

From: [Christopher O'Brien](#)
To: [NDE](#)
Cc: [REDACTED]
Subject: Joint response of Wales' 3 National Park Authorities to the consultation on the draft National Development Framework
Date: 21 October 2019 16:32:32
Attachments: [3 NPA NDF Submission 21Oct2019..doc](#)

Dear NDF team,

Please find the joint response of Wales' 3 National Park Authorities to the consultation on the draft National Development Framework.

If you need any clarification or if we can be of any further assistance, we're more than happy to help.

Kind regards, Chris.

Chris O'Brien BSc (Hons) DipTP MRTPI

Uwch Swyddog Cynllunio - Polisi/ Senior Planning Officer - Policy

Awdurdod Parc Cenedlaethol Bannau Brycheiniog/Brecon Beacons National Park Authority

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Consultation Response Form

Your name	Chris O'Brien, Martina Dunne & Elen Hughes.
Your address	Care of: Brecon Beacons National Park Authority, Plas y Ffynnon, Cambrian Way, Brecon. LD3 7HP.
Preferred contact details (email/phone/post)	Email: strategy@beacons-npa.gov.uk
<u>Organisation (if applicable)</u>	Brecon Beacons, Pembrokeshire Coast and Snowdonia National Park Authorities.

I. NDF Outcomes (chapter 3)

The NDF has proposed 11 Outcomes as an ambition of where we want to be in 20 years' time.

- Overall, to what extent do you agree or disagree the 11 Outcomes are a realistic vision for the NDF?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- To what extent do you agree with the 11 Outcomes as ambitions for the NDF?

Agree with all of them	Agree with most of them	Agree with some of them	Agree with none of them	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- If you disagree with any of the 11 Outcomes, please tell us why:

The outcomes' relationship with PPW's National Placemaking Outcomes, the Welsh Government's Well-being objectives and Wales' Well-being Goals is unclear. It may assist if, as per Planning Policy Wales Edition 10 (2018), there was a cross matrix in the appendix to the Plan clarifying the relationship?

Stating the Plan's objectives (as opposed to outcomes) is important in the context of the Habitat Regulations and Strategic Environmental assessment processes.

2. Spatial Strategy (policies 1 - 4)

The NDF **spatial strategy** is a guiding framework for where large-scale change and nationally important developments will be focused over the next 20 years.

- To what extent do you agree or disagree with the spatial strategy and key principles for development in...

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
Urban areas (Policies 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rural areas (Policy 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- If you have any comments on the spatial strategy or key principles for development in urban and rural areas, please tell us:

National Park Policy:

The NDF Spatial Strategy omits a clear framework for development within Wales' National Parks'.

Policy reflecting the distinct role of Wales' National Parks as nationally important cultural resources should be included (See Welsh Government's Valued and Resilient 2018). Such a policy could also helpfully address:

- The other benefits that National Parks provide e.g. Ecosystem services, economic benefits, nature recovery etc;
- The s62 duty (Environment Act 1995) of certain bodies and persons to have 'regard' to the purposes for which National Parks are designated;
- The role of Unitary Authorities in providing evidence for National Park Authorities;
- The distinction that National Park Local Planning Authorities in Wales will soon be under a duty to pursue the Sustainable Management of Natural Resources;
- Major development in National Parks (including minerals development, waste). e.g. as referred to in para. 2.6.6 of the ISA "Focussing on existing towns and cities is an effective means of directing the majority of new development away from distinctive and natural landscapes in the countryside as well as landscapes designations including National Parks and AONBs.";

- The management principles for IUCN Category V Protected Areas, e.g. principle 9 recognises that economic activities that do not need to take place within a protected landscape should be located outside it;
- The focus of housing delivery in national parks e.g. as provided for English National Parks and the Broads in the UK Government Vision and Circular 2010. (This would also accord with text in the ISA (page 163) “The regional planning detailed in Policy P16, would enable local planning authorities to help ensure that new development is located appropriately, away from distinct or sensitive landscapes with which it would discord, including Wales’s five highly sensitive AONBs and National Parks.” (See text box 1 over);
- The relationship of National Parks to Strategic Development Plans;
- The opportunity for place planning in National Parks;
- The approach to planning for Renewable Energy development in the National Parks. i.e. a step further than Policy 12 - Wind and Solar Energy in National Parks (Snowdonia’s approach, which has recently been found ‘sound’ at examination by the planning inspectorate, did not consider it practical to undertake the detailed site surveys necessary to establish the spatial disposition of potential sites for future microgeneration and so the best option is to relying on a criteria based policy for renewable energy developments); and,
- The importance of National Parks in developing resilient ecological networks (as is recognised in the ISA (page 131) “their ability to provide people across Wales with access to the outdoors and natural habitats (beneficial to physical and mental wellbeing)”.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf

Guidance is provided for English National Parks and the Broads by [English National Parks and the Broads: UK Government Vision and Circular 2010](#), prepared by DEFRA.

