# Initial HRA Screening Report
# Adroddiad Sgrinio Cychwynnol ARhC

Cyngor Bwrdeistref Sirol
Blaenau Gwent
County Borough Council

Replacement Local Development Plan 2018-2033
Cynllun Datblygu Lleol Newydd 2018 - 2033

January / Ionawr 2020

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# 1.0 Introduction

## Background

**1.1** Blaenau Gwent is undertaking a Habitat Regulations Appraisal (HRA) for the Revised Blaenau Gwent Local Development Plan (LDP). This report outlines the proposed approach to undertaking the HRA and identifies sites designated at the European level of relevance to the revised LDP and to this HRA process.

**1.2** This report is the first stage of a HRA process to identify, assess and address any likely significant effects (LSE) on European sites from the revised LDP.

## Purpose

**1.3** This report seeks the views of the Statutory Nature Conservation Body (SNCB) for Wales namely Natural Resources Wales on the list of sites to be taken forward for a legally compliant HRA of the Revised Blaenau Gwent Local Development Plan. The HRA is required to assess whether there would be a likely significant effect (LSE) from the Revised LDP on any European sites as required by Regulations 63 of the Conservation of Habitats and Species Regulations 2017.

## The Revised Blaenau Gwent Local Development Plan

**1.4** Blaenau Gwent adopted its current Local Development Plan in November 2012. Since then it has undertaken regular monitoring and 4 years following adoption undertook a full review of its Plan. This review identified the need to revise the Plan following the full revision process.

## Statutory Requirements

**1.5** In the UK the European Directive (Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna) (European Commission, 1992) has been transposed into national legislation in the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations). The aim of the Habitats Directive and the Habitat Regulations is to contribute to biodiversity through the conservation of natural habitats and of wild fauna and flora.

**1.6** In accordance with Article 6.3 of the Habitats Directive and Regulations 63 of the Habitat Regulations, before deciding to authorise an emerging plan or project a competent authority is required to assess whether this would

have a 'likely significant effect' (LSE) on any European sites included in the Natura 2000 network namely:

- Special Areas of Conservation (SAC) designated under European Council Directive 92/43/EEC(a) on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) ( European Commission, 1992); and

- Special Protection Areas (SPA) designated under European Council Directive 79/409/EEC on the Conservation of Wild Birds (the Bird Directive) (European Commission, 2009)

**1.7** The Welsh Assembly expects authorities in Wales to treat all Ramsar sites and proposed SPAs as though they were statutory European sites, and they should be treated as such in a HRA. The term 'European Sites' is therefore used in this report to collectively refer to SACs, SPAs, Ramsar sites and pSPAs.

## HRA Process

**1.8** In accordance with the Habitats Regulations, the HRA process follows a series of stages which will be undertaken for the revised LDP in order to meet with the requirements of the Regulations.

**Table 1: Stages in the HRA Process**

| | |
|---|---|
| **Stage 1** | |
| **Screening for likely significant effect** | • Screening will be undertaken for each draft of the emerging Plan (Preferred Strategy and Deposit Plan)<br>• This report identifies relevant international sites in and around the plan/ strategy area |
| | • *If no effects likely – report no significant effect (taking advice from NRW as necessary)*<br>• *If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to* ***stage 2*** |
| **Stage 2** | |
| **Appropriate Assessment** | • A further level of assessment is needed to consider whether the LDP Review could adversely affect the integrity of one or more European site(s), either alone or in combination with other plans or projects, in view of their established conservation objectives and conservation status<br>• If the potential for adverse effects on site integrity are identified, the Appropriate Assessment should also consider mitigation measures to control the identified impacts in order to avoid adverse effects on site integrity |
| | • *If effects or uncertainty remain following the consideration of alternatives and development of mitigations proceed to* ***stage 3*** |
| **Stage 3** | |
| **Procedures where significant effect on integrity of international site remains** | • Consideration of Alternatives and Imperative Reasons of Overriding Public Interest |

**1.9** This report is the first stage of the HRA being carried out in respect of the Revised LDP and build upon the HRA carried out for the current Blaenau Gwent Plan (adopted 2012).

**1.10** It is intended that the HRA process will run concurrently with the plan making process and form an iterative part of the revised LDP, involving consideration of all emerging policy and site options. As the SNCB for Wales, Natural Resources Wales will be consulted throughout the process.

## 2. Identification of Sites

### Introduction

**2.1** The initial step in the HRA process is to identify and agree a list of European sites to be considered when identifying the potential likely significant effects (LSE) to arise as a result of the revised LDP. This includes European sites within Blaenau Gwent and in the surrounding zone of influence.

**2.2** Plans and projects can have spatial implications that extend beyond the intended plan boundaries. In particular, it is recognised that distance in itself is not a definitive guide to the likelihood or severity of an impact, inaccessibility/remoteness is typically more relevant as factors such as the prevailing wind direction, river drainage paths, and ground water flow direction will all have a bearing on the relative distance at which an impact can occur. This means that a plan for development some distance away from a European Site could still have effects on the site and therefore, needs to be considered as part of the screening process.

