

Bridgend County Borough
Local Development Plan
2018-2033

Draft Biodiversity
Supplementary Planning Guidance
October 2026

Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

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Glossary of Terms

Conserve	To maintain, to protect from harm or destruction.
Construction Environmental Management Plan (CEMP)	Provides details and specifications for practical measures intended to avoid or minimise adverse effects on biodiversity during the construction process. Normally such reports are prepared in support of a planning application where the Local Planning Authority (LPA) requires management as a formal requirement e.g. for biodiversity mitigation, compensation or enhancement purposes. The CEMP may form a part of the information originally submitted with the application (e.g. as part of the Ecological Impact Assessment (EcIA)) or its provision and delivery may be secured through planning conditions or obligations. The appropriate content of such a report is set out in BS42020 clause 10.2.
Compensation	To offset unavoidable damage as a result of development.
Ecology	The scientific study of how living things relate to each other and to their physical surroundings.

Ecological Impact Assessment	An assessment to identify, evaluate, and mitigate a development's impacts on habitats, species, and ecosystems.
Ecological feature	An element of the environment that is of biodiversity value, including sites designated for their nature conservation importance; priority habitats; priority species; habitats that provide corridors or stepping-stones across the landscape and urban area; and the wider landscape.
Ecosystem	A community made up of living organisms and non-living components such as air, water, and mineral soil.
Ecosystem resilience	The ability of ecosystems to cope with pressures, disturbances and change – either by resisting them, recovering from them or adapting to them. Achieving ecosystem resilience is about working at larger scales, promoting functional connections between natural places, ensuring they have high natural diversity, are in good condition and increasing their extent.
Ecosystem services	The 'services' or benefits to people and wildlife delivered by healthy ecosystems. These can include climate regulation, food production, and fresh drinking water, for example. Healthy ecosystems are essential to ensuring

	that we continue to benefit from these ecosystem services into the future.
Ecosystems approach	The ecosystem approach provides a framework for the integrated management of land, water and living resources that promotes conservation and sustainable land use in an equitable way. National legislation requires that the ecosystem approach must be applied to the consideration of all new development.
Ecological Monitoring Plan (EMP)	Provides detailed and structured proposals for the preparation of a monitoring strategy, in advance of the commencement of development, that will be used to establish whether proposed mitigation, compensation and enhancement measures have been effective over a specified period. The strategy may also be used to provide early warning of when contingencies and/or remedial measures will be 'triggered' in the event that ecological objectives are not being achieved. Implementation of the strategy over time will be informed by periodic 'ecological monitoring reports'. The strategy may form a part of the information originally submitted with the application (e.g. as part of the EcIA) or its provision and implementation may be secured through

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	planning conditions or obligations. Preparation of the strategy should, where appropriate, follow the general guidance set out in Section 5.0 below. The appropriate content of such a report is set out in BS42020 clause 11.2.3.4.
Ecological Monitoring Report (EMR)	Provides the results of post construction monitoring for a development project as a 'snap-shot' at a particular period in time, as required by a planning condition/obligation or by a protected species licence. The report will include a description of the methods used as well as the detailed results of the survey, and interpretation/assessment of the results. The appropriate content of such a report is set out in BS42020 clause 11.2.3.4. A monitoring 'report' is distinct from an ecological monitoring 'plan'. The former provides the methods and results of monitoring, whereas the latter provides an agreed set of aims, objectives and processes for monitoring and review.
Ecological Constraints and Parameters Plan (ECoPP)	A spatial map used to identify environmental constraints and to set clear boundaries for development.
Enhancement	To make something better, stronger, or more valuable.

Environmental Impact Assessment (EIA)	A means of drawing together, in a systematic way, an assessment of the likely significant environmental effects arising from a proposed development.
Fungi	Fungi are a group of living organisms found on land, in the water, in the air, in plants and animals. They vary widely in size from microscopically small to several square miles. There are more than 100,000 different identified species of fungi.
Green Infrastructure (GI)	A network of multifunctional green spaces, natural features and environmental management systems – from country parks, rivers, watercourses, lakes and woodlands to urban interventions such as green roofs and street trees - which help to provide a natural life support system for people and wildlife.
Habitat	Refers to a natural/ecological feature, or set of features, that provide a stable environment for wildlife to live.
Habitat Regulations Assessment (HRA)	A process that determines whether or not development plans could negatively impact local plans on a recognised protected European site beyond reasonable scientific doubt.

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Invasive Non-Native Species (INNS)	Any non-native animal or plant that has the ability to spread causing damage to the environment, the economy, health and the way people live. A list of INNS is provided in schedule 9 of the Wildlife and Countryside Act 1981.
'Important' species or habitats/biodiversity	The LPA will follow a process to reach a judgement about the biodiversity present on the site, having regard to legal protections, statutory and non-statutory designations and all the other relevant considerations to determine ecological value.
Landscape and Ecological Management Plan (LEMP)	Provides instructions and processes for the management and operations of a site. The instructions in this site-specific document are provided to ensure the protection and enhancement of the ecology and biodiversity on, and around a development site.
Local Biodiversity Action Plan (LBAP)	A Plan to identify local priorities for biodiversity conservation together with agreed actions and targets for priority habitats and species and locally important wildlife and sites.
Local Nature Reserves (LNR)	Areas of natural heritage that are at least locally important.
Maintain	No net biodiversity loss.

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Mitigation	To take measures to minimise unavoidable damage to biodiversity.
Natural heritage	In the context of this SPG, natural heritage refers to biodiversity, natural beauty and amenity. It embraces the relationships between landform and landscape, habitat and wildlife, and their capacity to sustain economic activity and to provide enjoyment and inspiration. It includes statutorily designated sites, urban areas, the countryside, the coast and open water features.
Plants	This includes: (i) lower plants which include bryophytes (mosses and liverworts), lichens, and algae (including diatoms); and (ii) higher plants or vascular plants which include trees, shrubs, flowering herbs and ferns, etc.
Sustainable Management of Natural Resources (SMNR)	Management of land, water, soil, plants and animals, with a particular focus on providing nature-based solutions which deliver improved quality of life for both present and future generations by maintaining biodiversity value and ecological resilience (stewardship).

