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Llywodraeth Cymru
Welsh Government

Draft Planning Policy Wales: Edition 10

Welsh Government
Consultation Document

Consultation response from the Trees and Design Action Group (TDAG)

Date of issue: 12 February 2018
Action required: Responses by 18 May 2018
Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Consultation response from the Trees and Design Action Group (TDAG)

Key:

TDAG comments and proposed additions in red
Explanation for adding additional wording in blue
General Comments in green

THE TREES AND DESIGN ACTION GROUP

The Trees and Design Action Group (TDAG) is an open collaborative forum facilitating cross-sector and cross-disciplinary dialogue and projects promoting the role of the urban forest throughout the United Kingdom.

The group shares the collective vision that the location of trees, and all the benefits they bring, can be secured for future generations through better collaboration in the planning, design, construction and management of our urban infrastructure and spaces.

Established in 2007 as a not-for-profit and apolitical collaborative forum, TDAG incorporated as a charitable trust in 2013. Its membership, online publications and information are free. This approach enables TDAG to assimilate ideas and knowledge independently of organisational hierarchy, profit or commercial interests.

For further information visit www.tdag.org.uk

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Context within which TDAG is responding:

The TDAG response has a particular focus on trees and their role in green and blue infrastructure. The TDAG response also emphasises ‘urban trees’ both existing and proposed as they do not appear to be sufficiently represented in the draft PPW and yet are central to placemaking, long term sustainability, climate change responses, encouraging active travel and a wide range of public health outcomes for local communities, etc.

In most instances the word ‘green infrastructure’ should be replaced with “**trees and green infrastructure**”. Further guidance on trees and green infrastructure should be provided in a Technical Advice Note covering key methodological points regarding both Green Infrastructure Assessments and Tree Strategies.

TDAG recommends separating ‘trees’ for the more generic ‘green infrastructure’ because trees are the largest and longest lived, often trans-generational element in green infrastructure and their benefits are best gained after 30+ years.

Introduction to TDAG response

TDAG fully supports the approach of PPW to put placemaking at the heart of decision making for sustainable places and to create coherence between the three critical elements of legislation: the Well-Being of Future Generations Act, the Planning Act and the Environment Act.

Further TDAG is supportive of the proposal to consolidate planning legislation within the proposed Planning Law Wales Act (2020). This is something that has so far failed to be done or even considered in England to the detriment of effective planning policy and delivery.

TDAG notes with interest proposals made in the Law Commission’s Summary on Planning Law in Wales (No. 233 November 2017) as the proposed changes could be beneficial to trees, particularly:

Chapter 8 Applications to the Planning Authority

8.2 Abolish Outline Planning Permission.

Comment: a good move and should encourage less impact by development on trees and woodlands nearby as they were usually dealt with as reserved items and so too late to be of any practical use in their retention, protection or, replacement with comparable species.

Rationale: Granting outline planning permission often locked the LPA and developer into a scenario of outcomes prior to consideration of any expert advice of its impact on trees and woodlands.

8.8 Power to categorise pre-commencement conditions.

Comment: Really helpful. Particularly in relation to protection of trees and boundary woodland from the impacts of demolition, groundwater changes due to land reforming and putting in place protection measures prior to work starting.

Rationale: Clarification and making inaction unlawful is an improvement on current provision as once damage to trees occurs it is usually significant and irreversible.

8.9 Approval of details required by condition tightened up.

Comment: Good idea.

Rationale: Developers frequently wriggle when put on the spot when approving reserved details and make changes that the LPA were not aware of before in the hope they would just allow them.

8.10 Introduction of time limited response to approve details.

Comment: Flip side to 8.9 and so probably not helpful for an LPA to have to act under duress of speed in this context given the scale of the issue.

Rationale: What would the time limit be? Define what happens if the response is received beyond the deadline.

8.12 Expedited procedure for amending a permission for development that's already been started.

Comment: helpful to the applicant certainly, but less so to the LPA in light of 8.10.

Rationale: developers frequently table subsequent amendments to applications at the tail end of negotiations or once the development has commenced. Add further pressure on LPA to grant under duress of speed in low resource environment.

Chapter 15: Works to Protected Trees

15.1 Introduction of a definition of "Amenity".

Comment: A really good proposal which will allow age, rarity, biodiversity, historic, **scientific** and **recreational value** to be considered either singly or together along-side the tree's contribution to the surrounding landscape.

Rationale: acknowledging that a tree's contribution to its immediate environment in the context of public benefit is a conglomeration of factors not just how nice it looks. Will increase the opportunities for ascribing significant ecosystem service valuations to TPO'd trees and woodlands.

15.2 Short term use of Area Orders subsequently converted into individual or group orders.

Comment: A good idea as Area Orders were/are being used as a stop gap in a low resource environment to protect trees, but as they only protect trees present on the date that the order was made it's tricky to differentiate what is actually protected with the passage of time.

