

## CABINET

<b>Date of Meeting</b>	Tuesday, 17 <sup>th</sup> January 2017
<b>Report Subject</b>	Local Planning Guidance Notes to be Formally Adopted as Supplementary Planning Guidance Notes
<b>Cabinet Member</b>	Deputy Leader of the Council and Cabinet Member for Environment
<b>Report Author</b>	Chief Officer (Planning & Environment)
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

To seek final approval for 20 Local Planning Guidance Notes (LPGNs) in order to formally adopt them as Supplementary Planning Guidance Notes (SPGN's), to be used in support of policies in the adopted Flintshire Unitary Development Plan (UDP), for use in determining planning applications.

### RECOMMENDATIONS

1	That Cabinet approves the guidance notes as Supplementary Planning Guidance.
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## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE NEED TO ADOPT THE GUIDANCE NOTES</b>
1.01	<p>A suite of 20 Local Planning Guidance Notes (LPGNs) have been progressed to a stage where they can be adopted as formal Supplementary Planning Guidance (SPG). Guidance notes can only be adopted as formal SPG when they have been the subject of a public consultation exercise and a Council resolution. The guidance notes have all been out to public consultation and the results of the consultation exercise have been considered by Planning Strategy Group (PSG). Upon receiving Cabinet approval the guidance notes can be published formally as adopted Supplementary Planning Guidance Notes. The benefits of this are that SPGN's are afforded greater weight as material planning considerations on land use planning decisions, than previously was the case with the LPGNs.</p>
1.02	<p>Consideration has previously been given to the on-going review of the LPGNs at meetings of the Planning Strategy Group (PSG) both in terms of the content of each note issued for consultation, and the feedback from public consultation. Some of the notes are new notes whilst others are updated versions of existing notes, which all seek to support the relevant policies in the adopted UDP. In order to follow the progress of the changes to these documents, the original version of the LPGN, a Revised Draft SPGN and a subsequent Pre Adoption Draft SPGN version of the notes are all available on the Council website, the links to all the document are available below. Although the UDP is time expired it is still the adopted Development Plan for the county until it is superseded by an adopted Local Development Plan. Therefore updated and adopted guidance will be useful to help clarify certain policies in the UDP, until such time as new SPG can be approved as part of the LDP.</p>
1.03	<p>The subjects covered by the SPGNs are set out in the Appendices.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	<p>The adoption of the SPGNs will involve a small cost associated with making copies available on the website and publication in hard copy format. This is already catered for within budget.</p>

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	<p>Following consideration by Members at PSG, a public consultation exercise was undertaken, whereby developers, agents, consultants, internal council departments, adjoining authorities, town and community councils, statutory consultees and local interest groups were notified of the consultation exercise which ran from 18<sup>th</sup> December 2015 to 12<sup>th</sup> February 2016. The comments received, the officer's response and a recommendation as to whether any changes to the LPGs is considered necessary and appropriate</p>

	were considered by PSG on 25 <sup>th</sup> February 2016. Further consultations were undertaken specifically on the SPG note No23 Developer Contributions to Education from 10 <sup>th</sup> June 2016 to 22 <sup>nd</sup> July 2016. The comments and changes to this were subsequently considered by PSG held on 15 <sup>th</sup> December 2016.
3.02	A number of comments were received from developers, Anwyl Construction, Welsh Water, consultants, local interest groups and from some internal sections of the Authority. There was also a need to update the guidance in respect of new changes to legislation or new guidelines from Welsh Government. Most of the LPGs were the subject of comments which is indicative of the consultation carried out. Subsequent editing changes to the notes following the PSG meetings, has been agreed by the Chief Officer and the Chair of PSG, (for example the newly updated version of Planning Policy Wales Nov 2016, will mean references to PPW in the notes will need to be updated).
3.03	Of the 22 LPG notes which have been updated and consulted upon there are still issues to be resolved for the following notes : <ul style="list-style-type: none"> <li>• No 13 Outdoor Playing Space and New Development,</li> <li>• No19 Water Conservation and Sustainable Drainage Systems</li> </ul> <p>These will need to be the subject of further consideration by officers and will be reported to a future meeting.</p>

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The Guidance notes have been through all of the required stages in their development and consultation, but to give them weight, must be subject to a resolution of the Council to approve them for Development Management use.

<b>5.00</b>	<b>APPENDICES</b>
5.01	<a href="#">Flintshire Supplementary Guidance Notes:</a> <b>(NB: Refer to Pre-Adoption Draft versions)</b> No 1. Extensions and Alterations to Dwellings No 2. Space Around Dwellings No 3. Landscaping No 4. Trees and Development No 5. Conversion of Rural Buildings. No 6. Listed Building No 7. Conservation Areas No 8. Nature Conservation and Development No 9. Local Needs and Affordable Housing No 10. New Housing in the Open Countryside No 11. Parking Standards

	<p>No 12. Access for All  No 18. Telecommunications  No 20. Sustainable Buildings – Energy Conservation and Renewable Energy  No 21. Environmental Impact Assessments (EIAs)  No 23 Developer Contributions to Education  No 27. One Planet Development  No 28. Archaeology  No 29 Management of Surface Water for New Development  No 30. Public Art</p>
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<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>None.</p> <p><b>Contact Officer:</b> Andy Roberts, Service Manager Strategy  <b>Telephone:</b> 01352 703211  <b>E-mail:</b> andy.roberts@flintshire.gov.uk</p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Local Planning guidance Notes:</b> Supplementary guidance that expands on the interpretation of policies in the Development Plan, but that have not yet been formally adopted by the Council.</p> <p><b>Supplementary Planning Guidance Notes:</b> As (1) but where the guidance has been through a series of development and consultation phases and has been adopted by the Council as part of the policy framework for determining planning applications.</p> <p><b>Planning Strategy Group:</b> A sub-group of Members of the Planning Committee that meet monthly to consider matters relevant to the operation of the committee, such as the development of Supplementary policy guidance. The Planning Strategy Group is not a public committee.</p> <p><b>Material Planning Consideration:</b> something that is relevant to take into account in considering a planning application e.g. the impact of traffic generated by development on the highway network.</p>