



Advice Note

No. 27 One Planet Development

Adopted by Flintshire
County Council on 17th
January 2017



Purpose

It is Flintshire County Council's intention to prepare and keep up to date a series of Supplementary Planning Guidance (SPG) Notes which will provide detailed guidance on a range of development issues and topics. The purposes of these Notes are:

- To assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications,
- To guide officers in handling, and officers and councillors in deciding, planning applications, and
- To assist Inspectors in the determination of appeals

The overall aim is to improve the quality of new development and facilitate a consistent and transparent approach to decision making.

Planning policies: the Flintshire context

The Development Plan

Under planning legislation, the planning policies for each area should be set out formally in the Development Plan. Flintshire County Council, as the Local Planning Authority (LPA), has a legal duty to prepare and keep up to date a development plan for the County, and the Flintshire Unitary Development Plan was adopted in 2011. The UDP provides broad policies together with allocations of land for all the main uses such as housing, employment and retailing, and will help to shape the future of Flintshire in a physical and environmental sense as well as influencing it in economic and social terms. The Plan therefore seeks:

- To help the Council make rational and consistent decisions on planning applications by providing a policy framework consistent with national policy and
- To guide development to appropriate locations over the period up to 2015.

The need for Supplementary Planning Guidance

Despite the Plan containing policies with which the Council can make consistent and transparent decisions on development proposals, it cannot in itself give all the detailed advice needed by officers and prospective applicants to guide proposals at the local level, such as house extensions or conversions of agricultural buildings. The Council's intention is to prepare a range of Supplementary Planning Guidance notes (SPG) to support the UDP by providing more detailed guidance on a range of topics and issues to help the interpretation and implementation of the policies and proposals in the UDP. The review of the Local Planning Guidance Notes will be undertaken on a phased basis and details of the available SPG's can be found on the Council's website. Where there is a need to refer to another SPG this will be clearly referenced. These SPG Notes are freely available from Planning Services, Directorate of Environment, County Hall, Mold, Flintshire CH7 6NF (telephone 01352 703228), at the Planning Services reception at County Hall and can be downloaded from the Planning Web pages www.flintshire.gov.uk/planning

The Status of this Advice Note

This Advice Note is not a formal Supplementary Planning Guidance note because there is no policy in the UDP which relates to One Planet Development (OPD). However this note is a material planning consideration as it sets out what supporting information and studies are required for a OPD planning application. The draft Advice Note was approved for public consultation on 26.07.13 (Council Minute No 16) and was subject of a public consultation exercise between 18.12.15 and 12.02.16. The 8 comments submitted to the Council have been taken into account and where appropriate amendments have been incorporated into this final draft which was approved by the Council on 17.01.17 (Council Minute No.8) for use as a material consideration in determining planning applications and appeals. A summary of the representations and the Councils response is set out in Appendix 2.

No. 27 One Planet Development

This advice note aims to provide clear guidance to potential applicants for One Planet Developments (OPD) by identifying the supporting information and studies that will be required to accompany planning applications. As there is no development plan policy on OPDs in Flintshire, this guidance is being prepared as an advice note rather than forming part of the comprehensive suite of formal Supplementary Planning Guidance (SPG).

1 - Introduction

1.1 - The production of Technical Advice Note 6 (TAN6) Planning for Sustainable Rural Communities and Planning Policy Wales (both July 2010) built on The Sustainable Development Scheme for the Welsh Government (2009) and led to the introduction into planning policy in Wales of OPD. Planning Policy Wales (PPW) 2016 (paragraph 9.3.11) states:

1.2 - 'One Planet Development is development that through its low impact either enhances or does not significantly diminish environmental quality. One Planet Developments should initially achieve an ecological footprint of 2.4 global hectares per person or less in terms of consumption and demonstrate clear potential to move towards 1.88 global hectares over time (the global average availability of resources in 2003). They should also be zero carbon in both construction and use.'

