

NATIONAL DEVELOPMENT FRAMEWORK (NDF): MORE DETAILED CONSIDERATIONS FOR RESPONSES

1. NDF Consultation & Drop-In sessions: poor information to public

- i. No clear reference to evidence and development documents, especially ARUP documents. Legally required Habitats Regulation Assessment plans only provided half way through consultation period.
- ii. Presentation devoid of local place names so people cannot relate policy to their locality.
- iii. No index of maps and plans or page numbering though appendices. Time wasting and obscure.
- iv. **Drop-in sessions:** Knowledge of NDF among WG Information Teams at public information sessions extremely variable.

2. Insufficient Preparation and inaccurate data

- i. Public can have no confidence in Welsh Government (WG) NDF when ARUP evidence documents full of mistakes and have not been proofread. (E.g. dNDF Priority Area (PA) numbers out of order: PA 15 between PA 4 & PA 5, see ARUP stage 2: pdf p13 "*final stakeholder workshops Dec 2019*" **14** PAs identified, was PA15 an afterthought? p148 centres of population jumbled).

3. Lack of Democracy

- i. Regional and sub-regional strategic development plans remove local decision-making.
- ii. Division of Wales into 3 regions is for WG convenience, does not respect real-life communications and interests, will lead to further loss of voice for rural Wales (e.g. Mid and West Wales includes Swansea).
- iii. NDF energy Policy 10 PAs together with WG power to decide all Renewable Energy (RE) projects over 10MW removes all local decision making.
- iv. Workshops in developing RE policy dominated by developers: public/environment interests only represented by Natural Resources Wales (NRW) and (limited aspects) RSPB.

4. NDF renewable energy (RE) policy is not supported by evidence.

- i. No discussion about how RE energy generation relates to emissions targets.
- ii. No discussion of energy needs, existing RE capacity, target RE capacity and Welsh home-use vs export.
- iii. No discussion of opportunities from other RE technologies capable of producing >10MW, particularly off-shore wind and tidal.
- iv. No discussion of how we might reduce emissions or energy requirements (e.g. NDF policy 32 for expansion of Cardiff Airport).
- v. No clear thought on infrastructure requirements or grid instability due to variable generation: should be prerequisite.

5. ARUP methodology for choosing Priority Areas is draconian

- i. Method based on finding "unconstrained resource" but ARUP have included areas with high and outstanding landscapes, peat deeper than 45cm, National Nature Reserves,

open-access land, best agricultural land etc. and classed these as “*variable*” constraints as opposed to “fixed” constraints. (See ARUP stage 1 p16 for full lists).

- ii. Choosing option of lax constraints helped ARUP find that over two thirds of Wales (total 22,000 km²) suitable for wind and for solar. (ARUP stage 1 table 5 on p18)
- iii. After all the preamble, ARUP simply worked out unrefined areas with WG giving minimal explanation for only 7 out of 15. (ARUP stage 1 table 9 on p26 and map p24)
- iv. The policy for decisions in Priority Areas is “*presumption in favour.....whilst setting the criteria through which development management decisions are made*” (see ARUP stage 1 p23 - selection of options). The NDF’s renewable energy assessment is unfinished and cannot be assessed without these development management criteria. It is also premature and should have been examined and finalised separately from the NDF.

6. Priority Areas

- i. PAs are ‘focussed on’ land with no “fixed constraints” but contain much land with “variable” constraints.
- ii. Can have no confidence in rationale for uneven, sketchy and erroneous refinement decisions (e.g. ARUP Stage 2 pdf p49ff Table 5: PA 5 “pulled back” from Llandrindod Wells which is nowhere near; PA 15 not included; pdf p172: only 4 PAs discussed on 12/4/19, WG ‘clarified that the policy is to make the process of consenting for developments over 10MW easier for ministers’.)
- iii. Priority Areas contain Natura 2000(European designations)/Ramsar sites (see HRA Appx B pdf p22-30), very many SSSIs (not mapped), important Public Rights of Way, deciduous woodland & many other constraints.

7. TAN 8, Aecom TOOLKIT, Local Search Areas

- i. TAN 8 SSAs A, B, C and F are partially within PAs 15, 5, 6 and 14 respectively. TAN 8 SSA D does not overlap with any PA (and is thus ineligible under current methodology).
- ii. TAN 8 SSAs are principally for development over 25 MW and cover areas now not even considered suitable for 10MW development. Why have they not been abolished? (See statement on ARUP Stage 2 pdf P47 that PAs to include SSAs, “*wherever the constraints are no greater than those for other areas included in the revised priority areas*”.)
- iii. dNDF avoids the issue that Planning Policy Wales (PPW) 10, Chief Planning Officer guidance, and now LDPs, incorporate Aecom toolkit which employs a fundamentally different methodology from ARUP to identify search areas.
- iv. Aecom Toolkit and Renewable Energy Assessments (ARUP stage 2 Appx C3) with local search areas are now embedded in some LDPs. These areas, particularly Powys, have SSAs, LSAs and PAs. 3 spatial regimes based on 3 sets of incompatible criteria.

8. Implementation and new ARUP software

- i. Outstanding constraints in PAs. Policy is “*evidential position to inform decision-making at planning application stage*” (ARUP stage 2: pdf p51). Eleven miscellaneous considerations requiring “*design guidance*” include key material considerations essential for site selection, not “*design guidance*” (p54).
- ii. The Welsh Minister’s overturning of Planning Inspector’s conclusions re the Hendy Wind Farm gives no confidence that WG decisions will involve any balancing exercise or give weight to key material considerations. Consideration of impacts on landscape explicitly

excluded. Biodiversity policy 8 too general to protect biodiversity and WG ill-informed about local biodiversity priorities.

- iii. ARUP Software for developers and local communities to identify sites enables “variable constraints” and overlays of other variables to be switched on and off at will. Will this be available to public and therefore transparent for public consultation?

9. Integrated Sustainability Assessment report (ISA)

Welsh Government state that “*we have developed an Integrated Sustainability Appraisal (ISA) which is a process for assessing the social, economic and environmental impacts of a plan and aims to ensure that sustainable development is at the heart of the plan-making process*”.

- i. There is no clarity on how the ‘monitoring indicators’ & ‘objectives’ in the ISA were arrived at, and these do not cross reference with other legislative and other designated frameworks that are supposed to have informed the ISA, nor do they cross reference with the dNDF ‘outcomes’.
- ii. ISA is supposedly a **holistic** process, but there is no direct reference made to the Sustainability Assessment (SA), Strategic Environmental Assessment (SEA) other environmental directives and PPW10. The HRA is specifically excluded.
- iii. So-called monitoring of NDF drafting excludes regional policies.
- iv. The ISA follows the dNDF in ignoring the impact of Policy 10 (RE ‘priority areas’) on rural communities.
- v. Lack of any rigorous scrutiny: no reference to any evidence base.
- vi. No test of ‘soundness’ – unlike LDPs which are required to be tested by a Planning Inspector to show that they are well-evidenced, appropriate for the area, coherent, in line with other legislation...
- vii. The assessment of the internal consistency of the 17 ISA objectives is incoherent.
- viii. Total lack of any meaningful definition of ‘sustainability’.