

RSPB Paper to Climate Change Environment and Rural Affairs Committee Scrutiny of the Welsh Government's Draft National Development Framework

1. NDF ambition and outcomes

- 1.1. The recognition that climate change and biodiversity decline are the biggest issues facing our nation is a powerful statement of purpose. We welcome the ambition set out in the overview and outcomes of the NDF to address climate change and reverse biodiversity decline. The 2020-40 timeframe of NDF is one that requires transformational change to address the twin crises of biodiversity collapse and climate emergency.
- 1.2. There are significant gaps however in how these ambitions have been translated across the outcomes and policies.
- 1.3. The proposed NDF policy for a strategic framework for biodiversity enhancement is a positive step but falls short in not making it obligatory that development contributes to nature recovery. Policies for nationally important sites and priority species are absent and must be included.
- 1.4. The renewable energy policies require significant re-drafting to ensure biodiversity is given proper weight.
- 1.5. Policies such as those for airport and port expansion need to explain how they can be compatible with Wales's climate and biodiversity outcomes and the policies need to more systematically address key challenges for de-carbonisation such as renewable heating. There needs to be more join up between the policies in the NDF and Welsh Government's Carbon Budgets and Investment plans to focus on the twin goals of de-carbonisation and biodiversity decline.
- 1.6. There is a disconnect in the way climate change is embedded. For example, the climate change outcome refers to energy, transport, health and jobs but not to housing; while the outcome for homes and housing makes no reference climate change and the types of buildings that we need to build – i.e. low or zero carbon – to get to net zero.

2. Overall approach

- 2.1. The NDF should be read in parallel with Planning Policy Wales (PPW). However, both contain 'all Wales' policies and there needs to be a clearer rationale across both for which policies should be in the NDF and which are only covered in PPW.
- 2.2. In our view there are significant gaps in the NDF including **the absence of policies for nationally important landscape and biodiversity assets** which are found in PPW but not in the NDF. The NDF is the top tier development plan and carries greater legal weight than PPW and should include policies for these spatially defined designations.
- 2.3. Overall the NDF approach to spatial strategy looks somewhat unbalanced. Spatial policies such as those for ports are very brief and high level whereas those for renewable energy are very detailed. The two renewable energy policies read much more like

- development management policies (with criteria against which to test development) than the rest of the NDF.
- 2.4. Planning Policy Wales sets out a framework for implementing the biodiversity duty set out in Section 6 of the Environment (Wales) Act and building resilience through the planning system. This should apply to local plans and to the NDF. The Environment Act should be given more prominence in the evidence base, outcomes and policies of the NDF.
 - 2.5. A Habitat Regulations Assessment was undertaken of the effect of the NDF on Wales's Natura 2000 sites – these are sites that are internationally designated for biodiversity. For 20 of the NDF policies the assessment set out mitigation measures to avoid adverse effects on Natura 2000 sites. **The NDF needs to be clearer about what projects and lower tier plans must do in terms of adopting the mitigation measures set out in the HRA.** For example, the HRA concluded that further studies were needed for the Port of Holyhead policy (20) and 'would certainly provide essential context for this policy before it can be implemented in any way'. It is unclear how Welsh Government has taken this conclusion into account as there is no reference to these findings in the NDF policy.
 - 2.6. The NDF should give more consideration to its role as a policy framework for Developments of National Significance which are mentioned only once in the document.
 - 2.7. We see a case for Regional Development Plans (policy 16) which could be used to identify and implement ecological networks and net biodiversity gain across administrative boundaries. However, more consideration needs to be given to defining regions that 'work' in terms of place making, local communities and ecosystems to deliver across the Wellbeing and Environment Act objectives.

3. Nature's Recovery

- 3.1. We welcome the NDF Outcome that commits to reversing biodiversity decline.
- 3.2. Policy 8 aims to establish a strategic framework for biodiversity and ecosystem resilience through *future* action to identify and safeguard areas of potential importance for habitat restoration or creation. We welcome the intent and ambition of this policy as a positive step but believe that it needs to be strengthened through the following measures.
- 3.3. **A clear commitment to achieving net biodiversity benefit** should be written into the policy so that development must positively contribute to nature recovery. As written, the NDF policy is weaker than and inconsistent with Planning Policy Wales. The issue here is setting out an expectation that development must contribute to reversing biodiversity decline. A strong NDF policy is needed in Wales given that in England the Government intend mandating that developers deliver net biodiversity gain.
- 3.4. **Priority species must be explicitly included in the policy** – currently the focus of the draft policy is on habitats (however, Welsh Ministers must take steps to maintain and enhance priority species that are listed in Section 7 of the Environment (Wales) Act). As an example, curlew is one of our most threatened and iconic birds and could be lost from Wales in the next 20 years – the period covered by the NDF. The national ecological network referred to in the policy must explicitly encompass the needs of priority species such as curlew.
- 3.5. There should be a clear **reference to Developments of National Significance (which are determined by Welsh Government) and the need for them to contribute to nature recovery.** The NDF is an opportunity for Welsh Government to set this out as a clear expectation so that developers know that they must address biodiversity benefit when

