



## Report of the Head of Planning and City Regeneration

Special Planning Committee – 22 July 2020

### **New Supplementary Planning Guidance: Revised Gower AONB Design Guide (Consultation Draft)**

<b>Purpose:</b>	To provide a summary of the revised Gower AONB Design Guide (a new version of the Design Guide to replace the current adopted version), and seek approval from Members to undertake public consultation on the document.
<b>Policy Framework:</b>	Planning (Wales) Act 2015; Planning Policy Wales 2018; Technical Advice Note 12; City & County of Swansea Local Development Plan (Adopted February 2019)
<b>Reason for Decision:</b>	To enable the draft SPG to be subject to public consultation and further stakeholder engagement.
<b>Consultation:</b>	Legal, Finance, Access to Services
<b>Recommendation(s):</b>	Approve the draft SPG (as attached at Appendix A) for the purpose of public consultation and further stakeholder engagement.
<b>Report Author:</b>	Tom Evans
<b>Finance Officer:</b>	Aimee Dyer
<b>Legal Officer:</b>	Jonathan Wills
<b>Access to Services:</b>	Rhian Millar

## **1.0 Introduction**

- 1.1 This report seeks the approval of Members to undertake a public and stakeholder consultation, for a minimum 6 week period, on the revised Gower Area of Outstanding Natural Beauty (AONB) Design Guide. The revised document will replace the original version of the Gower AONB Design Guide (dated 2011), which supplemented the now defunct Swansea Unitary Development Plan. The revised Gower AONB Design Guide will provide Supplementary Planning Guidance (SPG) in support of policies in the Swansea Local Development Plan (LDP).
- 1.2 A Consultation Draft of the revised Gower AONB Design Guide (referred to hereafter in this report as ‘the revised Design Guide’) is attached at Appendix A of this report. The document has been produced in collaboration with planning consultants Litchfields, who were also involved in the production of the original Gower Design Guide.
- 1.3 The revised Design Guide, once adopted following public consultation, will be used in the determination of planning applications that are sited within the AONB. It will also be relevant to development proposals at sites outside the statutory designated boundary, if such proposals would affect the setting of the AONB. Most fundamentally, the purpose of the revised Design Guide is to set out the placemaking and design objectives that development proposals must follow to ensure that the distinctive character of Gower’s built and natural environment is maintained and enhanced.
- 1.4 Upon conclusion of a public and stakeholder consultation process, a schedule of all comments received and officer responses to these will be produced. This will be reported back to Members for consideration alongside a final version of the revised Design Guide, at which time members will be asked to formally adopt the document as SPG.

## **2.0 Planning Context**

- 2.1 In 2011, the original version of the Gower AONB Design Guide was adopted as SPG to the Swansea Unitary Development Plan, with the expressed aim of raising the standard of building and landscape design in the AONB. The 2011 document proved a very useful means of setting out in detail the priorities and objectives for designing buildings and spaces between them, in what is a very sensitive area of the County terms of landscape and heritage. The benefits of having such guidance include helping provide clarity for developers on the planning principles that apply, and ensure consistency of decision making.
- 2.2 In February 2019, the Swansea LDP (available at [www.swansea.gov.uk/ldp](http://www.swansea.gov.uk/ldp)) was adopted as the Council’s new statutory development plan. The LDP highlights that various SPG documents will be produced to augment LDP policies, and set out appropriate detailed definitions and developer requirements to assist the interpretation of LDP policies. The Gower Design Guide is highlighted in the LDP as a document to be revised and updated in order to produce SPG that fully aligns with the LDP.