Rationale: This current proposal seems to be a compromise that sees them properly converted into more definitive legal instruments when confirmed. Serious issue for local authorities in Wales in terms of the resource implications, which is why, we understand, it was originally dropped!

15.4 Withdrawal of Exemption for dead and dying trees.

Comment: Exemption only to apply to works that are urgently necessary to remove an immediate risk of harm rather than just for dead trees.

Rationale: Better for biodiversity.

15.5. Removal of abatement of a nuisance exemption.

Comment: A really significant and important and very 'good news' proposal for trees. It would significantly ease pressure on tree and woodland owners where their trees were implicated in causing foundation or other damage and will also impact on ability of neighbouring residents to trim back overhanging branches of TPO trees that are causing a nuisance as defined in law such as leaves, blocking gutters and causing damage or trimming roots encroaching into gardens etc.

15.6 Works to a sapling:

Comment: good idea, would encourage better use of formative pruning in early life thereby improving condition and longevity of future tree.

15.7 Proposed Certificate of lawfulness for works to a tree.

Comment: Interesting change and helpful in context of works to TPO'd trees or woodland trees outside the development redline or that were affected by works implementing a development, but which were considered not immediately affected but required something to be done. Connection of utilities for example which are exempt but still might need clarity of action.

Rationale: it would clarify everyone's position prior to the deed being done.

15.8. Replacement planting at or near location of felled tree.

Comment: Requires a more precise definition in terms of quality and benefits of felled tree and how to replace these etc.

15.9. Wording change to "intentional or reckless" destruction or damage.

Comment: Helpful to refine and therefore much easier to prosecute someone for unauthorised works using "intentional or reckless" damage, especially if damage is a consequence of construction works.

25 Year Environment Plan

One of the aims set out in the UK Government's 25 Year Environment Plan was the concept of Environmental Net Gains. This should be considered in assessing planning applications in Wales.

Environmental net gains and biodiversity net gains are two different objectives and are best achieved on site, not through off-setting. However as the Natural Capital Committee advised the Government, it is important that a natural capital net gain principle is established within the spatial planning regime for housing and infrastructure and it could be beneficial if PPW also embodied a requirement for environmental net gain to its many other progressive approaches.

The definitions of environmental net gains could be extended beyond those identified in the 25YEP to include: improvements in air quality, noise control, green space and trees for active travel, leisure and health benefits – all environmental net gains.

It is also important to establish the base line from which 'net gains' will be measured.

Infrastructure and Infrastructure Commission for Wales

The National Infrastructure chaired by Sir John Armitt, has a noticeable omission amongst the skills of the Commissioners – it lacked a Commissioner with expertise in the natural environment. Despite efforts by many influential organisations this has not been remedied. Infrastructure projects can have significant impacts on trees and green/blue infrastructure and it is hoped that the National Infrastructure Commission will take this into account as infrastructure projects and planning policy need to work effectively together.

National Tree and Woodland Strategy (proposed)

TDAG has proposed a National Tree and Woodland Strategy – at this stage to Defra as a missing element in the Government's 25YEP but also highly relevant for planning policy. This proposal would be applicable to national and devolved administrations.

Further references:

Trees and Design Action Group (www.tdag.org.uk)

- *Trees in the Townscape: A Guide for Decision Makers* (2012)
- *Trees in Hard Landscapes: A Guide for Delivery* (2014)
- *Tree Species Selection for Green Infrastructure* (from June 2018 online only)
- *Trees, Planning and Development: A Guide for Delivery* (due late autumn 2018 and applicable to England, Wales, Scotland and N. Ireland)

NB. The TDAG website also provides information on research, case studies etc.

Other

- Birmingham 25 Year Tree Policy - file:///C:/Users/user/Downloads/180126_Bham_Tree_Policy_Report_POST_CITY_COUNCIL

[_FINAL%20\(5\).pdf](#)

- Natural Capital Planning Tool - <http://ceep-online.co.uk/index.php/projects-a-publications/83-ncpt>
- Building with Nature - <https://www.buildingwithnature.org.uk/>
- Canopy Cover: *Using Canopy Cover data to secure the benefits of the urban forest.*
[https://www.forestry.gov.uk/pdf/FR_FC_TreeCanopyData_leaflet.pdf/\\$FILE/FR_FC_TreeCanopyData_leaflet.pdf](https://www.forestry.gov.uk/pdf/FR_FC_TreeCanopyData_leaflet.pdf/$FILE/FR_FC_TreeCanopyData_leaflet.pdf)
- Place making <https://sites.google.com/view/place-value-wiki>
- *First Steps in Urban Air Quality* – new guidance from the Trees and Design Action Group (TDAG) UK by Ferranti, E.J.S., MacKenzie, A.R., Ashworth K., and Hewitt C.N. 2017 is now available as a free download from: <http://epapers.bham.ac.uk/3069/>

Overview

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.

