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Developments of National Significance Consultation,
Decisions Branch,
Planning Directorate, Welsh Assembly Government,
Cathays Park,
Cardiff,
CF10 3NQ.

10th August 2015

Consultation Document WG25023. Developments of National Significance (DNS).

The Cambrian Mountains Society (CMS) welcomes this opportunity to comment on the consultation document; ***Developments of National Significance***. The Society sees this as part of an important Welsh Government (WG) initiative in safeguarding access to a quality environment whilst also supporting economic prosperity and promoting sustainable development for Wales. CMS continues to seek ways in which to positively engage with the WG as it sees common concerns and, possibly, solutions that can be jointly supported. There will inevitably be issues on which the Society will disagree with Government but it is hoped that, through discussion, satisfactory outcomes can be agreed.

CMS was established in 2005 and now has a membership of around 350, representing people from all backgrounds but all with a common interest in the future of the Cambrian Mountains. The Society aims to encourage cooperation across three different Unitary Authorities (Powys, Ceredigion and Carmarthenshire) which happen between them to span what is in reality a single geographical entity (LANDMAP Landscape Character Area 21).

The objectives of the Society include promoting, for the benefit of local communities and the wider public, measures which will sustain or enhance the landscape, natural beauty, biodiversity, archaeology, scientific interest and cultural heritage of the Cambrian Mountains. The thinking that lies behind our comments is outlined in our document *Cambrian Mountains – The Heart of Wales: Developing a Strategy for a Sustainable Future*

<http://www.cambrian-mountains.co.uk/documents/cambrian-mountains-sustainable-future.pdf>

In particular we want to see in the Cambrian Mountains a strategy that will protect and possibly enhance its outstanding landscape as well as offering a firmer foundation for the rural economy of the region.

For the purpose of this consultation we have not used the linked response form as the Society mainly wishes to comment on broad issues raised in the document. Our response will, however, touch upon Questions 1, 2, 5, 10, 16 18, 19 and 21 and we will label comments as such.

Broad Issues

CMS agrees that with 23,000 planning applications a year in Wales that some streamlining of the planning process is called for but not at the expense of well thought through decisions. The Society has had recent experience of taking part in a major planning enquiry in mid Wales involving the Planning Inspectorate (PINS) During the proposed Mynydd y Gwynt Wind farm enquiry CMS viewed PINS as a fair and efficient organisation. The Society agrees with WG that PINS would also be a very suitable vehicle to process DNS applications.

The Society, however, disagrees with idea that LPAs should in all effect be removed from the final decision on a DNS project from within their County or close to it. If the proposals from this consultation document go ahead then LPAs will be reduced to the role of statutory consultees but then expected to oversee, and enforce, any planning consent. The Society accept that in the future there will be development proposals of national significance and that a WG Minister should be at the heart of the decision but we do not accept that the decision should be exclusively theirs. CMS proposes that the final decision on any DNS is made by a panel comprising the Minister as well as Councillor representatives from all impacted LPAs. Without this provision CMS fail to see how LPAs “still play a vital role in determination of DNS applications and their subsequent delivery” (Section 1.15, page 6).

Question 1

Do you agree with the proposal thresholds and categories of development (set out in the above table)?

Yes (subject to comment)

CMS’s focus is on the ‘Cambrians’ and it considers that the major developments listed in Annex A likely to have an impact on the area are:

- wind farm developments between 25 -50MW,
- new reservoirs and dam extensions impounding water exceeding 10 million cubic metres,
- landfill and hazardous waste deep storage facilities.

The Society agrees that such sites, which can have such an enormous impact on the outstanding landscape of the Cambrians, should be brought under the scrutiny of PINS and the Minister but only with the **full** involvement of all the impacted LPAs.

The Society is, however, concerned that the list of DNSs listed may at times be contrary to those thresholds and categories supported by Westminster.

A long term concern of CMS has been the intrusion of large scale quarrying in the Cambrian Mountains. It would have expected such developments to have been included in Annex A.

Question 2

Do you agree with this proposed approach for determining secondary consents?

No

The proposed 'carte blanche' approach for secondary consents in CMS's opinion may allow too much scope for associated high impact developments without full scrutiny. An example here using a wind farm DNS is granting a secondary consent for its high voltage connection without full transparency. A further example might involve a DNS permit allowing deep storage facilities for hazardous waste in the Cambrians with secondary consents for major road widening to the site, again without full scrutiny.

Question 5

Do you agree with the minimum requirements for the notification of a DNS?

No

The Society finds paragraph 4.20 page 18 very worrying. Surely it cannot be at the Developers behest to decide upon whether a project the size of a DNS requires an Environmental Impact Assessment!

Question 10

Would you consider 5 weeks an appropriate period within which statutory consultees and third parties must submit their full response to an application for DNS?

No

This time period is very short for third parties such as voluntary organisations to; firstly find out about the application and then research/write a full response.

DNS applications may have multiple, wide ranging environmental and social impacts, 5weeks is a very short period to consider their full impact. The same holds for LPAs in respect to Q16.

CMS suggests at least a doubling (10weeks+) of the consultation period.

Question 16

Would you consider 5 weeks an appropriate timescale within which to provide a Local Impact Report (LIR)?

No

The Society consider that this is far too fast a turn round time for an LPA, or LPAs, to prepare and deliver such a report(s). To compound this CMS knows that at least Powys CC. does not presently employ a Landscape Officer. The Authority will have to contract a consultant(s) to prepare the LIA and in the proposed timescale bringing in such expertise and preparing what is a very important report is nigh on impossible. We suspect the same

may be true in other LPAs. This may be particularly important for presently undesignated landscapes such as the Cambrian Mountains which will either be outside NRW's remit or given a very low priority by the agency.

The argument that most issues will have been addressed in the pre-application stage of the process does not hold as the proposal submitted may have changed significantly from that 'discussed' earlier.

Again CMS suggests at least a doubling (10 weeks +) for LPAs to provide LIRs

Question 18

Do you agree that the relevant LPA should receive a fixed fee for producing an LIA?

No

Each LPA involved, not just the Authority in which the proposed DNS is to be 'built' but also neighbouring LPAs on which there will be an impact, need full cost recovery for their LIA. PINS and WG have such provision for their parts in the enquiry, why not also the LPAs?

Question 19

Do you agree that the LPA should receive reduced payment, or no payment, if they do not submit the LIR within the timescale and minimum requirements?

No

As implied in our answer to Q16 this is likely to lead to a rushed and less thorough response.

Question 21

Do you have any further comments to make in relation to our proposals for DNS?

The Society has concerns over the Examination process (Sections 5.47 & 5.48, pages 32/33). Any concerned individual or organisation should have the right to participate at a DNS hearing, it should not be the gift of the Inspector.

We also ask that our **Broad Issues** comment (paragraphs 2 & 3, page 2) also be considered under this question.

Yours



Mr. Peter Foulkes Trustee of CMS and Chair of its Designation subcommittee.

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This response has been authorised by the Trustees of CMS including its Chairman: Professor Roger Earis. He can be contacted at the email address in the header to this response or at: Pantyfedwen, Pontrhydfendigaid, Ystrad Meurig, Ceredigion, SY25 6ES.

CMS have no objection to this response being made public.