- 2.3 Having regard to this context, the Design Guide has been revised and updated with particular reference to the following LDP policies:
- Policy ER 2 Strategic Green Infrastructure Network
  - Policy ER 4 Gower AONB
  - Policy PS 2 Placemaking and Place Management
  - Policy HC 1 Historic and Cultural Environment
  - Policy HC 2 Preservation or Enhancement of Buildings and Features
  - Policy CV 1 Key Villages
  - Policy CV 2 Development in the Countryside
  - Policy CV 3 Replacement Dwellings in the Countryside
  - Policy CV 4 Conversion of Rural Buildings
  - Policy TR 3 Sustainable Tourism and Recreation Development in the Countryside
  - Policy T 5 Design Principles for Transport Measures and Infrastructure
  - Policy RP 3 Air and Light Pollution
- 2.4 The Design Guide has also been amended to reflect changes to national policy and guidance that have occurred over the last decade. In particular, it has been changed to align with amendments to Planning Policy Wales (PPW)<sup>1</sup>, the Planning Act<sup>2</sup>, The Environment Act, and the Well-being of Future Generations Act<sup>3</sup>, which together require the Council to achieve clearly defined well-being and environmental goals and objectives.
- 2.5 Significantly, the revised Design Guide reflects a '**placemaking approach**' as advocated by the LDP and PPW for the planning and design of development and spaces. Placemaking is a holistic approach and underpins the Planning Authority's decision making process. It is a concept focussed on positive outcomes that considers social, economic, environmental and cultural values of development proposals, as well as the potential of an area to create development that promotes prosperity, health, happiness and well-being.
- 2.6 The revised Design Guide also reflects the themes and objectives of the latest version of the Gower AONB Management Plan, adopted by Council in 2017. The Management Plan develops and expands upon the vision for the AONB and the action need to conserve and enhance the special qualities for which it has been designated. This links the special qualities with the underlying social and economic issues, which impact on, or interact with them.

### 3.0 Updates to the AONB Design Guide

- 3.1 This Section summarises some of the key differences between the revised Design Guide and the original 2011 version, and highlights some of the reasons for the changes that have been made.
- 3.2 **Adverts and Advertising:** SPG was adopted by the Council in 1980 entitled '*Advertisement Policy in Gower: Tourist Related Signs Within the Area of Outstanding Natural Beauty*'. Despite its age, that document does contain

---

<sup>1</sup> Also, Technical Advice Note (TAN) 12 'Design'

<sup>2</sup> Planning Act (Wales) (2015)

<sup>3</sup> Well-being of Future Generations (Wales) Act (2015).

some relevant guidance and as such the relevant issues have been included within **Module 5C** of the revised design Guide. This will ensure the new Design Guide provides up to date planning guidance for developers and business owners in relation to commercial advertising and signage in Gower. For the avoidance of doubt, once the key issues are integrated into the revised Design Guide and the document adopted, the above mentioned historic SPG (dated 1980) will not in future be referred to in decision making.

