

Mrs Nicola Gulley,
Inspector,
Planning and Environment Decisions Wales,
Crown Buildings,
Cathays Park,
Cardiff,
CF10 3NQ

9th November 2023

Dear Mrs Gulley,

Bridgend Replacement Local Development Plan 2018 – 2033 – Updated Chapter 6 Of Planning Policy Wales

I refer to your note on the above, have reviewed the contents of the updated version of Chapter 6 of Planning Policy Wales (PPW) issued by the Minister for Climate Change (11th October 2023) and have assessed the implications of the proposed policy changes for the Bridgend Replacement Local Development Plan (RLDP). The Council previously commented (Refer ED10a) on the consultation version of the targeted changes to PPW on 4th July 2023. The majority of the Council's previous response remains largely applicable in light of the updated version of Chapter 6 and is partly regurgitated in the sections below. The main changes made to Chapter 6 relate to net benefit for biodiversity and the step-wise approach, protection for Sites of Special Scientific Interest (SSSI), trees & woodlands in addition to green infrastructure. These changes are addressed in turn below.

The updated version of Chapter 6 provides further clarity 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 latest version also recognises the importance of strategic collaboration to identify and capture large scale opportunities for securing a net benefit for biodiversity. The updated version of Chapter 6 has also strengthened the 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'. The update states that 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.

The maintenance and enhancement of biodiversity has been embedded into the RLDP's evidence base, preparation and written statement in a manner that already complies with the proposed changes. In doing so, the RLDP will promote the resilience of ecosystems, minimise impacts on biodiversity and provide biodiversity enhancement (net benefit), where possible, while protecting or enhancing green infrastructure provision in recognition of its wide-ranging benefits. As drafted, I consider that the Written Statement is in direct accordance with the changes made to Chapter 6.

The Council has ultimately considered biodiversity and the natural environment from the outset of the RLDP's preparation. The step-wise approach to maintaining and enhancing biodiversity has already been followed in terms of the site selection process and policy development. The RLDP has sought to ensure any adverse environmental effects are firstly avoided, then minimised, mitigated, and as a last resort compensated for. The final selection of sites and policy framework have been determined by considering robust evidence and a detailed SA process and Candidate Site Assessment.

The SA, incorporating SEA, assessed the likely sustainability and significant environmental effects of all substantive components of the RLDP (strategy, policies, site allocations, etc.) and any identified reasonable alternatives. The SA identified sites designated at international, national or local level for reasons of biodiversity conservation, geological importance, heritage or landscape value with the potential to be affected by the RLDP. This drew upon the HRA prepared to accompany the Deposit Plan. The site-specific context of all identified designated sites was considered when characterising the sustainability baseline position and identifying the relevance of existing issues and problems to the RLDP. This review also identified associated existing environmental and socio-economic problems and issues which the RLDP should address and which should be considered throughout the SA (incorporating SEA) process. This holistic process informed a suite of mitigation measures, ensuring the RLDP was developed to:

- Maintain, protect and enhance biodiversity including important species and sites designated for reasons of biodiversity conservation or ecological importance;
- Safeguard and enhance the green infrastructure network and to maintain and enhance connections between designated sites and habitats; and
- Protect and enhance ecosystem resilience.

All policies have been developed comprehensively to this end. Changes have also been proposed post Deposit Stage to better clarify how the RLDP will maintain and enhance biodiversity (providing a net benefit for biodiversity) and enable a proactive approach towards facilitating the delivery of biodiversity and resilience outcomes.

Policy SP17 of the Replacement LDP in particular has been strengthened through the SA process and modified post Deposit Stage Consultation in a manner that already accords with the targeted changes to Chapter 6 of PPW. It sets out holistic and positively worded introductory paragraphs relating to the environmental assets, green infrastructure and important features (ecological and landscape) of the County Borough which should be maintained and enhanced. This provides a clear environmental strategy, highlighting the RLDP's environmental priorities, before setting out associated development management criteria. These criteria require all development proposals to

maintain and enhance the natural environment and to avoid adverse effects on biodiversity and habitats. In accordance with statutory and Welsh Government policy requirements, SP17 also sets out criteria to protect sites designated at national and international level for reasons of ecological importance (including SSSIs), whilst also identifying the relevance of locally designated SINCS. It sets out detailed requirements for proposals likely to have direct and indirect adverse effects on SPA, SAC and Ramsar sites to be subject to an HRA. Read as a whole, Policy SP17 therefore provides a sound basis to allow ecological considerations to be taken account of in planning decisions and will directly help to maintain, protect and enhance biodiversity interests, directly in accordance with the policy changes to PPW on net benefit for biodiversity and ecosystems resilience.

SP17 is supported by a suite of thematic policies (DNP1 – 9) to set out clear requirements for development to minimise pollution, enhance green infrastructure, deliver biodiversity net benefit, enhance ecosystem resilience, protect designated sites, and achieve sustainable management of natural resources. In particular, Policy DNP6 has been enhanced post Deposit Stage to ensure that the mechanics of delivery are correctly expressed to ensure a net benefit approach is fully embedded in the RLDP. This is already in direct accordance with the targeted policy changes to PPW.