- bringing forward Developments of National Significance. The detailed implementation could be addressed through future guidance.
- 3.6. **A clearer route to translate policy 8 into credible and timely implementation.** The policy in part relies on the Area Statements process to identify areas for habitat creation and enhancement. The Welsh Government and NRW need to review whether Area Statements are scoped and on track to deliver this.
 - 3.7. **A commitment to identify areas of national significance for biodiversity enhancement.** There is a role for the national spatial plan to identify national spatial priorities for enhancement, but it is not clear that these will emerge from the locally based Area Statements process.
 - 3.8. The policy needs to explicitly **include the role of ecological networks in supporting Natura 2000 sites** as the policy is cited as mitigation in the Habitat Regulations Assessment.
 - 3.9. **A cornerstone for nature's recovery is safeguarding and achieving favourable condition of our most important wildlife sites. We want to see the inclusion of a protected sites policy covering Natura 2000 sites and SSSIs which is currently absent. As the top tier spatial plan the NDF should include policies for spatially defined national designations.**
 - 3.10. We support the inclusion in the NDF of policies for a National Forest and a Valleys Regional Park. We want to see these policies implemented in ways that also achieve the biodiversity and climate objectives of the plan. For example, the National Forest policy might be used to further the conservation of our globally significant 'Celtic Rainforests'.

4. Renewable Energy

- 4.1. The RSPB wants to see more onshore wind and solar renewable energy as part of a range of measures to address the climate emergency. However, development needs to be strategically planned and located in places that are low risk to wildlife to avoid adding to biodiversity decline.
- 4.2. The NDF sets out to create a more supportive planning framework for onshore renewable electricity. This is a pre-requisite for more onshore renewable electricity deployment, but UK Government support through the contracts for difference mechanism may also be necessary for significant implementation of the policy. The RSPB advocates the need for a level playing field for onshore renewable energy to compete with offshore wind. It is unclear whether the NDF is seen as a framework for delivering *unsupported* onshore renewable electricity or requires a change in UK policy for significant implementation. This has a bearing on how policies might be constructed.
- 4.3. Policy 10 establishes Priority Areas for solar and wind energy. A further policy (11) sets out criteria for development outside Priority Areas, National Parks and AONBs.
- 4.4. We are surprised that the NDF does not set out indicative targets for energy output from the Priority Areas (as was done for TAN8). **As a result, it is difficult to judge whether the NDF makes adequate provision for onshore renewable electricity over the period of the NDF.** We recommend publishing separate indicative energy targets for solar and for onshore wind Priority Areas.
- 4.5. The NDF sets out Welsh Government's 2030 targets for renewable electricity generation. To meet the 2050 target the UK Climate Change Committee advised that the UK electricity system should be substantially de-carbonised over the next decade with 74-87% of electricity generation to be low carbon by 2030. **There is a case for reviewing and rolling forward the Welsh Government's target to cover the period of the NDF.**

- 4.6. The NDF says that Priority Areas were identified through a strategic review of landscape and visual impact (p37). An analysis of Natura 2000 sites was also used in their refinement. We are surprised that ecosystem resilience and the Environment Act was not given more weight in this process. However, the detailed evidence supporting the policies (reports by ARUP) state that ecosystem resilience should be taken into account at a later stage in the decision- making process. This needs to be reflected in the detailed policies.
- 4.7. The stated intent of the NDF (p36) is to direct development to Priority Areas. It is hard to predict how far the NDF will achieve this outcome given that **policy 11 states that large scale projects outside Priority Areas are also acceptable**. There is no indication that such developments would be exceptional. There is a risk that this could work against the intent of the NDF spatial strategy if development was to become overly dispersed and could make it more challenging achieving strategic investment in improving grid connections.
- 4.8. The issues raised for biodiversity and ecosystem resilience are very different between solar and onshore wind technologies. The evidence used to derive Priority Areas seems to have been strongly informed by the landscape and visual impact of onshore wind.
- 4.9. **Our Energy Vision research found there is much more potential to site solar energy than onshore wind in areas of low ecological sensitivity**. We estimated the potential for up to 170 GW of solar energy and 4 GW of onshore wind in harmony with nature. We would therefore expect to see greater provision for solar than onshore wind if the policies had been based on more clearly on biodiversity and ecosystem resilience. **We advocate separate policies and Priority Areas for solar and onshore wind technologies**.
- 4.10. **Policies 10 and 11 set out criteria against which developments should be judged. These policies are poorly constructed, confused and do not give sufficient protection for biodiversity interests. This is not consistent with reversing biodiversity decline which is an aim of the NDF outcomes**. We want to see:
- 4.11. **Greater Recognition in policy 10 that Priority Areas include sites that are ecologically sensitive and where development would be unacceptable. We want the removal of the 'presumption' in favour of development where this affects significant biodiversity interests**. This is inappropriate in relation to biodiversity interests as the method used to define them mainly considered landscape and visual impact.
- 4.12. **Re-drafting and re-structuring the criteria in policies 10 and 11 to adequately safeguard biodiversity interests**. This requires separating out the different requirements of biodiversity, landscape and historic environment against which the acceptability of developments should be tested.
- 4.13. **We are particularly concerned that the wording of policy 10 weakens the protection of Sites of Special Scientific Interest by requiring development to minimise rather than avoid impact**. This also compounds a problem caused by the wording introduced in the published PPW (5.9.17) which potentially weaken SSSI protection. We have been assured that this is not the intent of Welsh Government and urge that the wording of the NDF and PPW are revised.
- 4.14. Re-defining the boundary of the Anglesey Priority Area to exclude our nature reserve at Cors Dydga and surrounding area. We also make the case for amending the boundaries of 5 other Priority Areas to exclude areas which are sensitive for upland waders and our Cwm Clydach nature reserve.