

**National Assembly for Wales**  
**Environment and Sustainability Committee**  
**PB 07**

**Planning (Wales) Bill**

**Joint response from Welsh National Park Authorities**

We refer to the Planning (Wales) Bill and the consultation on its general principles which is due to close on Friday 7<sup>th</sup> November 2014. To confirm, this email comprises a joint response to the consultation on behalf of the three Welsh National Park Authorities at the Brecon Beacons, Pembrokeshire Coast and Snowdonia.

Firstly, we are pleased to note the intention to retain the planning functions of the National Park Authorities and consider this to be wholly in the best interests of delivering on our statutory purposes and duty. Indeed, we were pleased to note the level of support for National Park Authorities in the responses to the initial 'Positive Planning' consultation and in the findings of the Commission on Public Service Governance and Delivery.

The '3 Parks' are generally supportive of the principles of the Planning (Wales) Bill as introduced and set out below is our response to the consultation.

**Development Planning**  
***National Development Framework***

In terms of the NDF, the strategic approach is welcomed and it is considered that this will assist in dealing with cross boundary issues as set out in our response to the 'Positive Planning' consultation in February 2014.

***Strategic Development Plans***

The intended provision of a legal framework to provide formalised SDPs is also supported. However, in light of the intention for National Park Authorities to retain their planning function and to remain separate from Councils and/or Joint Planning Boards, clarification is sought on how an SDP would effect a NPA area. This is particularly relevant for the Brecon Beacons National Park Authority given its proximity to both Cardiff and Swansea. Should it be determined that the boundary for the Cardiff SDP (for example) was to include the Council areas that make up the South East Wales Strategic Planning Group (SEWSPG), the SDP would cover a significant part of the National Park (i.e. the Monmouthshire, Caerphilly, Torfaen, Blaenau Gwent, Merthyr Tydfil and Rhondda Cynon Taf areas within the Brecon Beacons National Park). How would the rationalisation of LDPs be applied in LPA areas only partially covered by SDPs.

***Local Development Plans***

As referred to above, the provision to retain the separation between National Park Authorities and Councils/Planning Boards is welcomed and it should be noted that all three National Park Authorities have up-to-date and adopted Local Development Plans. The provisions of the Bill are generally accepted in this regard, although a detailed '3 Parks' response will be provided to the consultation on the review of the LDP subordinate legislation and guidance.

**Development Management**  
***Pre-Application Advice***

Turning to the issue of pre-application advice, the requirement for LPAs to offer a pre-application advice service is generally welcomed (A more detailed response on this will be provided as part of a '3 Parks' submission on the consultation relating to 'Frontloading the Development System'). Indeed, the Brecon Beacons National Park Authority has been operating a formalised pre-application service since April 2010. A guidance note is available to 'pre-applicants' which clearly sets out the nature and level of information and detail required from them, the level of advice that will be provided by the Authority and, crucially, a schedule of the fees relevant to different types of development. The pre-application advice service provided by the Authority is reviewed on an annual basis. Pembrokeshire

Coast and Snowdonia National Park Authority also offer a pre-application advice service and protocol. These services are similar to that operated by the Brecon Beacons National Park Authority.

### **Option to make a planning application direct to the Welsh Ministers**

We refer again to National Park Authority functions remaining separate from the Councils/Joint Planning Boards. To this end, would the provision of an option to make an application directly to the Welsh Ministers extend to the National Park Authorities? In any event, it should be noted that the three National Park Authorities are amongst the best performing LPAs in Wales and have demonstrated this throughout 2014 (see table below which sets out 8 week performance for 2014 to date).

**Table**

<b>NPA</b>	<b>Q1 2014 (%)</b>	<b>Q2 2014 (%)</b>	<b>Q3 2014 (%)</b>
Brecon Beacons	84	95	93
Pembrokeshire	76	88	85
Snowdonia	75	69	94

### **Planning Committees and Delegation**

In terms of the national scheme of delegation, we would express some concern. The proposal for a national scheme of delegation was contained in the consultation document Positive Planning. Of those who directly answered the question, a slight majority 53.5% agreed that there should be local variation within a national scheme of delegation and the RTPI research into planning committees also recommended local variation. Whilst the Welsh Government categorically state that they do not agree with this approach (as they do not consider it will achieve greater consistency in decision making across Wales), it is suggested that some variation should be applied to National Park Authorities given the fact that National Park Authorities have specific purposes which need to be upheld through the development process and smaller applications have a disproportionate impact on these protected landscapes.

It is considered reasonable to suggest that there should be some local discretion in terms of how some applications (which do not meet size or objection number thresholds) are dealt with. Snowdonia National Park Authority has estimated that the proposals would result in the number of applications being reported to Committee would be reduced by 90%. Clearly, this would have consequences in terms of accountability and the local democratic decision making process. Incidentally, only 10-15% of applications are reported to Members so we are referring to a relatively small number under the existing local schemes of delegation. It should also be noted that the Committee process assists in terms of Member knowledge and understanding as well as in providing an element of scrutiny and common sense.

Should you require any further information, please do not hesitate to contact me (Ryan Greaney) as the three Park Authorities point of contact on this consultation.

Regards

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