

Response from the Campaign for National Parks to Positive Planning: Consultation on proposals to reform the planning system in Wales

Introduction

The Campaign for National Parks has been in existence for over 75 years and is the charity that campaigns to protect and promote National Parks in Wales and England as beautiful and inspirational places enjoyed and valued by all.

National Parks are our finest landscapes with the highest level of protection. Their statutory purposes are:

- to conserve and enhance wildlife, cultural heritage and natural beauty.
- to promote opportunities for public enjoyment and understanding of their special qualities.

In those cases where there is a conflict and reconciliation proves impossible, the first purpose should take precedence. In pursuing these purposes, NPAs also have a statutory duty to seek to foster the economic and social well-being of communities living within the National Park. Planning Policy Wales emphasises the special status that National Parks should be afforded in planning policies and decisions and makes it clear that they have the highest status of protection.

National Parks contribute significantly to the well-being of the nation, by providing safe, attractive, healthy places for recreation. They also play a vital role in sustainable development through protection of the landscape, wildlife and key environmental resources and services, like water provision and carbon storage in peat soils and forests, which can mitigate the effects of climate change. As well as being inspiring places for people to enjoy and improve their health and well-being, National Parks make a significant contribution to the economy through tourism, farming, and other related businesses. CNP believes that National Parks should be maintained as distinctive and unique tracts of countryside, which are also adaptable and resilient to future pressures such as climate change.

Our response to this consultation focuses primarily on the importance of National Park Authorities (NPAs) retaining their planning powers. Many of the benefits which National Parks provide, including tourism and rural economic growth, would be lost if anything were to detract from the special qualities for which these areas are valued. The challenge is to ensure that the range of benefits that protected landscapes provide is not compromised by insensitive change, unsympathetic land use or irresponsible development. We believe that this can only be achieved if NPAs continue to have responsibility for planning in their area.

The majority of our response addresses question 24 which specifically covers the issue of NPA planning powers. We have also highlighted issues specific to National Parks in response to some of the other questions. Given that we are answering only selected questions we have chosen not to use the response form, and we trust that our response will still be considered in full. We also support the response from Wales Environment Link which covers many of the questions which we have not answered here.

Response to selected consultation questions

Q2. Do you agree that existing Welsh Government support arrangements for the built environment sector in Wales should be reviewed?

When reviewing existing arrangements for the built environment sector, the Welsh Government must take account of its statutory duty to have regard to National Park purposes. We are

concerned at the current emphasis on speeding up the applications process and believe that there should be a much greater emphasis on the quality of decision making. This is particularly important in designated landscapes where there is a need to take account of the statutory purposes of designation in addition to other planning criteria. It is also worth noting the finding from the attitudinal research in 2012¹ that “satisfaction was highest with conservation and preservation of the built/natural environment, ensuring energy supplies and how transport issues were being addressed, while satisfaction was lowest with economic development and town centre decline”(para 1.8). This suggests that the public are generally satisfied with the way in which decisions are currently made on the natural environment and do not see a need for increased efficiency in this area.

We are concerned about the emphasis on the built environment generally in this consultation, and would like to see much clearer links with the provisions for Natural Resource Management Planning in the Environment Bill, in which we believe there is a key role for National Parks.

Q3. Do you agree that competency frameworks should be prepared for planning practitioners and elected representatives to describe the skills, knowledge and behaviours necessary to deliver planning reform?

We support the introduction of competency frameworks in principle but, if they are to be introduced, they must include knowledge of the statutory purposes of National Parks and the implications this has for determining planning applications in areas within or close to their boundaries. Such knowledge will be important for planning practitioners and elected representatives in local authorities adjoining National Parks whose decisions will impact on the settings of these areas as well as those in NPAs.

Q4. Do you agree that the National Development Framework will provide a robust framework for setting national priorities and aid delivery?

We support the idea of a National Development Framework (NDF) but we would like reassurances that the national priorities will include the continued protection and enhancement of designated landscapes. There need to be clear links to the Future Generations Bill and the concept of environmental limits. The NDF also needs to be integrated with the proposals for managing natural resources including the area-based approach, which should build on the existing arrangements for National Park Management Plans.