1.3 - One Planet Developments can take a number of forms e.g. single homes, co-operative communities or larger settlements and may be located within or adjacent to existing settlements, or situated in the open countryside. Land based OPDs located in the open countryside should provide for the minimum needs of the inhabitants in terms of income, food, energy and waste assimilation over a period of no more than 5 years from commencement of work on the site. This needs to be evidenced by a Management Plan (MP) produced by a competent person which incorporates a wide range of subjects and details. TAN6 expands on the requirements set out in PPW and Practice Guidance (PG) on OPD has also been produced (October 2012). This Advice Note (AN) is intended to provide applicants with the necessary guidance needed in order to make an OPD application in Flintshire.

1.4 - There is currently no specific planning policy on OPDs within the adopted Unitary Development Plan (UDP) for Flintshire and any development within the open countryside is, and will continue to be, strictly controlled in line with Welsh Government Guidance. It should be noted however, that OPDs do not necessarily have to be in the open countryside, however where this is the case the proposal should require a countryside location and be linked directly to the site, involve agriculture, forestry or horticulture, and not require the use of additional land off-site.

1.5 - The essential characteristics of OPDs (as set out in para 1.9 of the PG) require that OPDs should:

- Have a light touch on the environment
- Be land based
- Have a low ecological footprint
- Have very low carbon buildings in both construction and use
- Be defined and controlled by a binding management plan: reviewed and updated every 5 years

- Be bound by a clear statement that the development will be the sole residence for the proposed occupants

2 - Policy Context

2.1 - Sustainable development is integral to the work of the Welsh Government and in 2009 One Wales: One Planet, a new Sustainable Development Scheme for Wales was published.

2.2 - The national planning context for OPD in the countryside is set out in PPW, along with the relevant TANs, practice guidance and updates of these. These include TAN6 Planning for Sustainable Rural Communities and the relevant PG which was produced in October 2012. These documents provide the national planning context and guidance that must be followed for all OPD proposals in Wales.

2.3 - The PG on OPD sets out the theory behind OPDs and, importantly, sets out in detail the requirements of the MP which is a vital part of any application for a OPD. It also highlights the Ecological Footprint Analysis (EFA) that sits alongside the MP and the requirements for long term monitoring. The Welsh Government website provides a link to, and guidance ¹ on using, an EFA tool ² (although applicants are under no obligation to use this version).

2.4 - Ecological Footprinting is an 'accounting' tool that represents the environmental impacts of a process or lifestyle measured in terms of the area of productive land and water that is needed to produce the goods consumed and assimilate the wastes generated.

2.5 - The EFA forms a key part of the information required when submitting an OPD application and is also required for future monitoring in order to assist in assessing whether a Low Impact Lifestyle is being achieved.

2.6 - As stated in paragraph 2.18 of the practice guidance, applicants should follow the MP format as set out in that document, and should also provide any relevant additional detail necessary to provide a full understanding of their proposals. The individual elements required in a MP are set out in detail in Chapter 3 of the PG. In addition to this, the PG also provides a practical guide for applicants and for the Local Planning Authority(LPA).

¹ <http://wales.gov.uk/docs/desh/publications/121115calculatoren.pdf>

² <http://wales.gov.uk/docs/desh/publications/121115calculatoren.xls>

3 - Objectives

3.1 - One Planet Developments should:

- either enhance or not significantly diminish environmental quality
- initially achieve an ecological footprint of 2.4 global hectares per person or less in terms of consumption and demonstrate clear potential to move towards 1.88 global hectares over time
- be zero carbon in both construction and use

- should provide for the minimum needs of the inhabitants in terms of income, food, energy and waste assimilation over a period of no more than 5 years from commencement of work on the site
- incorporate existing buildings
- ensure there are no adverse effects on the landscape
- be tied directly to the land on which they are located, and involve agriculture, forestry or horticulture

4 - The Council's Approach

Site Survey

4.1 - The Council recognises the importance of both mitigating and adapting to climate change. The theme of sustainable development runs throughout the UDP, for example in Policy STR10 Resources.

4.2 - This Advice Note (AN) builds on current policy and guidance and sets out the way in which OPD applications will be considered and the information required to allow an application to be fully considered. This AN should be read in conjunction with other relevant SPGs, guidance and development plan policies.