Paragraphs 77 and 78 of the guidance explains (bold emphasis added):

77. The desirability of the Parks as places to live is one outcome of their successful long-term conservation and promotion. Demand for housing in the Parks has consistently driven up the price of housing and development sites. Combined with relatively low wages in the local economy, a declining stock of council housing and only modest additions of new affordable units over the last 20 years, the consequence is that much of the stock is now beyond the reach of many local households. This can affect the social and economic diversity of rural communities and may, in some circumstances, undermine social support networks and the viability of rural businesses, which are key components of sustainable rural communities.

*78. The Authorities have an important role to play as planning authorities in the delivery of affordable housing. Through their Local Development Frameworks they should include policies that pro-actively respond to local housing needs. **The Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services.***

The guidance is referred to within the National Planning Policy Framework (February 2019). Paragraph 172 of the National Planning Policy Framework explains (bold emphasis added):

*172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. **The scale and extent of development within these designated areas should be limited.***

This paragraph contains a footnote linking to *English National Parks and the Broads: UK Government Vision and Circular 2010*.

This paragraph is supported in the recent 'Landscape Review (2019)'.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833163/landscapes-review-final-report.pdf

Text box 1: The focus of housing delivery in national parks e.g. as provided for English National Parks and the Broads in the UK Government Vision and Circular 2010.

3. Affordable Housing (policy 5)

The NDF sets out the approach for providing affordable housing, encouraging local authorities, social landlords, and small and medium-sized construction and building enterprises to build more homes.

- To what extent do you agree or disagree with the approach to increasing affordable housing?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- If you disagree, in what other ways can the NDF approach the delivery of affordable housing?

It would be useful if further clarity could be provided on the juxtaposition of affordable housing delivery expectations from Welsh Government (recent letter by the Minister) and the issue of viability requirements which is also part of national planning policy requirements.

Could a similar policy focus be placed on building accessible / lifetime homes?

4. Mobile Action Zones (policy 6)

- To what extent do you agree or disagree the identification of mobile action zones will be effective in encouraging better mobile coverage?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- If you disagree, in what other ways can the NDF improve mobile phone coverage in the areas which currently have limited access?

To what extent is this addressed by the emergency services mobile communications programme?

<https://www.gov.uk/government/publications/the-emergency-services-mobile-communications-programme/emergency-services-network>

5. Low Emission Vehicles (policy 7)

- To what extent do you agree or disagree that policy 7 will enable and encourage the roll-out of charging infrastructure for ultra-low emission vehicles?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- If you disagree, in what other ways can the NDF enable and encourage the roll-out of charging infrastructure for ultra-low emission vehicles?

However we question whether the Welsh Government intends the wording which would mean that it would only work with local authorities and not with National Park Authorities?

6. Green Infrastructure (policies 8 & 9)

- To what extent do you agree or disagree with the approach to maintaining and enhancing biodiversity and ecological networks?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Wording 'should' appears weaker than PPW's 'must' in requiring biodiversity net-benefit. Policy could helpfully be provided on Resilient Ecological Networks.

Regarding Policy 9: National Forest, a strategy for obtaining and increasing woodland cover in Wales by at least 2,000 hectares per annum from 2020 is required. Is this policy based on the Scottish' Government's Forestry Grant Scheme¹? Furthermore, what will be the impacts on the agricultural sector and rural economy in obtaining land?

¹ <https://www.ruralpayments.org/publicsite/futures/topics/all-schemes/forestry-grant-scheme/>

7. Renewable Energy and District Heat Networks (policies 10-15)

- To what extent do you agree or disagree with the NDF's policies to lower carbon emissions in Wales using...

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
Large scale wind and solar developments	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District heat networks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- If you disagree with the NDF's approaches to green infrastructure, renewable energy or district heat networks, what alternative approaches should we consider to help Wales to enhance its biodiversity and transition to a low carbon economy?