Q6. Do you agree that a core set of development management policies should be prepared for consistent application by all local planning authorities?

There is some merit in having a core set of development management policies to ensure greater consistency in decision making across Wales. However, we would welcome further detail on how these policies would be developed as in some cases the policies for designated landscapes will need to be different to take account of the additional protection they are afforded under the planning system. For example, the major development test (also known as the Silkin test) is a key part of the development management process in protected landscapes but does not apply elsewhere. It is essential that this test or something similar is retained in future development management policy in Wales.

¹ Public Attitudes Towards Planning in Wales, 2012, Welsh Government

Q24. Do you think that a National Park Authority should continue to have responsibility for planning in its area?

We strongly support the continued role of National Park Authorities (NPAs) as local planning authorities with responsibility for both plan making and planning decisions in their areas. The main reasons for this can be summarised as follows and are set out in more detail below:

- By using their planning responsibilities to ensure successful delivery of the statutory purposes of National Parks, NPAs have delivered significant benefits to Wales.
- Previous reviews have found that having a separate authority is the most effective way of managing planning in National Parks.
- There are demonstrable advantages of planning to the boundaries of protected landscapes.
- NPAs are best placed to consider both the national and local aspects of planning in National Parks.

Ensuring National Parks can continue to deliver significant benefits

Recently published research² found that the three National Parks are a significant part of the Welsh economy. Overall, the National Park economies account for £557m of Gross Value Added (GVA), representing 1.2% of the Welsh economy.

The local economy in Wales's National Parks relies heavily on tourism and many visitors are specifically attracted to these areas by the natural beauty of the landscape. The three Welsh National Parks attract 12 million visitors who generate £1 billion of spending on goods and services each year². This tourism provides a significant amount of employment in the National Parks, for example 15.1% of direct employment in Pembrokeshire results from tourism³.

Not only does the high quality environment in these areas make a significant contribution to the tourism economy but it also contributes to a wide range of other objectives by acting as a source of health, well-being and spiritual inspiration. This ranges from tackling climate change and improving biodiversity to enhancing cultural heritage and encouraging physical activity by promoting access to recreational networks.

National Parks are also highly valued by the public. A UK representative survey commissioned by the UK Association of National Park Authorities in 2012 into the awareness and opinions of National Parks⁴ found that almost all respondents thought that it was important to protect areas of the countryside from development.

Whilst it is the National Parks themselves which provide these benefits, the way in which the NPAs have taken account of the statutory purposes in exercising their planning responsibilities has ensured that these protected areas have not been compromised by insensitive change, unsympathetic land use or irresponsible development. If responsibility for planning in National Parks is to be given to any authorities other than NPAs it is absolutely essential that those authorities are given a duty to fulfil National Park purposes, to ensure that the economic benefits which National Parks provide are not put at risk by planning decisions which detract from the special qualities for which National Parks are valued. However, as set out below there are several other strong reasons why NPAs should continue to have planning powers.

² Valuing Wales' National Parks, 2013, National Parks Wales

³ Wales Tourism Alliance submission to the Williams Commission, August 2013. This figure is for the County Council area but this coincides closely with the National Park.

⁴ MG Clarity, National Parks Survey, UK Association of National Park Authorities, December 2012

Previous reviews identified the need for a separate authority

NPAs were introduced following the recommendations of the Edwards Report which was published in 1991. This report emphasised the advantage of having independent authorities for each of the National Parks and referred to the 'evident administrative difficulties and inefficiencies of long standing in some parks, resulting from existing County Council procedures.' A further independent review of National Parks in Wales in 2004 did not result in any changes to NPAs and their responsibilities for planning. The role of NPAs was examined again very recently by the Williams Commission on Local Service Governance and Delivery⁵ which did not propose any changes to their status or remit.

It is clear, therefore, both that NPAs were originally given responsibility for planning because previous arrangements were not working and that the current arrangements have been tested a number of times in the intervening years and found to be the most effective way of managing planning in National Parks.