**2.3** The use of a 15km search area is the same approach as was agreed by NRW for the current LDP.

### Site Identification Process

**2.4** All European sites within Blaenau Gwent and within 15km of Blaenau Gwent's boundaries have been identified using current GIS datasets (October 2018).

### European Sites identified

**2.5** There are no sites within Blaenau Gwent County Borough Council area (excluding the Brecon Beacons National Park). There are however, 9 within a 15km buffer. Table 2 identifies details of the sites and appendix 1 provides a map of the sites.

**Table 2: Sites within 15km of Blaenau Gwent County Borough Council (excluding Brecon Beacons National Park)**

| Site Name | Status | Site Code | Distance from BGCBC | Area (ha) | Qualifying features |
|---|---|---|---|---|---|
| Cwm Clydach Woodlands | SAC | UK0030127 | Adjacent | 28.81 | *Asperulo-Fagetum* beech forests;<br>Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrublayer (*Quercion robori-petraeae or Ilici-Fagenion*) |
| Usk Bat Site | SAC | UK0014784 | Adjacent | 1686.4 | European dry heaths<br>Degraded raised bogs still capable of natural regeneration<br>Blanket bogs*<br>Calcareous rocky slopes with chasmophytic vegetation<br>Caves not open to the public<br>Tilio-Acerion forests of slopes, screes and ravines*<br>Lesser horseshoe bat *(Rhinolophus hipposideros)* |
| River Usk | SAC | UK0013007 | 3.9 km | 1007.7 | Watercourses of plain to montane levels with the *Ranunculion fluitantis and Callitricho-Batrachion* vegetation;<br>Sea lamprey (*Petromyzon marinus*); Brook lamprey (*Lampetra planeri*); River lamprey (*Lampetra fluviatilis*); Twaite shad (*Alosa fallax*); Atlantic salmon (*Salmo salar*); Bullhead (*Cottus gobio*); Otter (*Lutra lutra*)<br>Allis shad (*Alosa alosa*) |
| Aberbargoed Grassland | SAC | UK0030071 | 4.4 km | 39.78 | Molinia meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*);<br>Marsh fritillary butterfly *Euphydryas* (*Eurodryas, Hypodryas*) aurinia |
| Sugar Loaf Woodlands | SAC | UK0030072 | 7.9 km | 173.84 | Old sessile oak woods with *Ilex and Blechnum* in the British Isles |
| Brecon Beacons | SAC | UK0030096 | 10.1 km | 269.67 | Calcareous rocky slopes with chasmophytic vegetation;<br>Silicerous rocky slopes with chasmophytic vegetation;<br>European dry heaths;<br>Hydrophilous tall herb fringe communities of plains and of the |

| | | | | | |
|---|---|---|---|---|---|
| | | | | | montane to alpine levels |
| Llangorse Lake/Llyn Syfaddan | SAC | UK0012985 | 10.1 km | 215.64 | Natural eutrophic lakes with *Magnopotamion or Hydrocharition*-type vegetation |
| Coed Y Cerrig | SAC | UK0012766 | 11.6 km | 9.1 | Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alnion incanae, Salicion albae)* |
| Cwm Cadlan | SAC | UK0013585 | 12.9 km | 83.93 | Molina meadows on calcareous, peaty or clayey-silt-laden soils *(Molinion caeruleae)*<br>Alkaline fens |

** Priority Species*

**2.6** These are the same European sites that were considered in the HRA of the current Blaenau Gwent LDP.

# 3.0 Conclusion

## Overview

**3.1**. This report has outlined the requirement to undertake a Habitat Regulation Appraisal in respect of the Revised Blaenau Gwent LDP. The report has also identified relevant European sites (including Ramsar sites and proposed Special Protection Areas) for consideration within the HRA process.

**3.2** Nine European sites (all SACs) have been identified to take forward to the next stage of the HRA process. All of these sites are outside of the Blaenau Gwent Local Planning Authority boundary but within a 15km boundary. These are the same sites that were considered previously in the HRA carried out for the current Blaenau Gwent LDP (adopted Nov 2012).