We are seeking your views on these changes through the range of questions asked in this document.

How to respond

The closing date for the consultation is 18 May 2018. You can reply in any of the following ways.

Email:

Please complete the consultation response form and send it to:

planconsultations-c@gov.wales

Post:

Please complete the consultation response form and send it to the address below:

Planning Policy Wales Consultation
Planning Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Current Planning Policy Wales
<http://gov.wales/topics/planning/policy/ppw/?lang=en>

Contact details

If you have any queries about this consultation, please contact:

Stuart Ingram, Nick Lloyd or Joanne Smith
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0300 025 5040, 0300 025 6802 or 0300 025 1128

Data protection

How the views and information you give us will be used:

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 tell us this in writing when you send your response. 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.

What are the main issues?

Planning Policy Wales (PPW) is the national land-use planning policy document for Wales. It is used by Local Planning Authorities (LPAs) to inform policies and land-use allocations in Local Development Plans (LDPs) and it is a material consideration for decision makers in determining individual planning applications. PPW sets out the land use policies of the Welsh Government and provides the context for land use planning in Wales.

This consultation seeks your views on proposed revisions to PPW in light of the Well-being of Future Generations (Wales) Act 2015. PPW has been restructured into policy themes which reflect the well-being goals and policy updated where necessary to reflect Welsh Government strategies and policies.

We are seeking your views on these changes through the range of questions asked in this document.

Where are we now?

The current format of PPW has changed very little since it was first published in 2002 with each chapter dedicated to one or more theme or topic. These chapters outline the Welsh Government's strategic objectives for these areas; set the policy context and describe key issues; identify areas which LDPs should address locally; and outline matters which should be taken into account when planning applications are decided.

Why are we proposing changes to Planning Policy Wales?

Sustainable development has been at the core of PPW since it was first published. When the Planning (Wales) Act, the Well-Being of Future Generations (Wales) Act (WFG Act) and the Environment (Wales) Act were being developed, a commitment was given to restructure PPW so it more clearly evidenced the legislative requirements of these pieces of legislation.

The legislative requirements set out in the Well-being of Future Generations (Wales) Act (WFG Act) mandate improving the social, economic, environmental and cultural well-being of Wales. It requires public bodies (including the Welsh Government and Local Planning Authorities) to think about the long-term, to work better with people and communities, to look to prevent problems and take a more joined up approach to deliver sustainable development.

To make sure we are all working towards the same vision, the Act puts in place seven well-being goals. The Act also introduces 5 Ways of Working to help achieve the well-being goals.

The planning system is one of the main tools which we have to create sustainable places. It is the main contribution the planning system can contribute to the successful implementation of the WFG Act. Everyone engaged with or operating within the planning system must embrace the concept of placemaking in both plan

making and development management decisions in order to achieve the creation of Sustainable Places. Placemaking is a multi-faceted approach to the planning, design and management of public spaces. Placemaking capitalises on a local community's assets, inspiration, and potential, with the intention of creating development that promote people's health, happiness, and wellbeing. It is therefore central to the wider objectives of the WFG Act.

Consultation Proposals

PPW has been restructured to reflect the new legislative framework and the concept of placemaking to provide an appropriate context within which development plans are prepared and decisions on development proposals are taken. We have also updated planning policy in key areas where necessary to reflect new Welsh Government strategies and policies.

The consultation seeks views on the new structure of PPW, the placemaking concept and the new or revised policy requirements. This consultation paper outlines the changes and should be read alongside the draft PPW – Edition 10.

In restructuring PPW we have introduced some new policy requirements in a number of the chapters. This has generally been achieved by amending existing policy and making other aspects more explicit. Questions 1 to 33 focus on policies where such changes have been made.

The aim has been to reflect existing policy and retain policy statements contained in PPW Edition 9. Question 34 specifically asks whether policy, other than the amended policy statements detailed in Questions 1 to 33, accurately reflects the existing policy. Question 35 asks whether there are any existing policy statements in PPW Edition 9 which have not been included in the draft of PPW Edition 10.

The specific consultation questions relating to this consultation are set out below.

Consultation Questions

The consultation response form provides an opportunity to make additional comments when replying to these questions. Responses to consultations may be made public on the internet or in a separate report. If you would prefer your response to be kept confidential please indicate this by ticking the relevant box on the response form.

Structure of PPW - Aligning Planning Policy Topics to the Goals of the WFG Act

PPW has been restructured to reflect the new legislative framework, provided by the WFG Act and Environment Act, whilst continuing to provide an appropriate context within which development plans are prepared and decisions on development proposals are taken. We have aligned planning policy topic areas to the goals of the WFG Act by examining the descriptions of the goals which are also contained within the Act.