It is also worth noting that whilst NPAs are sometimes perceived to be a barrier to development, the evidence shows that they perform well in providing an efficient planning service. For example, they have generally made good progress in producing development plans - the first development plan adopted by any planning authority in Wales was produced by Pembrokeshire Coast NPA.

There is also a perceptiopn that NPAs are much more likely to refuse developments which again is not supported by the evidence. As Table 1 shows, NPAs are only slightly less likely than other Welsh rural LPAs to approve valid planning applications, something which is not surprising given the added protection for National Parks that NPAs have to take into account when determining planning applications.

Table 1: National Park Authority planning application approvals and appeals 2011/12⁶

	Brecon Beacons	Pembrokeshire Coast	Snowdonia	Welsh rural LPAs*
% of valid planning applications approved	84	87	85	91
% of planning appeals successfully defended**	85	64	62	58
*This includes Pembrokeshire, Carmarthenshire, Ceredigion, Powys, Gwynedd, Conwy, Denbighshire, Monmouthshire and Anglesey				
**Does not include enforcement appeals				

The need to consider the impacts on protected landscapes and to draw on expert advice where appropriate also explains why NPAs determine a smaller proportion of applications within eight weeks – 64% compared to the national average of 73%. However, it is worth noting that the extra protection for National Parks would still need to be considered by whichever body was responsible for planning in these areas so removing responsibility for planning decisions from NPAs would not necessarily result in a higher proportion of approvals or faster decisions.

⁵ The report of the Commission on Public Service Governance and Delivery, 2014, Welsh Government

⁶ Data provided by National Parks Wales, June 2013

Table 1 also shows that NPAs are more likely to be able to defend their decisions successfully against appeal, meaning that they are generally making better quality decisions in the first place, something which again provides strong support for NPAs retaining their planning powers.

The advantages of planning to the boundaries of protected landscapes

NPAs are able to use landscape as an integrating mechanism to bring together the wide ranging and highly sensitive concerns that must be reconciled such as nature conservation, heritage, recreation and development when making planning decisions in protected landscapes. Working at a landscape scale approach rather than to traditional administrative boundaries brings many benefits – landscape is a concept that relates to people’s understanding of an area, and often provides a close fit with natural systems such as habitats and water catchments. The policies and strategies that guide decision making by NPAs contribute to the delivery of the European Landscape Convention⁷ which focuses on landscape protection, management and planning.

The benefits of planning to the boundaries of protected landscapes were reinforced recently by research⁸ on this topic published by the Welsh Government which said that ‘the planning system needs to recognise the national importance of these statutory designated landscapes, pro-actively support their communities and businesses and have the evidence and policies needed to support sound decision-making.’

Considering both the national and local aspects of planning

National Parks are national assets which have been safeguarded for the benefit and enjoyment of the nation but they are also home to local communities. Those responsible for planning within National Parks must take proper account of both these aspects, balancing the needs of local people and businesses with the management of nationally protected landscapes. Only NPAs with their mixture of locally and nationally appointed members have the ability to do this effectively.

NPAs involve local communities in the development of their Local Plans and use their planning powers to ensure development supports growth and rural communities in ways that are compatible with protecting nationally important landscapes. The Valuing Wales’ National Parks⁹ report found that NPAs are better able to do this than other organisations might be as they ‘attract staff with particular conservation skills and work in partnership with others to deliver their objectives and enable engagement with designation by communities and stakeholders’. These advantages would be lost if NPAs were to lose their planning powers.

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For further information about any aspect of this response, please contact Ruth Bradshaw, Policy and Research Manager (email:ruthb@cnp.org.uk, tel: 020 7924 4077)

⁷ Valuing our landscapes The European Landscape Convention in action: Making a difference in places that matter, 2010, Natural England

⁸ Delivery of planning services in statutory designated landscapes in Wales, 2012, Welsh Government

⁹ Valuing Wales’ National Parks, 2013, National Parks Wales