Placemaking	Is both a process and a tool to collectively design and manage the public realm to create quality places that people want to live and work in, that are appealing, accessible, safe and support social interaction and amenities.
Preliminary Ecological Appraisal (PEA)	The term used to describe a rapid assessment of the ecological features present, or potentially present, within a site and its surrounding area (the zone(s) of influence in relation to a specific project (usually a proposed development)).
Priority habitats and species	Those included in the list of habitat and species identified under section 7 of the Environment (Wales) Act 2016.
Regionally Important Geological Sites (RIGS)	Sites of regional and local importance for their geology that have not been designated a Site of Special Scientific Interest.
Sites of Importance for Nature Conservation (SINCs)	Sites designated in the Replacement Local Development Plan based on their substantive local value for wildlife, biodiversity, or geological features.
Sites of Special Scientific Interest (SSSIs)	A formal conservation designation for an area that's of particular interest to science due to the rare species of fauna or flora it contains or important

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	geological or physiological features that may lie in its boundaries.
Special Areas of Conservation (SACs)	Protected areas designated under national regulations. They form part of a network of important high-quality conservation sites that make a significant contribution to conserving the habitats and species identified within the Habitats Directive. These can be on land or at sea. They form part of the 'national site network', along with 'special protection areas' (SPAs).
Special Protection Areas (SPAs)	Protection areas for birds in the UK classified under national regulations. They form part of the 'national site network' together with SACs.
State of Natural Resources Report (SoNaRR)	An evidence base for Welsh Government ministers to use when preparing or revising the Natural Resources Policy, for Natural Resources Wales when preparing area statements, and for local planning authorities when refreshing local development plans.
Suitably qualified ecological consultant	Refers to professional individuals that can provide a suitable level of expert guidance on biodiversity and ecological issues. This SPG is unable to make individual recommendations for ecological consultants, however the

	Chartered Institute of Ecology and Environmental Management (CIEEM) is one of the main professional bodies that promotes good practice and professionalism in ecology and should be contacted when seeking professional ecological advice.
Sustainable Drainage Systems (SuDS)	Are designed to both manage the flood and pollution risks resulting from urban runoff and to contribute, wherever possible, to environmental enhancement and placemaking. With this in mind, the multifunctionality of SuDS should always be considered.
Sustainable development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

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Acronyms

CEMP	Construction Environmental Management Plans
CIEEM	Chartered Institute of Ecology and Environmental Management
DAS	Design and Access Statement
DECCA	Diversity, Extent, Condition, Connectivity and Adaptability Framework
DM	Development Management
EcIA	Ecological Impact Assessment
ECOP	Ecological Constraints and Opportunities Plan
ECoPP	Ecological Constraints and Parameters Plan
EIA	Environmental Impact Assessment
EPS	European Protected Site
GI	Green infrastructure
HRA	Habitats Regulations Assessment
INNS	Invasive Non-Native Species
LBAP	Local Biodiversity Action Plan
RLDP	Replacement Local Development Plan
LEMP	Landscape and Ecological Management Plan
LPA	Local Planning Authority
LNRAP	Local Nature Recovery Action Plan
NRAP	Nature Recovery Action Plan
NRW	Natural Resources Wales
PEA	Preliminary Ecological Appraisal
PPW	Planning Policy Wales
SAB	SuDS Approval Body
SAC	Special Area of Conservation
SEWBRec	South-East Wales Biodiversity Record Centre
SINC	Site of Importance for Nature Conservation
SMNR	Sustainable Management of Natural Resources

SoNaRR	State of Natural Resources Report Wales
SPA	Special Protection Area
SPG	Supplementary Planning Guidance
SSSI	Sites of Special Scientific Interest
SuDS	Sustainable Drainage Systems
TAN	Technical Advice Note
WBFG Act	Well-being of Future Generations Act 2015
WG	Welsh Government

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River Ogmore at Glanrhyd

1.0 Introduction

1.1 The purpose of this Supplementary Planning Guidance (SPG) is to support and provide further direction on the implementation of policies within the adopted Replacement Local Development Plan (RLDP) (March 2024), relating to the protection and enhancement of habitats and environments that enable wildlife to flourish. It outlines how development proposals should protect, maintain and enhance biodiversity, secure Net Benefit for Biodiversity (NBB) in accordance with the requirements of the RLDP and national planning policy. Its purpose is to clarify how applicants, developers, and decision-makers should interpret and apply the policies' requirements relating to biodiversity throughout the planning, design, assessment and delivery of development proposals.

1.2 Once adopted, this SPG will become a material consideration in the determination of all planning applications for development, including applications for renewal of consents.

1.3 Anyone wishing to submit an application for development within Bridgend County Borough is urged to consider this SPG and to contact the local planning authority (LPA), in advance of submitting an application, to discuss the issues that are raised in this document on a site-specific basis.

1.4 This SPG provides specific guidance on:

- **Applying the biodiversity requirements** of the RLDP to development proposals.
- **Applying the stepwise approach (mitigation hierarchy)** to avoid, minimise, restore and, where necessary, compensate for unavoidable impacts on biodiversity.
- **Protecting, maintaining and enhancing biodiversity**, including habitats, species, and ecological networks.
- **Delivering NBB** through good design and multifunctional green infrastructure (GI).

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- **Applying the DECCA framework (Diversity, Extent, Condition, Connectivity and Adaptability of ecosystem resilience)** to help create more resilient, better connected and climate-adapted ecosystems.
- **Preparing and submitting ecological information and evidence** required to support planning applications and demonstrate policy compliance.



Small Tortoiseshell on Buddleia davidii

2.0 Policy and Legislative Context

2.1 The national planning policy context for the provision and management of biodiversity through the planning system is set out in Future Wales: The National Plan 2040, Planning Policy Wales (PPW) and Technical Advice Notes (TANs) 5 (Nature Conservation and Planning), 6 (Planning for Sustainable Rural Communities) and 12 (Design). In addition to national planning policy, there are several key pieces of legislation that underpin biodiversity conservation and enhancement and are material to the preparation and determination of development proposals.

National Legislation

2.2 **Well-being of Future Generations Act 2015** outlines a definition of "sustainable development" as 'the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.'

2.3 **Environment (Wales) Act 2016** is the legal framework that underpins the drive for NBB, including the Biodiversity and Resilience of Ecosystems Duty ('Section 6 Duty') in which public authorities must maintain and enhance biodiversity and the resilience of ecosystems. The Act's Section 6 Duty is supported by the DECCA framework, which includes diversity, extent, condition, connectivity, and adaptability of ecosystems. Section 7 contains a statutory list of habitats and species of principal importance for maintaining and enhancing biodiversity in Wales.

2.4 **The UK Climate Change Act 2008** requires the UK Government to report on climate change adaptation at minimum 5 yearly intervals. GI forms a key element of this climate change adaptation response, while also protecting, enhancing and restoring biodiversity through the creation and management of multifunctional habitats and ecological networks.

2.5 **The Conservation of Habitats and Species Regulations 2017 (as amended)** aims to protect hundreds of wildlife sites throughout the UK as well as the protected species that occupy these areas.

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2.6 **Wildlife and Countryside Act 1981 (as amended)** makes it an offence to intentionally kill, injure or take any wild animal listed under Schedule 5 of the Act, and prohibits interference with, or disturbance of, animals. The Act also prohibits certain methods of killing, injuring, or stealing wild animals.

