



NATIONAL PARKS WALES
Britain's breathing spaces

Microgeneration Permitted Development Consultation
Plans Management and Performance Branch
Planning Division
Welsh Assembly Government
Cathays Park
Cardiff, CF10 3NQ

Sent via email: planning.division@wales.gsi.gov.uk

June 2010

Dear Sir/Madam

Microgeneration and Low Carbon Energy Technologies

Thank you for the opportunity to comment on the proposed changes to the *Permitted Development Rights for Non-domestic Premises and Householder (Turbines, Air Source Heat Pipes and Solar Panels - Flat Roofs)*. The National Park Authorities work in partnership as the Welsh Association of National Park Authorities (WANPA) to collectively promote the interests of Wales' three National Parks. This response has been agreed between the three NPAs, you will find that each NPA has also reserved the right to individually express their view.

Clearly, the need to encourage the take up of renewable power generation, which the consultation seeks, is understood and welcomed. The National Park Authorities have adopted a positive approach to supporting small-scale power generation developments.

We note that Conservation Areas and World Heritage Sites are excluded from the changes in recognition of their local and international importance. However, for no obvious reason National Parks do not share the same exclusion. National Parks are the nation's primary landscape designations; we therefore contend that the same restrictions should apply to the National Parks that you propose for Conservation Areas and World Heritage Sites. Your proposals imply that Conservation Areas and World Heritage Sites have a higher national status than National Parks, in reality this is clearly not the case.

Cymdeithas Awdurdodau
Parciau Cenedlaethol Cymru

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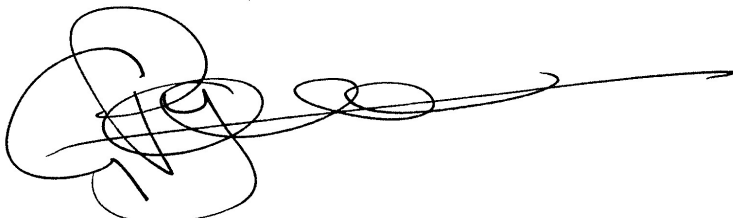
We wish to draw to your attention the statutory duty section 62 (2) of the Environment Act 1995 places on the Welsh Assembly Government along with other public authorities. Public authorities have a duty to have regard to the purposes of National Parks when exercising or performing any functions in relation to or affecting National Parks. We contend the section 62 (2) duty applies in this situation, and we are unable to find evidence, within the consultation document, of National Parks being given due regard. As they are currently constituted the proposed changes would have a profound impact on areas that are national and internationally regarded landscape designations. The Welsh Assembly Government issued guidance in 2005 concerning the statutory duty and we welcome discussions with Officials to ensure the duty is effectively delivered and the integrity of National Parks and their purposes maintained.

The first purpose of a National Park Authority is to "conserve and enhance the natural beauty, wildlife and cultural heritage" of the designated area. It is therefore important that a degree of local control is retained not only to protect planning interests but also to create opportunities to improve potentially harmful developments through negotiation and subsequent conditions attached to consents. We are concerned that because the aim of the consultation is to propose a generally more permissive approach, there is an over reliance of the potential to use Article 4 of the GPDO to restrict permitted development rights, which in reality should only be used in exceptional cases. In any case Article 4 designation takes time and harm could already have taken place.

Unfortunately, therefore, the proposals as consulted upon cannot be supported as they have the potential to lead to unacceptable harm to the quality of the built and natural environment of the National Park. In particular, the cumulative impact of several small scale schemes, especially wind turbines, which have not had the benefit of design or siting amendments through the planning process have significant potential to erode the character and quality of the cultural heritage and landscape of the National Park.

In conclusion, WANPA supports the principle and aims of the consultation document, but in practice we urge caution. The primary purpose of National Park Authorities as set out in Section 61(1)(a) of the Environment Act 1995 along with the duty section 62 (2) places upon public authorities dictates that the precautionary principle should prevail until sufficient regard is given to National Park purposes.

Yours sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Greg Pycroft
Welsh Policy Officer