Using key words from the descriptions, relationships were identified between the goals and the policy topic areas. Once these relationships had been established, it was clear that many of the topic areas had linkages with two or more of the Well-being goals. Once these were identified those with common aspects were grouped together under thematic headings. These have been identified as:

Placemaking	Active and Social Places	Productive and Enterprising Places	Distinctive and Natural Places
Creating Sustainable Places Good Design Promoting Healthier Places The Welsh Language Making Spatial Choices Placemaking in Rural Areas	Housing Retail and Commercial Centres Community Facilities Recreational Spaces Transport	Economic Development and Tourism The Rural Economy Transportation Infrastructure Telecommunications Energy Minerals Waste	Landscape Coastal Areas Historic Environment Trees Green Infrastructure Biodiversity Water, Air, Soundscape & Light Flooding De-risking

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.

TDAG comment:

Yes, given the overall understanding that the themes are all interconnected. Trees should be treated separately to the more general 'green infrastructure – see TDAG introduction.

Introduction

Chapter 1, the introduction, provides an overview of what PPW sets out to do and a general context for the planning system in Wales. It highlights key legislation and provides policy context related to Development Plans and Development Management.

Q2

Do you agree the introduction provides an adequate overview of the planning system in Wales and appropriate context? If not, please explain why.

TDAG comment:

Yes. As well as the FGA, PPW should include the UN Sustainable Development Goals.

Placemaking

Chapter 2 of PPW, Placemaking, introduces the concepts necessary to ensure PPW reflects the WFG Act.

The Welsh Government believes that everyone engaged with or operating within the planning system in Wales must embrace the concept of placemaking in both plan making and development management decisions in order to achieve the creation of Sustainable Places.

The Placemaking Chapter sets out the 5 Key Planning Principles the Welsh Government has identified for planning which should be the starting point for all those involved in considering what they are trying to achieve. The chapter also sets Sustainable Places as the goal of the land use planning system in Wales; they are the output of the planning process. All development decisions, either through policy-making in development plans or through individual development management decisions should seek to contribute towards the making of Sustainable Places.

Q3 Do you agree with the Planning Principles? If not, please explain why.

TDAG comment:

Yes

Q4 Do you agree with the definition of what is a 'Sustainable Place'? If not, please explain why.

TDAG comment:

'Integrates Green Infrastructure' should be 'Integrates **trees and** green infrastructure'

Explanation for saying this:

Trees are part of green infrastructure, but as the largest and longest living (often transgenerational) element, they need to be recognised separately from a general 'GI' comment.

We would say 'integrate trees and green and blue infrastructure' but do you include SuDS etc under 'natural water management'?

We have developed a suite of high level National Sustainable Placemaking Outcomes, to encapsulate the spirit of placemaking in one succinct place and to ensure that all developments, as far as possible, make or contribute towards the creation of Sustainable Places.

The purpose of the placemaking policy is not to replace the detailed considerations that occur during every planning application or site allocation process, but rather it contains the high level outcomes that planning is seeking to achieve and taken into account.

Q5 Do you agree with high-level planning outcomes highlighted by People and Places: The National Placemaking Outcomes? If not, please explain why.

TDAG comments:

Yes, with the following additions:

'Landscapes, historic assets including **aged and veteran trees and ancient woodlands as well as landmark trees and avenues**, habitats and biodiversity and distinctive coastal, rural or urban characteristics

should be identified, understood, valued, protected and enhanced and **trees and** green infrastructure integrated wherever possible, especially in urban areas.

Explanation for saying this:

It is important to include trees specifically as part of the assets of the historic environment.

“Promotes healthy lifestyles and make it easy to make positive choices, where active travel options, the provision of **trees** and green infrastructure....

Explanation saying this:

Research shows that tree lined routes encourage active travel, so they need to be included specifically.

Strategic Place-making

PPW acknowledges that land is finite resource and, in line with the principles of the sustainability and the Well-being of Future Generations Act its development should be undertaken in an efficient way. We have therefore sought to make our preferred approach to the formulation of development plan strategies more explicit by outlining a search sequence for new development.

Q6

Do you agree with the search sequence outlined for the formulation of development plan strategies? If not, please explain why.

TDAG comment:

Yes

New Settlements

We have introduced a new policy regarding the promotion of new settlements or major urban extensions, of 1,000 or more dwellings. Due to their strategic nature and

significance, which goes beyond a single local authority boundary, they should only be proposed as part of a joint LDP, SDP or the NDF.

Q7

Do you agree with our revised policy approach for the promotion of new settlements and urban extensions? If not, please explain why.

