

CABINET

Date of Meeting	Tuesday, 25 th April 2023
Report Subject	Planning for Dark Night Skies SPG
Cabinet Member	Cabinet Member for Planning, Public Health and Public Protection
Report Author	Chief Officer (Planning, Environment and Economy)
Type of Report	Operational

EXECUTIVE SUMMARY

This Council along with Wrexham and Denbighshire Councils has previously jointly produced and adopted Supplementary Planning Guidance relating to design and development within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). Following this, further joint guidance has been produced dealing with the specific issue of lighting and light pollution within the AONB, whose aim is to reduce the level of this in order to assist in securing dark skies status for the AONB.

The guidance has been through public consultation in all three Council areas and has been considered by the Planning Strategy Group who recommends its adoption by Cabinet. Denbighshire and Wrexham have already formally adopted the guidance and so to give it maximum weight as a material planning consideration, adoption is now sought by Cabinet.

RECOMMENDATIONS

1	That Cabinet endorse the recommendation of the Planning Strategy Group to formally adopt the Supplementary Planning Guidance Note Planning for Dark Night Skies.
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REPORT DETAILS

1.00	EXPLAINING THE CONTEXT FOR ADOPTING THE DARK SKIES SPGN
1.01	<p>The existing jointly adopted Supplementary Planning Guidance Note (SPGN) relating to design and development in the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) gives general advice and guidance on design and development within the AONB and was adopted in May 2018 by Cabinet. As part of seeking general agreement from each authority that make up the AONB, agreement is now sought on the adoption of further detailed guidance on ways in which new development can help avoid light pollution in the AONB. This additional SPGN, Planning for Dark Night Skies, gives the public, landowners, Members, council officers and developers, detailed advice on why light pollution should be avoided and practical ways on how to do that. It is a technical document but is written in an easy-to-understand way, to accommodate the range of potential users and readers.</p>
1.02	<p>The night sky is amazing to see, and one way of delivering this is through the formal recognition of the area as a 'Dark Sky Community'. To achieve this status it is necessary for the AONB to reduce light pollution. Planning for dark night skies is a SPGN for lighting in the AONB which will support that aim. The final document is attached in appendix 1 and is structured as follows:</p> <ul style="list-style-type: none">• The purpose, scope, and status of the guidance.• The policy context.• An introduction to the AONB and Dark Sky Community designations.• A definition of light pollution and its effects.• The means of controlling light pollution.• Lighting design principles.• A method of assessing the need for lighting; and• Lighting design advice.
1.03	<p>Drawing on the main ethos behind the guidance, the document considers that whilst artificial light has done much to enhance peoples' use of the night-time environment, it can also cause light pollution. Light pollution is the unnecessary brightening of the night sky and this leads to problems:</p> <ul style="list-style-type: none">• It affects our health and well-being, our safety, and our heritage.• It endangers wildlife that needs the dark; and• It affects the environment through the over-use of energy and the generation of carbon.
1.04	<p>Light pollution arises from a lack of thought or attention in the design of development schemes and installation of lighting equipment. Reducing light pollution delivers many benefits as all living things, including people, adjust their behaviour according to natural light. The cycle of night and day controls Nature's rhythms but in different ways for different things.</p>
1.05	<p>The guidance sets out some general principles for lighting design within the AONB. The note recognising that only certain lighting schemes will</p>

	require permission whereas for other types of development, the guidance encourages greater consideration to the lighting aspects of that development in order to respect and maintain the dark skies principle within the AONB. The note provides more specific and detailed design advice including the need to complete a lighting assessment for schemes that require planning permission within the AONB.
1.06	An overriding theme within the guidance encourages specific and sensitive consideration to the lighting aspects of development and to only provide that lighting which is necessary for the task. The impact of lighting plans on biodiversity is particularly referenced, and the guidance provides useful visual prompts in the form of illustrations that highlight good and bad examples of lighting in relation to several development contexts from residential, retail, to outdoor sports facilities, and commercial premises.
1.07	The guidance concludes by highlighting a summary assessment and design checklist which presents a series of questions to be considered by those considering the change of lighting on and in the AONB.
1.08	Following adoption of the SPGN Planning for Dark Night Skies will become a material planning consideration when making planning decisions within the AONB and its setting. It will in effect act as a supporting detailed document beneath the existing adopted AONB SPGN and the AONB Joint Committee intend to prepare other more detailed SPGN's on particular issues over time.
1.09	The SPGN Planning for Dark Night Skies was previously considered by the Planning Strategy Group (PSG) on 17/12/2020 when it was endorsed to go out to public consultation. A consultative draft document was published for comments on 14 th June 2021. The public consultation period was eight weeks, closing on 9 th August 2021. This exceeded the statutory requirement for a minimum 6-week consultation period for such matters.
1.10	As this is a joint initiative involving the three local planning authorities of Denbighshire, Flintshire and Wrexham together with the Clwydian Range and Dee Valley AONB Joint Committee, the document was publicised in all three Council areas and made available to view on the websites of all these organisations. Denbighshire acted as the lead authority for the coordination of the consultation and made the document available for comment on its consultation portal.
1.11	The total number of representations received during the consultation period was 31. Most of these representations were supportive. Many of the objections were mainly matters of detail, some of which led to a change to the document. Various minor amendments to the document have been accepted where they improve the clarity of the document or the understanding or the implementation of the guidance note. These relate to, ensuring accurate organisations titles are used, updating information to reflect the most up to date figures and improvements to the wording to clarify certain matters.
1.12	Once adopted by the local planning authorities the SPGN will be a material planning consideration in the determination of planning applications and development proposals within the AONB and its setting. The other two

	authorities have adopted the SPGN, but the consideration of it by Cabinet has had to await prioritisation of work to complete adoption of the LDP.
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2.00	RESOURCE IMPLICATIONS
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2.01	None.
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3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
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3.01	This note will help to reduce light pollution in the AONB, promotes a reduction in energy use that will help fight climate change, recognises that some wildlife needs the dark to live and thrive, and it will also strengthen the local economy by attracting more visitors as stargazing is a growth tourism activity.
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4.00	CONSULTATIONS REQUIRED/CARRIED OUT
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4.01	As set out in the report above.
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5.00	APPENDICES
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5.01	Appendix 1 Final SPGN Planning and Dark Skies
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6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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6.01	Clwydian Range and Dee Valley AONB Development and Design Guidance
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7.00	CONTACT OFFICER DETAILS
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7.01	Contact Officer: Andy Roberts, Service Manager Strategy Telephone: 01352703211/07920701241 E-mail: andy.roberts@flintshire.gov.uk
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8.00	GLOSSARY OF TERMS
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8.01	Supplementary Planning Guidance – Guidance that sits alongside an adopted development plan that elaborates on a particular policy matter within the plan, in this case development in the AONB.
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