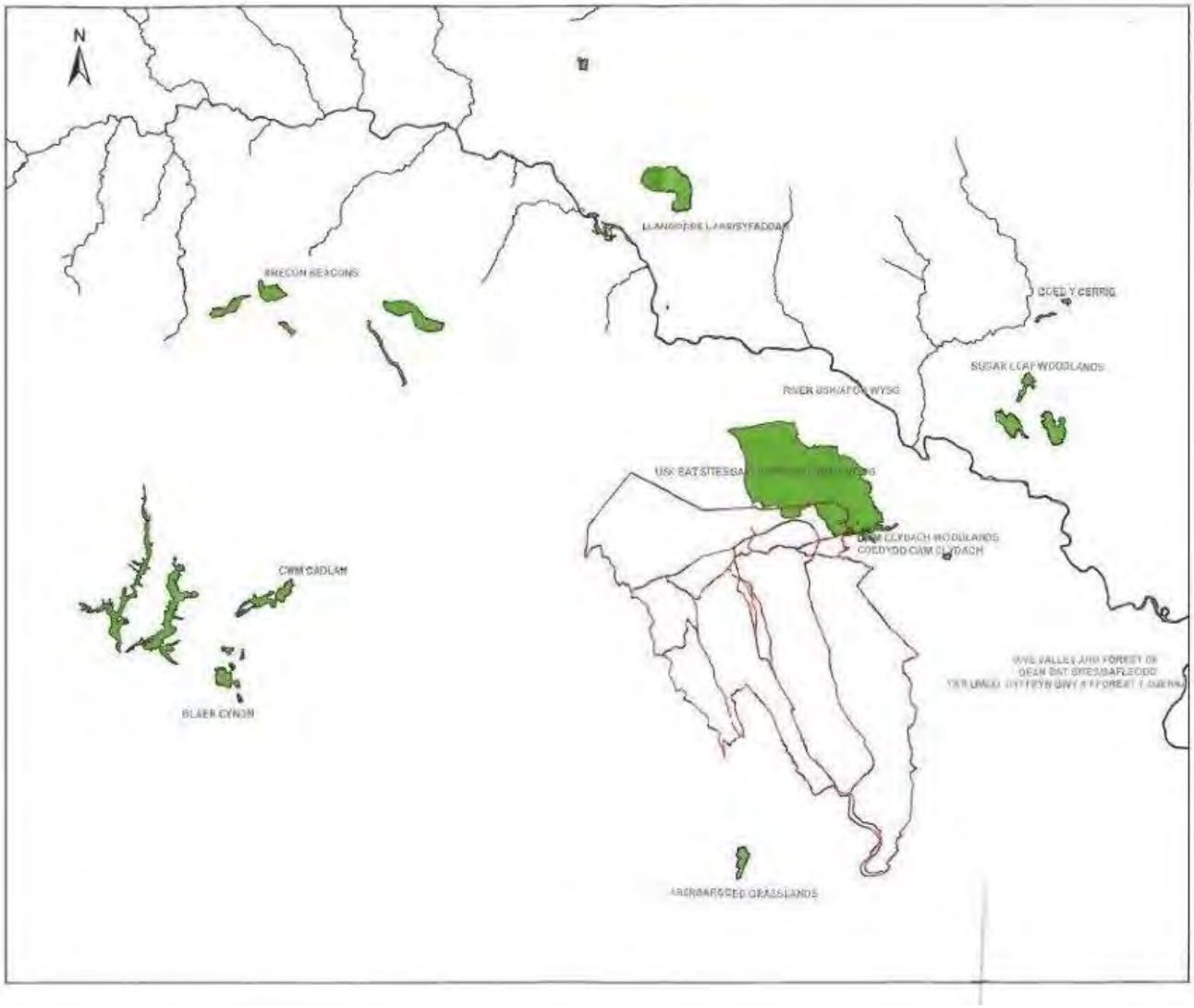
## Questions for Natural Resources Wales

**3.3** NRW as the Statutory Nature Conservation Body (SNCB) for Wales, are requested to confirm whether:

- NRW is content for a 15km radius to be adopted around the Blaenau Gwent LPA authority boundary as the zone of influence for any LSE
- The sites identified are correct

## Next Steps

**3.4** Reflecting the requirements of the Habitat Regulations, iterative HRA Screening Reports will accompany the Preferred Strategy and Deposit Plan. These will determine whether any further stages of the HRA process that is an Appropriate Assessment will need to be undertaken.


N
BRECON BEACONS
COED Y CERRIG
SUGAR LOAF WOODLANDS
RIVER USK/AFON WYSG
CWM CADLAN
BLAEN CYNON
ABERBARGOED GRASSLANDS

Cyngor Bwrdeistref Sirol
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January 2020

Natural Resources Wales (NRW) Response to Preferred Strategy Consultation (including HRA Screening Report)

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3 March 2020

Dear Sir / Madam

**Blaenau Gwent Local Development Plan - Consultation on Local Development Plan Documents**

Thank your email dated 15 January 2020, consulting us on the:

- Preferred Strategy
- Initial Integrated Sustainability Appraisal
- Habitat Regulations Assessment Screening Report
- Other Supporting Documents

We welcome the opportunity to provide comments. This letter contains our comments on the Preferred Strategy, the Habitats Regulations Assessment and the Initial Sustainability Appraisal.

In general, we welcome the Vision and Outcomes for the Replacement Local Development Plan (RLDP) and note the emphasis on sustainable development. However, if the sustainable but high level growth strategy is followed, the RLDP requires a strong and focused policy framework which drives enhancements to natural resources and biodiversity, as well as adaption to climate change.

We have specific concerns surrounding some of the objectives and strategic policies, especially Strategic Policy 13 which is important for us. We consider there are opportunities for the RLDP to help deliver actions identified in our South East Wales Area Statement which will be available in April 2020.

We also have advice on your Habitat Regulations Assessment and consider some further assessment is required going forward.

**Key challenges**

Section 3.0 Key Challenges and Drivers (page 14)

We note the following key challenges are relevant to NRW's planning interests:

'Challenge 8: Creating a place which supports its green environment' has identified a challenge to reverse the decline in biodiversity and increase the resilience of ecosystems.

