

## Community Scrutiny

28<sup>th</sup> March 2019

### Draft Supplementary Planning Guidance Wind and Solar Energy and Highways Design Guide Adopted Carmarthenshire Local Development Plan

#### To consider and comment on the following issues:

- To consider the content of and responses received in respect of the Draft Supplementary Planning Guidance (SPG) on Wind and Solar Energy and approve the recommendations of this report.
- To adopted the Wind and Solar Energy SPG subject to the recommendations of this report.
- To consider and approve the Draft Highways Design Guide SPG set out within the report for formal 6 week public consultation.
- To delegate authority to the Head of Planning to correct typographical, cartographical or grammatical errors, and to make amendments in order to enhance accuracy and clarity of meaning.

#### Reasons:

- To reflect the requirements to prepare SPG including commitments set out within the Adopted Local Development Plan.
- To support implementation of, and provide guidance and elaborate on the policies and provisions of the Adopted Local Development Plan.

**To be referred to the Executive Board / Council for decision: YES**

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

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# EXECUTIVE SUMMARY

## Community Scrutiny

28<sup>th</sup> March 2019

### SUPPLEMENTARY PLANNING GUIDANCE

### WIND AND SOLAR ENERGY AND

### DRAFT HIGHWAYS DESIGN GUIDE

### ADOPTED CARMARTHENSHIRE LOCAL DEVELOPMENT PLAN

#### 1. BRIEF SUMMARY OF PURPOSE OF REPORT.

This Report presents two Supplementary Planning Guidance (SPG) for consideration which have been prepared to support and elaborate on the policies and provisions of the adopted Carmarthenshire Local Development Plan (LDP). The aim of the report is to progress the SPG as follows:

Draft Wind and Solar – to consider the representation received as part of the formal consultation held between the 23 August and the 5 October 2018, and to seek authorisation to formally adopt its content subject to the recommendations set out in this report.

Highways Design Guide – to authorise undertaking formal public consultation on the SPG for a 6 week period prior to its formal adoption.

It should be noted that it is not the purpose of the SPG to devolve policy matters from the LDP, SPGs set out more detailed guidance on how the policies of the LDP will be applied.

#### 2. Background

The Carmarthenshire Local Development Plan (LDP) was adopted by Full Council on the 10<sup>th</sup> December 2014 along with 8 thematic and site specific SPG prepared concurrent to the LDP. Since this date, the LDP has been the development plan for the County (excluding that area contained within the Brecon Beacons National Park). The LDP is one of the statutory high level strategies which must be prepared and approved for the County, setting out in appropriate land-use terms and guiding, the Councils Plans and strategies for the next 15 years including the Wellbeing Plan and the Corporate Strategy. It should be noted that the current adopted LDP will remain until superseded by the Revised LDP which is anticipated for adoption at the end of 2021.

In recognising the role of SPG in supporting the Plan, and as a means of providing more detailed policy guidance, the LDP sets out the opportunities and requirements for the preparation of SPG. Such SPG are prepared where required to support the delivery of the Plans policies and to assist in decision making. The preparation of the SPG, are key indicators in the LDP Monitoring Framework and will be subject to reporting to the Welsh Government through the Annual Monitoring Report (AMR).

#### 3. Draft Wind and Solar SPG

The Draft Wind and Solar Energy SPG was published for public consultation during the period 23 August to 5 October 2018. Six responses were received to the consultation. The attached report details the responses received along with the Officer's recommendations.

Responses were received from the following:



**EICH CYNGOR arleinamdani**  
[www.sirgar.llyw.cymru](http://www.sirgar.llyw.cymru)

**YOUR COUNCIL doitonline**  
[www.carmarthenshire.gov.wales](http://www.carmarthenshire.gov.wales)

1. Pembrokeshire Coast National Park
2. NRW
3. Caroline Hill
4. The Coal Authority
5. Caroline Evans, Brechfa Forest Energy Action

It is recommended that the SPG and the accompanying Landscape Sensitivity and Capacity Study be amended as detailed in the report.

The SPG provides further, more detailed guidance for facilitating the development of renewable energy schemes, focusing in particular on wind and solar energy. It is generally split over three sections: general guidance; onshore wind; and solar.

Note: The SPG is not applicable to wind farm schemes located within the two Strategic Search Areas within the County (SSA G: Brechfa Forest and SSA E: Pontardawe) as guidance for renewable energy schemes is covered within Technical Advice Note 8.

General guidance is provided for onshore wind and solar energy applications on issues such as pre-applications, Environmental Impact Assessment, Habitat Regulations Assessment, grid connection, community energy, community benefits, agricultural land, ecological considerations, mitigation and enhancement.

The Onshore Wind section includes issues such as landscape, cumulative impact, design considerations, noise, ecological considerations, historic environment and highways. The Solar section includes issues such as landscape, design considerations, noise, cumulative impact, ecology, historic environment and highways.

Two studies are referred to in the guidance as providing more detailed information on the consideration of landscape aspects of the SPG, which are: the Pembrokeshire and Carmarthenshire: Cumulative Impact of Wind Turbines on Landscape and Visual Amenity Guidance; and the Landscape Sensitivity and Capacity Studies for Wind Turbine Developments and Solar PV Developments (LSCS). These Studies were published concurrent with the consultation and were commissioned by the Council to provide support to these policy areas.