The Re-Use of Previously Developed Land

We have also examined our policy on the use of brownfield land and have strengthened it to seek to ensure that all options to re-use previously developed land are considered before greenfield sites are utilised. The over-riding imperative will now be to examine previously developed land first. In line with advice later on in PPW, planning authorities are advised to continue to take a de-risk approach to sites to enable them to come forward, being mindful of the deliverability in economic terms.

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.

TDAG comment:

Yes and particularly support the exclusions.

We would like to make the point here that, since previously developed lands may include infill in gardens, we would not like to see that at the expense of existing trees and green space as the removal of trees in these locations can reduce existing canopy cover which may not be replaceable.

Explanation for saying this:

There is much research on the importance of urban tree canopy cover particular its benefits to climate change mitigation and adaptation.

Managing Settlement Form - Green Belts and Green Wedges

We have provided clarification on the difference between Green Belts & Green Wedges. Although proposals for both Green Belts and green wedges must be soundly based on a formal assessment of their contribution to urban form and the location of new development and can take on a variety of forms. The essential difference between them is that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process. Green Belts are also strategic in nature and should only be proposed as part of either a joint LDP or an SDP.

Q9

Do you agree with our revised policy approach for the designation of Green Belts and Green Wedges? If not, please explain why.

TDAG comment:

Yes.

2.79 with the provision that consideration is given to traffic and transport implications should public transport be inaccessible or unviable.

Active and Social Places

The Active and Social Places chapter highlights the connections which the policy topics in this chapter have with the placemaking outcomes. It also makes the linkages with the 7 Well-being Goals and 5 Ways of Working of the WFG Act. The future trends in this area are also identified as well as how the different policy topics in theme can work collectively together to achieve Sustainable Places.

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?

TDAG comment:
Yes

Housing

Emphasis has been placed on economic viability being central to assessments of the deliverability of development plan housing requirements from the outset of the plan preparation process. This is supported by an enhanced role for housing trajectories, which would provide the basis for housing land supply until a housing land availability study is required to inform an authority's first development plan Annual Monitoring Report.

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.

TDAG comment:
Yes and viability assessments should include the planning requirements for trees, green infrastructure, SuDs, biodiversity and environmental net gains.

When allocating land for housing in their development plans local planning authorities are encouraged to include an additional allowance to allow for flexibility where sites do not come forward as planned to provide a realistic prospect of achieving the planned housing requirement.

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.

To deliver the new housing it is necessary to diversify the means of delivery by encouraging all types of house builder to contribute, including the self-build and custom build sector. To facilitate this, local planning authorities must provide a range of site sizes when allocating sites in their development plans and must consider the opportunities for custom and self-build options, including the use of Local Development Orders.

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.

TDAG Comment:

Yes, but the inclusion of trees and green infrastructure should apply to all scales of development i.e. including small sites where this is often overlooked as the small site developer does not always engage the right professional expertise.

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.

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.

The delivery of affordable housing as part of market housing developments requires local planning authorities and developers to negotiate in an open and transparent manner. Further emphasis has been placed on this by referring to the need for such negotiations to be on an 'open book' basis.

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.

Community Facilities

Changes have been made to emphasise the need for the appropriate provision of community facilities. Planning authorities should develop a strategic and long-term approach to the provision of community facilities when preparing development plans. When considering development proposals planning authorities should consider the needs of the communities and should ensure that community facilities continue to address the requirements of residents in the area.

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.

TDAG comments:
Yes

Transport

The transport policy has been updated to give greater emphasis to the transport hierarchy, which prioritises walking and cycling, then public transport, and finally private motor vehicles. New development should be located and designed in accordance with this hierarchy.

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.

TDAG Comment: Yes

Further changes have been made to strengthen the policy objective of reducing travel by private vehicles and increasing walking, cycling and public transport use. The policy on active travel has been strengthened and the provisions of the Active Travel (Wales) Act 2013 further integrated with the planning system. Greater emphasis has been placed on creating well-designed, people orientated streets. The revised policy explicitly sets out an expectation that the design of new or enhanced streets must reflect the principles in Manual for Streets.

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.

TDAG comment:
Yes

Q20

Do you agree that the policy will enable the creation of well-designed streets? If not, please explain why.

TDAG comment:

Yes – but well-designed streets must include the most suitable trees species where street tree planting is appropriate with due reference to supporting the trees for the long term (100+ years) so planted to accommodate changes over time of roots underground, trunk at street level and canopy spread.