'Challenge 10: Environmental quality' considers air and water pollution, noise and land contamination are issues in the County as well as identifying that flood risk will increase as a result of climate change.

'Challenge 11: Sustainable design and the provision of renewable energy' looks to increase sustainable energy generation in the County to reduce carbon emissions and impacts of climate change.

There are also other challenges where we can see cross-over on wider NRW interests and matters emerging from work completed for the South East Wales Area Statement.

**Vision and Outcomes**

Section 4.0 Strategic Framework, Replacement LDP Vision (2018-2033)

We welcome the Replacement LDP Vision (2018-2033) Section 4.1 which refers to sustainable places and the well-being of current and future generations. In particular, we support the desire to have the County's 'distinctive natural environment, cultural and historic identity [is] protected and enhanced creating a place where people want to live, work and visit'.

Turning to the Outcomes to deliver the Vision, we agree they could achieve the desired Vision with the right policies and spatial strategy in place. We support the principles of high quality, sustainable placemaking enshrined in Outcome 1 and support Outcome 4 which aims to protect and enhance the Distinctive Natural and Built Environment.

Noting the table under 4.29, we think that Outcomes 1 and 3 ('Create Well-Connected, Active and Healthy Communities') could also strive to deliver the national planning principle 'maximising environmental protection and limiting environmental damage'. The RLDP can strive, wherever possible, to apply the multiple-benefits principle which can help Outcomes 1 and 3 embrace this key planning principle of placemaking.

## Objectives

LDP Objective Number 3, 'Placemaking' (Section 4, page 20)
We advise that while there should be regard for the natural environment in relation to placemaking, this objective should also aim to enhance the natural environment. This could be achieved through a strong policy framework on green infrastructure (i.e. policies, Green Infrastructure Plan and Assessment) to help secure the Vision and meet Challenge 8.

LDP Objective Number 4, 'Climate Change' (Section 4, page 20)

We note one of this objective's aims is 'focussing development away from areas vulnerable to flooding'. We welcome the approach, but advise the wording is amended to: *direct development away from areas at risk of flooding.* This approach is in line with the aims of TAN15.

The objective aims to increase the supply of renewable energy. This will likely include the provision of large-scale wind and solar energy development within the landscape. This type of development may not always be acceptable within the setting of sensitive landscapes and will need to be carefully considered.

We note the Sustainability Appraisal (Integrated Sustainability Appraisal (ISA)) confirms that it is uncertain whether the preferred strategy will have a predicted significant effect on landscapes, as the significance of effects will ultimately depend on location, design and layout.

LDP Objective Numbers 12, 13, 14, 'Sustainable Transport, Accessibility, Infrastructure' (Section 4, page 21)

We suggest that LDP Objectives Number 12, 13, and 14 are reworded to better address Challenge 8 and deliver Outcome 4. We advise the wording cross-references how sustainable transport routes and networks of green open spaces can be carefully designed to connect habitats, prevent habitat isolation and increase biodiversity and resilience.

LDP Objective Numbers 15 'Ecosystems' (Section 4, page 22)

Objective Number 15 refers to protecting, enhancing and managing the ecosystems of Blaenau Gwent by enabling them to adapt to climate change through connecting areas. We welcome this objective and the enhancement of ecosystems in order to address Challenge 8 and 10 and deliver Outcome 4.

LDP Objective Numbers 16 and 17 'Green Infrastructure' and 'Landscape' (Section 4, page 22)

We welcome Objective Number 16 'Green Infrastructure' and 17 'Landscape' which aim to protect, enhance and manage the distinctive landscape of Blaenau Gwent to help foster sustainable tourism and community pride.

We support the promotion of multi-functional green infrastructure and advise that the County's valley communities have some of the highest levels of accessible natural greenspace on their doorsteps, providing opportunities to better connect walking trails, cycle networks, outdoor recreation, access to community woodlands, skill development and active travel. The RLDP should strive to help deliver this.

**Growth option and distribution (Sustainable Economic Growth)**

We welcome the consideration of a range of strategies put forward as part of this process. Section 4.10, page 24, describes the preferred growth and spatial strategy as Option 5: Sustainable Economic Growth.

In general, we support this preferred strategy and the long term vision of delivering sustainable economic growth whilst protecting Blaenau Gwent's natural environment, heritage, cultural and historic identity. However, consideration must be given to the development pressures for a high growth option arising from the Preferred Strategy (albeit the lower end of high growth option).

Therefore, ensuring a strong policy framework with both enhancement of natural resources and biodiversity, as well as adaption and resilience to climate change at its core, is vital. Specifically, pursuing a high growth population option must ensure protection and enhancement of the natural environment. The Plan's focus on development within existing settlement boundaries and on brownfield sites rather than greenfield, is one we welcome and support. These should form logical, sustainable urban extensions with good access to necessary infrastructure and services, including the provision of usable greenspace for people.