4.3 - Each scheme put forward will be considered on its own merits against national guidance and applicants will need to set out how the proposed development will fit in with this. This is particularly the case when considering proposals involving buildings and areas important in terms of species protection, such as protected species and wildlife sites; heritage and visual amenity; listed buildings; conservation areas and areas of high landscape value such as the Area of Outstanding Natural Beauty.

4.4 - The following subjects will be taken into account when assessing an application, alongside the specific requirements of an OPD application:

- Site Location and Layout
- Transport
- Energy Efficiency
- Building Design
- Sustainable Construction and Materials
- Landscaping
- Renewable Energy

4.5 - The Council will require applications for OPDs to meet the following criteria (further information can be found in TAN6 and the PG):

1. The proposal will have a positive environment, social and/or economic impact on the community.
2. All activities and structures on site must have minimal impact in terms of the environment and use of resources. The need for new buildings will only be considered when the re-use of buildings within the site has been assessed.
3. The proposal should be integrated within the existing landscape with no unacceptable adverse visual impact.

4. The OPD must be tied to directly to the land on which it is located and not require additional land off site.
5. The proposal should meet the minimum needs of the residents in terms of food, income, energy, water and waste assimilation.
6. The labour used for the growth of produce and care of livestock must come from the occupants of the site and not hired hands. There maybe some scope for volunteers to assist at particular times of the year, but where this is proposed it should be clearly set out in the supporting information.
7. The LPA may employ specialist consultants to assess the adequacy of the supporting information/ detail. If the proposal is considered to be deficient in the required level of detail or information, the application will be refused. However, during the application process there would be a reasonable opportunity for the applicant to provide the required level of detail and information required for the OPD proposal to be fully assessed.

5 - Supporting Information

5.1 - As part of a planning application the following documentary evidence must be provided to enable the Council to have the necessary information with which to determine the application in an open, informed and transparent manner.

5.2 - This information can be provided within one document or a number of related documents, but it is important for the information to be presented in a logical order.

5.3 - Failure to provide this information would result in refusal of the application on the grounds of lack of proper justification for the scheme.

6 - Management Plan

6.1 - A MP, produced by a competent person(s), is a prerequisite for any OPD application and must accompany any application for OPD. It must also justify the exceptional nature of the development.

6.2 - The contents of the MP must contain sufficient quality information to justify the exceptional nature of the scheme and include robust evidence; it should be clearly set out in a logical order. The MP is a key document for any OPD and as stated in both TAN6 and the PG, the MP should be produced by a competent person(s).

6.3 - A Management Plan must include:

- Business and Improvement Plan
- Ecological Footprint Analysis
- Carbon Analysis
- Biodiversity and Landscape Assessment
- Community Impact Assessment
- Transport Assessment and Travel Plan
- A programme which sets out the phasing of the proposal over the first 5 years.

- Monitoring and Exit Strategy

6.4 - In order to tie the development to specific requirements, a Section 106 agreement is necessary. The MP provides the basis for Section 106 agreements (The Town and Country Planning Act) and therefore it is important that it is of a high standard containing robust information.

Business and Improvement Plan

6.5 - This plan is essentially the core of the overall MP and provides the fundamental justification for the development, as well as setting out the viability of the proposal. As stated in the PG, the business and improvement plan sets out the way in which people and the land will combine to make a reduction in environmental impact possible and is made up of the following elements:

- Land Based Activity
- Land Management
- Energy and Water
- Waste Assimilation.

6.6 - It must include information supporting the assertion that, in line with the guidance, the site will be able to provide directly for the minimum needs of its occupants in no more than five years of first habitation on the site.

Ecological Footprint Analysis

6.6 - As stated previously, this measures the impact of human activity upon the environment and is measured in global hectares (gha). In 2006 the average person in Wales had an ecological footprint of 4.41 gha, with a long term target to reduce the ecological footprint to the global average of 1.88 gha per person within a generation. EFA provides information about our impacts and demands on the natural world and whether the minimum requirements for sustainability are being met.

6.7 - It requires detailed information on the following:

- Energy use
- Housing and infrastructure
- Travel and transportation
- Food purchased
- Food produced on site
- Consumable goods
- Services

Carbon Analysis

6.8 - All OPD should aspire to achieve zero carbon status for buildings both in construction and use, whether it is for new build or reuse of an existing building. Re-using an existing building is in itself a sustainable action.

