

CONSULTATION FORM

Draft Planning Policy Wales: Edition 10

Q1	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.	X
Agree		X
Neither Agree nor Disagree		
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

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
Agree		
Neither Agree nor Disagree		
Disagree		X
Further comments		
<ul style="list-style-type: none"> Paragraphs 1.1, 1.28 and 1.38 discuss various Welsh Government planning policy documents but should also highlight the point that the National Development Framework (NDF) will be the primary decision making policy against which Developments of National Significance (DNS) applications are assessed, with Local Development Plans (LDP) being a material consideration. Paragraphs 1.33 and 1.34 should be made clear that Place Plans have to be in general conformity with the NDF, Strategic Development Plan (SDP) and LDP for their area. The final sentence at paragraph 1.33 should be expanded to make it clear that as well as being approved by the Town or Community Council, Place Plans will need to be approved by the Local Planning Authority (LPA) as Supplementary Planning Guidance (SPG) in order to be material in the determination of planning applications. Paragraphs 1.39 and 1.40 discuss Welsh Government call-in of applications and states that <i>“such intervention would overturn an LPA’s judgement on a matter”</i> and <i>“that such action should be considered only where the original decision is judged to be grossly wrong”</i>. Firstly, a call-in does not necessarily overturn a LPA’s judgement on a matter. Welsh Ministers may reach the same conclusion and refuse/permit the application in line with the LPA’s 		

recommendation. Secondly, a 'decision' cannot have technically been made on an application at the point it is called in. It would either be called in before the LPA has had an opportunity to consider it, or immediately after a resolution to refuse/permit by the LPA's Planning Committee (*either way prior to a formal 'decision'*). The wording of these paragraphs need amending to properly reflect the call-in procedure.

Q3	Do you agree with the Planning Principles? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q4	Do you agree with the definition of what is a 'Sustainable Place'? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q5	Do you agree with high-level planning outcomes highlighted by People and Places: The National Placemaking Outcomes? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q6	Do you agree with the search sequence outlined for the formulation of development plan strategies? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q7	Do you agree with our revised policy approach for the promotion of new settlements and urban extensions If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q8	Do you agree with our revised policy approach to the preference for the re-use of previously developed land? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q9	Do you agree with our revised policy approach for the designation of Green Belts and Green Wedges? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X

Disagree	
Further comments	
<ul style="list-style-type: none"> None 	

Q10	Do you agree with the issues and inter-linkages highlighted in the introduction to the Active and Social Places chapter? What other issues and linkages could be identified to support this theme?	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q11	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q12	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.	X
Agree		
Neither Agree nor Disagree		X

Disagree	
Further comments	
<ul style="list-style-type: none"> None 	

Q13	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q14	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q15	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.	X
Agree		

Neither Agree nor Disagree	X
Disagree	
Further comments	
<ul style="list-style-type: none"> None 	

Q16	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q17	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q18	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.	X
Agree		
Neither Agree nor Disagree		X

Disagree	
Further comments	
<ul style="list-style-type: none"> None 	

Q19	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q20	Do you agree that the policy will enable the creation of well-designed streets? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q21	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q22	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?	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • Energy UK broadly agrees that the relevant issues and inter-linkages are highlighted although paragraphs 4.1 – 4.19 are slightly vague and repetitive. The introduction could be shorter and clearly highlight (possibly using bullet-points) the links to the main policy sub-headings to follow in the chapter. • Paragraph 4.110 should be clear that new electricity transmission lines are planned and consented under the Planning Act 2008 NSIP regime, and decisions are made by the Secretary of State in the context of the NPSs. The proposed approach is not consistent with this. • Other comments on Chapter 4 which do not relate to any of the questions posed on this consultation response form: 		
General		
<ul style="list-style-type: none"> • Energy UK welcomes the consideration given to renewable energy, storage and grid under the ‘Productive and Enterprising Places’ theme in the context of the goals of the Well-being of Future Generations Act to create a prosperous, healthier and globally responsible Wales. Energy UK also agrees that <i>“the challenge of decarbonising our energy and transport sectors including phasing out of fossil fuels and moving towards local, decentralised renewable energy systems, the increased use of energy storage to balance supply and demand and the pressure this will place on our distribution networks”</i> is a key issue in the context of the ‘Productive and Enterprising Places’ theme at paragraph 4.18. • Energy UK supports the policy topics of the ‘Productive and Enterprising Places’ theme set out at paragraph 4.19 which include, amongst others <i>“Encouraging policies and proposals which promote low carbon developments and sites for renewable energy, manufacturing, research and development close to areas of deployment of renewable energy”</i> and <i>“Promoting the economic benefits of energy schemes and in particular supporting those developments which maximise planning-related benefits to communities”</i>. • Energy UK supports the WG’s priorities at paragraph 4.99 to reduce the amount of energy used in Wales and actively manage the transition to a low carbon economy. The planning system should facilitate the delivery of these as well as Welsh, UK and European targets. 		

