMPs take account of flood risk and coastal erosion, and therefore their use is essential in directing the right development to the right locations.

Whilst we welcome the reference to Area Statements, the guidance proposed above should help inform how information from Area Statements can help inform decision making. We would welcome further discussion on this matter.

##### **Development on the Coast**

**Paragraph 5.115:** We suggest that the "lifetime" of development should be defined in policy so that all have a consistent understanding of the term. This could be included within PPW or a revised TAN15.

**Paragraph 5.114/ 5.115:** There needs to be policy provision for circumstances where a development and its effects need to be decommissioned where a 'hold the line' position changes to one of no active intervention or managed realignment. The extent of decommissioning including proposals for temporary developments, roles and responsibilities and implications need to be fully understood.

**Paragraph 5.116:** We consider this paragraph should be further reviewed as certain forms of temporary development could have similar of impact regardless of time in-situ e.g. increasing flood risk to third parties. We also consider the need to understand the flood consequences to and from the development should be also reflected in this paragraph. Further, clarity should be provided as to how climate change impacts should be reflected in assessments for temporary development to ensure a consistent understanding for all parties.

We would be happy to meet the issues raised in paragraphs 5.114-5.116.

**Designated or Protected Sites on the Coast**

**Paragraph 5.117:** ‘We suggest that the following wording is included in this paragraph: “...however, the features, qualities and characteristics, which contributed to the designation of such areas will be important considerations in making planning decisions”.

**Paragraph 5.118:** We suggest reference should also be made to where a seascape assessment may be required.

**Paragraph 5.118:** Comments made in this paragraph refer to the off-shore impacts of on-shore development. However, it should be noted that development off-shore may also have impacts on-shore, for example, increase in the risk of flooding and rates of erosion on-shore. We ask that this paragraph include a clear cross-reference to the Welsh National Marine Plan.

**Coastal Change**

**Paragraph 5.122:** To ensure informed decision-making, and direct the right development to the right place, we advise that the first sentence is amended to read as ‘must’ (rather than should’) be designed ‘with demonstrable consideration’ (rather than awareness of) of plans and strategies addressing coastal risks including Shoreline Management Plans. Given the risk of decisions which are contrary to SMPs (e.g. increased burden on public purse to maintain defences) we consider Planning Policy Wales should also clarify how planning authorities should consider schemes which are not in line with the relevant SMP.

**Paragraphs 5.123-5.124:** We believe that these paragraphs should emphasise that development in areas of change should only be allowed in exceptional circumstances where risks and consequences (e.g. flooding) are understood and justified. Developers will be expected to demonstrate how green infrastructure has been considered to improve the resilience of the proposed development and/ or existing development. However, regardless of the form of infrastructure proposed, planning authorities will need to be satisfied of their effectiveness for the lifetime of development.

There should also be an explicit statement that new development must not place an unnecessary burden on public monies for flood defence programmes. Instead the cost of development must be borne by the developer.

<b>Q32</b>	Do you agree with the approach taken to air quality and soundscape? If not, please explain why.	<b>X</b>
	<b>Agree</b>	<b>x</b>



