

Department for Transport Draft National Policy Statement for National Networks

Response on behalf of National Parks England

Introductory text

National Parks England exists to support policy and practice by coordinating the views of the 10 English National Park Authorities (NPAs). We do this by:

- Providing a collective voice for the views of the English NPAs
- Raising the profile of the work of the authorities to policy makers, Parliamentarians and other decision makers
- Facilitating discussions amongst NPAs on issues of common concern
- Supporting the development and capacity of the NPAs to effect change
- Working in partnership with other bodies where this adds value.

The work of National Park Authorities is directed towards the fulfilment of two statutory purposes as set out in the National Parks and access to the countryside act (1949) and restated in the Environment Act (1995); these are: -

- i) To seek the conservation and enhancement of the landscape, wildlife and cultural heritage of the National Park, and
- ii) To promote opportunities for the enjoyment and understanding of the special qualities of the National Park

National Park Authorities also have a statutory duty to seek to foster the economic and social well-being of local communities within the National Park.

National Parks England welcomes the opportunity provided by the Department for Transport to respond to the Department for Transport's consultation on the Draft National Policy Statement for National Networks. The following response has been brought together by Officers of the National Parks England Transport Group and focuses on the areas of the draft document pertaining to National Parks.

Detailed comments

We are pleased to see that the Draft National Policy Statement for National Networks recognises the importance of National Parks. There are a number of references to National Parks, ranging from National Park purposes through to the '*English national parks and the broads: UK government vision and circular 2010*'.

The document emphasises the major development should not take place in National Parks other than in exceptional circumstances. There is also loose reference to "*the strong presumption against any significant road widening or the building of new roads*" (and railways) "*unless there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs very significantly*"¹.

The section under '*Decisions*' on '*Development proposed within nationally designated landscapes*' clearly directs the Secretary of State to have regard to National Park purposes when making decisions on National Networks within National Parks. It also directs the Secretary of

¹ English national parks and the broads: UK government vision and circular 2010 [National Parks Circular \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/438822/National_Parks_Circular_publishing.service.gov.uk)

State to refuse such development for such schemes “*unless there are exceptional circumstances, where the benefits outweigh the harm and where it can be demonstrated that it is in the public interest*”. The document goes on to align with the National Planning Policy Framework by listing the need to assess: -

- the need for the development, including any national considerations, and the impact of consenting, or not consenting it, upon the local economy
- the cost of, and scope for, developing elsewhere, outside the designated area, or meeting the need for it in some other way
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

All of these points highlight the national importance of National Parks and are very much supported.

We note the reference in the footnote on page 82 to the Duty of Regard Guide, to offer clarity to relevant bodies to have regard to National Park purposes. However, whilst we believe that having a link to the Defra guide is useful, a fuller explanation of the Duty to have regard to National Park purposes should also be included within the National Policy Statement for National Networks.

With regard to the legislation on National Parks, we believe that the document falls short by only referencing the National Parks and Access to the Countryside Act (1949). The 1949 Act does set out the statutory National Park purposes, duties and the weight to be given to the first purpose over the second (should there be conflict), it is difficult to follow because of the many amendments since 1949. National Park Authorities in their day-to-day business generally refer to Sections 61 and 62 of the Environment Act (1995). This Act established National Park Authorities, restated statutory purposes and duties and provides a clear explanation of the Sandford principle. In the context of offering clear advice to those developing or taking decisions on schemes, Sections 61 and 62 of the Environment Act (1995) are more useful references.

Paragraph 5.166 under ‘*Decisions*’ refers to ‘*Developments outside nationally designated landscapes which might affect them*’. The paragraph emphasises the fact that the Secretary of State’s duty to have regard to National Park purposes, when determining applications that whilst being outside a National Park, may still negatively affect them. This reference is welcomed; however, it is important that consideration is given to what the effects may be. For example, the recent A57 Link Roads scheme Examining Authority’s report highlighted that the indirect traffic impacts of the scheme on the Peak District national Park could be a reason for refusal: -

“we conclude that material harm in PDNP in relation to landscape and visual effects, tranquillity and the understanding and enjoyment of the ‘special qualities’ of PDNP, together with National Park purposes being likely to be compromised, count significantly against the DCO being made”²

It would be useful for the National Policy Statement for National Networks to clarify that indirect effects across a range of topics (not just landscape) may need to be considered in making a judgment on developments outside nationally designated landscapes which might affect them.

² Paragraph 5.8.88, A57 Link Roads Examining Authority’s Report of Findings and Conclusions and Recommendation to the Secretary of State for Transport [TR010034-001752-Final Recommendation Report.pdf \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/tr010034-001752-Final-Recommendation-Report.pdf)