Street trees have a vital role in encouraging active travel: research shows that once basic infrastructure for walking and cycling is in place, levels of uptake will significantly improve with the integration of trees along routes. Trees are a very versatile design component, as they can be used to slow down vehicular traffic, facilitate separation or mingling (at safe speed) of different highway users, enhance sense of safety for more vulnerable users, enhance highway legibility, etc. For examples, further details, and research references, please refer to [Trees in Hard Landscapes: A Guide for Delivery](#) paragraph 2.2, as well as case studies 10, 11, 15, 28, 29 and 30. Trees also encourage greater socialising in the streets. Research findings, as well as recent project examples in the UK, such as the Greater Bristol Bus Network project (Bristol), has shown that tree lined streets also encouraged greater passenger use of buses (see [Trees in the Townscape: A Guide for Decision Makers](#) page 44).

A new policy has been introduced to encourage the use of Ultra Low Emission Vehicles (ULEV). The policy requires a minimum of 10% of non-residential car parking spaces to have ULEV charging points. It is intended for this to be applied flexibly to ensure the level, location and type of charging provision is appropriate to the scheme and local circumstances.

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.

Productive and Enterprising Places

The introduction to the Productive and Enterprising Places chapter highlights the connections which the policy topics in this chapter have with the placemaking outcomes. It also makes the linkages with the 7 Well-being Goals and 5 Ways of Working of the WFG Act. The future trends in this area are also identified as well as how the different policy topics in theme can work collectively together to achieve Sustainable Places.

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?

TDAG comment:

Yes.

Trees and green infrastructure have a major role to play in placemaking, tackling climate change by achieving agreed canopy cover targets and also economic vitality – for example, the presence of trees has been shown to enhance retail sales with people lingering longer and prepared to pay more goods.

Telecommunications

The mobile telecommunications section of PPW has been updated to recognise the important economic benefits that having good, reliable and fast communication networks. Planning authorities and network operators are encouraged to work collaboratively to identify areas of limited connectivity and ways the planning system can help to address this. We have also sought to clarify the situation regarding mobile phone developments and health.

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.

Transport Infrastructure

Transport infrastructure has been grouped with other forms of infrastructure in the Productive and Enterprising Places chapter. This section includes planning policy on public transport infrastructure, the strategic road network, ports, airports and freight. The policy seeks to ensure the planning system facilitates the delivery, decarbonisation and improvement of transport infrastructure, in a way which reduces the need to travel, particularly by private vehicles, and promotes sustainable transport. It should be read in conjunction with the overarching transport planning policy, which is located in the Active and Social Places chapter.

Q24

Do you agree with the location of the transport infrastructure section in the Productive and Enterprising Places chapter? If not, please explain why.

TDAG comment:

Yes

Energy

Following the establishment of renewable energy targets for Wales, we have introduced the requirement in policy for local authorities to establish targets for renewable energy generation in their development plans. We also explicitly require planning authorities to identify spatial areas in their development plans where renewable energy developments will be permitted.

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.

TDAG comment:

Particularly support the priority to reduce the amount of energy used in Wales. Climate based masterplanning and the appropriate introduction of trees and green infrastructure can support improved environmental performance of buildings and reduced energy demand, for example.

We have also included all energy and sustainable buildings policies in the same section to highlight the integrated nature of these issues. This is exemplified by the use of an energy hierarchy for planning which sets out our preferred approach to energy planning to guide energy related choices in the planning system.

Q26

Do you agree with the use of the energy hierarchy for planning as contained in the draft PPW? If not, please explain why.

TDAG comment:

Yes

Energy Minerals

Energy minerals have been placed in the energy section and removed from the mineral section. The extraction of coal and onshore oil and gas for the purposes of energy generation are placed at the bottom of the planning energy hierarchy reflecting their position as the least preferred source of fuel for power generation.

The policy content has been amended to fit with the UK wide plans to phase out coal powered generation and Welsh Government's progressive aspirations to address climate change and to avoid being 'locked in' to future fossil fuel extraction. Planning policy relating to coal and onshore oil and gas has been amended to restrict extraction and states that planning permission should not be granted.

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.

TDAG comment:

Yes

Circular Economy

Promoting the circular economy has been introduced to encourage and promote positive action and early consideration of materials choices and resource use in the planning process and to provide a greater driver for action further up the waste hierarchy. Making best use of resources can result in better location, site treatment and design choices. At a strategic level there is a need to support the infrastructure necessary to move towards a circular economy.

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.

TDAG comment:

Yes

Distinctive and Natural Places

The introduction to the Distinctive and Natural Places chapter highlights the connections which the policy topics in this chapter have with the placemaking outcomes. It also makes the linkages with the 7 Well-being Goals and 5 Ways of Working of the WFG Act. The future trends in this area are also identified as well as how the different policy topics in theme can work collectively together to achieve Sustainable Places.

This theme provides the context for understanding, recognising and identifying characteristics and qualities which are integral components of place, which give

places a sense of identity, which should be protected for their beauty and intrinsic value as part of natural and built heritage and which should be considered in terms of their contribution towards health and well-being of people and the environment.

