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National Assembly for Wales Sustainability Committee Inquiry into Planning in Wales

Introduction

1. NFU Cymru welcomes the opportunity to submit comments to the Inquiry into Planning in Wales.
2. The increasing importance of the planning system to the farming community in Wales means that any proposed changes to the direction of planning policy, process and procedures can make a considerable difference to our members' businesses and economic growth in rural areas.
3. NFU Cymru represents an estimated 21,050 farmers, managers and partners in businesses in Wales. In addition we have 4,200 countryside members with an interest in farming and the countryside. Whilst it is difficult to generalise what an effective planning process would mean for each business – we would contend that Local Planning Authorities should demonstrate a thorough understanding and appreciation of the role of agriculture, not only from the perspective of farmers as food producers and owners/manager of the countryside - but also having regard to the critical economic relationships between the appearance of the countryside and the need for profitable businesses to sustain it.
4. For farmers to have the confidence to invest in their businesses for the long term, it is absolutely crucial that there is a supportive and robust investment framework in place. Certainty on the planning front is an important part of that framework, and particularly so in terms of business sustainability and expansion. There is now a renewed recognition across Government, whether at local ,Welsh Assembly Government, Westminster or European level of the importance of food production and the agriculture industry, and planning guidance needs to reflect this. Farming is at the heart of an agri-food industry, with agricultural output in Wales valued at £1.1billion in 2009. Future planning guidance must therefore view food production and processing policies alongside, rather than in competition to, environmental sustainability. The challenge for society in the years ahead will be to meet the ever increasing global demand for food whilst recognising that a thriving natural environment can exist as well . This will require a planning system that is clear, focussed, relevant, but above all flexible enough to accommodate these increasing demands.
5. NFU Cymru is not convinced that there is a need for a major overhaul of primary legislation. However, we do believe that there is a need for clear and concise [guidance from the Welsh Assembly Government particularly on matters relating to food production and renewable energy.](#)

6. The lack of reference to food security and production in favour of climate change demands within some LDP literature has been a matter of concern for NFU Cymru. The Denbighshire County Council Deposit Local Development Plan 2006 – 2021 and the Brecon Beacons National Park 'Management Plan 2009 – 2014' are just two recent examples illustrating this matter.

7. It is also our view that dialogue between planning departments and farming communities could be improved in order to identify opportunities within local areas which would in turn, stimulate economic growth, develop renewable energy production and create additional, affordable housing, whilst ensuring that the challenges of producing food for a growing population are met.

How are key Welsh government policy objectives reflected in national and local planning policies/guidance and local planning decisions? Do you think this approach is successful?

- **how easy / difficult the high level policies and guidance are to interpret into policies at the local level**
- **how reactive the LDP production process is to new policies and guidance.**

8. The form and content of LDP's tend to provide a document which is largely strategic in nature with more detailed policy components being reserved for areas where significant change in the use or development of land is proposed or protection is essential. It is felt that this has the potential to reinforce an essentially protectionist approach to extensive tracts of rural Wales at a time when changes to agricultural and wider rural policies require a more developmental approach to the economic and social regeneration of rural areas.

9. It is vital that final guidance issued on Local Development Plans makes it clear to local planning authorities that a focus on area-wide strategic policies is not an excuse for no-change policies. The changing nature of agriculture and related businesses will require the preparation of a more detailed policy framework, which will provide clear guidance for farm businesses on planning policies.

10. As a matter of principle, we believe that if greater emphasis is to be placed on local authority discretion, then that must be backed up by comprehensive and robust guidance from the Welsh Assembly Government. Failure to do so could potentially create a high risk of inconsistency between local authorities in Wales in both their interpretation of Welsh Assembly Government policies and in their subsequent planning decisions.

11. Planning Documents and TAN's published by the Welsh Assembly Government can be an issue for the farming community in Wales. Documents can become outdated very quickly, for example the Planning Policy Wales document was published in 2002, with a follow up Ministerial Interim Planning Policy Statement for Planning for Renewable Energy published in 2005, it is therefore important that documents and policy statements are constantly evolving and updated.

12. NFU Cymru would wish the Welsh Assembly Government to monitor very carefully and evaluate any use of supplementary guidance by local planning authorities to ensure that they are being used for an appropriate purpose and not as a backdoor method of imposing restrictive policies on legitimate development, especially in rural areas.

13. Section 106 of the Town and Country Planning Act 1990, noted in TAN 6, has in the past been a prime example whereby restrictive policy has deterred some submissions of planning applications. Additional housing on family farms is vitally important to our members who must ensure that animal health and welfare standards are not comprised at any time of the day, throughout the entire year. Farmers have therefore opted for this type of planning in order to ensure that staff are available at short notice in order to deal with animal husbandry issues promptly. Security of machinery, fuel and livestock is also an issue in remote areas, appropriate additional housing on farms can deter the theft of such valuable assets. Applicants who have been granted permission under s106, do however find themselves faced with extremely difficult consequences at times of succession but we hope that the revised TAN6 will provide guidance to address this issue.