Biodiversity and Landscape Assessment

6.9 - A baseline assessment of the biodiversity and landscape character of the site is essential. In addition a related management plan which identifies how features of importance are enhanced and managed is also required.

Community Impact Assessment

6.10 - OPD development in the open countryside should not have a negative impact on neighbouring communities. All likely impacts of the development should be assessed with positive impacts encouraged. When negative impacts are identified mitigation measures should be provided.

Transport Assessment and Travel Plan

6.11 - The assessment of the traffic generated from the use of the site by its residents, visitors and goods delivered to the site must be undertaken. The Travel Plan needs to clearly identify a preference for low or zero carbon modes of transport, including walking, cycling and car sharing schemes together with how travel needs can be reduced. The use of public transport is encouraged and is an important factor when seeking a site for OPD.

6.12 - Further information relating to each of the documents above can be found in TAN6 paras 4.16 – 4.22 and the PG, Chapter 3.

Monitoring and Exit Strategy

6.13 - The MP is the framework for monitoring the OPD. In line with the PG, the first MP and subsequent MP will be reviewed. The EFA will be an integral part of this.

Phasing

6.14 - A programme detailing how the proposal will be phased over the first five years of the development of the site is an important part of the MP. Critical aspects of the programme are (Para 5.1 PG):

- when management of the site will start
- when the household(s) will start to live on site linked to the above, any need for temporary accommodation and how this will be provided
- the building programme for household accommodation the building programme for ancillary buildings such as barns and for shared community facilities in the case of planned communities
- dates by which it is proposed to achieve each of the essential criteria for OPD in the open countryside (para 2.7).

Monitoring

6.15 - A monitoring and review statement is also an essential element of the MP. The initial proposal gives assurance that the development will be OPD. Monitoring of the OPD ensures that it fulfils and verifies the assurances made within it.

6.16 - The phased requirements for monitoring are briefly outlined below; full details are set out within paragraph 5.3 of PG

- An annual monitoring report
- An EFA progress report
- Review of EFA in year 3
- Resubmission of a MP in year 5 accompanied by a separate EFA

6.17 - Paragraphs 5.6 to 5.8 of the PG provide information in regard to the content of the annual monitoring report. A table to show identified targets can also be found within this section of the PG. Extracts are given below:

6.18 - "...the main management plan elements [as below] provide a standardised approach for monitoring against key targets linked to the essential criteria for One Planet Development. Progress against these targets should be identified in an Annual Monitoring Report":

- Land Based Activity
- Land Management
- Energy and Water
- Waste Assimilation.

6.19 - The Annual Monitoring Report should:

- Indicate progress against identified targets including the carbon performance of buildings and their use...
- Incorporate a short EFA progress report on potential changes to the EFA (see para 5.3). In years 3 and 5 this will be supported by a full EFA.
- Identify any emerging problems (i.e. where targets are failing to be met or where the EFA is showing an upward trajectory in gha) and measures to remedy them.
- Provide clear evidence that the residential use continues to be clearly linked to the management of the land.

6.20 - "The first annual monitoring report should be produced at the end of 12 months following first habitation of the site, and then with annual submissions on that date thereafter..."

Exit Strategy

6.21 - The PG states that: "The management plan will need to identify what would constitute a failure of the site as a whole. This would be a failure to achieve one or more of the essential characteristics of One Planet Development in the open countryside (para 1.9) over a period of two years without instituting clear and effective measures to address the identified problems.

6.22 - All management plans for OPD proposals in the open countryside should contain an 'Exit Strategy' should the site fail as a whole. This Exit Strategy should lay out how the development and associated land

use changes would be removed such that the use of the site is restored to its previous use (or another agreed use) and the site is left in the same or better condition than before the development took place.” (paragraphs 5.11 and .512)

6.23 - Some aspects of the development which may have very positive benefits should remain as part of the exit strategy.