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?

TDAG comment:

Yes, with the following additions:

5.19 Desired Natural and Distinctive outcomes will be based on sustaining and creating places in which:

(...) Opportunities, particularly in urban areas, to improve health and wellbeing are taken, in particular to reduce average levels of airborne pollution, secure sustainable drainage systems, ensure water sensitive design, address soil carbon management and secure access to informal spaces for recreation through **trees and other** green infrastructure provision so as to improve capacity for adaptability to the challenges of climate change, such as flood risk and increased temperatures; and

Landscape and Biodiversity

The overall thrust of the draft policy remains similar to the current PPW with the focus remaining on the protection and enhancement of the natural environment. The legislative requirements (WGFG Act and Environment Act) have been strengthened, elaborated and re-presented. The draft now includes reference to the resilience of ecosystems and the wider benefits to be derived from embracing such an approach and green infrastructure.

Key specific changes include additional detail on local landscapes, geodiversity and landscape information, outlining a planning approach to Section 6 duty requirements of the Environment Act to conserve and enhance biodiversity and increase the resilience of ecosystems, including elevating 'net benefit' and no significant loss of biodiversity from TAN 5, and explicit recognition of green infrastructure and the requirement to prepare assessments.

Q30

Do you agree with the approach taken to landscape, biodiversity, **trees** and green infrastructure? If not, please explain why.

TDAG comment:

Yes, provided clarifications are provided as follow:

1/ **Not just elevating 'net benefit' but achieving 'net gain(s)' and 'biodiversity net gain(s)' as per the UK government's 25 year Environment Plan.**

2/ **The definition of green infrastructure should follow the [EU definition](#) as 'a**

strategically planned network of natural and semi-natural areas with other environmental features designed and managed to deliver a wide range of ecosystem services' in both rural and urban settings (EC, 2013a).

3/ The benefits of trees, woodland, copses and hedgerows need to be better articulated, i.e.:

5.61 Trees, woodlands, copses and hedgerows are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, air quality, **stormwater management**, local climate moderation, recreation, **active lifestyles and other determinants of public health**. They also play a vital role in tackling climate change by locking up carbon and can provide a sustainable energy source and building materials.

4/ Securing good outcomes from new developments in respect to trees, hedgerows and woodland requires both a strategic approach to the local tree population and explicit consideration during the development management process. The need for such explicit consideration needs to be made clearer in PPW Edition 10 if any meaningful results are to ensue.

Tree strategies provide the best instrument for local authorities to define a strategic approach providing the context needed to ensure site-by-site decision making does cumulatively result in 'net benefit' rather than net loss, as has been demonstrated by Natural Resources Wales in its recent nationwide analysis: [Tree Cover in Wales Towns and Cities](#) (2016). Local planning authorities across Wales are uniquely positioned in the UK to produce effective tree strategies thanks to the availability of county-scale urban tree cover datasets made available to all existing local planning authorities by Natural Resources Wales as a result of the above-mentioned study.

Conclusions of the report were as follow: "*The TCWTC study provides the Welsh Government with solid evidence of the state of the Welsh urban forest, both in terms of extent and distribution as well as of its evolution. This has highlighted some important issues regarding:*

- *Canopy cover loss: the TCWTC study show clear evidence that 159 towns and cities have lost canopy cover between 2009 and 2013.*
- *Canopy cover discrepancies between towns and wards.*
- *Unfulfilled potential to better use land for increasing cover.*
- *The findings provide grounds to undertake a review on current legislation and guidelines as to their effectiveness on delivering ecosystem goals, e.g. TPOs and ensuring robust conditions are adhered to on development sites."* pp 121-122

5.62 Planning authorities should protect trees, hedgerows, groups of trees/shrubs and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function. **The value of existing trees should be factored into planning decisions with a presumption to retain and integrate into design rather than remove. Any potential long-term conflict between retained trees or hedgerows and built form should be designed out at**

planning stage. Where unavoidable loss of valuable trees, hedgerows, or woodland occur, adequate mitigation should be provided, having regards for the value of the tree(s) lost and compensatory mechanisms and any target(s) defined in the local tree strategy. Opportunities to integrate new trees and hedgerows in developments should be pursued at planning stage wherever appropriate.

5.64 Planning authorities should take a strategic approach to the planning and management of the local tree population by incorporating trees, hedgerows and woodlands into Green Infrastructure Assessments and adopting Tree Strategies setting clear local policies and targets for maintaining or enhancing tree cover where needed. The protection and planting of trees and hedgerows should be further delivered, where appropriate, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs), including conditional TPOs.