We question whether microgeneration at domestic and farm level could be promoted further by the NDF, given it would likely reduce requirements for significant grid infrastructure investment, be less intrusive (i.e. incidental to the landscape) and provide rural energy charging points for the transition to non-fossil fuels.

Comments on specific areas:

Table B-40 of the ISA (page 126) notes that planning applications for renewable energy development in Wind and Solar Energy Priority Areas must demonstrate how adverse impacts have been minimised including on the Setting of National Parks. As landscape change in these areas is accepted, and this policy provision is not directive (i.e. it is related to an administrative provision "demonstrating") it is unclear what scope there is to dispute an applicant's assertion that they have minimised the adverse impact on the setting of a National Park and this brings into question the ISA's assessment of the policy.

For example, Priority Area 7: The Begwyns. Development will impact key view points from inside the National Park (i.e. from the black mountains (Twmpa)).

The Priority Areas adjacent to Snowdonia National Park appear to overlap.

Regarding Policy P11. It is not for applicants to determine that there are no unacceptable adverse effects on the settings of National Parks. This is a role of the relevant Local Planning

Authority having regard to their s62 duty. Perhaps the policy could be worded:

“Outside of the Priority Areas for Solar and Wind, such development must be sustainable (i.e. bring local social, cultural, economic and environmental benefits) and have no unacceptable effect on any planning considerations. Development will only be permitted where appropriate arrangements are in place for the removal of all infrastructure and for site aftercare and re-use.”

The NDF is unclear on the associated development and whether these developments will be safeguarded (by restricting grid connections to smaller scale renewable energy schemes until development in the priority areas is on-line).

Could a buffer be included between National Parks and these Priority Areas? Perhaps this is something that could be pursued in the further guidance that Welsh Government intend to provide. Could this guidance be prepared alongside, and ‘adopted’ with, the final NDF so there is clarity for applicants and the planning authority?

The ISA is unclear on implications, for the agricultural sector, of identifying Priority Areas for solar arrays.

District heat networks

How are these to be progressed in National Parks? Are they a function of Unitary Authorities to pursue?

¹ <https://www.ruralpayments.org/publicsite/futures/topics/all-schemes/forestry-grant-scheme/>

8. The Regions (policy 16)

- To what extent do you agree or disagree with the principle of developing Strategic Development Plans prepared at a regional scale?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	<i>Don't know</i>	<i>No opinion</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

However it should be made clear that Wales' National Parks will remain outwith Strategic Development Plans. Making this clear places the emphasis on the NDF to set an appropriate framework for development within National Parks. (See response to question 2 above). Also given the unique position of National Parks, the text on page 44 regarding the status of

regional working outside of contributing Strategic Development Planning preparation would seem to run counter to the ability of National Parks to progress just Local Development Plans? The National Park Authorities will need to rely on joint working arrangements outside Strategic Development Plan preparation. See paragraph 4 page 44.

The NDF identifies three overall regions of Wales, each with their own distinct opportunities and challenges. These are North Wales, Mid and South West Wales, and South East Wales.

9. North Wales (policies 17-22)

We have identified Wrexham and Deeside as the main focus of development in North Wales. A new green belt will be created to manage the form of growth. A number of coastal towns are identified as having key regional roles, while we support growth and development at Holyhead Port. We will support improved transport infrastructure in the region, including a North Wales Metro, and support better connectivity with England. North West Wales is recognised as having potential to supply low-carbon energy on a strategic scale.

- To what extent do you agree or disagree with the proposed policies and approach for the North Region?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please see our response to question 2. We strongly advocate the NDF includes an additional policy providing a clear framework for development within Wales' three National Parks.

Transport Links between North and South Wales

It is understood that outcomes 1, 3, 5 and 7 discuss the same principle of improving connectivity. The strategic Regional Approach recognises that each region has its own distinctive opportunities and challenges, and by embracing their distinctiveness through a more effective regional collaboration will lead to better outcomes for all parts of Wales and create a fairer distribution of wealth and prosperity. The objective of developing Strategic Development Plans also supports this.