It should be noted that the SPG contains extracts from the LSCS, as these were produced by consultants for the Authority, responses to these extracts/documents have been sent to the consultants for comment. Their comments are detailed in the report.

#### **4. Draft Highways Design Guide**

The new Highways Design Guide (HDG) will replace the existing Highway Design Guidance which dates back to 1997. Since this time there have been a number of important changes to local and national policy as well as new design templates, as set out in the Manual for Streets and Manual for Streets 2 publications. The new HDG ensures the guidance is accurate and up to date with current legal and policy guidance. It also ensures that developers or interested parties are fully informed on the expectations for the design of highway infrastructure for developments in the County.

The preparation and adoption of the guidance as SPG will assist Developers, Designers and other professionals in understanding the highways requirements for new development and will assist in the determination of proposals as they emerge.

The HDG seeks to encourage developers to create Highway layouts which have a distinctive character in their built environment and landscaping, whilst applying design standards which will achieve safe sustainable provision for all users. It is intended that the guide will be a key reference document to be cited when determining Highways responses to planning consultations, as such it is sub titled 'a Toolkit for Developers'.

It will also provide developers and applicants with a clear understanding of the Council's requirements and will assist in the timely consideration of proposals where they conform to its content. Whilst also helping ensure developments are safe, sustainable and mitigate any impacts they may have on the highway network.

The guide sets out:

1. Aims and Objectives of the Design Guide
2. The Planning Process
3. Policy context
4. Design Process
5. Design Standards
6. Construction, Maintenance and Statutory Agreements

A copy of the Draft Highways Design Guide is attached.

## 5. Next Steps

Subject to members deliberation the Draft Wind and Solar SPG will be adopted and published as appropriate.

The Draft Highways Design Guide SPG will be published for formal public consultation for a six week period, during this time comments will be invited from a range of organisations, interested parties and members of the public.

Please note there is no identified requirement in relation to the length of any consultation in respect of SPG within National Planning Policy and statutory regulations. However, the use of the six week period proposed within this report would ensure that any consultation is consistent in length with the statutory consultation period for an LDP set out within Local Development Plan Regulations.

The Draft Highways Design Guide SPG and the representations received will be reported back to a future meeting of County Council for consideration prior to its formal adoption.

<b>DETAILED REPORT ATTACHED ?</b>	<b>YES</b>
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## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L Quelch

Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

### 1. Policy, Crime & Disorder and Equalities

The Draft SPG is an elaboration on the policies and provisions of the Local Development Plan. Through land use planning policies, the LDP seeks to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable providing access to local services and facilities and reducing the need to travel.

The integration of sustainability as part of the preparation of the LDP is reflected in the undertaking of a Sustainability Appraisal and Strategic Environmental Assessment reflecting national and international legislative requirements. This iterative approach ensures sustainability is at the heart of the Plan and that it is reflective of the requirements emanating from the Wellbeing and Future Generations Act.

### 3. Finance

Financial costs (including production of the final SPG, translation, publicity etc.) are covered through the financial provisions in place - including reserves.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L Quelch

Head of Planning

**(Please specify the outcomes of consultations undertaken where they arise against the following headings)**

## **1. Scrutiny Committee**

Both SPG will be reported to Community Scrutiny as part of approval process for consultation purposes. The Highways Design Guide has been previously reported to the relevant Scrutiny Committee.

## **2. Local Member(s)**

Members have and will be consulted as part of the SPG's preparatory process. The Wind and Solar Energy SPG has been subject to a full public consultation which included Local Members.

## **3. Community / Town Council**

Community and Town Councils represent a statutory consultee within the LDP process and have and will be consulted as part of the Highways Design Guide SPG's preparatory process. The Wind and Solar Energy SPG has been subject to a full public consultation which included Community and Town Councils.

## **4. Relevant Partners**

Statutory consultees, the public, interested parties and key agencies and bodies have and will be consulted as appropriate. The Wind and Solar Energy SPG has been subject to a full public consultation which included relevant partners.

Engagement was undertaken on the Draft Highways Design Guide through the Local Planning Authority led "Meet the developers" events which informed developers and agents across the County.

## **5. Staff Side Representatives and other Organisations**

The content of the Draft Highways Design Guide will be subject to full public consultation. Internal contributions have and continue will be sought throughout the revision process. Internal consultation has been undertaken with officers in Highway Engineering, Public Transport, Traffic Management, Highway Maintenance, Adoptions, Waste Services, Drainage, and Regeneration.

The Wind and Solar Energy SPG has been subject to a full public consultation.

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
<b>Adopted Carmarthenshire Local Development Plan</b>		<a href="http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/">http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/</a>
<b>Supplementary Planning Guidance</b>		<a href="http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/supplementary-planning-guidance/#.V06h-JwrKUk">http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/supplementary-planning-guidance/#.V06h-JwrKUk</a>
<b>Draft Wind and Solar SPG</b>		<a href="https://www.carmarthenshire.gov.wales/media/1215539/spg-wind-solar-draft.pdf">https://www.carmarthenshire.gov.wales/media/1215539/spg-wind-solar-draft.pdf</a>
<b>Annual Monitoring Reports</b>		<a href="http://www.carmarthenshire.gov.wales/home/council-services/planning/planning-policy/annual-monitoring-report-amr/">http://www.carmarthenshire.gov.wales/home/council-services/planning/planning-policy/annual-monitoring-report-amr/</a>