

Sarah,

3pm on the 22nd is fine with me.

Teresa as I am on leave next week and can't access the meeting room diary please could you extend your room booking on the 22nd to 4pm?

Thanks,

James

James Hooker

Senior Planning Manager/ Uwch-reolwr Cynllunio
Development Management Branch/ Gangen Rheoli Datblygu
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"Dylai unrhyw ddatganiadau neu sylwadau a wneir uchod gael eu hystyried yn rhai personol ac nid yn rhai gan Lywodraeth Cymru, unrhyw ran ohoni neu unrhyw gorff sy'n gysylltiedig â hi."

From: Wood, Sarah [<mailto:Sarah.Wood@cyfoethnaturiolcymru.gov.uk>]

Sent: 10 September 2015 16:03

To: Hooker, James (NR - Planning Directorate); Morgan, Kristian (NR - Planning Directorate)

Subject: RE: NRW Development Management Response Categories

Excellent. Thank you James. Can we say 3pm on the Tuesday (22/9) then please.

We have confirmed with Teresa now and she can see us on the afternoon of the 22nd as well. So essentially then we can do a slot with her at 2pm and then meet with you at 3pm if that is OK, maximising our time in Cardiff - that would be brilliant. When I say 'we' it's me and Adrian James if that is OK. We should, by then, have feedback from POSW as well so we can bring the two strands together when we see you.

Thanks again for this.

Regards
Sarah

Dr S V Wood
Arweinydd y Tîm Cynllunio ac Ynni / Planning and Energy Team Leader

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Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol.

Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

From: James.Hooker@wales.gsi.gov.uk [<mailto:James.Hooker@wales.gsi.gov.uk>]

Sent: 10 September 2015 13:39

To: Wood, Sarah <Sarah.Wood@cyfoethnaturiolcymru.gov.uk>; Kristian.Morgan@wales.gsi.gov.uk

Subject: RE: NRW Development Management Response Categories

Hi Sarah,

I would be available PM on either the 21st or 22nd if that would be suitable for you? I can always feedback to Kristian on his return from leave.

Regards,

James

James Hooker

Senior Planning Manager/ Uwch-reolwr Cynllunio

Development Management Branch/ Gangen Rheoli Datblygu

Planning Directorate /Y Gyfarwyddiaeth Gynllunio

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From: Wood, Sarah [<mailto:Sarah.Wood@cyfoethnaturiolcymru.gov.uk>]

Sent: 10 September 2015 12:56

To: Morgan, Kristian (NR - Planning Directorate)

Cc: Hooker, James (NR - Planning Directorate)

Subject: RE: NRW Development Management Response Categories

Much appreciated Kristian and apologies I meant to ring you to have a chat through before sending this cold!

We'll digest your points but in short yes we'd appreciate a discussion with you on this. Actually I'm down in Cardiff the week of the 21st and have been arranging to drop in and catch up with Teresa so I was going to get in touch to see if we could come and see you on this as well, but you beat me to it by coming back quickly on the e-mail. It sounds as though you will be on leave then anyway unless James has half an hour for us? (we are looking at pm 21st or any time 22nd). Let us know if you have a short slot.

Comments on the secondary legislation consultation on the way but you'll see we are in broad agreement with your proposals.

Thanks again for coming back quickly, have a good break, we'll chat to you on your return.

Regards

Sarah

Dr S V Wood

Arweinydd y Tîm Cynllunio ac Ynni / Planning and Energy Team Leader

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From: Kristian.Morgan@wales.gsi.gov.uk [<mailto:Kristian.Morgan@wales.gsi.gov.uk>]

Sent: 10 September 2015 12:14

To: Wood, Sarah <Sarah.Wood@cyfoethnaturiolcymru.gov.uk>

Cc: James.Hooker@wales.gsi.gov.uk

Subject: RE: NRW Development Management Response Categories

Hi Sarah,

Thanks for your email and involving us in potential changes that compliment our shared planning reform agenda.

The legacy terminology from Table 1 does provide clarity and I believe has served its purpose adequately. As we move forward with the reform agenda emanating from the Planning (Wales) Act it does make sense to review its purpose. With this in mind

the 'Object – Recommend refusal unless/until' category could be updated to reflect positive planning terminology.

In transferring the purpose of this category to your Table 2 it may be beneficial to move away from the term 'object' which would be reserved solely for the final category where there would be an objection in principal. Perhaps terminology could reflect NRW 'concerns' unless such matters are addressed in the form of such and such.