- 3.3 **Residential Chalet Guidance:** SPG has existed for many years in order to control the development of new residential chalets, and to guide the design of replacement chalets, in Sandy Lane, Miles Lane, Hareslade and Holtsfield residential chalet sites. These documents have been reviewed and relevant guidance incorporated into a new module (**Module 5E**) within the revised Design Guide. As well as covering the aforementioned sites, the new Module also includes guidance for Owen's Field, and it will also apply to the individual and small groups of residential chalets scattered throughout the AONB, outside the named areas. The detailed guidance will supplement LDP Policies CV2: Development in the Countryside and CV3: Replacement Dwellings in the Countryside. For the avoidance of doubt, once the key issues relating to residential chalet development are integrated into the revised Design Guide and the document adopted, the abovementioned historic SPG on the various chalet sites will not in future be referred to in decision making.
- 3.4 **Lighting:** The Council is seeking the formal recognition of the Gower AONB as a 'Dark Sky Community' from the International Dark Sky Association (IDA). The intention to reduce light pollution and protect the dark skies of the AONB are not new, and the Council previously adopted 'Lighting Scheme Guidance for Gower Area of Outstanding Natural Beauty' SPG in 2010. The revised Design Guide incorporates updated lighting guidance in **Module 5I** which sets out guidance for lighting design in order to protect the dark sky environment of Gower AONB and reflects the Dark Sky Community commitments. The detailed guidance supplements LDP Policy RP3: Air and Light pollution. For the avoidance of doubt, once the key issues relating to lighting within the AONB have been integrated into the revised Design Guide and the document adopted, the abovementioned historic SPG dated 2010 will not in future be referred to in decision making.
- 3.5 **Gower Landscape Character Areas:** 'The Gower Landscape Character Assessment' commissioned by the Gower Landscape Partnership in 2013 and undertaken by John Campion Ltd provides background evidence for the LDP. **Section 2: Landscape** and **Appendix 6: Settlement Character Areas and Statements**, of the revised Design Guide refer to Landscape Character Areas, reflecting the same baseline evidence as the LDP.
- 3.6 **Settlement Statements (Appendix 6):** Each settlement statement map has been reviewed. Base maps have been updated and Key Village boundaries have been included where relevant. Areas of green focal space, visually significant trees/tree belts and points from where wide ranging views can be experienced within Key village boundaries that may not be appropriate for development are shown, in order to supplement LDP Policy CV 1. Statements have been prepared for Kittle, Pennard and Southgate and Llanmorlais, none of which were included within the original Design Guide.

- 3.7 **Seascape:** Further to the UK Marine Policy Statement and the National Seascape Assessment for Wales (2015), Swansea Council in conjunction with Carmarthenshire County Council, Neath Port Talbot County Borough Council, Bridgend County Borough Council and NRW, undertook a local seascape character assessment in 2016 for east Carmarthen Bay, the Burry Inlet/ Loughor Estuary, Gower, and Swansea Bay. The area of assessment included the territorial waters up to 12 nautical miles (nm) offshore. The study seeks to provide further information on the character of seascape in general and special qualities in particular areas, such as Gower AONB and Heritage Coast and provides useful background evidence for the assessment of planning applications which may have a seascape impact. **Section 2** of the draft SPG refers to the Seascape Character Assessment and Extracts from the relevant Seascape Character Areas (SCAs) in relation to the Gower AONB.
- 3.8 **Biodiversity:** the revised Design Guide reflects the requirements of the **Environment (Wales) Act 2016**, which includes a new Biodiversity and Resilience of Ecosystems Duty, referred to as the “Section 6 Duty”. This duty requires the Council to *seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems*. This duty is embedded as an objective in the Local Well Being Plan and is a Priority in the Council’s Corporate Plan. **As such, Section 4, Modules 5A, 5G, 5H and Appendix 2** of the revised Design Guide contain specific guidance for developers in relation to the consideration of biodiversity in development. The detailed guidance supplements LDP policies ER 6, ER 8, ER 9 and ER 11. A separate draft SPG document relating to ‘**Biodiversity and Development**’ is to be subject to a separate public consultation and stakeholder engagement process in 2020, and this document is one of a number of relating SPGs that will need to be considered alongside the Gower AONB Design Guide.
- 3.9 **Green Infrastructure:** The draft SPG has been updated to reflect national and local policy guidance in relation to green infrastructure provision. The integration of multifunctional green infrastructure plays a key role in delivering placemaking as it is able to provide a range of economic, environmental and cultural benefits and is an objective within the Local Well Being Plan. All proposals should consider how the site will contribute to maintaining and enhancing biodiversity and the resilience of ecosystems in terms of diversity, extent, condition, connectivity and adaptability. The principle of “multi-functionality” is key to delivery of GI. The development of Green Infrastructure is an important way for local authorities to deliver their Section 6 Duty under the Environment Act 2016. **Section 4, Modules 5G, 5H and Appendix 1** of the revised Design Guide contains specific guidance for developers in relation to the consideration of biodiversity in development. The detailed guidance supplements LDP policy ER 2.
- 3.10 The Development Management Process: Information on how design and placemaking should be considered as an integral part of the development management process is set out in **Section 3** and **Appendices 1-4**.