Equally, the distribution of housing sites is concentrated within Sustainable Growth and Regeneration Growth Areas. These have been assessed by the SA and Candidate Site Assessment as being the most appropriate to accommodate the scale of housing required to meet identified needs in a sustainable manner. All proposed allocations and reasonable alternative options were subject to SA to inform the selection of the site allocations. The housing strategy set out within SP6 limits urban extensions, only seeks to meet identified needs, prioritises brownfield land redevelopment and includes a presumption against development outside of settlement boundaries, which will help to protect habitats from development pressure. Directing housing development to sustainable locations in this manner combined with the aforementioned policy coverage will minimise impacts on habitats and ecological interests and maintain existing biodiversity features and ecosystems on-site where possible.

The updated version of Chapter 6 has placed 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. Policy DNP7 of the Replacement LDP ensures the protection of trees and woodlands, recognising how important trees and woodlands are to biodiversity and their significance in connecting habitats for resilient ecological networks. This is in addition to the wider contribution they make to landscape character, sense of place, air quality, recreation and local climate moderation. Specifically, DNP7 seeks to ensure that suitable trees, whether they are protected by legislation or not, are retained and protected on any development site. Development proposals on sites containing or adjacent to trees will be required to assess trees in line with BS 5837:2012 Trees in relation to design, demolition and construction.

Policy DNP7 follows the step-wise approach in the protection of trees, ensuring damage and removal is firstly avoided before mitigation and as a last resort compensation is considered. Planning permission will only be granted where the trees are fully protected in the long term, or

appropriate replacement trees will be planted when the removal of a tree is unavoidable. Policy DNP7 states that the removal of trees would only be acceptable where there is no other alternative location for the development; and the need for and benefits from the development outweighs the importance of the tree or trees. Planning Conditions and/or Planning Obligations will be used to secure any necessary mitigation/ compensation/enhancement measures in relation to trees and development proposals. Policy DNP7 also ensures that any replacement trees as part of development will be required to be planted in accordance with British Standard BS8545 ensuring that the right trees are in the right places in alignment with the changes to PPW.

The updated version of Chapter 6 has also placed stronger emphasis on taking a proactive approach to green infrastructure covering cross boundary considerations, identifying key outputs of green infrastructure assessments, the submission of proportionate green infrastructure statements with planning applications and signposting Building with Nature standards. The Replacement LDP has been informed by a Green Infrastructure Assessment, with the aim of promoting a green infrastructure approach to strategic planning, urban design and management. This Green Infrastructure Assessment provides a baseline of information to support the development and integration of green infrastructure in the Replacement LDP, identifying key outputs. It demonstrates how green infrastructure can contribute to the overall mitigation of planned development and associated population in several ways. Development proposals are expected to maintain, protect and enhance Bridgend's green infrastructure network and ensure that individual green assets are retained wherever possible and integrated into any new development. The SA also provided recommendations for masterplan development principles for strategic sites, including design and policy level mitigation. These recommendations included creation of multi-functional green infrastructure networks both within the sites and wider connections between ecosystems where possible.

Indeed, green infrastructure has been a key consideration in the site selection and design of the proposed developments. Early consideration of how green infrastructure will be integrated into a development has been factored into each allocation's indicative masterplan, which have been embedded into the RLDP post Deposit Stage for completeness. The masterplans detail connections within and between ecosystems (where possible) and have sought to maintain the largest possible areas of existing habitat supporting biodiversity and functioning ecosystems, retaining existing features (e.g. trees, hedgerows) and improving ecosystem resilience. This will help form part of the baseline to understand the extent and condition of these ecosystems at planning application stage, so that they are better able to resist, recover and adapt to pressures post development. Green infrastructure forms an integral and significant part of development and wider infrastructure proposals as detailed within the RLDP, in direct alignment with the targeted changes to PPW.

All strategic policies (PLA 1-5) have also been enhanced post Deposit Stage to include details of the nature and scale of the biodiversity enhancement that will be secured as part of the development of each strategic site. This will ensure clarity for all parties, including existing and potential linkages with wider green infrastructure networks. This will set the framework for developers to consider how proposals can contribute to ecosystem benefits as part of wider green infrastructure and resilient ecological networks from the outset.

Policy DNP8 Green Infrastructure will require all major developments (10 or more dwellings) to submit a Green Infrastructure Assessment in alignment with the targeted changes to PPW. Minor development will be expected to provide a brief statement in relation to green infrastructure reflecting the scale of development. Further guidance on Green Infrastructure as part of development will be prepared as SPG in support of the placemaking agenda and the creation of high quality and biodiverse living environments. This guidance will signpost Building with Nature standards to demonstrate good practice and guidance for developers to ensure their schemes are quality and natural resources are managed sustainably.

In summary therefore, it is considered that the RLDP's evidence base, notably the SA incorporating SEA, has informed a robust framework that already accords with the updated version of Chapter 6. Policy enhancements post Deposit Stage have only served to further ensure accordance with forthcoming national policy changes in this respect. The Council does not consider any substantive changes to the RLDP necessary in light of the updated version of Chapter 6. This equally applies to the proposed consequential changes to minerals and water and flood risk. The Written Statement in its current form does not prejudice the implementation of the targeted changes made to PPW.

A Biodiversity and New Development SPG is scheduled for publication within a year of RLDP adoption, which will only further strengthen the RLDP's approach in this respect. This can, for example, detail minimum tree canopy cover targets, replacement tree planting ratios along with other detailed changes made to PPW. This SPG will help to future proof the RLDP in this important policy area.

Yours Sincerely



Richard Matthams,
Strategic Planning and Transportation Manager