

INTERNAL MEMORANDUM

To: Rebecca Owens
From: Matt Davies (Ecologist)
Ext: 5278

Memo number: 1
Date of previous memo: -
Date: 29/05/2025

SUBJECT: P/25/0133 | Erection of garage, re-profiling of land, retaining wall and boundary fences and gates | Parcel Of Land To The South East Of Lle Hyfryd Mount Pleasant Heolgerrig Merthyr Tydfil CF48 1RY

SITE DESCRIPTION

Imagery (aerial and street) showed a series of managed hedges and a small amount of grass surrounding a site with a small metal shed and stored building materials.

Hedgerows are Section 7 (Environment (Wales) Act 2016) habitats of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

The site has subsequently been cleared, with hedgerows removed and a fence line added.

PROPOSED WORKS AND POTENTIAL IMPACTS,

See table below.

Proposed works	Works likely to impact protected species (if present)
Erection of garage, re-profiling of land, retaining wall and boundary fences and gates – hedgerow habitat has been removed.	Yes, for example, nesting birds

DESIGNATED SITES WITHIN 500M OF THE APPLICATION SITE

- ✓ Site of Special Scientific Interest (SSSI): x1 (Cwm Glo a Glyndyrys, c.370m from site);
- ✓ Sites of Importance for Nature Conservation (SINC): x1 (Cwm Glo, c.358m from site);
- ✓ NRW Priority Area (Heathland + Grassland):
- ✓ Within a Buglife B-Lines Area

PRIORITY AND PROTECTED SPECIES WITHIN 500M OF THE APPLICATION SITE

- ✓ Birds (including Schedule 1¹ and Section 7² species);
- ✓ Fungi + Slime Moulds (including Section 7² species);
- ✓ Invertebrates (including Section 7² species)
 - ✓ Marsh fritillary butterfly (Section 7² species), closest record c.499m from site;
- ✓ Mammals
 - ✓ Bats (European protected species³; some Section 7² species) - closest roost record for common pipistrelle, c.687m from site);
 - ✓ Otter (European protected species³; Section 7² species);
 - ✓ Hedgehog (Section 7² species);
 - ✓ Harvest mouse (Section 7² species);
 - ✓ Water vole;
- ✓ Reptiles (Section 7² species);
- ✓ Amphibians

¹ Wildlife & Countryside Act 1981 (as amended)

² Environment (Wales) Act 2016

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

- ✓ Great crested newt (European protected species³; Section 7 species) - closest record c.572m from site);
- ✓ Vascular plants (including Section 7² species).

REQUIREMENTS

Onsite habitat has been cleared prior to submitting the planning application.

Planning Policy Wales 12 (PPW12) states:

“Potential applicants should not conduct any pre-emptive site clearance works before submitting a planning application as this can make it more difficult for a development proposal to secure a net benefit for biodiversity. Where a site has been cleared prior to development its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place. A net benefit for biodiversity must be achieved from that point. Habitat status can be established through evidence remaining on site and local desk-based assessments (planning authorities must ensure that they have access to these data sources). In such cases, habitat status will be presumed to be good in the absence of any evidence to the contrary.”

As the site has already been cleared, ecological survey work will not be necessary. It is advised, however, that a suitably experienced ecologist is commissioned to produce a GIS and long-term habitat management plan (see below). A Net Benefit for Biodiversity must be achieved from the state of the site prior to clearance.

There will need to be enhancement of the site in line with the Environment (Wales) Act 2016.

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

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

- *GREEN INFRASTRUCTURE: stronger emphasis on taking a proactive approach to green infrastructure, the submission of a proportionate **green infrastructure statement [GIS]** with planning applications and signposting Building with Nature standards.*
- *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 (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.*

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