Our suggested amendments and advice will help ensure the natural environment is both protected and enhanced. The South East Area Statement could inform how best this can be achieved through the RLDP.

**Strategic policies**

<u>Strategic Policy 2: Sustainable Placemaking and Design (page 32)</u>

We consider there could be an opportunity within this policy to utilise active travel and transport links as opportunistic Green Infrastructure (GI), i.e. green corridors for wildlife. This would help to prevent fragmentation and isolation of habitats and increase biodiversity and resilience. If feasible, these routes would help contribute further to your GI commitments.

This will help to provide a means to address the biodiversity challenges that have been identified in Challenge 8 and provide a further opportunity to enhance the environment as described within Outcome 4.

Strategic Policy 3: Climate Change (page 34)

*Flood Risk*
We note point 6 and recommend that it is amended to "*direct development away from flood risk areas, avoiding development where the consequences of flooding will be unacceptable. Development should minimise any residual flood risk through Sustainable Drainage Systems (SuDS) and flood resilient design*".

Paragraph 5.15 states that the approach for the Plan will be 'to steer highly vulnerable development away from flood risk areas'. The aim of TAN15 and general approach of PPW is to direct all new 'development away from those areas which are at high risk of flooding. Where development has to be considered in high risk areas (zone C) only those developments which can be justified on the basis of the tests outlined in section 6 and section 7 are located within such areas'.

*Landscape*
Paragraph 5.12 states that the Plan will support renewable and low/zero carbon energy generation technology. It references the draft NDF identifying 'Blaenau Gwent as priority areas for Solar and Wind energy where there is a presumption in favour of development and where the principle of landscape change is acceptable'. We would like to see clear evidence provided as part of your work to inform the Deposit Plan in terms of identifying search areas for these developments. Specifically, at this stage we have concerns that wind and solar developments could be proposed in locations where they are likely to have significant effects on the protected landscapes such as the Brecon Beacons National Park with the ISA finding a predicted significant effect is uncertain.

Therefore, we support an assessment of the potential for renewable energy generation and advise this will require landscape and visual appraisal at an early stage. It should use LANDMAP and local landscape character assessment to inform the identification of the search areas. We would be happy to work with you on this evidence base.

Strategic Policy 5: Growing Tourism (Page 38)

Paragraph 5.24 identifies the desire for a growing tourism in Blaenau Gwent, mentioning a major destination attraction. It should be recognised that a major destination attraction which draws large numbers of people may have the potential to impact on the natural beauty and tranquillity of the Brecon Beacons National Park and its location would need to be carefully considered.

Section 5.26 describes the Valleys Regional Park concept to sustain the improvement and management of our highly visible network of uplands, woodlands, nature reserves, country parks, rivers, reservoirs, heritage and attractions. We support this in principle, and more importantly see connections and links into the South East Area Statement theme: Linking Our Landscapes. This has an Action to use spatial opportunities to improve the resilience of our upland and heathland ecosystems. See Area Statement section below for more details.

Strategic Policy 10: Retail Centres and Development (page 45)

We support the principle of this policy and note the justification in paragraph 5.54 regarding the positioning of Abertillery to woodland and uplands landscapes.

Paragraph 5.56 identifies the location of Brynmawr to the Brecon Beacons National Park, Valleys Regional Park and Blaenavon World Heritage Site as an opportunity to service visitors. It promotes new development opportunities offering leisure and tourism facilities. At this stage we are concerned that development around Brynmawr and the Heads of the Valleys route has the potential to impact on the Brecon Beacons National Park and this will need to be carefully considered prior to the Deposit Plan consultation.

Strategic Policy 11: Sustainable Transport and Accessibility (page 47)

We support the enhancement and expansion of active travel networks, but also recommend policy justification includes the need for consideration of new routes to be attractive and green, where possible, to provide multiple-benefits to the natural environment. These routes would encourage use, reduce the effects of air pollution and enhance landscape and ecosystem resilience and therefore help Outcome 4 and help tackle Challenges 5, 6, 8 and 10.

Strategic Policy 12: Social and Community Infrastructure (page 48)

*Risk to water environment*
This policy seeks to allocate land for burial grounds to meet an identified need. We advise the following guidance is considered now, to ensure there are no deliverability issues with the extension at Dukestown and new land allocations for burial grounds:

'Section L. Cemetery developments' of The Environment Agency's approach to groundwater protection (February 2018 Version 1) which has been adopted by NRW.

*Landscape*
Paragraph 5.66 states a new open space assessment will be undertaken to address quality issues with recreational spaces. We recommend reference to landscape character and visual amenity and to a multi-functional green infrastructure approach within this assessment. We advise that greenspaces are not only protected but enhanced where possible. This will help to provide a means to address the biodiversity challenges that have been identified in Challenge 8 and a further opportunity to enhance the environment as described within the Vision, and to deliver Outcome 4.

Paragraph 5.68 refers to clear policy advice on the location new telecommunications masts. We recommend that this includes landscape and visual appraisal criteria, especially when sited in rural areas.

