

INTERNAL MEMORANDUM

To: Gareth Davies
From: Matt Davies (Ecologist)
Ext: 5278
Memo number: 1
Date of previous memo: -
Date: 03/04/2025

SUBJECT: P/25/0086 + P/25/0087 | The repairs, replacement and installation of new drainage pipes, attenuation tank and manholes. This is to reduce the risk of flooding from surface water from the castle and surrounding area. | Cyfarthfa Castle Cyfarthfa Park Merthyr Tydfil CF47 8RE

Pre-App advice (12/08/2024) – “The route taken for drainage plus attenuation tank position, when established, will require an ecological appraisal. There will need to be consideration for protected species (e.g., invertebrates, reptiles, bats, birds) and habitats with appropriate further survey work (if required) plus suitable avoidance, mitigation, compensation, and enhancement measures. This will feed into the Green Infrastructure Statement, Net Benefit for Biodiversity + the Step-wise Approach and Tree/Woodland compensation. Full details can be found here: <https://www.gov.wales/sites/default/files/publications/2024-07/planning-policy-wales-edition-12.pdf>”

DOCUMENT SUBMITTED IN SUPPORT OF THE ABOVE APPLICATION

1. Land at Cyfarthfa Castle, Merthyr Tydfil. Preliminary Ecological Appraisal *prepared by Abricon Ltd on behalf of MTCBC*. Version 1.0. Dated 13/12/2024.

COMMENTS

- o Document 1, page 21 – “However, all PRF-I rated trees (see Appendix I) should be removed using a soft felling approach under the supervision of a bat-licensed ecologist. Furthermore, removal of these trees should be undertaken in the off-season when bats are likely to be hibernating elsewhere (between November and March).”

NB the LPA ecologist was consulted on the 1st April 2025 and so we are now outside of the hibernation season. If the above advice were followed tree removal would have to wait until November 2025. A revision of this advice is therefore required.

For trees categorised as PRF-I, appropriate compensation and a PWMS (Precautionary Working Method Statement) must be provided in advance of the impacts.

REQUIREMENTS

- i. A PWMS (bats) in relation to the removal of trees is required prior to determination. NB ‘soft-felling’ in this context should be fully explained within the PWMS (bats).
- ii. Planning Policy Wales (PPW 12), Chapter 6 must be considered where relevant to this application. This will include the provision of a Green Infrastructure Statement (GIS) and long-term habitat management plan required prior to determination.

Planning Policy Wales 12 (PPW 12) states that a GIS should be submitted with all planning applications that:

- will describe how green infrastructure has been incorporated into planning proposals;
- must be used for demonstrating how the step-wise approach has been applied;

- should highlight baseline data considered and surveys and assessments undertaken, sustainable drainage statements, landscape and ecological management plans etc.
- will consider ecosystem resilience by using the DECCA (Diversity, Extent, Condition, Connectivity, Adaptability) framework.

In addition, the policy indicates that the step wise approach is the means of demonstrating the steps taken towards securing a net benefit for biodiversity. The onus is on developers to bring forward proposals in a way that will achieve a net benefit for biodiversity demonstrating how they have used the step-wise approach.

NB each stage of the step-wise approach must be accompanied by a long-term management plan. The management plan should set out:

- Details of newly proposed landscaping/habitat/green infrastructure;
- A planting plan. NB all species will be native and of local (if not Welsh) provenance;
- The immediate and long term (for a scheme of this scale – in perpetuity or at least 30 years) maintenance and management measures for all onsite landscaping/habitat/green infrastructure (both retained and new).
- Details of any other ecological measures if relevant, e.g., bat boxes, bird boxes, hibernacula, etc;
- Monitoring post-development for all onsite landscaping/habitat/green infrastructure/ and other ecological measures;
- Details of the funding mechanisms to meet the maintenance, management and monitoring objectives plus details of those responsible. NB the funding mechanism must anticipate and take account of costs rising over time;
- How a net benefit for biodiversity will be achieved within as short a time as possible and be locally responsive and relevant to local circumstances.

Having provided evidence in the Green Infrastructure Statement that the step wise approach has been followed, a scheme of enhancements (see point v. below) must also be provided to ensure a net benefit for biodiversity.

Another relevant requirement within Chapter 6 of PPW12 is in relation to removal and replacement of trees. PPW 12 requires that where trees are unavoidably lost due to development – “*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.*”

- iii. A Construction Environmental Management Plan – Biodiversity (CEMP-B) is required, preferably prior to determination.
- iv. A Precautionary Working Method Statement (PWMS) in relation to all impacted protected habitats and species to include.

Document 1 deals with requirements iii. and iv. with what is referred to as a ‘Construction Environmental Management Plan’. This is acceptable and will be preferably required prior to determination. However, this can also be secured via an appropriately-worded pre-commencement planning condition.

- v. As set out in Document 1, an Enhancement Plan will be required. Again, this is acceptable and will be preferably required prior to determination. However, this can also be secured via an appropriately-worded pre-commencement planning condition.