The strategy drafted for North Wales (p.49) states that the region should work together to

consider the connections with Mid & South West Wales, Cheshire West and Chester and North West England. Policy 21 – Transport Links to North West England provides a strategy for improving this regional connectivity to ensure the accessibility of opportunities within North Wales to North West England. However, with the acknowledgement of the distinctiveness of the regions, with different opportunities and challenges; in order to achieve a further more effective regional collaboration that will benefit Wales as a whole, it is considered appropriate to formulate a strategy for improving transport links between North and South Wales. Considering outcomes 1, 3, 5, and 7, developing a strategy for improving transport links between North and South Wales could achieve:

- for our cities, towns and villages to be well connected;
- will build stronger links between public services, communities and business;
- as cities and large towns are magnets for jobs and investment, improving transport links between the three regions will create a fairer distribution of wealth and prosperity, as well as addressing the issues of declining communities due to outward migration for economic purposes; and,
- an opportunity for new sustainable transport structure.

Page 15 of the NDF states that “Connections between North and South Wales are fragmented and it is not possible to travel by train without leaving the country.” Therefore it is not clear why there is a policy to improve east west links in North Wales, but not links between North and South.

Llanbedr

There is reference to Anglesey Energy Island and Trawsfynydd, could there also be a reference to the Snowdonia Enterprise Zone: Llanbedr recently adopted within the Eryri Local Development Plan 2016-2031?

10. Mid and South West Wales (policies 23-26)

Swansea Bay and Llanelli is the main urban area within the region and is our preferred location for growth. We also identify a number of rural and market towns, and the four Haven Towns in Pembrokeshire, as being regionally important. The haven Waterway is nationally important and its development is supported. We support proposals for a Swansea Bay Metro.

- To what extent do you agree or disagree with the proposed policies and approach for the Mid and South West Region?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
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Please see our response to question 2. We strongly advocate the NDF includes an additional policy providing a clear framework for development within Wales' three National Parks.

The juxtaposition of the National Park to the Milford Haven Waterway requires greater acknowledgement. The form of employment development likely to be attracted to the Haven Waterway is likely to have a substantive impact on the National Park landscape and needs to be carefully considered in the same way Renewable Energy Priority Areas are given consideration.

11. South East Wales (policies 27-33)

In South East Wales we are proposing to enhance Cardiff's role as the capital and secure more sustainable growth in Newport and the Valleys. A green belt around Newport and eastern parts of the region will support the spatial strategy and focus development on existing cities and towns. Transport Orientated Development, using locations benefitting from mainline railway and Metro stations, will shape the approach to development across the region. There is support for the growth and development of Cardiff Airport.

- To what extent do you agree or disagree with the proposed policies and approach for the South East Region?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know	No opinion
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have any comments about the NDF's approach or policies to the three regions, please tell us. If you have any alternatives, please explain them and tell us why you think they would be better.

Comment:

In the context of the Planning (Wales) Act 2015, Section 2 (2), it is unclear how the issue of 'Need' (in particular housing) is to be addressed by the NDF as it is not prescriptive on how the need it asserts is to be met. Will the application of the conformity test (with regard to lower tier plans) lead to apportionment?

*"The function must be exercised, as part of carrying out sustainable development in accordance with the Well-being of Future Generations (Wales) Act 2015 (**anaw 2**), for the purpose of ensuring that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales."*

Sustainable Development WFGA Section 2

*In this Act, "sustainable development" means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, **in accordance with the sustainable development principle (see section 5)**, aimed at achieving the well-being goals*

(see section 4).

Sustainable development principle WFGA Section 5 (1)

*“In this Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body must act in a manner which seeks to ensure that the **needs** of the present are met without compromising the ability of future generations to meet their own needs.”*

(Bold emphasis added).

Example from Mid and South West Wales:

	NDF (20 years)	Adopted LDP housing requirements (15 years)*
Mid and South West Wales Region central estimate 2018 - 2038	23,359	
Carmarthenshire 2006 - 2021		15,197
Ceredigion 2007 - 2022		6,000
Neath Port Talbot 2011 - 2026		8,760
Pembrokeshire 2006 - 2021		5,700
Powys 2011 - 2026		4,087
Swansea 2010 - 2025		15,600
Brecon Beacons National Park 2007 – 2022**		1,990
Pembrokeshire Coast National Park 2006 - 2021		962
Total	23,359	58,296

*Indicative as the plan periods do not match.

**Assumes total National Park requirement is within the Mid and South West Wales Region, a small proportion would be in the South East Wales Region.