5.69 Full advantage should be taken of opportunities to improve the quality of the built environment by integrating trees and green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, trees and green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards a variety of health and well - being outcomes. There will be multiple ways of incorporating it, dependent on the needs and opportunities a site presents. Landscaping, green roofs, hedgerows, street trees, grass verges, sustainable urban drainage and gardens are examples of individual measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places outlined in this chapter.

5.70 Planning authorities should adopt a strategic and proactive approach to trees, green infrastructure and biodiversity by producing up to date inventories and maps of existing green infrastructure and ecological assets and networks.

5.71 The Green Infrastructure Assessment should be used to develop a robust approach to enhancing biodiversity, increasing ecological resilience, and improving wellbeing outcomes, and should identify key strategic opportunities where the restoration, maintenance, creation or connection of green features and functions would deliver the most significant benefits. Green Infrastructure Assessment should also be used to produce Tree Strategies ensuring a locally-specific and strategic approach to the protection and management of the local tree population, regardless of ownership, setting targets for enhancements and integration with other green, blue and grey infrastructure assets as needed.

5.73 It is important that the Green Infrastructure Assessment and the associated plans and strategies be regularly reviewed to ensure that information on habitats, species and other green features and resources is kept up - to - date, so that decisions are informed by sufficient and

appropriate information about the potential effects of development on **trees**, biodiversity and green infrastructure functions. Planning authorities should use the best available data to monitor a set of key species and habitats, **as well as tree cover in built-up areas** and incorporate these indicators into both their Annual Monitoring Reports and, where appropriate, into the appropriate Section 6 Plan and Report. At the end of each reporting period they should use this data to indicate whether there has been a net gain or loss of biodiversity, and should use the trends identified to determine future priorities for planning and decision making, with the aim of furthering the goals of the Section 6 Duty.

5.74 The need for ecosystems, habitats and species to adapt to climate change should be considered as part of the Green Infrastructure Assessment. This should include identifying ways to minimise or reverse the fragmentation of habitats, and to improve habitat connectivity through the promotion of wildlife corridors and identifying opportunities for land rehabilitation, landscape management and the creation of new or improved habitats. With respect to the local tree population, this should include assessing the mix of species found in the local area as well as its vulnerability to pests and diseases and using the Tree Strategy to optimise tree population resilience. Planning authorities should ensure that development **contribute to the local tree population resilience objectives as well as** minimises impact within areas identified as important for the ability of species to adapt and/or to move to more suitable habitats.

Distinctive Coastal Characteristics

The general premises of the current policy remain largely unchanged. There are some additional elements including separating out and more fully explaining the unique characteristics of coastal areas, a greater emphasis on role of Shoreline Management Plan and appropriate planning responses and consideration of the role of the coast and its management in combination with recognition of wider benefits and well-being.

Q31 Do you agree with the approach taken to distinctive coastal? If not, please explain why.

Air Quality and Soundscape (Noise)

Key principles of current PPW policy remain, but they have been developed and elaborated as part of a more robust framework for addressing air quality and noise based on long term, prevention and integrated ways of working and contribution to

well-being goals. The concept of soundscape has been introduced to recognise the positive contribution of sound as part of the experience of place rather than just recognising noise as a source of pollution.

PPW now recognises there are no safe limits of airborne pollution, that the planning system can be a positive way of reducing average levels of pollution, that long term approaches should be taken, that noise and air pollution often arise from the same sources and can be addressed together and the agent of change principle has been explicitly introduced, particularly as far as this principle is an integral part of addressing compatibility of uses and activities.

Q32

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

TDAG comment:

Yes

See TDAG guidance on urban air quality and trees and green infrastructure: *First Steps in Urban Air Quality* – new guidance from the Trees and Design Action Group (TDAG) UK by Ferranti, E.J.S., MacKenzie, A.R., Ashworth K., and Hewitt C.N. 2017 is now available as a free download from: <http://epapers.bham.ac.uk/3069/>

Water Services

The complex interactions between development and water services are more fully explained by including stronger attention on the fact that discharge of foul sewerage to combined sewers should not take place, greater emphasis on the role of water and its management and links to wider benefits and well-being and greater emphasis on Suds.

Q33

Do you agree with the approach taken to water services as contained in the draft PPW? If not, please explain why.

TDAG comment:

Yes especially the incorporation of SuDS and street trees.

Managing environmental risks

Environmental risks, such as land contamination and instability, have been placed in the context of 'de-risking'. De-risking can be understood as unlocking the potential of places through managing risk and identifying opportunities. It depends on obtaining greater transparency about risk and opportunity, promoting approaches where collaboration between agencies occurs and information, evidence and assessments could be re-used, recycled and shared.

Q34

Do you agree with the approach taken to addressing environmental risks and a de-risking approach? If not, please explain why.

PPW Edition 9 Policy Statements

In restructuring PPW for Edition 10 the aim has been to retain the majority of policy contained in PPW Edition 9.

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.

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.