

CONSULTATION RESPONSE FORM

Technical Advice Note 1 – Temporary dis-application of paragraph 6.2

This consultation seeks your views on whether paragraph 6.2 of Technical Advice Note 1, Joint Housing Land Availability Studies, should be temporarily dis-applied . This proposal would temporarily remove the reference to attaching “considerable” weight to the lack of a five-year housing land supply as a material consideration in determining planning applications for housing.

If you have any queries on this consultation, please email: planconsultations-f@gov.wales or telephone 0300 025 6802 or 0300 025 3290.

Data Protection

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations.

In order to show that the consultation was carried out properly, 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. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

Names or addresses we redact 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 If someone has asked for their name and address not to be published, that is an important fact we would take into account.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be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published.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.

Your data will be kept for no more than three years.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you;
- to require us to rectify inaccuracies in that data

- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

Website: www.ico.gov.uk

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

Email: Data.ProtectionOfficer@gov.wales

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Technical Advice Note 1 – Temporary dis-application of paragraph 6.2		
Date: 21 June 018		
Name	Keith Davies Rheolwr Cynllunio, Tirwedd, Ynni a Newid Hinsawdd Planning Landscape, Energy and Climate Change Manager	
Organisation	Cyfoeth Naturiol Cymru Natural Resources Wales	
Preferred contact details (Email address, phone number or address)	Ty Cambria 29 Heol Casnewydd Caerdydd CF24 0TP Cambria House 29 Newport Road Cardiff CF24 0TP	
Type <i>(please select one from the following)</i>	Businesses	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input checked="" type="checkbox"/>
	Professional Bodies / Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other groups not listed above	<input type="checkbox"/>
	Responding in a private capacity	<input type="checkbox"/>

Q1	Do you agree with the proposed temporary dis-application of paragraph 6.2 of TAN 1 to remove the reference to attaching “considerable” weight to the lack of a five-year housing land supply as a material consideration in determining planning applications for housing?	X
Agree		X
Neither Agree nor Disagree		
Disagree		
Comments		
<p>We support the dis-application of the refence to “considerable weight” in paragraph 6.2 of TAN1 because it can lead to decisions where this consideration is given considerably greater weighting over other material considerations, which can be contrary to the aspiration of delivering sustainable development. For example, we are aware of instances where greater weight has been applied to housing supply requirements to overcome concerns about flood risk and consequences. Our view is that the proposed change would not prevent local planning authorities delivering a five-year land supply of housing even if there were changes in the housing market.</p> <p>Further, the proposed change would support the approach as set out in Planning Policy Wales (PPW) to achieve the well-being goals¹ and by contributing to the sustainable management of natural resources (SMNR)².</p> <p>The evidence provided by the Natural Resources Policy, State of Natural Resources Report and Area Statements will also inform place-based decisions at a strategic and at project level, enabling the delivery of the right type of housing, in the right place and at the right time.</p> <p>The dis-application would assist local planning authorities to consider multiple issues in a more informed and integrated way to deliver sustainable, active and social places together with enabling the use of suitable previously developed land which would relieve pressure of development on greenfield sites,</p> <p>¹ The Well-being of Future Generations (Wales) Act 2015 ² The Environment (Wales) Act 2016</p>		

Q2	Do you consider the proposed temporary dis-application of paragraph 6.2 of TAN 1 will be effective in relieving pressure on local planning authorities when dealing with speculative planning applications for housing?	X
Yes		
No		
Comments		
<p>Our opinion is that if the “considerable weight” applied in favour of housing considerations is removed, then developers who currently submit speculative planning applications for major development sites may divert their attention towards promoting areas for development through the local development plan.</p> <p>This will help ensure the delivery of sustainable development where an approach that embeds the sustainable management of natural resources is used to inform the location, layout and design of development to improve the resilience of the development and of ecosystems. In securing plan allocations, developers will have certainty that specific land areas can be developed for housing over the plan period.</p>		

How to respond

Please submit your comments by **21 June 2018**, in any of the following ways:

Email	Post
<p>Please complete the consultation form and send it to: planconsultations-f@gov.wales</p> <p>[Please include TAN 1 Consultation in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>TAN 1 Consultation Planning Policy Branch Planning Directorate Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information

If you have any queries about this consultation, please:

Email: planconsultations-f@gov.wales

Telephone: 0300 025 6802 or 0300 025 3290