7 - Pre-Application Enquiries

7.1 - Prior to submitting an application, applicants are encouraged to have pre-application discussions with the LPA. Although the full details required for a planning application are not essential at this stage, applicants are encouraged to provide details relating to:

- the location, size and layout of the site (including a location plan)
- the number of dwellings / inhabitants proposed
- existing buildings and other buildings / structures proposed
- whether there will be a business / economic element
- traffic generation and access
- management objectives
- how the site will support its residents
- energy sources and waste treatment
- how the development will make a positive environmental / economic and / or social contribution which has public benefit

8 - Application Process

8.1 - The application and process involved will be detailed, given the supporting information required in order to assess whether an application will meet the criteria of a One Planet Development. Once an application has been granted, there will also be a requirement on the applicant to provide a satisfactory annual monitoring report to ensure the development is fulfilling the requirements of an OPD in perpetuity.

8.2 - The MPs for all planning applications for OPDs should follow the Welsh Government OPD guidance, as well as the guidance contained within this AN, and be clear and concise. All information, including on design matters, must to be submitted as part of the application.

8.3 - Constraints which need to be identified for any OPD proposal are as follows, although it should be noted that this is not an exhaustive list:

- Site Drainage
- Vehicle movements and numbers during the construction phase
- Cycle and car parking provision and proposed access arrangements
- Flood Risk

- Biodiversity/Geodiversity
- Archaeological
- Mineral reserves
- Mining/Coal workings
- Protection of Listed Buildings, Area of Outstanding Natural Beauty, Conservation Areas and Historic Landscapes, Parks and Gardens

8.4 - There is no adopted development plan policy for OPDs in Flintshire and therefore any OPD application will be dealt with as a departure from the adopted Development Plan. In practice this means that applications recommended for approval will be referred to full Planning Committee for determination. Applications for OPD which do not fulfil the strict requirements as set out in National Guidance will be recommended for refusal. Due to the complex nature of such applications, it is highly unlikely that determination will be made within the target period of 8 weeks.

8.5 - In line with para 1.13 of the PG where applications do not meet the criteria of OPD they will be assessed under Development Plan policies, in particular HSG4 and GEN3 of the Flintshire UDP, which seek to restrict development of the open countryside and, as stated above, are therefore likely to be refused.

8.6 - Paragraph 1.14 of the PG sets out key points relating to OPDs and the planning process as follows:

All applications for One Planet Developments in the open countryside need to be supported by robust evidence contained in a management plan, produced by a competent person(s) [TAN 6: 4.16.1]. As a new area of policy it is important:

- For prospective One Planet Developers to engage with the planning authority from the outset to discuss emerging proposals. These discussions should clearly establish the policy basis for their eventual determination and how the proposals will address this to the required level of detail across all issues. For some time now it has been considered good practice for planning authorities to offer prospective applicants pre-application advice so as to streamline the process of determining subsequent applications. Pre-application discussions and advice are likely to be of great assistance to both applicants and planning authorities and are strongly encouraged.
- For the management plan to build understanding and trust between the applicant and the planning authority, providing sufficient information for the development to be clearly understood, as explained through this guidance. The management plan provides the contract between the One Planet Developer and the planning authority.
- For the management plan to identify that the application is for a composite land use, of which human occupation is an integral part – thus establishing a clear understanding of the overall nature of the development.
- For the very low carbon nature of any new built elements (compared to conventional building) to be identified through carbon analysis, rather than reference to the Code for Sustainable Homes. The emphasis should be on the distinct and very sustainable nature of these developments with their very light touch on the environment, including in construction.

- For there to be a programme of monitoring with a clear exit strategy should the development fail to achieve the essential characteristics of OPD (para 1.9).

9 - Building Regulations

9.1 - Building Regulations are separate to the planning process. They define whether Building Regulations are required, and the requirements that this places on developers.

9.2 - Paragraphs 3.91 to 3.94 of the OPD PG refer specifically to building regulations, and the guidance requires OPD developers to clearly establish which structures within their proposal are subject to Building Regulations. It is therefore recommended that advice is sought either from the local authority or an approved inspector at an early stage in the process of developing an OPD scheme.

9.3 - As stated, One Planet buildings subject to Building Regulations will have to address the requirements of the Regulations, with the Approved Documents providing advice on how this may be achieved. It should be noted however that some of the advice in the Approved Documents may not be well suited to OPD developments.