12. Integrated Sustainability Appraisal

As part of the consultation process, an Integrated Sustainability Appraisal (ISA) was conducted to assess the social, economic and environmental impacts of a plan. The report identified a number of monitoring indicators, including health, equalities, Welsh language, the impact on rural communities, children's rights, climate change and economic development.

- Do you have any comments on the findings of the Integrated Sustainability Appraisal Report? Please outline any further alternative monitoring indicators you consider would strengthen the ISA.

Comment:

(Please see also response to question 7).

The appraisals appear well written with clear rationale. The appraisal acknowledges that there is a lot of uncertainty, and that some impacts e.g. especially in terms of GHGs, are unavoidable. Where the latter is the case mitigation is suggested.

Comments/ suggestions about indicators:

ISA Objective	Suggested additional/alternative indicator	Data source
3. To create opportunities for an increase in employment across the country and promote economic inclusion	As well as indicators for employment and deprivation, indicators for the health of businesses and/or business birth/death/survival rates could be used here with the context of national infrastructure?	Stats Wales/ONS Business Demography
4. To create opportunities for sustainable economic growth, diversity and business competitiveness	See above, general health of business. Also, demographics in terms of the sectors that are growing may help to indicate if the types of business that are growing are those that have a future i.e. sectors that do not rely on dwindling natural resources such as fossil fuels	Stats Wales/ONS Business Demography

6. To create opportunities within which greenhouse gas emissions can be reduced and limited and encourage energy efficient and sustainable design	GHG emissions heat maps - changes in the NAEI model emissions maps and how they reflect the pattern of development promoted by the NDF	NAEI
8. To create opportunities to encourage the protection and improvement of air quality	See above for a link to NAEI emissions mapping/modelling.	NAEI

Monitoring information should be drawn from [the Welsh Government's Environment & Rural Affairs Monitoring and Modelling Programme \(ERAMMP\)](#) which provides a programme of monitoring and modelling which collects data across key environmental parameters and undertakes analysis informing upon the health and resilience of Wales' land-based natural resources (including areas of interface with the freshwater and marine environments) and associated flows of ecosystems services.

Note: Snowdonia NPA host the ERAMMP Designated Landscapes Monitoring and Liaison Officer.

13. Habitats Regulations Assessment

As part of the development of the NDF, a Habitats Regulations Assessment (HRA) was undertaken. The purpose of the HRA process is to identify, assess and address any 'significant effects' of the plan on sites such as Special Areas of Conservation and Special Protection Areas for birds.

- Do you have any comments on the Habitats Regulations Assessment report?

We are concerned that the assessment largely burdens lower tier plans (page 40 of the HRA):

"Table 4 of the Appropriate Assessment (refer to Section 4) sets out the type of impacts which could occur through implementation of the policies (where LSE could not be confirmed) and flags up

mitigation measures that would need to be considered when producing lower-tier plans. This has provided a precautionary extra level of protection to Natura 2000/Ramsar sites which it is considered will, in addition to the legal requirement for HRA of lower-tier plans and projects, provide sufficient safeguarding to be able to confirm that no adverse effects on integrity are anticipated as a result of implementing the policies within the NDF.”

If this is the case, clear policy should be included within the NDF requiring the mitigation measures “that would need to be considered when producing lower-tier plans” to be incorporated within them.

Screening Approach

By breaking the plan down into discrete components (screening assessment categories), the approach to screening (section 1.6) fails to accord with the ‘People over wind’ ruling (Court of Justice of the European Union ruling in the [Case C323/17](#) (13/04/2018)) as it is no longer acceptable for mitigation (i.e. breaking the plan down into discrete components) to be taken into account when considering the screening test for likely significant effects.

The approach could helpfully be amended to the following:

- A. Does the NDF direct a quantum or type of development towards, or encourage development in, a European site or an area where development may indirectly affect a European site?
- B. Does the NDF facilitate development, the location of which is unknown, but which could be within a European site or an area where development may indirectly affect a European site?

Screening of NDF Objective 6.1 (section 2) – the objective as worded refers to ‘strengthening’ biodiversity assets – with this as the intention (rather than e.g. preventing likely significant adverse effect). An argument could be made for screening it in, so as to ensure that policies actively enhance biodiversity rather than being merely neutral.

NDF Objective 6.3 – reference to protection and enhancement of protected landscapes is welcomed. However, depending on how landscape enhancement is expressed there could be adverse effect on European site features, so it is suggested that NDF Objective 6.3 is screened in. Similarly, it is suggested that policies relating to spatial issue DN3 in table 4 are screened in.