National Planning Policies

2.7 **Future Wales: The National Plan 2040** is the national development framework, setting the direction for development in Wales to 2040. Policy 9 'Resilient Ecological Networks and Green Infrastructure' seeks to ensure that action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and GI assets are demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

2.8 **PPW (Edition 12)** was subject to targeted updates in 2023 to strengthen the protection and enhancement of biodiversity in new development. Key changes include a requirement for all proposals to demonstrate a NBB using a step-wise approach (avoid, minimise, mitigate, compensate), stronger safeguards for designated sites such as Sites of Special Scientific Interest (SSSIs), and the integration of GI, trees and woodlands into development design. The updates also encourage nature-based solutions to support ecosystem resilience, align development with local biodiversity priorities, and ensure long term ecological management.

2.9 **TAN 5: Nature Conservation and Planning (2009)** defines how development should contribute to protecting and enhancing biodiversity and geological conservation.

2.10 **TAN 6: Planning for Sustainable Rural Communities (2010)** provides guidance for developers to support the establishment of sustainable rural communities, including supporting biodiversity.

2.11 **TAN 12: Design (2009)** provides advice on 'promoting sustainability through good design'; and on the preparation and validation of mandatory Design and Access Statements (DAS).

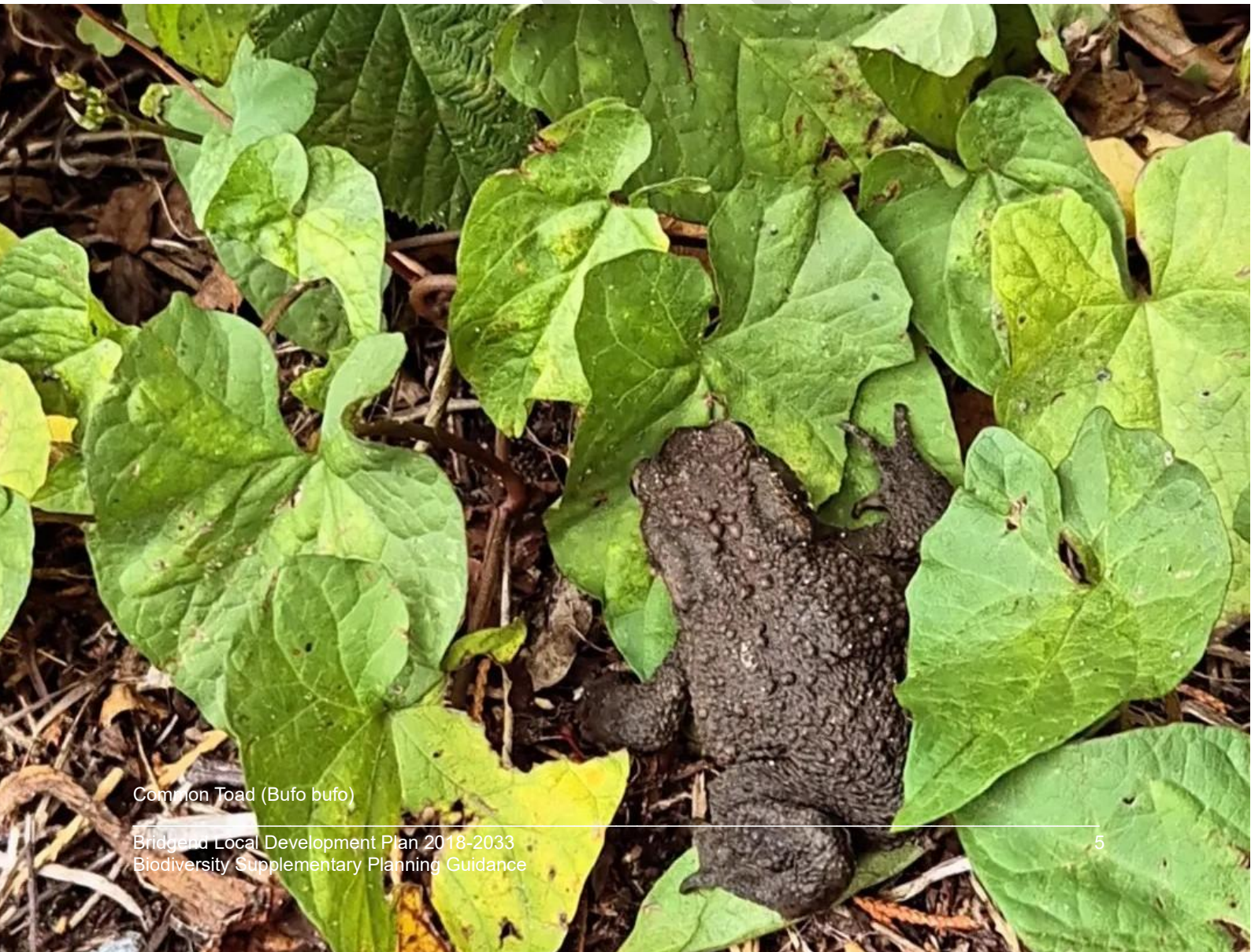
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Local Policies, Plans and Strategies

2.12 **Bridgend County Borough Council's Corporate Plan 2023-28** contains 'Wellbeing Objective 5', which aims to respond to the climate and nature emergency, by:

- Moving towards net zero carbon;
- Improving the energy efficiency of buildings and services;
- Protecting the County Borough's landscapes and open spaces and planting more trees;
- Reducing, reusing or recycling as much waste as possible; and improving flood defences and schemes to minimise flooding of homes and businesses.

2.13 **Local Biodiversity Action Plan** (LBAP) is a County Borough-wide assessment of biodiversity and opportunities to focus action to protect, restore and enhance biodiversity locally.



Common Toad (Bufo bufo)

3.0 Background

3.1 A thriving natural environment is fundamental to creating sustainable, healthy and resilient places where people are able to live well. Biodiversity – the variety of living organisms, including plants, animals, fungi and micro-organisms, together with the habitats and ecosystems they form – underpins and supports natural environmental 'systems'. These include air, water, fertile soils, food production, natural flood regulation, climate regulation, pollination, and opportunities for recreation and education within the natural environment.

3.2 In Wales, one in six species are currently threatened with extinction and in 2021, the Senedd declared a 'nature emergency' in recognition of this. The nature emergency is compounded by the climate emergency, with the two crises intrinsically linked and mutually reinforcing. Climate change is accelerating biodiversity loss by rapidly altering the environmental conditions to which species have adapted, while the degradation and loss of ecosystems can release stored carbon and reduce their capacity to absorb carbon dioxide from the atmosphere, further exacerbating climate change.

3.3 The planning system has a key role to play in enabling the reversal of biodiversity decline shaping how new development is designed and implemented. In Wales, NBB is a national planning policy that requires all new developments to leave biodiversity and ecosystems in a measurably better state than before. PPW requires developments to apply both the 'stepwise approach' and the 'DECCA Framework', as these provide a method through which NBB can be achieved. The stepwise approach is a step-by-step process for avoiding, minimising, mitigating, and compensating for any damage to biodiversity caused by development. Developers are also encouraged to seek opportunities to enhance biodiversity at every stage of the process. The DECCA Framework sets out five core attributes that, together, support ecosystem resilience; diversity, extent, condition, connectivity, and adaptability. Applying these policy approaches to development can begin to slow, and eventually reverse, biodiversity decline.