To quote the DMPWO:

15A.-3(c) advises the consultor of any concerns identified in relation to the proposed development and how those concerns can be addressed by the applicant

I have attached a copy of Article 7 of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015. This identifies the 4 levels of substantive response Ministers would expect from NRW. Due to the annual reporting requirement (15B) I would recommend NRW arrange their substantive responses based on the 4 levels mentioned. In theory this should make annual reporting an easier proposition for NRW. This approach can also apply to DNS.

I am on leave from this Friday until 29 September. I would be happy to meet in October to discuss the terminology further which would also give you time to collect comments from POSW. In the meantime my colleague James Hooker (copied in) will be available in my absence for urgent matters.

Best wishes
Kristian

Kristian Morgan

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From: Wood, Sarah [<mailto:Sarah.Wood@cyfoethnaturiolcymru.gov.uk>]

Sent: 07 September 2015 10:56

To: Morgan, Kristian (NR - Planning Directorate)

Subject: NRW Development Management Response Categories

Kristian

We have talked previously about the response categories that are being used by Natural Resources Wales in providing our advice to planning applications, definitions of substantive response and reporting that will be required against these categories as we move forward.

We are looking again at the wording we use and wondered if you, or others, would be able to have a look at this for us and perhaps have a discussion with us on this basis?

The current response categories are based on terminology which our legacy bodies developed with Local Planning Authorities to ensure that we communicated our advice to them in a way which was both clear and which set out our advice on what should happen as a result of our advice. We are currently seeking views from LPAs via POSW particularly around the terminology and how helpful/clear it is and what would provide the clearest advice on our position for them in going forward.

As we finalise our thinking we wanted to road test this with you, especially around –

- Terminology used now in our response categories and how helpful/clear it is (see table 1)
- What terminology would provide the clearest advice on our position in going forward, especially in the context of advice we would provide in responding to consultations involving Developments of National Significance (see table 2).
- Are there are alternatives to what we propose? For example the extent to which we could adapt the language to be more closely aligned with the positive planning agenda whilst at the same time making sure our advice is clear and the intention well understood. (see table 2)
- And finally do our categories ‘map across’ to the definitions of substantive response to enable us report clearly on our performance (see table 2)

Would you be able to have a look at this?

Much appreciated

Sarah

1. NRW response categories used at present

Current NRW Response Category	When used
No comment	Where the development proposal affects only interests which are outside of NRW's consultation list.
No objection	Where we consider that adverse effects on matters within our remit are appropriately avoided or mitigated, without any conditions being sought by NRW.
No objection subject to suitable conditions being attached to any planning permission	Where our concerns may be overcome by attaching specific conditions to any planning permission granted by the determining authority.
Object - Recommend refusal unless / until	Where modifications are required to the proposed scheme to overcome unacceptable environmental effects. Or The application is deficient and we therefore cannot rule out unacceptable environmental effects unless adequate information is provided to demonstrate that potential significant environmental effects will be appropriately avoided or mitigated.

Object – Recommend Refusal	Where there would be an unacceptable effect on a significant environmental interest, and we do not consider that the effect could be overcome by changes to the proposed development, or by conditions to any planning permission.
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2. Suggested NRW response categories in going forward and how they could map to Welsh Government substantive response categories

Suggested NRW Response Category in going forward	Welsh Government substantive response definition
No comment	No Comment States that the consultee has no comment to make.
No objection OR Content [What would give a clear indication of our intention? And why?]	Content States that the consultee has no objection to the proposed development and refers the consultor to current standing advice by the consultee on the subject of the consultation.
No objection subject to suitable conditions being attached to any planning permission OR Content subject to suitable conditions being attached to any planning permission [What would give a clear indication of our intention? And why? Is there an alternative?]	How the application can proceed Advises the consultor of any concerns identified in relation to the proposed development and how those concerns can be addressed by the applicant.
Object – With recommendations on how the proposal could proceed OR Object - Recommend that the proposed development should only proceed if ... OR	
	Objection Advises that the consultee objects to the proposed development and sets out the reasons for the objection.

Object - Recommend refusal unless / until ...	
[What would give a clear indication of our intention? And why? Is there an alternative? Do you see these as objections or how the application can proceed?]	
Objection – Recommend refusal	

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