The right hand column in table 4 includes the phrase ‘mitigation options’ - it is unclear whether this has happened, but it is our understanding that policies cannot be screened out on the basis of proposed mitigation policy (People over Wind).

It is conceivable that measures to increase ecosystem resilience could present trade-off decisions affecting European site features, in which case it is suggested that policies relating to spatial issue DN4 in table 4 should be screened in.

NDF Objective 7.1 is welcomed. However, depending on the actual expression of promoting and enhancing heritage assets, this could result in e.g. disturbance to European site features, so should this not be screened in? (We note that policies relating to spatial issue DN6 in table 4 - nationally important historic and cultural assets - are screened in.)

In-combination impacts omitted:

The Welsh Government should recognise that “in combination” effects may mean that likely significant effects cannot be ruled out even though the NDF, by itself, would not have a significant effect.

The commentary on the Welsh National Marine Plan requires updating (page 17), given the ongoing work on representations received on the HRA of the draft plan.

The HRA also avoids consideration of in combination impacts arising from the Wales Infrastructure Investment Plan “because there are no specific details pertaining to the nature of the potential developments within the NDF”. The NDF directs development and growth to spatial locations. Whilst it is perhaps not possible to consider the in-combination impact of the plans, it is possible to consider the in-combination impact between the NDF (as a plan) and the projects contained within the Wales Infrastructure Investment Plan Project Pipeline. The wording therefore under ‘Projects’ on page 18 of the HRA appears to obfuscate the Welsh Government’s duty as ‘Competent Authority’ to assess the in-combination impact.

- Wales Infrastructure Investment Plan – Project Pipeline Update 2018



wales-infrastructure
investment-plan-p

Further observations:

- Appendix A – the Skomer, Skokholm and the Seas off Pembrokeshire SPA is mentioned twice (page 1 and page 7 of the Appendix).
- Appendix A - Carmarthen Bay Dunes SAC does not seem to be mentioned.
- Appendix 1 states that for the Pembrokeshire Bat Sites and Bosherton Lakes SAC, the primary feature is ‘lake’ and that bats are a secondary feature. That is incorrect – greater and lesser horseshoe bats, oligo-mesotrophic waters and otters are qualifying features.
- Bosherton is misspelled where it occurs in the Appendix 2 maps.
- We have concerns that the area extending into SE Pembrokeshire for wind and solar includes areas which are known to be important for connectivity of Barbastelle bat (a feature of e.g. North Pembrokeshire Woodlands SAC).

14. Welsh Language

We would like to know your views on the effects that the NDF would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

- What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please also explain how you believe the proposed NDF could be formulated or changed so as to have:

- I. positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and
- II. no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Views:

One of the objectives and outcomes set out in chapters 2 and 3 of the draft National Development Framework (NDF) is that of a thriving Welsh Language, and through the NDF, to develop a Wales where people live in places with a thriving Welsh Language.

The aim set out within Outcome 4 is to have a million Welsh speakers in Wales by 2050 – an increase of almost 80% on current levels. As stated on page 22, the NDF spatial strategy supports the NDF outcomes, and is the guiding framework for where large scale change and nationally important development will be focused over the next 20 years. The strategy blends the existing settlement patterns and the distribution of jobs and homes with a vision of managing change and future trends for the benefit of everyone in Wales.

Although the Spatial Strategy refers to the number of Welsh speakers in each region, there is no framework or strategy discussing the impact of large scale change / nationally important development on the Welsh language, nor how large scale change will have a role in increasing the number of Welsh speakers. Outcome 4 does state that development will be managed to ensure there are jobs and homes to enable the language to remain central to those communities' identities, however there is no clarification/elaboration within the spatial strategy policies on how to manage development to safeguard or enhance the Welsh language.

We suggest the NDF clarifies:

- Is the aim to increase the number of Welsh speakers throughout Wales, or only in the communities where Welsh is already central?
- Should the aim be the latter, is the NDF therefore intended to sustain rather

than increase the number of Welsh speakers?

- Should a large scale development be considered to have adverse effects upon the Welsh Language – how much weight will be given to the enhancement of the Welsh Language?
- Focused regional growth and regional connectivity will encourage the inward and outward migration of communities that will impact upon the level of Welsh speakers, should there then be a strategy to ensure that the impact would be more positive rather than adverse?
- Due to the potential detrimental impacts of large scale development on the Welsh Language, should a Linguistic Impact Assessment of the NDF be undertaken?