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4.0 Planning Framework

4.1 The RLDP emphasises the importance of the planning system's role in the preservation and enhancement of biodiversity and ecosystem resilience. The strategic planning framework for maximising benefits for biodiversity is set out within Strategic Policy 17 (SP17) and supported by Development Management (DM) Policies DNP1 – DNP9:

SP17: Conservation and Enhancement of the Natural Environment
DNP1: Development in the Countryside
DNP2: Conversion of Rural Buildings
DNP3: Replacement Dwellings in the Countryside
DNP4: Special Landscape Areas
DNP5: Local and Regional Nature Conservation Sites
DNP6: Biodiversity, Ecological Networks, Habitats and Species
DNP7: Trees, Hedgerows and Development
DNP8: Green Infrastructure
DNP9: Natural Resource Protection and Public Health

4.2 Strategic Policy SP17 requires development to avoid adverse impacts on biodiversity, natural habitats and natural resources, including water, air and soil. Proposals likely to affect Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites must be subject to a Habitat Regulations Assessment (HRA). Proposals will only be permitted where the HRA demonstrates no adverse effects, or where adverse effects cannot be avoided, that there are no alternatives, the development is of overriding public interest and appropriate compensatory measures are provided. Proposals within or affecting a Site of Special Scientific Interest (SSSI) must safeguard, support or, where possible, enhance its identified special features.

4.3 The supporting DM policies require developers to conserve and enhance green and blue infrastructure to support biodiversity, and to protect designated sites of value for wildlife. Biodiversity should be considered at the earliest stages of development to ensure its protection and enhancement over the long-term.

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4.4 Policy DNP5 requires development within or adjacent to Local Nature Reserves (LNRs), SINCs and Regionally Important Geological Sites (RIGS) to be compatible with their nature conservation or scientific interest and to promote their educational role. Development adversely affecting these sites will not be permitted unless the benefits outweigh the harm and/or the harm can be avoided, reduced or addressed through appropriate mitigation or compensation.

4.5 Policy DNP6 requires all development to provide a NBB and improve ecosystem resilience. Existing biodiversity and GI features should be retained, enhanced or created wherever possible through appropriate site design and GI principles. Development must maintain, protect and enhance biodiversity, ecological networks and ecosystem services, with particular emphasis on maintaining connectivity for protected and priority species. Where development would adversely affect ecological connectivity or significantly affect the resilience of protected habitats or species, it must be demonstrated that the need for development outweighs the nature conservation value, there is no satisfactory alternative location, and a functional and connected element of the natural resource is retained and enhanced. Unavoidable harm must be minimised through effective mitigation; where this is not feasible, compensation must provide comparable or greater ecological value, including through habitat creation or long-term habitat management, to ensure a NBB.

4.6 Developments should refer to the latest Bridgend Green Infrastructure Assessment (GIA) to establish where existing habitats are located, as well as the opportunities for protecting and enhancing GI and biodiversity within and adjacent to the development site.

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Horses at Ewenny River

5.0 Planning Requirements

5.1 This section of the SPG provides detailed guidance on how developments should protect, conserve and enhance biodiversity in line with the adopted RLDP policies. It begins by introducing the DECCA framework and the stepwise approach, which are both endorsed by PPW as tools for protecting and enhancing biodiversity and improving the resilience of ecosystems. While the stepwise approach explains *how* biodiversity impacts should be addressed, the DECCA framework explains *what* resilient ecosystems look like and the types of measures that improve them.

5.2 This section also sets out how the stepwise approach aligns with the DM process.

The DECCA Framework

5.3 The Environment (Wales) Act 2016 and the WBFG Act both frame biodiversity enhancement in the context of ecosystem resilience. The DECCA Framework specifies five attributes of ecosystem resilience which, if measures are designed to enhance, the health of ecosystems will be improved. These attributes include:

- **Diversity** – Retain / create / restore a range of habitats and native species i.e. increasing vascular and non-vascular plant richness, creating new habitats and restoring existing ones, opening mosaics and delivering 'messy' / patchwork landscapes.
- **Extent** – Retain habitat area and expand / create additional habitat i.e. restoring unfavourable habitats (such as intensively managed or disturbed features), expanding the size of existing woodland and grassland, providing nest boxes and additional shelter for species, maintaining the largest possible area of existing habitat supporting biodiversity, particularly priority habitats and species (as per section 7 of the Environment (Wales) Act 2016).
- **Condition** – Improve habitat quality and manage it appropriately i.e. enhancing habitat structure, controlling Invasive Non-Native Species (INNS), removing undesirable features, erosion control, pollution prevention, flood regulation and improving soil health.

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- **Connectivity** - Maintain / strengthen / create links between habitats – i.e. linking woodlands with hedgerows, softening 'groomed edges', introducing successional habitats and features, creating vegetated buffers, restoring riparian corridors, installing green roofs and walls, restoring stone walls, etc.
- **Adaptability** - Design for climate change, disturbance and future management, i.e. using nature-based solutions such as SuDS, woodland creation and peatland restoration and taking the above attributes into account to enable ecosystems to recover from environmental pressures and resist future disturbance.

The Stepwise Approach

5.4 PPW promotes the stepwise approach as a means of demonstrating the steps that must be taken towards securing a NBB. Developers can minimise harm to existing natural habitats and species by following these steps, which include:

- **STEP 1: Avoid** – Avoid loss of any existing habitats or species; or fragmentation of ecological connectivity.
- **STEP 2: Minimise** – Minimise any unavoidable impact on existing ecological features.
- **STEP 3: Mitigate** - Mitigate for any unavoidable harm or loss to important habitats or species or the fragmentation of ecological connectivity.
- **STEP 4: Compensate On-Site (or off-site if on-site provision cannot be achieved)** – Offset the residual impacts of a proposal after avoidance and mitigation have been considered.
- **STEP 5: Long-term Management** – Ensure long-term management arrangements are put in place.
- **STEP 6: Refuse Planning Permission** – Where the adverse effect on biodiversity and ecosystem resilience clearly outweighs other material considerations, the development should be refused.

5.5 At every stage, applicants should consider opportunities to enhance biodiversity and ecosystem resilience, proportionate to the scale and nature of the proposal.

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STEP 1: Avoid

5.6 The priority for any development must be to avoid causing damage to, and retain, existing or potential features of biodiversity/ecological value. The principle of avoidance is embedded within RLDP Policy DNP6, which requires development to retain existing biodiversity features and ecological networks on-site, wherever possible. Developments must demonstrate that every effort has been taken to select a site that avoids damage to biodiversity and ecosystem functioning, while recognising the principle of development has already been established on allocated sites.