## **4.0 Consultation Process and Next Steps**

- 4.1 The draft revised Design Guide will be subject to a minimum 6-week period of consultation, which is an integral part of the process towards adoption of the document as approved planning guidance to inform decisions. It is anticipated that the consultation will be carried out during the months of August to October 2020. The consultation will allow Councillors, the public, stakeholders and other interested parties to make their views public and contribute to the guidance. The aim is to ensure that there is a broad consensus of support for its objectives. It is important to note that planning legislation precludes SPG from introducing new policy, but is instead an opportunity to augment what is already contained in adopted LDP policies.
- 4.2 The public and stakeholder consultation process will make use of a variety of consultation methods to raise awareness and maximise the involvement of the community. The precise methods capable of being used will be continually reviewed having regard to the constraints associated with Covid-19 restrictions. The methods will include: use of a bespoke survey and feedback form on the Council's website; articles in the local media; a public drop-in consultation event for the public and stakeholders where Officers will be available to explain the draft document and invite feedback (subject to being permissible having regard to Covid-19 restrictions); and also a targeted email consultation of known stakeholders, including local planning agents, Community Councils and specific organisations relevant to the Gower AONB. All information will be readily available in hard copy at the Civic Centre and libraries (where these are open) at Killay, Oystermouth and Pennard, where electronic versions of the document and survey/feedback forms can also be viewed on line. Summary details and promotional materials will be provided in a bi-lingual format.
- 4.3 All comments received will be recorded, evaluated and, where appropriate, will feed into the final version of the SPG document. A full detailed schedule of representations will be published. A report setting out the public consultation comments received, and any amendments made to the SPG as a result of these, will be presented to Members as soon as possible after the consultation period ends, at which time Members will be asked to approve the final version as adopted SPG.

## **5.0 Financial Implications**

- 5.1 The draft Design Guide was prepared by officers in collaboration with external consultants. Consultants Litchfields Ltd were commissioned to undertake an initial review of the 2011 Design Guide for £8,000, which was subsequently extended by a further £5,000 to carry out additional 'Settlement Statements' to ensure the revised Design Guide is fully comprehensive. The total fees of £13,000 for these services were part funded (up to the sum of £8,000) through grant funding secured from Natural Resources Wales. The residual £5,000 costs were met from existing allocated budgets.
- 5.2 There are no additional financial implications arising from the publication of this SPG, as the cost of the public consultation process can be accommodated

within existing budgets and staff resources. The consultation will, as far as possible, utilise electronic communication via email and the Internet.

- 5.3 The final adopted document will be made available electronically, so there will be no printing costs.

## **6.0 Legal Implications**

- 6.1 The SPG will provide planning guidance to the adopted LDP (2019), and will be a material consideration in evaluating future planning applications.

- 6.2 The Council has a duty to seek to continually improve in the exercise of its functions (which include where appropriate powers) in terms of strategic effectiveness, service quality and availability, sustainability, efficiency and innovation pursuant to the Local Government (Wales) Measure 2009.

## **7.0 Equality & Engagement Implications**

- 7.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 7.2 Section 4 of this report outlines equalities considerations in respect of consultation activity. Equality Impact Assessment (EIA) screenings have been carried out and this has demonstrated that a full EIA is not necessary for the Consultation Draft SPG. The EIA screening identifies mostly low impacts and highlights that the SPG seeks to facilitate community cohesion by assisting the implementation of the LDP. The LDP has already been subject to EIA and is based on a comprehensive and up to date evidence base, and was formulated with extensive community engagement. The SPG itself will be subject to a bespoke 6 week consultation that will provide opportunities for engagement via a range of methods, as described in this report.

### **Appendices:**

Appendix A: Revised Gower AONB Design Guide – Consultation Draft

Appendix B: Equality Impact Assessment (EqIA) Screening Form