Strategic Policy 13 Protection and Enhancement of the Natural Environment (page 51)

*Nature conservation and biodiversity*
We are generally supportive of the principles set out in this policy. However, we consider the wording and structure of the policy to be unclear. Our main concern is that although the Policy uses a precursor to state the 'natural environment and landscape will be *protected* and where possible *enhanced*' before going into further detail with the 9 criteria.

It is not clear why some of the nine criteria then reference afforded protection and enhancement, while others only protection. Specifically, the statutory protected nature conservation sites (both International and National) do not reference enhancement, whereas the local, non-statutory protected sites do.

The recent CPO letter from Welsh Government directs planning authorities to be proactive and embed appropriate policies into local development plans to protect against biodiversity loss and secure enhancement. This is also in line with your Outcome 4 and will help to further conserve and enhance the County's SSSIs (some of which are not in favourable status).

Based on this, we strongly advise you reword this strategic policy, to ensure it is clear what sites/areas will benefit from enhancement through development proposals. We recommend nationally and internationally protected sites are included in this policy to benefit from enhancement.

We also advise that when referring to protected sites (especially the neighboring SACs) the policy references the SAC/SSSI's designated features, especially those features which are mobile. For example, Otter for the River Usk and Lesser horseshoe bat for the Usk Bat Sites SAC. The mobile populations of these sites are a primary reason for their designation.

The criteria under 7 should also look to enhance and protect *existing* green infrastructure corridors and wildlife sites not only create networks of green infrastructure.

We welcome the recognition that habitat connectivity is important under the policy justification in paragraph 5.76; however, we would urge that in addition to identifying and safeguarding connectivity, and mitigating for unavoidable loss of connectivity, *enhancing* habitat connectivity is also encouraged and actively pursued, to be in line with Outcome 4 and address Challenge 8.

Noting the policy justification in paragraph 5.75, the policy should also be underpinned by your green infrastructure assessment which ensures the delivery of robust ecological connectivity.

Finally, criteria 9 refers to 'supporting woodland planting'. We advise that the policy is amended to include *'supporting woodland planting, where appropriate'*. This is to reflect that woodland planting should be proposed where appropriate, i.e. woodland planting or certain types of planting may not be suitable in certain areas.

Paragraph 5.77 should reference the intention to improve ecosystem resilience via woodland planting, but note that the location, type and density of planting must be carefully considered, in order to avoid unintended negative impacts on sensitive protected species and their supporting habitat.

*Landscape*
We support the principle of this policy, which includes the Brecon Beacons National Park and Special Landscape Areas under criteria 2. We note and welcome paragraph 5.71 and the re-assessment of the Special Landscape Areas using the LANDMAP guidance to ensure consistency with neighbouring authorities and the review of Green Wedges.

*Lighting*
It would be useful to include a policy in the Deposit Plan relating to impacts of lighting from development on native wildlife and ensuring development proposals deliver sensitive lighting schemes. This could be considered in your review of the Development Management Policies.

Given our issues with this Strategic Policy, we would be more than happy to advise and work with you on future amendments.

Strategic Policy 15 Environmental Protection (page 56)

*Risk to water environment*
This policy aims to protect and where appropriate improve the water environment and water resources including quantity and quality, we welcome this.

We note Section 5.86 refers to the Water Framework Directive (2000/60/EC). The Ebbw Fawr (its source to the confluence with Ebbw Fach) is failing to achieve 'good status' due to low salmon quantities. The reason for this is likely to be that the river is culverted for 2 kilometres from Victoria to Ty Llwyn.

We support the policy justification which references new development providing adequate provision, wherever practical, to improve water quality. We also recommend the Plan seeks opportunities to de-culvert, where feasible.

The Preferred Strategy hasn't recognised land contamination as a principle issue but prioritises development on previously development land. We support the development of brownfield sites, however highlight that the planning system is an important tool to ensure the historic legacy of contamination can be remediated. To his end, we would expect to see a Development Management policy to reflect this, either continuing in a revised DM1 or placed somewhere else in the RLDP.

*Landscape*
We note paragraph 5.88 and would suggest that this policy should also consider light pollution in relation to the Brecon Beacons Dark Sky Reserve and local landscape effects of noise and tranquillity, particularly in relation to the National Park, with reference to Welsh Government Soundscapes policy.

**Strategic Sites**

We note that three strategic sites are being put forward as part of the Preferred Strategy - The Works, Ebbw Vale Northern Corridor and Former Nantyglo Comprehensive School. We provided initial site analysis of environmental constraints and comments to these on the 16 September 2019. We reiterate this advice and provide additional comments regarding master planning and constraints or opportunities.

The Works

We advise that the updated masterplan for The Works should, where possible, retain linear habitat corridors through north to south and enhance habitat connectivity east to west in order to increase resilience.

We note that otter road collisions have been reported to the north of the site. Where streams and / or ponds are to be retained or created on site, otter commuting routes to larger streams should be safeguarded; and appropriate links created to minimise potential of otter road collisions.

Lesser horseshoe bats were known to utilise the former site and an underground tunnel has been provided as a long-term roosting resource. The updated masterplan should ensure this resource is protected from inappropriate development proposals, for example noise and light spill through construction or land use, reduce human or domestic animal access and vandalism. It should also help ensure connectivity to dark flight lines and foraging habitat is retained.