5.7 The principle of avoidance (and retention) of existing biological features must be considered in the early stages of the development design process. For example, if a planning application site contains a woodland, damage to this woodland should be avoided, in the first instance. Professional assessments of the site in question must be undertaken, with the view to identifying any 'priority habitats', 'priority species', and statutory and non-statutory designations. Priority should be given to the retention and/or integration of habitats and features that are most difficult to recreate, such as ancient woodlands, as damage to these cannot be compensated for. A list of priority species and habitats commonly found in Bridgend County Borough can be found within the Bridgend Local Biodiversity Action Plan: Biodiversity and Ecosystem Services Assessment and Revision 2014. Developers should also refer to the priority species and habitats listed in Section 7 of the Environment (Wales) Act 2016 to ensure that all species and habitats of importance are accounted for. By establishing which of these, if any, exist on-site, the developer can begin to take steps to avoid damage to them as a result of the development.

5.8 Where there are harmful environmental effects, the LPA will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered.

5.9 Proposals in statutory designated sites are, as a matter of principle, unacceptable and therefore must be excluded from site searches undertaken

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by developers. This principle also extends to those sites containing protected species and habitats which are irreplaceable and must be safeguarded. Such sites form the heart of resilient ecological networks and their role and the ecosystem services they provide must be protected, maintained and enhanced and safeguarded from development. It will be wholly exceptional for development to be justifiable in such instances.

STEP 2: Minimise

5.10 After all locational, siting and design options for avoiding damage to biodiversity have been exhausted, every effort should be made to minimise damage to biodiversity. At this stage, applicants must consult with the LPA to ensure that measures taken:

- Maintain the largest possible area of existing habitat supporting biodiversity and functioning ecosystems, particularly Section 7 habitats and species where they are present, by minimising development size and appropriate orientation on-site, paying due regard to the potential for continued long term maintenance and management of retained areas to benefit biodiversity;
- Ensure that retained habitats continue to be well connected to adjacent habitats to provide opportunities for wildlife to move through the landscape. This is essential to enable wildlife to flourish.
- Retain existing features, developing a management plan for future care, and introducing appropriate buffers to ensure protection, both during construction and into the future; and
- Use creative solutions to minimise damage and maintain existing biodiversity features and ecosystems.

STEP 3: Mitigate/Restore

5.11 Where, after measures to minimise damage to biodiversity and ecosystems have been exhausted, and there is still a risk posed to existing biodiversity, proposals must implement measures to mitigate any damage caused as far as possible. Following the consideration of Steps 1 and 2, effective mitigation or restoration measures should be incorporated into the proposal's design. These measures must be designed to address the specific negative effects by

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repairing any damaged habitats to support disturbed species. Restoration will be sought to enhance biodiversity over and above its original state. Mitigation measures should be embedded into the design of the development proposal, wherever possible, which is usually more effective than responding at a later stage. With regards to mitigation measures, it will be necessary for applicants to seek the advice of relevant experts and statutory and non-statutory consultees to ensure these are implemented effectively. In each case, mitigation measures should seek to build ecosystem resilience within the site and, where possible, the wider area.

STEP 4: Compensate On-Site (or off-site if on-site provision cannot be achieved)

5.12 Where like-for-like mitigation measures are not possible, particularly in relation to restoration measures, it may be necessary to consider on-site compensation measures, in the first instance. Only when all the above steps have been exhausted, and where modifications, alternative sites, conditions or obligations are not sufficient to secure biodiversity outcomes further on-site/immediately proximate, as a last resort, off-site compensation for unavoidable damage must be provided.

5.13 Compensation describes measures taken to offset residual impacts on biodiversity (despite mitigation) by providing biodiversity enhancements of an equivalent value. Compensation must first be provided on-site; if this cannot be achieved, then off-site compensation measures may be acceptable. Off-site compensation measures will only be acceptable if they are supported by evidence demonstrating that on-site compensation measures are not possible.

5.14 Compensation measures should be focussed on providing similar types of ecological features they are replacing. A suitably qualified professional should be employed to advise on how new habitats should be created to ensure longevity and suitability for the species it is intended to support. Compensation measures should also be provided as close as possible to the replaced ecological feature and must be guided by place-based evidence.

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STEP 5: Long-term Management

5.15 Each stage of the stepwise approach must be supported by a long-term management plan, including for any enhancement measures. The management plan should set out the immediate and long-term management of the site, future monitoring measures for all measures introduced as part of the scheme, as well as identifying the funding mechanisms in place to meet the management plan objectives. The management plans must also specify how a NBB will be achieved in as short a timeframe as possible.

STEP 6: Refuse Planning Permission

5.16 Lastly, in cases where all the above steps have been exhausted and the resulting damage to biodiversity clearly outweighs other material considerations associated with the scheme, the planning application should be refused.

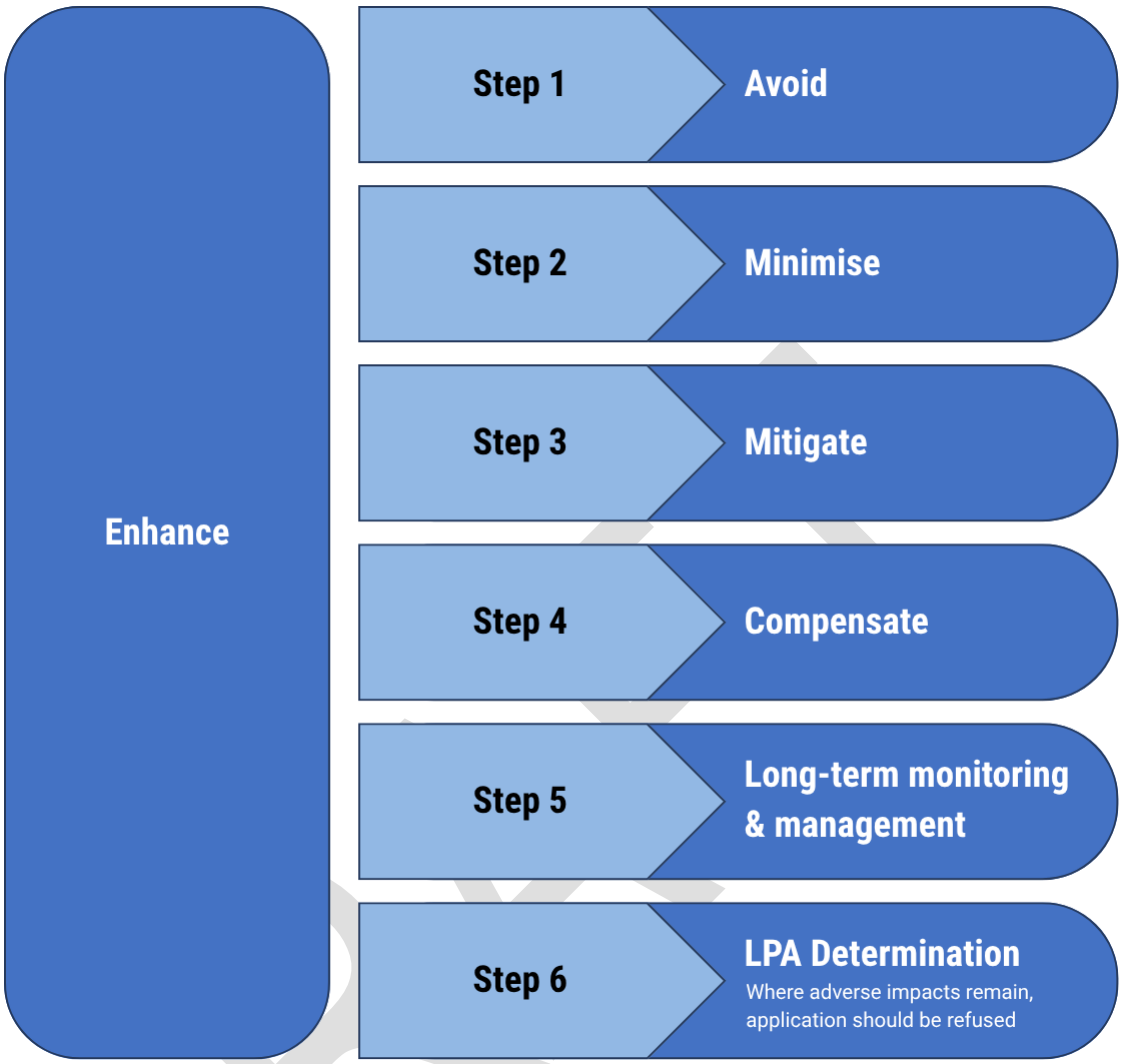
The Stepwise Approach and the DM Process