<b>Neither Agree nor Disagree</b>		
<b>Disagree</b>		
<b>Further comments</b>		
<p>We are largely supportive of the approach taken in this section, and in particular the recognized contribution of green infrastructure to help regulate air-quality and in noise abatement. However, we consider further clarity is required in paragraph 5.145 on the role of Green Infrastructure Assessments to identify opportunities for green infrastructure enhancement/ creation to address an existing deficiency/ problem, as well as ensuring an existing provision is recognised and maintained/ protected.</p> <p>We also advise that the third criterion in paragraph 5.128 should be amended to firstly emphasise the aim to reduce noise and air pollution, and where this is impractical, ensure any increase is minimised.</p> <p><b>Paragraph 5.127:</b> We recommend that the following text to be included at the end of the paragraph to highlight the importance of tranquil areas: “Tranquility, as a landscape asset and important cultural service, is highly valued and contributes to landscape value and identity, well-being and quality of life and can bring economic benefits from visitors and tourists to tranquil areas. There is a need to conserve tranquility as it has limited resilience, subtle changes in noise, visual intrusion and light pollution may have marked effects on natural settings and tranquility”.</p> <p>We also advise that the third criterion in paragraph 5.128 should be amended to firstly emphasise the aim to reduce noise and air pollution, and where this is impractical, ensure any increase is minimised.</p> <p><b>Managing Potential Environmental Risk Arising Through Construction Phases</b></p> <p><b>Paragraph 5.146:</b> We recommend that the Construction Management Plan also considers pollution prevention: “...Where appropriate planning authorities should require a construction management plan, covering <b>pollution prevention</b>, noisy plant, ...keeping residents informed about temporary risks.”</p>		
<b>Q33</b>	Do you agree with the approach taken to water services as contained in the draft PPW? If not, please explain why.	<b>X</b>
<b>Agree</b>		
<b>Neither Agree nor Disagree</b>		<b>x</b>
<b>Disagree</b>		
<b>Further comments</b>		
<p>Throughout this section, reference is made to various but not all interested bodies which could provide advice to planning authorities and/ or developers. Whilst this is helpful to</p>		



indicate the need to consider the advice of identified bodies, the risk of not referring to all relevant bodies is that the roles of those named are misunderstood. We therefore recommend that national planning policy or guidance should identify all relevant bodies, including for example Lead Local Flood Authorities (LLFAs), and clarify their specialist roles.

Reference is made to 'water' in various forms, for example, water bodies, water resources, water features, wastewater and contaminated water. It is our experience that these terms can be misunderstood. It would be helpful to explain or provide a definition of these terms e.g. by footnote.

**Paragraph 5.154, and paragraphs 5.168-5.169:** We suggest that PPW should refer to the new mandatory consenting arrangements for SuDS, and the requirements for national standards and guidance for the design, construction, operation and maintenance of SuDS serving new developments in urban or rural areas. Further, the SuDS approach is increasingly being applied to existing developments to address sewerage capacity and local flood risk problems. These standards can also provide a useful framework for the delivery of such "retro-fit" schemes. It should be conveyed that well designed, easy to maintain SuDS will deliver a range of important benefits for the local environment, the development and local communities. It would be helpful to expand on the multiple benefits which may result from sustainable drainage schemes.

**Paragraph 5.154:** We recommend that the text is amended to read: "Public foul and combined sewers are provided **and maintained** by a sewerage undertaker and...for treatment **final** discharge into the water environment. Separate surface water sewers may be provided **and maintained** by a..."

**Paragraph 5.155:** We welcome the reference to the Water Framework Directive (WFD). However, it is our experience that there is considerable uncertainty within the planning system as to how the planning system should consider and implement the requirements of the Directive. For example, there is uncertainty as to how River Basin Management Plans should be considered, how and when a potential deterioration to water body should be assessed, and when a derogation under Article 4.7 will be required. We consider further clarity on this aspect is an important matter to address in refreshing PPW.

**Paragraph 5.166:** This paragraph refers to - 'Drainage Authority' and it would be helpful if this was replaced by current terminology to reflect the roles and responsibilities of the Lead Local Flood Authority (LLFA), Water Companies and Highway Authorities.

#### **Development in Sewered Areas**

**Paragraph 5.170:** We advise this should be amended to read: Development proposals in sewered areas must connect foul drainage to the main sewer, and it will be necessary for developers to demonstrate to planning authorities that their proposal site can connect to the nearest main sewer. To ensure consistency of design and facilitate long-term

maintenance, sewers should be built to Welsh Government standards and adopted. **“Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and Natural Resources Wales may refuse to issue an Environmental Permit for private treatment facilities in such circumstances...”**

#### **Development Proposing Non-mains Foul Drainage**

**Paragraph 5.171:** This paragraph refers to an assessment of non-mains drainage and its effects, in accordance with Circular 10/99. While the purpose of this Circular, that is demonstrating that a new development can be effectively served by sewerage system prior to determination of an application remains valid, the terminology, references and assessment requirements contained within the document should be updated to reflect changes in legislation, current roles and responsibilities. We therefore consider Circular 10/99 should be reviewed, and we would welcome the opportunity on how we can support you on this matter.