- Energy UK supports the role of the planning system set out at paragraph 4.103 in terms of delivering the Welsh Government's objectives in respect of energy and related matters.

Renewable Energy Targets

- Energy UK broadly supports the targets set out in paragraph 4.104 which reflect the latest targets set by Lesley Griffiths AM, the Cabinet Secretary for Energy, Planning and Rural Affairs. However, targets change and it is important to understand how this is addressed in a situation where PPW becomes out-of-date.
- Energy UK supports the stance at paragraph 4.106 that "should be expressed as an absolute energy installed capacity figure calculated from the resource potential of the area and should not relate to a local need for energy."
- Paragraph 4.107 points to the renewable energy toolkit which is not reflective of viable renewable energy schemes under current market conditions. Reference to the renewable energy toolkit in PPW should be removed and/or the renewable energy toolkit should be updated.
- Paragraph 4.108 states that *"Targets should not be seen as maximum limits but rather be seen as a catalyst to maximise available resource and where proposals exceed the target they should not be refused for this reason alone."* Energy UK supports this position and is of the view that it should also apply to 'maximum capacities' identified in the context of Strategic Search Areas (SSAs) in Technical Advice Note 8 'Planning for Renewable Energy' 2005 (TAN 8).

Grid Connections

- At paragraphs 4.110 – 4.112 the Welsh Government sets out its 'preferred position' for *"new power lines is that they should be laid underground where possible"* whilst recognising that a 'balanced view' should be taken against costs.
- Energy UK would discourage the WG from making sweeping statements about undergrounding vs overhead lines as each case should be assessed on its own merits. In the EIA process, it is only necessary to 'mitigate' against significant impacts where these are deemed to be unacceptable – if the environmental impact of an overhead line is deemed to be 'acceptable', there should be no need to consider undergrounding. As part of the planning consideration, the decision-maker will assess the impacts of the development (positive and negative) against the development plan and any other material considerations before reaching a balanced view on the proposal. Suggest replacing *"where possible"* with *"where necessary to mitigate unacceptable significant environmental effects"*.
- Furthermore, developers are required to follow the guidelines set out in the 'Holford Rules' which are intended as a common sense approach to the routing of new overhead lines. The 'preferred position' that they should be laid underground where possible is at odds with accepted EIA and planning processes, as well as specific guidelines on designing grid infrastructure. When designing new grid infrastructure, it is widely accepted that the starting point is an overhead line – undergrounding is only considered where there are serious concerns about the environmental effects of all (or sections) of the route. We would

encourage the WG to read the National Policy Statement (NPS) for Electricity Networks Infrastructure (EN-4) which addresses this point pragmatically and in detail.

- As some overhead line projects in Wales will still be subject to the Planning Act 2008 NSIP regime, it is also very desirable that Welsh planning policy should not be inconsistent with the relevant National Policy Statements (especially EN-4). The NPSs may be material planning considerations for developments outside the strict scope of the 2008 Act and similarly Planning Policy Wales is a material consideration in relation to NSIPs in Wales. If there are major inconsistencies (e.g. towards undergrounding of overhead lines) this risks repeated legal challenges as to the weight to be given to the different sources of policy in the particular case and consequent entirely avoidable delay and expense.
- The WG has set ambitious targets for the generation of renewable energy (PPW 4.104) - these targets are set in the context of reduced or no support for future renewable energy projects (*as a result of the closure of the Renewables Obligation (RO) scheme and the possible exclusion of onshore wind from future Contracts for Difference (CfD) auctions*); such projects may therefore struggle with viability. Grid makes up a significant proportion of the capital expenditure (CAPEX) costs for renewable energy/storage projects, and experience shows that undergrounding is generally significantly more expensive than overhead lines. The WG's own targets are already challenging but may be even harder to achieve if decision-makers attach too much weight to the WG's 'preferred position' on undergrounding.
- With consenting for projects up to 132kV soon to be devolved to Wales under the Wales Act 2017, the WG needs to carefully consider its 'preferred position' on overhead lines vs undergrounding, both in terms of following the correct EIA and consenting approach, and also in the context of making Wales an attractive place to invest in infrastructure projects.

Installed Capacity / Output

- Energy UK questions the purpose of the statement at paragraph 4.125 which suggests taking into account "*the likely mechanisms for determining applications for sites based on their potential and actual output*". The thresholds applicable to the consenting regimes in Wales (*planning applications under the Town and Country Planning Act 1990, developments of national significance (DNS) under the Planning (Wales) Act 2015; nationally significant infrastructure projects (NSIPs) under the Planning Act 2008*) are determined on the basis of the 'installed capacity' of the generating station in megawatts (MW).
- The potential/actual output of a site in megawatt hours (MWh) is a complex calculation based on the rated capacity and power curves of each wind turbine and the specific wind regime (direction, speed, turbulence) at the site. At the planning stage, this would involve modelling a number of different turbines resulting in a number of different MWh (*i.e. potential output*) figures. Energy UK is of the view that the current approach of using installed capacity to determine the consenting regime remains the most appropriate.