5.17 This section of the SPG provides a general outline of the DM process and how this aligns with the various stages in the stepwise approach.

5.18 The stepwise approach clarifies how impacts on biodiversity should be dealt with throughout the planning process and is applicable to all types and scales of development. However, it should be noted that the actions required to fulfil the stepwise approach should be proportionate to the nature and scale of the proposal, and the level of biodiversity impact it has.

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Figure 1. The Stepwise Approach



5.19 Accordingly, this SPG explains how the relevant RLDP policy requirements should be addressed at each stage of the process, from site selection and evidence gathering through to design, determination and long-term management, rather than treating them as a separate assessment undertaken at the end of the process. This section also signposts best practice guidance contained within the British Standard for Biodiversity (BS 42020:2013) 39 and supporting CIEEM guidance such as its net benefits for biodiversity briefing paper. These provide detailed guidance on ecological appraisal and the information that should be submitted as part of a planning application. Site survey and assessment data is essential to effectively establish the potential impact of a proposal, providing evidence to guide the implementation of the stepwise approach, and identify the opportunities to achieve biodiversity enhancements which deliver a net benefit to resilient ecological networks.

5.20 **When submitting a planning application, applicants are expected to complete and submit all required ecological surveys and reports.**

5.21 In terms of the LPA's approach to biodiversity and development, the key overarching principles set out in this section are:

- Biodiversity and resilient ecological networks should be considered at the earliest stage in the DM process.
- Integration of biodiversity and resilient ecological networks measures are an integral part of sustainable placemaking.
- Submission of timely and appropriate ecological information is crucial. In particular, where a suitably qualified ecologist has identified that a Preliminary Ecological Assessment (PEA) is required alongside any additional species surveys identified in the PEA, failure to submit with an application could lead to the application being refused. The LPA will refer to the relevant CIEEM guidance in determining whether submitted ecological information has been carried out by an appropriate ecological consultant following the appropriate ecological reporting methodologies.
- All applicants should consider where surveys, assessments and eradication plans are required.
- Survey information is essential to inform the avoidance or minimisation of impact or loss of protected species or habitats, and the negotiation of appropriate mitigation. Applicants are required to demonstrate how the proposal has responded to the ecological information.
- The Council will only consider negotiating compensation measures where it has been clearly and robustly demonstrated that avoidance and mitigation cannot be achieved.
- Compensation will not be acceptable for irreplaceable habitats (e.g. ancient woodlands).
- The Council will seek to achieve a NBB in all developments proportionate to the scale of the development and having regard to the submitted evidence regarding biodiversity and resilience of ecosystems both within and adjacent the site.
- Where approval from the SuDS Approval Body (SAB) is required, early and parallel engagement with the SAB process is strongly advised. This

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will maximise opportunities to achieve an integrated and multifunctional design and layout of all elements of GI within a site to meet national and local planning policies and the WG Sustainable Drainage Standards for Wales which require the design of SuDS to take into consideration water quality and biodiversity. The Council's Climate and Nature (Countryside) team may be consulted on SAB planning applications. Where this is the case, they will advise on the information required from applicants to demonstrate how the planting and maintenance of SuDS proposals will maintain and enhance biodiversity and ecosystem resilience. Evidence will also be required of the impact of the proposal on the existing connectivity of ecosystems and opportunities to provide enhancements.

Key Milestones in DM Process

Development Management Stage	Relevant Stepwise Steps
Pre-Application – Site Assessment	**Avoid, Identify Opportunities for Enhancement**

5.22 The potential for biodiversity and ecological features to be affected by a development must be considered at the earliest stage of any proposal. Failure to do so may lead to delays in the planning process or refusal of an application. It is therefore advisable to gain a clear understanding of the biodiversity features and GI assets and ecosystem resilience of a site at the earliest possible stage of any development project. This will improve the quality of initial site designs, provide valuable information to guide initial discussions with the LPA and ensure that issues are considered and addressed from the outset. This will help achieve the best outcome for biodiversity and avoid additional costs or delays to a development. This advice is applicable to all types and scales of development.

5.23 The following steps can provide an early indication of the potential impacts and opportunities presented by a site and ensure that proposals have appropriate regard to the relevant environmental and legislative context.

Appendix A comprises a range of sources of relevant information to assist with assessing and understanding the site.

5.24 As specified by RLDP Policy DNP6, development proposals that result in an adverse effect on the connectivity of biodiversity and ecological networks and/or have a significant adverse effect on the resilience of protected habitats and species will only be permitted where it can be demonstrated that there is no satisfactory alternative location for the development which avoids damage to biodiversity and ecosystem functioning. If this is the case, evidence will need to be provided to demonstrate such an assessment has been conducted.

Development Management Stage	Relevant Stepwise Steps
Pre-Application – Understanding Your Site	**Avoid, Identify Opportunities for Enhancement**

5.25 A baseline understanding of the impacts and opportunities presented by a development should have been undertaken at the previous stage. Any proposal presented to the LPA at the pre-application stage should therefore be informed by a basic ecological assessment of the site.