We also suggest that the paragraph should be amended to read:

**“The expectation is that any development discharging domestic sewage should connect to the public foul sewer where it is reasonable to do so. Development proposing the use of non-mains drainage schemes will only be considered acceptable where it has been fully demonstrated that connection to the main sewer is not feasible. The installation of private sewage treatment facilities within publicly sewered areas is not considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.** Where non-mains sewage proposals, such as septic tanks and or independent sewage treatment systems, are included in development applications they should be subject to an assessment of their effects on the environment, amenity and public health in the locality, in accordance with the criteria set out in Circular 10/99, prior to the determination of the planning application. **In operating a non-mains drainage system an Environmental Permit should be obtained or an exemption registered with Natural Resources Wales.”**

**Paragraph 5.172:** We suggest that an additional impact be included in this paragraph, as highlighted in bold font: “Climate change is likely to increase the risk of flooding as a result of sea-level rises, **increased storminess and** more intense rainfall”. There have been storm events over the last few years where coastal frontages have been affected by wave overtopping. While these events are not considered to be extreme in terms of their probability (not 0.5 or 0.1 % AEP events) they nevertheless can and do cause major damage and pose a significant risk to life.

We suggest that this paragraph also refer to the risks of surface water flooding and how this should inform the location, layout and design of schemes.

**Paragraph 5.173:** We suggest that the final sentence should refer to Shoreline Management Plans (SMPs) for an indication of the future policy.

**Paragraph 5.174:** We are concerned that the current text may lead to confusion on the information provided by the Development Advice Map (DAM). The DAM does not provide a spatial representation of the consequences of flooding, but gives a spatial indication of flood risk to help decision making on the location of new development, and provides an indication on when planning applications should be supported by an assessment of flood consequence. We recommend that paragraph 5.174 is amended accordingly. For example:

*“Development Advice Maps enable planning authorities to take a precautionary approach to flood risk and consider the catchment as a whole by providing a preliminary representation of flood risks, which can trigger an assessment of flooding consequences to be undertaken at a strategic and site level. The FCA can assist in understanding how natural and man-made defences are integral components of places. Development should reduce, and must not increase, flood risk arising from river or coastal flooding to the development itself and elsewhere.”*

**Paragraph 5.175:** We are concerned that the forms of development that may be considered permissible in floodplain areas is different to what is permissible in TAN15 where any form of less vulnerable development may in principle be permitted (subject to meeting justification tests). We believe that there should be a consistency of approach between the documents to avoid potential conflict between parties during the planning application process.

We consider the emphasis should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development.

**Paragraph 5.177:** As indicated above, we are concerned that referring to only one body for advice can lead to confusion among authorities, and/ or developers on the role of identified bodies. As currently drafted, this paragraph does not reflect on the role of LLFAs. Local Authority Highways departments, or the SuDS Approving Body. For improved clarity and the avoidance of confusion, we recommend that the paragraph should be amended to clarify the role of each relevant body, and also explain that the advice of bodies should be sought (where performing a consultant advisory role) rather than include a requirement to be consult as relevant guidance/ advice may be available without direct consultation.

**Paragraph 5.178:** Consistent with the Natural Resource Policy priority for the delivery of nature-based solutions, this paragraph should be amended to ensure that nature-based solutions and green infrastructure should be the first consideration with opportunities to deliver other multiple benefits habitat creation, biodiversity enhancement, improved ecosystem resilience, and water quality improvements. Only where such approaches are not practical should alternatives be considered.

**Paragraph 5.179:** While we are supportive of advice in this paragraph, we would suggest that PPW refers to the role of local authority Emergency Planners, Local Resilience Forums (LRFs) and other professional partners (for example, the emergency services – fire rescue, police and ambulance). We would suggest that PPW clarifies if and when consultation should take place with these bodies; and the type of response expected. For example, their role in advising authorities on how schemes thresholds in A1.15.