Wind Energy Policies

- Energy UK supports the approach set out at paragraph 4.132 – 4.134 to formulating 'Locational Policies for Renewable and Low Carbon Energy Development' using an appropriate evidence base.

- While we broadly support the approach at paragraph 4.135 – 4.141 to ‘Large Scale Wind Energy Development’, however TAN 8 (including the SSAs) which was published in 2005 is out of date, not fit for purposes and should be immediately reviewed to avoid confusion.
- The TAN 8 assumptions on turbines (rated capacity, tip heights etc.) are out of date (i.e. figures are based on 2.0MW turbines, where technological advances now mean that 3.5-4.0MW turbines are the norm). Furthermore, a clarification letter from John Griffiths AM in July 2011 suggested that the installed capacity for each SSA should be regarded as a ‘maximum’. SSAs are a planning policy tool to guide large scale wind farm development – they are not intended to provide definite or maximum capacities for areas, but rather provide indicative targets to assist the planning process. In line with the approach proposed in the draft PPW at paragraph 4.108, the SSA targets in TAN 8 *“should not be seen as maximum limits but rather be seen as a catalyst to maximise available resource and where proposals exceed the target they should not be refused for this reason alone”* and the John Griffiths AM letter should be retracted. We and our members believe that there should be more general policy support for the continued use of existing energy infrastructure where this is practical and cost-effective. This should extend to other types of renewable energy as well as to the re-use of existing infrastructure serving thermal power station sites.
- TAN 8 sets out a clear policy position on <5MW and 25-50MW onshore wind projects but there is a policy void when it comes to 5-25MW onshore wind projects. To deliver the ambitious targets set out in paragraph 4.104, the WG needs to clarify the policy position for onshore wind projects 5-25MW outside SSAs; Energy UK is of the view that such projects should be acceptable in principle subject to a consideration of environmental impacts. TAN 8 also needs reviewing to reflect the fact that a number of early onshore wind projects are coming to the end of their operational life (~25 years). Life extensions and repowering proposals should be specifically addressed in TAN 8 with the established use as a wind farm being explicitly set out as the accepted baseline and a material planning consideration.

Community Investment and Shared Ownership

- Given the strong focus on community ownership of energy projects in Wales with a target of 1GW to be community owned by 2030, we would welcome more detail on how this would be achieved, with a recognition that very prescriptive approaches to community ownership are less likely to be successful for developers and communities. Further consultation would be welcomed on the detail of any proposals on community ownership of onshore windfarms in particular.
- Paragraph 4.147 sets out the principle of commercial developers working together with community based organisations to take forward projects on a shared ownership basis, as well as securing financial contributions for host communities through voluntary arrangements. As is the case in Scotland for shared ownership, the economic benefits of community investment funds and shared ownership should be treated as a material planning consideration.

Q23

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.

X

Agree	
Neither Agree nor Disagree	X
Disagree	
Further comments	
<ul style="list-style-type: none"> None 	

Q24	Do you agree with the location of the transport infrastructure section in the Productive and Enterprising Places chapter? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q25	Do you agree with the new requirements for local renewable energy planning as set out in the draft PPW? If not, please explain why.	X
Agree		X
Neither Agree nor Disagree		
Disagree		
Further comments		
<ul style="list-style-type: none"> Energy UK broadly agree with the new requirements for local renewable energy planning (targets and spatially identified areas) and would expect WG to ensure that LPAs deliver on this. The PPW itself should highlight by way of an additional para below 4.108, the importance of existing renewable energy infrastructure, and the need to support and promote onshore wind repowering/life extension. The PPW should state the WG's support for supporting plans to extend the life of existing assets and for the repowering of existing renewables infrastructure specifically. The established use of existing wind farms should be explicitly set out as the accepted baseline and a material planning consideration. To relate to other parts of PPW (page 34 on Previously Developed Land), there should be an exception added to those listed in the text box below para 2.66 that this definition should 		

include existing wind farms, a number of which have restoration conditions imposed. This helps to support the reuse of a renewables sites.

Q26	Do you agree with the use of the energy hierarchy for planning as contained in the draft PPW? If not, please explain why.	X
Agree		X
Neither Agree nor Disagree		
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

Q27	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

Q28	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

Q29	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?	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

Q30	Do you agree with the approach taken to landscape, biodiversity and green infrastructure? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

Q31	Do you agree with the approach taken to distinctive coastal? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

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

Neither Agree nor Disagree	X
Disagree	
Further comments	
<ul style="list-style-type: none"> None 	

Q33	Do you agree with the approach taken to water services as contained in the draft PPW? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q34	Do you agree with the approach taken to addressing environmental risks and a de-risking approach? If not, please explain why.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> None 		

Q35	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		

- None

Q36	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.	X
Agree		
Neither Agree nor Disagree		X
Disagree		
Further comments		
<ul style="list-style-type: none"> • None 		

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:</p> <p>planconsultations-c@gov.wales</p> <p>[Please include 'Draft Planning Policy Wales: Edition 10' 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

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