14. Many members are also disappointed to see that redundant farm buildings may only qualify for planning if used for commercial use i.e. holiday lets and therefore cannot be occupied full time as a permanent residence. Many farmers have therefore been forced to opt for the s106 agreement as a way of providing a home for the next generation in order to ensure succession on the family farm. Whilst it has had the advantage of gaining a more affordable option for the farm in the short term, it does cause additional problems in the long term.

15. Where housing developments have incorporated affordable housing opportunities within plans, it has been difficult for these houses to sell at 70% of the open market value. Whilst the principle of affordable housing should be applauded, the reality is that the ability for potential buyers to secure mortgages has been challenging and the re-sale value of the property has also reportedly put many buyers off.

16. Whilst we appreciate that it can be extremely difficult to implement changes in direction of policy at a local level, it is felt that planning authorities can in some instances lack expertise of the agricultural industry and therefore fail to respond in a timely way to changes in direction of wider policy targets and aspirations.

17. Since the publication of the TAN8: Planning for Renewable Energy in 2005, there has been a huge increase in political focus and media attention on climate change with carbon reduction and renewable energy targets being published. At the same time, food security has moved up the political agenda with the ever growing global population putting pressure not only on food supplies but water resources also.

18. In many instances, 'planning' appears to be viewed as the biggest barrier to business and community growth. To address this, we believe that there is a need for advice to be made more readily available from the Welsh Assembly Government on planning issues. Details of successes and pitfalls should also be made more readily available from local authorities which will allow farmers to make more informed decisions on whether to start a planning application.

19. Speed of change to policy direction is key and there should be closer monitoring to find out where policies are not being effectively rolled out and addressing areas of policy where targets are not being achieved, as per section 7 of TAN 8. Only then will the WAG be able to see if aspirations, targets and objectives are being achieved throughout the whole of Wales.

20. The current planning process can also be excessively long, costly and stressful for applicants. The time delay involved is extremely frustrating and undoubtedly deters many farmers from seeking planning permission. NFU Cymru would say that one of the key factors farmers consider when making an application is the length of time taken to confirm whether or not planning consent will be granted. This can make it incredibly difficult to forward plan and motivation is often lost as a result of the time delay involved.

21. Whilst speed in dealing with applications is clearly an important consideration, NFU Cymru would however recognise that the quality of the final decision is an equally critical outcome. NFU Cymru would not wish to see any increase in planning fees arising from efforts to speed up the planning application process.

22. If more monitoring and assistance took place in the preliminary stages, this would result in an improvement in the quality and standards of applications received and reflected in a reduction in appeals.

How successful are current planning policies/guidance in helping planners to reconcile competing demands e.g renewable energy vs landscape quality, economic growth vs climate change

- **what weighting (if any) should be given to competing policies when planning applications are decided;**
- **what guidance policy/guidance gives on reconciling competing land uses such as renewable energy and landscape quality, affordable housing and design criteria/social concerns, climate change and economic growth;**

23. NFU Cymru firmly believes that agriculture can and will be part of the solution to climate change as demand increases for food, energy and water. We believe that agriculture has an important role to play in meeting all these needs but it will need co-operation between industry and Government. Furthermore, we would not say that policies such as renewable energy and landscape quality should be viewed as competing against one another.

24. Impacts of climate change and food security pressures are local, national and global issues. Local planning authorities and National Parks have a particularly important role to play in 'adaptation' to cope with these challenges.

25. Climate change is one of the biggest challenges to Wales but we should not underestimate the pressures which lie ahead regarding food security. It is predicted that the global population will reach 9 billion by 2050, this means that global food supply will have to double and we believe that Wales is well placed in terms of water availability and soil fertility to assist in supplying food to meet such increased demand.

26. NFU Cymru has been represented on the Land Use and Climate Change sub-group which was established in March 2009. The group set up to examine how major cuts could be made to greenhouse gas emissions from the land use agricultural and food chain sectors. The sub - group recommended to the Welsh Assembly Government, a scenario which allowed Wales to maintain it's food production potential whilst cutting emissions, which was most suitable for Wales. If adopted, this scenario would mean rolling out new technologies in

order to allow reductions and efficiencies to be made and the planning process for the agricultural industry will have a significant role to play in helping to achieve that.

27. The One Wales Government is committed to achieving GHG emissions reductions of 3% per annum from 2011 in areas of devolved competence. Planning can make a major contribution to tackling climate change by shaping decisions which reduce carbon emissions to meet such targets.