5.26 Initial data sources for establishing site-specific and local biodiversity and GI features, include (but are not limited to):

- **The latest Bridgend GIA:** This provides a detailed assessment of the existing GI baseline for each sub-area identified within the RLDP. It also lists key opportunities for enhancing GI and ecological habitats in each sub-area. It can be used to identify which key GI features lie on and adjacent to a development site.
- **South-East Wales Biodiversity Record Centre (SEWBReC):** Screening to determine the presence of protected species and habitats should be carried out based on data provided by SEWBReC.

- **DataMapWales**: a wide variety of publicly available data that could support in understanding the GI / biodiversity baseline. DataMapWales contains datasets that include priority habitats, the ancient woodland inventory, habitat networks, among others.
- **NRW datasets**: NRW datasets provide environmental information on habitats, species, designated sites, woodland, water, flood risk and other natural resources, which can be used to identify ecological constraints and sensitivities.
- **Bridgend RLDP Proposals Map**: This map contains the location of all statutory designations and SINCs.

5.27 Appendices B and C provide a survey checklist of species and habitats most likely to be affected by specific types of development, the surveys required, and the recommended survey seasons.

5.28 Natural habitats that are deemed irreplaceable (i.e. ancient woodlands, veteran/ancient trees, peatlands, wetlands, etc.) must be identified and protected as part of the development's design. For example, the presence of those listed in Section 7 of the Environment (Wales) Act 2016 should be considered.

5.29 The LPA will co-ordinate appropriate engagement of the Council's Countryside Team on biodiversity issues at the pre-application stage. There are considerable benefits in seeking professional ecological advice *before* making an application, including:

- It provides the opportunity to understand how policies and guidance will be applied to the proposed development;
- It can identify at an early stage where there is a need for biodiversity surveys and assessments;
- It will ensure that project timescales have appropriate regard to the seasonal nature of the ecological surveying and avoid lengthy delays;
- It will identify the need for other specialist input (i.e. ecologists, landscape architects, sustainable drainage engineers);
- It can avoid potential breaches of environmental protection legislation;

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- It may lead to a reduction in time spent preparing proposals, identifying issues to be addressed and opportunities to be explored for biodiversity protection and enhancement to be integrated into wider GI designs at the earliest possible stages;
- It may indicate that a proposal is completely unacceptable, saving the time spent, and cost of, pursuing a formal application;
- It provides opportunities to identify shared solutions for SuDS and biodiversity;
- It will clarify all the necessary information and drawings required to enable the application to be registered and validated; and
- It will ensure that all ecological surveys required in support of a planning application are valid at the time of submission. **Ecological surveys are generally considered to be valid for a period of 2 years, after which time updated surveys will be required.**

5.30 The types of impacts on biodiversity and ecosystem resilience as a result of the development will vary in both scale and nature. For example, a development could result in:

- Direct loss of habitats or important species on-site;
- Fragmentation or loss of connectivity between habitats or species populations either on-site, or off-site connectivity to the wider ecological network (such as through natural and semi-natural features, green spaces, rivers, lakes, fields, parks, ponds, hedgerows, street trees, roadside verges, etc.);
- Alteration of regimes such as hydrology that an ecosystem is reliant upon;
- Air, noise and light pollution; and
- Disturbance from recreation and/or predation for pets.

5.31 Understanding the specific issues relating to both the type of development and its location is therefore fundamental.

5.32 Early engagement with a suitably qualified ecologist/consultant will identify the need for and potential content of a PEA. A PEA of a proposed development should identify any biodiversity features which may be affected by it and any additional surveys that will need to be undertaken. Applications likely to affect

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any designated sites or priority habitats or species must include a survey and assessment for the relevant habitats and species. It may also be necessary to conduct ecological surveys even in the absence of any identified designated sites and/or priority species and habitats. Survey requirements should be proportionate to the development's type and size and based on the potential for the development to affect any sensitive ecological feature, including priority habitats, species, ecosystem services and ecological connectivity, for example. The initial survey and any additional detailed surveys form constituent parts of the PEA, in accordance with guidelines for ecological reports set out in the British Standard 42020 and in the CIEEM guidelines.

5.33 The survey checklist in Appendix B assists in identifying applications that will need survey work, and details of the information that will need to be considered during the design stage and submitted with the planning application.

5.34 Applicants should also be aware that additional information may be requested. The LPA can direct the applicant to supply any further information which is considered reasonably necessary for the purpose of determining the planning application.

5.35 Applicants required to submit ecological information will need to employ a suitably qualified ecological consultant. These specialists should work closely with planners, architects and engineers responsible for the proposal's delivery to ensure that biodiversity considerations are fully integrated within the proposal's design from the outset. Using this approach will help ensure landscape and biodiversity aspects of the development are fully considered and successfully integrated with all other aspects of the development.

5.36 The LPA supports the best practice approach of sharing ecological information with SEWBReC. This approach improves the quality of information for future applications. Applicants are therefore strongly advised to discuss with their ecological consultant the inclusion into their contracts the clause below:

> 'Applicants or their consultants agree to proactively share with South-East Wales Biodiversity Records Centre (SEWBReC) any biological records made during the process of ecological appraisal at the same

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time as report submission to the LPA. The Council considers all parts of ecological reports submitted to it as part of the planning process which are not specifically marked as sensitive, to be in the public domain.'

5.37 Applicants must also include within survey and assessment specifications identification of the presence of any INNS of flora listed in Schedule 9 Part II section 14(2) of the Wildlife and Countryside Act 1981 (as amended).

5.38 In some cases, there may not be a reasonable likelihood for a wildlife feature to be affected so survey work will not be required. Where this is the case, the applicant will need to provide sufficient evidence to demonstrate this.

5.39 It is also important to develop an understanding of the development site's role in supporting ecosystem resilience by applying the DECCA framework. This will also provide an indication of possible measures to enhance ecosystem resilience within the site's red line boundary.

5.40 It should be noted that impacts on biodiversity can extend beyond site boundaries in unexpected ways, for instance through noise or light pollution, surface water run-off, or predatory behaviour of domestic pets. Relatively small developments can also have larger impacts on the wider landscape, for example, removing a hedgerow or line of trees could break up a bat-foraging or commuting route, negatively affecting a breeding colony some distance from the planning application site.

5.41 A development may also have an adverse impact on biodiversity either during the construction phase or during the operational phase (post-construction), or both, and the survey work needs to fully consider the possible impacts of these.

5.42 Additional surveys, assessments or licences may be legally required. When undertaking surveys and assessments for a planning application, the applicant's qualified ecologist, NRW, or the Council's ecologist should advise whether the following are required:

1. **Environmental Impact Assessment (EIA)** - if the proposal would trigger the need for an EIA, the submission of a 'screening opinion' may be advisable.

