

## PLANNING GUIDANCE AND POSITION STATEMENTS

### **Purpose**

To endorse two draft Position Statements for public consultation, which intend to establish the position of the Wye Valley National Landscape Partnership on key issues affecting the area. Position Statements help guide the Partnership and relevant plan-making and decision-making bodies to articulate how the Area of Outstanding Natural Beauty (AONB) designation should be protected, conserved and enhanced, in upholding and delivering the vision, priorities and Strategic Objectives of the Wye Valley AONB Management Plan 2021-2026.

### **Recommendations**

That the JAC:

- a) Discuss, amend (if necessary) and endorse the 'Renewable Energy in the Wye Valley National Landscape and its Setting' Position Statement, and associated Appendices, as a consultation draft;
- b) Discuss, amend (if necessary) and endorse the 'Dark Skies and Artificial Light Pollution' Position Statement, and its associated Appendices, as a consultation draft;
- c) Agree that if future 'non-material' amendments are required, as necessary, that these can be made by Wye Valley National Landscape Team, in consultation with the Wye Valley National Landscape Team Manager;
- d) Agree a formal review date of both Position Statements once endorsed to take place every five years unless otherwise amended.

### **Key Issues**

- Position Statements provide further context, guidance and recommendations in relation to the Wye Valley AONB Management Plan Strategic Objectives and associated issues.
- The two draft Position Statements will have respective formal public consultation periods, following which comments submitted will be considered and amendments made.
- Both revised 'post-consultation' versions will then be brought to the JAC for endorsement in due course.

- Shared experience from the similar Position Statements from the Malvern Hills National Landscape has helped inform both Position Statements.

### **Reasons**

Position Statements establish the position of the Wye Valley National Landscape Partnership on key issues affecting the area, helping guide the Partnership and relevant plan-making and decision-making bodies to articulate how the designated Area of Outstanding Natural Beauty (AONB) can be protected, conserved and enhanced. They provide further context, guidance and recommendations in relation to the specific AONB Management Plan Strategic Objectives and associated issues. They do not create new policies. Adoption of Position Statements has become increasingly commonplace across Nationally Protected Landscapes, including the Cotswolds and Malvern Hills National Landscapes.

### **Implications**

Once the Position Statements have been finalised and endorsed, the National Landscape Planning Officer will thereafter use them and reference them in consultation responses to development management applications, as well as Strategic Planning consultation responses. The Levelling Up & Regeneration Act 2023 amended the 'duty' on public bodies (in England) "to seek to further the purposes of designation". Therefore consideration should be given to how the National Landscape Partnership monitors development management decision-making within the Wye Valley National Landscape, to help demonstrate the effectiveness of the Position Statements and other policy and guidance in supporting Local Planning Authority decision-making.

### **Position Statement on Renewable Energy in the Wye Valley National Landscape and its Setting**

This draft Position Statement seeks to expand on the Wye Valley AONB Management Plan by providing guidance and recommendation on how we can plan positively for renewable energy provision within the National Landscape and its Setting. The Position Statement identifies six main types of renewable energy: heat pumps; biomass; hydropower; solar energy; wind energy; and battery storage. In summary and in principle, the recommendations advise that the Wye Valley National Landscape Partnership would be supportive of all of these forms of renewable energy at a micro-scale (i.e. less than 0.5ha), provided relevant considerations have been adequately addressed. Small-scale forms of renewable energy (between 0.5ha-5ha), should be considered on a case-by-case basis with relevant landscape and visual considerations particularly relevant. Large-scale forms of renewable energy are, as a whole, unlikely to be compatible with the statutory purpose of conserving and enhancing natural beauty.

For renewable energy proposals within the National Landscape classed as ‘major development’ (as per Paragraph 183 of the National Planning Policy Framework and Paragraph 6.3.10 of Planning Policy Wales), consideration should be given to whether exceptional circumstances apply that would justify permission being granted for such schemes, particularly in the context of the climate emergency. This would need to be assessed on a case-by-case basis.

### *Position Statement on Dark Skies and Artificial Light Pollution*

This draft Position Statement provides more technical content designed to be of practical use to property owners, as well as those who work and operate within the National Landscape, and decision makers. Recommendations are provided in terms of basic key principles which can be adopted by all to reduce unnecessary artificial light pollution. It also seeks to provide clarity on when lighting requires planning permission. Additionally, the guidance refers to ambient lighting environment zones (E-zones) in and around the National Landscape in which different levels of obtrusive light might be allowed (this is with reference to the Institution of Lighting Professionals guidance on the reduction of obtrusive light (GN01 ILP: 2021) and where a professional lighting designer may be required. It is also intended to be used to help secure an appropriate planning policy on this issue in future iterations of new/reviewed Local Plans by local planning authorities within the Wye Valley National Landscape .It will also inform and augment future Wye Valley AONB Management Plans.

This position statement is aimed at three main users who are using, replacing or installing new lighting in and around the Wye Valley National Landscape, as well as those installing new glazing and windows:

- those seeking to install minor lights, whom need general advice on lighting and glazing;
- non-domestic schemes which may need planning permission and a more through design led by professional principles; and
- those with responsibility for setting the framework for development and for decision-making about individual planning applications.

### **Background**

Position Statements seek to help to deliver the strategic objectives and policies contained within the Wye Valley AONB Management Plan 2021-2026. The Wye Valley AONB Management Plan is a statutory document and a material consideration in planning decision-making. However, it is the adopted development plan policies of the relevant local authority that planning decisions are required to be taken in accordance with, unless material considerations indicate otherwise.

The Position Statements have been prepared by the Planning Officer at the Wye Valley National Landscape Team, drawing on the shared experience from the similar Position Statements prepared for the Malvern Hills National Landscape Partnership. Should any member or interested party have any direct questions or queries concerning the content of the draft Position Statements, please contact the National Landscape Planning Officer and/or the AONB Manager.

On 22 November 2023, the all Areas of Outstanding Natural Beauty re-branded as National Landscapes. Consequently, the name Wye Valley National Landscape is commonly used throughout this document. The legal name for the designation remains Area of Outstanding Natural Beauty (AONB), and this term is also used in appropriate places, for example, when referring to the Wye Valley AONB Management Plan, when directly quoting from older documents, and when referring to planning policy formally relating to the AONB designation.