

INTERNAL MEMORANDUM

To: Kate Glover
From: Matt Davies (Ecologist)
Ext: 5278

Memo number: 1
Date of previous memo: -
Date: 09/09/2024

SUBJECT: P/24/0197 | Change of use to extend residential curtilage, retention of shed and re-profiling of ground levels with associated retaining works, fencing and landscaping | Woodland View Pantyffyn Road Mountain Hare Merthyr Tydfil CF47 0HU

SITE DESCRIPTION

Residential plot with well linked woodland habitat. Other nearby woodland and grassland habitat.

DESIGNATED SITES WITHIN 500M OF (or closest to) THE APPLICATION SITE

- ✓ Sites of Importance for Nature Conservation (SINC): closest, Glynmill, c.835m from site)
- ✓ Ancient Semi Natural Woodland (ASNW): c.800m from site
- ✓ Restored Ancient Woodland Site (RAWS): c.350m from site
- ✓ Buglife B-Lines Area – adjacent to the site to the north

PRIORITY AND PROTECTED SPECIES WITHIN 500M OF THE APPLICATION SITE

- ✓ Birds (including Schedule 1¹ and Section 7² species);
- ✓ Invertebrates (including Section 7² species)
- ✓ Mammals
 - ✓ Bats (European protected species³; some Section 7² species) - closest roost record for unidentified bat species, c.569m from site);
 - ✓ Hedgehog (Section 7² species);
 - ✓ Badger
- ✓ Amphibians
 - ✓ Great crested newt (European protected species³; Section 7 species) - closest record c.386m from site);
 - ✓ Common toad (Section 7² species);
- ✓ Vascular plants.

REQUIREMENTS (SEE BELOW)

The works (“change of use to extend residential curtilage, retention of shed and re-profiling of ground levels with associated retaining works, fencing and landscaping”) have already been completed without planning permission.

Planning Policy Wales (PPW 12), Chapter 6 must be considered where relevant to this application.

The main elements of this policy (that are or may be relevant to this application) are as follows:

¹ Wildlife & Countryside Act 1981 (as amended)

² Environment (Wales) Act 2016

³ Conservation of Habitats and Species Regulations 2017 (as amended)

- *GREEN INFRASTRUCTURE: stronger emphasis on taking a proactive approach to green infrastructure, the submission of a proportionate green infrastructure statement with planning applications and signposting Building with Nature standards. A Green Infrastructure Statement (GIS) will be required to support the application.*
- *NET BENEFIT FOR BIODIVERSITY AND THE STEP-WISE APPROACH: further clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. The use of the green infrastructure statement as a means of demonstrating the stepwise approach is made explicit. A simplified diagram of the policy approach has been developed (and is included within PPW12). The importance of strategic collaboration to identify and capture larger scale opportunities for securing a net benefit for biodiversity is recognised.*
- *PROTECTION FOR SITES OF SPECIAL SCIENTIFIC INTEREST: strengthened approach to the protection of SSSIs, with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape'. Other development is considered unacceptable as a matter of principle. Exceptionally, a planned approach may be appropriate where necessary safeguards can be secured through a development plan*
- *TREES AND WOODLANDS: closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right tree in the right place.*

PPW, page 159, para 6.4.42 - "Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where individual or groups of trees and hedgerows are removed as part of a proposed scheme, planning authorities must first follow the step-wise approach as set out in paragraph 6.4.15. Where loss is unavoidable developers will be required to provide compensatory planting (which is proportionate to the proposed loss as identified through an assessment of green infrastructure value including biodiversity, landscape value and carbon capture). Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost. Where a woodland or a shelterbelt area is lost as part of a proposed scheme, the compensation planting must be at a scale, design and species mix reflective of that area lost. In such circumstances, the planting rate must be at a minimum of 1600 trees per hectare for broadleaves, and 2500 trees per hectare for conifers. The planting position for each replacement tree shall be fit to support its establishment and health, and ensure its unconstrained long-term growth to optimise the environmental and ecological benefits it affords."

For further information, see here - [Planning Policy Wales - Edition 12 \(gov.wales\)](https://gov.wales/planning-policy-wales-edition-12)

As the works have already been undertaken, this makes more difficult for the scheme to secure a Net Benefit for Biodiversity (NBB). Biodiversity value must be deemed to have been as it was before any site works took place. NBB must be achieved from that point.

An ecologist will be commissioned to establish (as far as possible) pre-works habitat status through remaining onsite evidence and local desk-based assessments (biodiversity data search, historical aerial imagery and historical Streetview images). Habitat status will be presumed to be good in the absence of any evidence to the contrary.

This information will form the baseline for NBB and will be used to inform a Green Infrastructure Statement and an Biodiversity Enhancement Scheme for the site.