Given this lack of clarity within the draft NDF, perhaps it is considered appropriate to formulate a strategic policy discussing the status and objectives regarding the Welsh Language. Discussing this within the NDF could be beneficial in promoting and establishing the Welsh Language through the planning system, and could assist greatly in meeting the target of increasing the number of Welsh Speakers in Wales, ensuring the longevity of an integral part of Wales' culture.

15. Further comments

- Are there any further comments that you would like to make on the NDF, or any alternative proposals you feel we should consider?

Please see our response to question 2. We strongly advocate the NDF includes and additional policy providing a clear framework for development within Wales' three National Parks'.

On the picture page 11 reference should be made to National Park Management Plan's and their role in providing a strategic/national context for Local Development Plans in National Parks.

Reference to Strategic and Local Development Plans should refer to Strategic and/or Local Development Plans.

Terms such as 'adverse effects' and 'no unacceptable adverse effects' require explanation in a Glossary of Terms.

The role of tourism at a more national scale could be recognised alongside the potential impacts on local communities. There are sometimes mixed messages in terms of the capacity of locations to cope with additional tourism development.

Further observations individual to each National Park Authority:

Brecon Beacons National Park Authority:

Suggest the strong presumption against major minerals development in National Parks is included within the NDF.

The State of Nature Report 2019, which has the input of NRW, must be brought into play as a key part of the evidence base informing the NDF and the ISA / HRA.

Affordable housing definition:

In national parks, rental accommodation at affordable prices — and provided by not-for-profit social landlords — has been consistently identified as an overarching priority, particular for people and families who are unlikely to ever get on the housing ladder, given massively inflated market prices.

By conflating low rental social housing with intermediate housing — with the latter being based on the principle of ownership — the generic term, 'affordable housing', lacks clarity and purpose. We propose that Welsh Government recalibrate 'affordable housing' into the two distinct categories of (a) Affordable Rental Accommodation and (b) Affordable Intermediate Housing. This will provide greater clarity for data collection, statistical analysis and research and underscore, with greater urgency, the fundamental requirement for significant numbers of not-for-profit homes for rent and their pivotal role in ensuring that large sections of local people, with limited financial resources, are able to thrive and live sustainable and prosperous lives in the communities from whence they came.

Pembrokeshire Coast National park Authority:

Additional to the response in question 6, the following would help to frame wording for a policy on Resilient Ecological Networks:

- As worded, it appears NDF policy 8 is primarily focussed on safeguarding as yet undefined areas from development;
- Policy 8 does not of itself create the network but sets out a requirement for areas to be identified and for planning authorities to include them in their plans. (Our interpretation is that the emerging Area Statements process will be relied upon to identify such areas. However, it is unclear how far Area Statements process will introduce an element of prioritisation (as distinct from identifying all opportunities) and whether the Area Statements will be local, regional or national in terms of scale and significance;
- A cornerstone of a resilient ecological network is the protection and management of our most important biodiversity sites so that they achieve their conservation objectives. At this stage the effect of policy 8 in relation to Natura 2000 seems highly uncertain;
- The policy must identify national priorities for ecological networks and these must include nationally important biodiversity assets. These could be defined by criteria, for

example, designated sites that do not have management in place to achieve their conservation objectives must each be national priority areas for action;

- The policy must also link more explicitly to Welsh Government's nature recovery action plan (NRAP) and a broader range of measures that might be achieved including action for priority species;
- The policy must commit to a target for the contribution of development to nature recovery and the delivery of nature based solutions as is envisaged within the Natural Resources Policy (NRP).

Snowdonia National Park Authority:

In addition to the comments raised in section 6 regarding Policy 9: National Forest, what are the Landscape and Biodiversity implications in implementing this policy? Will this affect the character of affected areas such as settlements, or the National Parks?

In addition to the points raised in section 14 regarding the Welsh language, we also suggest that the NDF clarifies the role of Strategic Plans - Local, Regional and National, in contributing to the target of achieving a million Welsh speakers by 2050.

16. Are you...?

Providing your own personal response	<input type="checkbox"/>
Submitting a response on behalf of an organisation	<input checked="" type="checkbox"/>

Responses to the consultation will be shared with the National Assembly for Wales and are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here	<input type="checkbox"/>
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