We encourage further inclusion of parks and green infrastructure within The Works masterplan.

Ebbw Vale Northern Corridor

Waun-y-Pound Ponds lie directly outside the proposed development area to the south of the site. We note future development will be guided by the Ebbw Vale Sustainable Development Framework Supplementary Planning Guidance document. We understand this will be reviewed to ensure it is up to date. Paragraph 4.26 states the guidance has assessed development potential and identified ‘a network of green links, to allow the effective integration of the SINCs and other key habitat areas’ within it.

We advise that the ponds should be considered as part of this green link and are protected from new development, providing a suitable buffer between the pond habitat and any future development.

We note that small ponds lie within the proposed development area (to the west of the Morrisons store). These ponds as well as Waun-y-Pound will require surveying for Great Crested Newts (GCN) which should inform any future development proposals. We also hold records of otter at this location which will also need to inform future development proposals.

The existing habitat (especially woodland/ scrub) corridors should be maintained and habitat connectivity enhanced where possible. We support the inclusion of green infrastructure within this site.

Former Nantyglo Comprehensive School

In preparing a masterplan for the site, we advise that north to south habitat connectivity is important to ensure a link to the pond to the north of the site. We are aware that bats have been recorded at this location.

We would encourage the inclusion of green infrastructure within the masterplan.

We note the site borders (easterly) DAM zone C2. We recommend that access and egress to and from this site is considered at this stage and avoids areas at risk of flooding.

**South East Wales Area Statement**

Area Statements contribute to implementing the Natural Resources Policy in a local context, taking a place-based approach. The South East Area Statement (AS) will be available in April 2020. The Deposit Plan must have regard to this AS.

The AS has taken a landscape approach which means it has considered where and why we want to build ecosystem resilience in terms of the special and distinctive landscape areas of place. In order to ensure everyone involved in the AS process is thinking of South East in the same context, the AS looks at place in the context of four strategic themes:

- Linking Our Landscapes
- Climate Ready Gwent
- Healthy Active Connected
- Ways of Working

Under each strategic theme there are actions and mechanisms to deliver them. Often the actions relate to increasing understanding or capacity, i.e. not directly relatable to land use planning, however there are actions which do identify as ‘operational actions’. These actions have synergies with the RLDP Vision, Objectives and Outcomes.

From an initial review, we think there are consistencies between the AS themes and RLDP Outcomes. Therefore, opportunities and issues are likely to exist and there’s potential for the RLDP to help address these.

Although close to publishing, the AS has not been made publicly available. However, we have considered some of the relevant actions below, to advise on how the RLDP can be shaped by the AS:

Linking our Landscapes
Theme Outcome – Improve the resilience of our ecosystems across Gwent

Relevant Actions:

***Safeguard and enhance our best sites (i.e. nature conservation sites) and core habitat networks as identified by habitat layers on Lle website (guidance here)***

Strategic Policy 13 (specifically criteria 3,4,5 & 7) goes some way in providing the policy framework to help deliver this action. However, as advised above, we consider there should be greater focus on enhancement throughout those criteria.

***Use the spatial opportunities identified in the landscape profiles as a starting point when undertaking action to improve the resilience of our upland and heathland ecosystems in the Eastern Valleys and Brecon Beacons National Park, and***

***our semi-natural grassland ecosystems outside of our designated sites in the Eastern Valleys, Gwent Levels, Central Monmouthshire and the Wye Valley***

There are limited references to upland and heathland ecosystems or semi-natural grasslands in the Preferred Strategy. The County supports a large percentage of South East Wales semi-natural habitats/ecosystems. This is shown on the habitat connectivity mapping and there is a mix of semi-natural grassland, heathland, woodland, with smaller amounts of bog and fen. Could the RLDP help improve the resilience of these habitats further?

It is good to see the policy justification in paragraph 5.75 for SP13 start referring to the AS and the habitat connectivity mapping. We would encourage you to start preparing your Green Infrastructure Assessment as early as reasonably possible, so it properly informs the Deposit Plan, specially your site allocations, green infrastructure policies and any Supplementary Guidance to support this policy framework.

***Use the spatial opportunities identified in the landscape profiles as a starting point when undertaking action to improve the resilience of our woodland ecosystem outside of our designated sites***

There is an opportunity for Strategic Policy 13: criteria 9 ‘Supporting woodland planting’ to help achieve this action, through new woodland planting adding resilience to our woodland ecosystem. The RLDP should reference this action and the AS aspiration of improving resilience in the policy justification.

Climate Ready Gwent

Theme Outcome - Improve the health and resilience of our ecosystems in order to maximise their ability to protect, prevent and reduce climate impact across Gwent

Relevant Actions:

***Maintain, enhance and restore floodplains and hydrogeological systems to reduce flood risk and improve water quality and quantity***

This is relevant to SP3 and specifically your plans to prepare a Strategic Flood Consequences Assessment for the Deposit Plan. Paragraph 5.17 states a 'SFCA will be prepared for the Deposit Plan and will inform the identification and assessment of subsequent allocations'. We strongly recommend the SFCA goes further than simply informing the identification of sites and providing assessment to demonstrate their allocation.

