

## Evidence for the Environment and Sustainability Committee's Inquiry on the Planning (Wales) Bill

### Introduction

1. The Campaign for National Parks (CNP) 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.
2. 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.
3. We support the evidence submitted by Wales Environment Link and do not have anything further to add on most of the specific issues included in the Committee's terms of reference. However, we have set out our views on the National Development Framework as this is particularly important for designated landscapes. We have also included some additional information on two areas of particular importance for planning in National Parks, namely:
  - National Park Authority (NPA) planning powers
  - Inclusion of the major development test.

### National Park Authority (NPA) planning powers

4. We welcome the fact that there are no provisions in the Bill specifically aimed at removing NPAs' planning powers. However, we are aware that final decisions on this issue are yet to be made and we would therefore like to draw the committee's attention to the evidence we submitted as part of [our response to the Positive Planning consultation in February 2014](#) on the importance of National Park Authorities (NPAs) retaining their planning powers.
5. In summary, our view is that it is essential that NPAs retain their responsibilities for both plan making and planning decisions in their areas for the following reasons:
  - 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.

The full consultation response provides further information on each of the points above.

6. 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.

### **Inclusion of the major development test**

7. We believe that this Bill provides an important opportunity to enshrine the major development test in legislation. The major development test is a well-established part of the planning process which makes it clear that planning permission should be refused for major developments in National Parks and Areas of Outstanding Natural Beauty (AONBs) except in exceptional circumstances and where it can be demonstrated they are in the public interest. We want a stronger version of this test to be included in legislative.
8. Currently the major development test is set out in paragraph 5.5.6 of Planning Policy Wales and is only one of a number of policies that those deciding on planning applications have to take into account so there is always a risk that it is not given sufficient emphasis. It is essential that the major development test is retained. However, it is only one of a number of policies that those deciding on planning applications have to take into account and there is always a risk that it is not given sufficient emphasis.
9. There would be much stronger protection for National Parks if the major development test was enshrined in legislation using the wording originally proposed by Lord Norrie for inclusion in the Environment Act 1995. In particular, it should be made clear that proposals for major developments in National Parks will be permitted only if, following rigorous public examination, it is demonstrated that they satisfy the following conditions:
  - (i) that the proposal is absolutely necessary in the national interest, which includes the furtherance of National Park purposes; and
  - (ii) that the proposal cannot practically be accommodated in an alternative location outside the National Park.

### **The requirement to produce a land use plan, to be known as the National Development Framework**

10. We support the provision for a National Development Framework (NDF) but we would like reassurances that the national priorities will include the continued protection and enhancement of designated landscapes.

**11.** There need to be clear links to the Well-being of Future Generations (Wales) 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.

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