**Paragraph 5.196:** The two areas of interface specified in this paragraph do not account for where a site may already (prior to the introduction of changes) potentially be meeting the definition of Part 2A and has not been formally determined, for example, if there is pollution of controlled waters or harm to an ecological receptor. It needs to be clear that all potential significant pollutant linkages under Part 2A would still need to be addressed. We would therefore suggest the following amendments as highlighted in bold font, *“There are two areas of interface ...The first will be where land is already designated as contaminated land under Part IIA, **or potentially be meeting the definition of Part 2A but has not been formally determined** and the owner wishes subsequently to develop the land.... contaminated land under Part IIA.”*

**Paragraph 5.198-5.200:** We suggest that appropriate wording is included in this paragraph to ensure any report submitted will need to be of an adequate standard and prepared by an individual with a recognised relevant qualification, and a member of a relevant professional organisation. We have had experience of inadequate reports and are aware of the National Quality Mark scheme (NQMS) which provides visible identification of documents that have been checked for quality by a Suitably Qualified and experienced Person (SQP). It may be useful to reference the NQMS in the revised PPW to encourage appropriate standards to be reached. Further details can be found in the link: <https://www.claire.co.uk/projects-and-initiatives/nqms>

<b>Q34</b>	Do you agree with the approach taken to addressing environmental risks and a de-risking approach? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	<b>x</b>
	<b>Disagree</b>	
<b>Further comments</b>		
Whilst we agree with the need to understand the barriers to development, we are concerned that an approach which suggest all risks can be overcome may be misleading		

and/ or confused with other policy approaches within Planning Policy Wales. For example, we consider further clarity is required to demonstrate how the de-risking approach is consistent with the inherent approach within *Technical Advice Note 15: Development and Flood Risk* to direct development away from areas of areas of high flood risk. If the only way to de-risk an area is by the removal of barriers to build further flood defences then this solution conflicts with other PPW advice contained in paragraph 5.173 or policies contained in the Shoreline Management Plan, and the planning principle of directing the right development to the right locations

For flood-risk areas, the starting point should be precautionary with the avoidance of areas at risk of flooding, rather than trying to de-risk an area. It would be helpful to explain in PPW or in other national guidance how both approaches relate to each other, and how to apply this in practice as part of the development plan process.

We also suggest that, consistent with the Natural Resources Policy priority for the delivery of nature-based solutions, the de-risking approach (where development is considered feasible in light of risk) should promote a hierarchy or a sequential method that promotes the delivery of nature-based solutions rather than conventional methods for de-risking.

<b>Q35</b>	Do you agree that other than those policy statements referred to in Questions 1 to 33 above, the remainder accurately reflect the existing policy? If not, please explain why.	<b>X</b>
	<b>Agree</b>	
	<b>Neither Agree nor Disagree</b>	
	<b>Disagree</b>	
<b>Further comments</b>		
We have indicated in our above comments to Questions 1 – 34 where we consider changes are necessary.		

<b>Q36</b>	Are there any existing policy statements in PPW Edition 9 which you think have not been included in the draft of PPW Edition 10 and you consider should be retained? If so, please specify.	<b>X</b>
	<b>Agree</b>	

<b>Neither Agree nor Disagree</b>	
<b>Disagree</b>	
<b>Further comments</b>	
<p>We have indicated in our comments to questions 1 to 34 above those existing statements which we consider should be retained.</p> <p>We also consider the refreshed PPW should contain policy statements for:</p> <ul style="list-style-type: none"> <li>- Rural diversification in light of the UK's decision to leave the European Union;</li> <li>- The planning system's role in managing agricultural pollution; and</li> <li>- Planning for major infrastructure.</li> </ul>	

## How to respond

Please submit your comments by 18 May 2018, in any of the following ways:

Email	Post
<p>Please complete the consultation form and send it to: <a href="mailto:planconsultations-c@gov.wales">planconsultations-c@gov.wales</a></p> <p>[Please include <b>'Draft Planning Policy Wales: Edition 10'</b> in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Planning Policy Wales Consultation Planning Policy Branch Planning Directorate Welsh Government Cathays Park Cardiff CF10 3NQ</p>

### Additional information

If you have any queries about this consultation, please:

Email: [planconsultations-c@gov.wales](mailto:planconsultations-c@gov.wales)

Telephone: 0300 025 5040, 0300 025 6802 or 0300 025 1128