The SFCA should be a living document which evolves over the plan-making process when evidence becomes available and decisions are made regarding the RLDP. The SFCA is a great opportunity to consider potential natural flood and water management, investigating how land-use management in the catchment can be improved from a flood risk perspective. Floodplain restoration could be a means to reducing flood risk and adapting to climate change, while protecting and enhancing natural resources.

A SFCA that provides this type of evidence could help deliver outcomes or inform decisions which align with the AS actions.

***Increase tree canopy cover and hedgerows where appropriate to do so***

This action links well with the general aspirations running through the RLDP. It could help provide the evidence for the proposed revision of DM16 (Trees, Woodlands and Hedgerow Protection) to set a robust policy framework in the RLDP which delivers an increase of trees and hedgerows, especially in your urban environments.

Healthy Active Connected

Theme Outcome - Deliver nature-based solutions to health inequalities across Gwent

Relevant Actions:

***Increase access to community food growing spaces within communities, such as allocated food growing spaces near community buildings and allotments***

This links well with SP12 criteria 6, which states the RLDP will protect allotments from development. The policy justification in paragraph 5.67 reinforces the need and provision for allotments. However, could the RLDP go further and wider? For example, could it refer to smaller land areas for food growing spaces near community hubs. Could certain

developments be required to allocate space for this purpose, especially in the urban environment?

***Co-ordinate promotion of green spaces and the 'outdoor activity offer' at a local and regional scale, and***

***Safeguard and enhance the greenspace offer for new and existing developments, working with planners***

Generally, there are clear links between SP12 and these actions, particularly criteria 5. We note the policy justification in 5.66 stating the RLDP will look to identify the greenspaces that is seeks to protect. We think it can go further, not just to identify and protect, but to enhance for both new and existing communities. This could be achieved through developer contributions.

We see the RLDP as a tool to help with the co-ordination of these areas strategically.

**Habitats Regulations Assessment (HRA)**

The HRA has concluded that a definitive Appropriate Assessment of the following impacts pathways to Special Areas of Conservation (SAC) is deferred to the Deposit Plan HRA:

- Atmospheric pollution impacts on the Usk Bat Sites SAC and the Cwm Clydach Woodlands SAC;
- Functionally linked land relating to the Usk Bat Sites SAC;
- Water quality in the River Usk SAC.

We welcome the recommended specific policy wording to be inserted into the Deposit Plan addressing the functionally linked land requirements to ensure that the integrity of the Usk Bat Sites SAC is protected.

The conclusions of the HRA reaffirm the importance of ensuring the retention of sufficient habitat connectivity across every strategic site (during and post development), as suitably vegetated and dark habitat corridors are essential to all bat species, but in particular to lesser horseshoe bats, a feature of the nearby Usk Bat Sites SAC.

We agree that air quality remains a threat to features of Cwm Clydach and Usk Bat Sites SACs and will provide further comment when the results of the proposed air quality modelling work are available.

We do not agree that mineral policy should be screened out without further assessment. We note the HRA concludes no likely significant effect with respect to the mineral policy and the Usk Bat Sites SAC. However, whilst Trefil Quarry is more than 2km from the SAC itself it remains close to known bat caves that are highly likely to be connected to the SAC and there are Lesser Horseshoe Bat records from the quarry itself.

Therefore, the quarrying of limestone has the potential to directly damage currently known and unknown caves that could be used by Lesser Horseshoe Bats and also change airflows within cave systems that could significantly change the ecology of known caves. We advise that the mineral policy should be assessed further in the HRA, including in-combination effects.

These comments should be considered before the Deposit Plan consultation. We will be happy to help advise you on your HRA going forward.

**Sustainability Appraisal / Strategic Environment Assessment**

We have no concerns over the Initial Integrated Sustainability Appraisal (ISA), noting there are still several uncertainties due to strategic site layout's remaining unknown and a lack of details regarding smaller non-strategic sites.

We will advise further when the ISA report to address potential significant effects associated with the Deposit Plan is available. If natural resources, biodiversity and geodiversity and landscape ISA themes remain uncertain (or go to negative) we would be looking for the Deposit Plan to provide measures which mitigate effects, especially on enhancements to natural environment.

**Summary**

We are generally supportive of the Preferred Strategy and the direction of the RLDP. We do have concerns over matters discussed above, however we think these can be addressed before or during the Deposit Plan consultation. We are more than happy to work with you prior to the Deposit Plan consultation, including the RLDP policy content, evidence studies such as the SFCA, Green Infrastructure Assessment and Landscape assessments.

We trust this advice is clear. However, if you have queries or wish to discuss matters directly with us, please get in touch with Alice Jewer via the details at the top of the letter.

Yn gywir / Yours faithfully

**Gemma Beynon**
Arweinydd Tim Cynllunio Datblygu / Development Planning Team Leader
Cyfoeth Naturiol Cymru / Natural Resources Wales