Appendix 1

Key Contacts

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Key References:

Planning Policy Wales, Edition 5, Welsh Government (2012)

Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities, Welsh Government (2010)

Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities – Practice Guidance, Welsh Government (2012)

Practice Guidance – Using the One Planet Development Ecological Footprint Calculator, Welsh Government (2012)

APPENDIX 1**Guidance Note (GN) Public Consultation, (Dec 18th 2015 and Feb 12th 2016) comments and responses to GN No 27 One Planet Developments**

Commenting Body / Individual	Comment	Response	Recommendation
No. 27 One Planet Development			
Clwydian Range and Dee Valley AONB JAC	Recognition of the particular sensitivity of the AONB and associated constraints when considering such proposals (paras 4.3 and 8.3) is fully supported. The committee would suggest that these safeguards should be built upon in the document by adding 'Landscape and visual impacts' as one of the matters to be taken into account when assessing an application (para 4.4) and by adding '..especially within the AONB or its setting.' to para 4.5 – 3.	As recognized by the JAC, the subsequent paragraph 4.5 includes reference to landscape impacts. Given that the AONB is already mentioned elsewhere in the document it is not considered that specific mention in 4.5 is necessary. The UDP has a specific policy relating to the AONB and there is also a separate SPG relating to landscape.	No change
Mold Town Council	This should be listed as an advice note and not guidance note as suggested on Page 4, paragraph one of the document.	<p>The topic of One Planet Developments is not reflected as a policy in the UDP as the guidance was issued at a point when its incorporation in the UDP was not possible. As written in the introductory paragraphs the Note should be taken forward as an advice note and not formal SPG.</p> <p>The whole ethos behind One Planet Developments is that they are able to live sustainably off the land with minimum or no environmental impact or carbon footprint. If the occupants are unable to live in such a</p>	<p>Re-draft as an advice note.</p> <p>No change</p>

	<p>Page 7 point 6 states that hired hands are not permitted. This is not practical and is very limiting. What happens if the occupants become elderly or are taken ill or business grows which could create employment?</p> <p>Page 10 point 6.16 states there should be an annual report. This is too onerous and too frequent which could be discouraging.</p>	<p>manner and are reliant on hired hands then this fundamentally alters the manner in which the OPD operates with increases in vehicle movements etc.</p> <p>The granting of planning permission for OPD is only done so in very exceptional circumstances provided that certain criteria and standards are met. Planning permission will be subject to strict monitoring regimes to ensure that it is operating as originally permitted, to be evidenced through an annual report.</p> <p>Given the particular nature of One Planet Developments and the strict nature of a planning consent, an annual report is essential to ensure that a development is operating as it should do.</p>	<p>No change</p> <p>No change</p>
CPRW	In para 4.2 the abbreviation 'AN' should be explained in full and if it means 'Advice Note' it should be changed to SOG.	The document was originally drafted as an Advice Note on account of the fact that the UDP does not include a policy on One Planet Developments. The Advice Note has, in error, been included within the other SPG's. In taking forward this Note it should be on the basis of an Advice Note and not a full SPG.	Note to be taken forward as an Advice Note and not a SPG
CPRW	At the end of para 4.2 the source of other guidance etc should be specified.	Para 1.3 of the Note sets out the relevant guidance on the subject and it is not necessary for this to be repeated later in the Note	No change

CPRW	In para 6.1 a definition should be given of a 'competent person'.	A 'competent person' would be someone who is suitable qualified and experienced in order that they can submit the necessary detailed information required as part of a One Planet Development application. This is essentially a matter for the client. The lpa's only concern is if the supporting information was not up to the standard necessary to enable all aspects of the proposal to be fully assessed against the guidance in TAN6. It is not necessary for the SPG to seek to define this.	No change
CPRW	In the final sentence of para 9.2 delete the word 'recommended' and replace with 'essential'.	The paragraph recommends that applicants seek advice as to whether Building Regs approval is required. There is no requirement for them to do so and the lpa can consider an application independently from Building Regs. The paragraph is intended to assist applicants in progressing a scheme and it would be inappropriate to seek to impose this as a requirement.	No change