28. There is a concern that planners do not always fully appreciate the role that agriculture can play in meeting the demands of changing policies. We certainly feel that farmers can make significant contributions towards many of the renewable energy options outlined in TAN8 including on farm wind power, anaerobic digestion, bio fuels and hydro-power. Equally there are pressures for farmers to ensure that up to date farm buildings can be erected at the right location on their farms.

29. It is however vital that local planning authorities and national parks recognise the opportunities their area can offer in terms of ensuring economic growth and stimulation.

30. It would be helpful if successful planning procedures were publicised, i.e. what was successful in a particular area. We have seen an increase in the number of farmers looking into hydro-electric power as a result of a successful project in Monmouthshire and we do feel that communication is key. If a successful project is well publicised with guidance made readily available by planning departments, this will increase the knowledge of farmers on how to contribute towards becoming a low carbon economy.

31. It is also important for local authorities to publicise the contribution small scale renewable projects can make towards the WAG targets on renewable energy. This will help people understand how huge the challenge of climate change is and how numerous smaller projects can contribute towards the bigger picture.

32. The role that the planning process has to play in mitigating the impact of climate change may not be fully recognised by some key decision makers in planning departments. This may be because of a lack of resources, skills, guidance and political commitment by local authorities and National Park Authorities. Many of our communities remain completely untouched from the kinds of positive solutions on green open space, energy demand reductions and renewable energy that help show that climate change is both real and manageable.

33. A real challenge is that the Welsh Assembly Government and national Government live up to expectations on the challenge to combat climate change. Through the setting of realistic targets, which are accountable in the short and medium term the WAG should be able to monitor the achievements of Local Authority policies in areas such as affordable housing, renewable energy projects etc. These targets should be independently assessed and reported upon with a cross-departmental joined up approach in order to ensure that the LA's are maximising achievement for their key objectives.

34. The UK Agriculture Industry's Climate Change Task Force report 'Part of the Solution' (launched March 3 2008) outlines the essential role agriculture can play in terms of fighting the impact of climate change. Given the challenging renewable energy targets set by the WAG, UK Government and the EU, it is critical that Local Authorities realise the contribution

agriculture can make to such targets and this should be reflected in local development plans in an attempt to contribute towards the WAG, UK and EU's objectives in combating climate change.

Are there examples of good practice in other countries and other parts of the UK that we could learn from?

- **what weighting should be given to public opinion if it is in opposition to national and local policies;**
- **how planning officials advise planning committees**

35. NFU Cymru fully appreciates that it is extremely difficult to reach decisions on some controversial planning applications.

36. It is however vital that planning procedure barriers are reduced, in particular, in relation to anaerobic digester developments. Capital and revenue based support and cost-effective electricity grid connections are vital aspects to such developments but education is also key. Planning departments, farmers and the general public have to understand the contribution anaerobic digestors can make to the generation of heat and power. If the concept is properly understood, this should in turn assist in reducing such barriers which currently exist.

37. We do accept that in the short term, wind power offers the greatest potential for increasing the generation of electricity from renewable energy in Wales. We also acknowledge that wind power generation poses some of the greatest challenges for planning policy and decision making in Wales hence the priority afforded to it in the interim policy statement.

38. Whilst planning authorities are expected to consider the views of local residents when determining a planning application, the extent of local opposition is not, in itself, a reasonable ground for resisting development. To carry significant weight, opposition should be founded on valid planning reasons which are supported by substantiating evidence. Planning authorities must therefore make their own objective appraisal and ensure that valid planning reasons are stated and substantive evidence provided.

39. It is all too often easier to refuse planning where there is significant opposition, but it is vital that research is carried out in order for planning officials to make full and proper informed planning representations and decisions on projects, which in turn may actually be integral to meeting wider policy objectives.

Conclusion

40. The necessity for a planning procedure which provides clear and concise guidelines is of paramount importance. Local Development Policies need to be robust and responsive whilst ensuring that the national and European agendas are integrated into local policies at all times.

41. It is vital that renewable energy projects in the right location are given fair consideration. It is vitally important that the Welsh agricultural industry can deliver on both the energy and food demands which lie ahead. This means ensuring that agricultural developments and applications are researched properly in order for planners to be able to make informed

decisions on the outcome of the application. If assistance can be provided in any way before the submission this should be offered to prevent premature refusal of the application.

42. There needs to be greater communication and consistency on the aspirations of local development plans and guidance should be made more readily available to ensure that the planning process is kept as simple and short as possible, whilst efforts are made to reduce the likelihood of refusal.

43. The key message however is that the farming community in Wales can play an important role in helping the Welsh Assembly Government to meet both it's food demands and its renewable energy targets, but barriers in terms of additional housing and agricultural buildings/infrastructure need to be reduced in order to ensure that future generations remain involved within a profitable agricultural industry so that these targets can be met.