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2. **NRW Protected Species Licence** – if the proposal would trigger the need to apply to NRW for any of the below licences. The consideration and granting of licences is separate from the process of applying for planning permission. However, the LPA must take account of the legislation throughout the DM process.
    - **European Protected Species (EPS) Development Licence**: NRW issues Protected Species licences for any development that would affect an EPS protected under the Conservation of Habitats and Species Regulations 2017; or
    - **UK Protected Species Licence**: NRW issues development licences for species protected under the Wildlife and Countryside Act 1981, for example, reptiles (all UK species) and water voles. NRW is also responsible for issuing licences under the Protection of Badgers Act 1992 where it is necessary to interfere with badger and/or their setts in the course of development.
3. **National Vegetation Classification (NVC) survey:** NVC surveys often obtain a level of detail more valuable to support an ecosystems approach than broad habitat surveys. It is also important for any habitat surveys to collect sufficient information on their condition, structure, vascular plant diversity and connectivity to surroundings.
4. **Habitats Regulations Assessments:** HRAs are normally required where a development proposal has the potential to affect a European ecological designated site, either alone or in combination with other projects or plans, as set out in the Conservation of Habitats and Species Regulations 2017. RLDP Policy SP17 also specifies that proposals likely to have direct or indirect adverse effects on SACs, SPAs or Ramsar sites, or that affect the habitat of marsh fritillary butterfly within 2km of Cefn Cribwr Grasslands SAC, must be subject to an HRA. In such cases, the applicant is expected to provide a 'shadow' HRA that provides the data and evidence to enable the LPA to conduct a full HRA. Failure to provide sufficient evidence/data as part of this process is likely to delay the application process. When conducting a shadow HRA, applicants should refer to the appropriate management plan relevant to the designated site to identify its qualifying features. Refer also to Welsh Government's HRA Guidance (2025).

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5.43 The policy framework for the SMNR in Wales should be considered by applicants for an indication of potential issues and opportunities. The framework includes:

- NRW SoNaRR Report;
- NRW Area Statements;
- Section 7 List of Habitats and Species in Wales (Env Act 2016);
- DataMapWales
- Bridgend SINC Review (2011)
- Bridgend SINC Survey (Review) (2020)
- Bridgend's LBAP;
- Bridgend Local Nature Recovery Action Plan (LNRAP)
- Bridgend Biodiversity Duty Plan
- Cwm Taf Morgannwg Well-being Plan

5.44 **Note**: The Bridgend Local Biodiversity Acton Plan should be used to understand the availability of ecosystem services in proximity to their proposed site. The 'Technical Document' provides a list of habitats and their ecosystem services at Table 2 which would further support the understanding of a site's ecosystems and ecosystem services. This will enable developers to ensure they are actively engaging in the regulation of these services and not causing detrimental impacts on natural resources.

Development Management Stage	Relevant Stepwise Steps
Pre-Application – Evidence-Led Design	**Avoid, Minimise, Mitigate, Compensate (On-Site Then Off-Site), Only If Necessary); Enhance Throughout**

5.45 The pre-application stage is the most appropriate stage to consider how the proposal will address the impacts identified in the PEA and any additional species surveys carried out.

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5.46 The applicant should seek to establish at the pre-application stage how the proposal will maintain and enhance biodiversity, ecological connectivity and resilience.

5.47 It is important to ensure that the findings of any ecological surveys are given due consideration at the design stage to ensure that biodiversity constraints are fully integrated into the early designs of proposals as part of the wider placemaking approach.

5.48 For major applications, a multi-disciplinary design team should be engaged at the earliest possible stage, which should include a suitably qualified ecologist. This team should have a sound understanding of the ecological survey work and produce design solutions that respond to the identified opportunities to secure biodiversity enhancements and integrate ecosystem resilience into the development having regard to the 5 principles of resilience / DECCA framework. CIEEM's Net Benefits for Biodiversity Briefing Paper provides a simplified approach to how DECCA can be considered to ensure ecosystem functioning is safeguarded and its resilience maintained, whilst contributing to the delivery of GI provision, and ultimately a NBB. Best practice principles of placemaking and GI demand that these issues are no longer retrofitted into the established/standard designs and layouts of development. It is strongly recommended that design teams provide an 'Ecological Constraints and Opportunities Plan' (ECOP), as set out in the British Standard. The ECOP is an efficient and effective way to communicate the key issues raised in the detailed technical ecological reports. This can be a simple traffic light plan which communicates the location of issues and design responses. Where appropriate, it can signpost to detailed sections of survey reports. If prepared at an early stage, the ECOP is a useful tool to inform both pre-app discussions and updated designs at subsequent stages of the development design and planning process. It provides a useful way to demonstrate how the design process has taken into account the most valuable natural assets and that developments result in a NBB.

5.49 Policy DNP5 of the RLDP requires that developments located either within or adjacent to an LNR, SINC or RIGS must be compatible with the nature

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conservation or scientific interest of the area, whilst promoting their educational role. To achieve this, proposals should:

- Retain and protect the features for which the site is designated;
- Maintain ecological or geological connectivity;
- Incorporate appropriate buffers and ensure sensitive siting of the development, access, lighting and drainage;
- Avoid disturbance, fragmentation, pollution and changes to hydrology;
- Incorporate habitat enhancement measures that complement the scientific interest of the site;
- Provide appropriate opportunities for education, interpretation and appreciation of its nature conservation or scientific interest;
- Where relevant, demonstrate how construction and long-term management will avoid adverse effects on the site and its features of interest, and will promote further enhancement, including to the condition of the site.

5.50 Development proposals that have an adverse effect on the connectivity of the ecological network should ensure that a functional connected element is maintained and enhanced in support of biodiversity and resilient ecological networks. For guidance on how to achieve this, applicants should refer to NRW's Practitioner's Guide to Resilient Ecological Networks.

5.51 The special features of SSSIs and SINCs should be safeguarded and supported as part of development. SSSIs are designated due to specific features (i.e. habitat types), which can be identified for specific sites via NRW records. For identifying features within individual SINCs, applicants should refer to the Bridgend SINC Review (2011).

5.52 The RLDP promotes placemaking, and the creation of places which maintain and enhance biodiversity forms part of the plan's wider placemaking approach. The LPA will therefore expect proposals to demonstrate how designs:

- Respond to all available evidence relating to identified biodiversity and GI features; and
- Evolved in line with the stepwise approach.

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5.53 Where no biodiversity issues have been identified, the DAS should contain a clear statement of the steps taken to establish biodiversity and resilient ecological networks of the site and an explanation of why no further measures are considered necessary. For example, the applicant should provide evidence of completion of a SEWBReC desktop search by provision of the relevant case reference number or correspondence evidencing consultation with either privately engaged suitably qualified ecologists or the Council's ecologist.

5.54 Where avoidance is not feasible, the design should aim to mitigate any detrimental effects. For example, if the development is designed to include an existing pond, a certain amount of mitigation for the developed area would be achieved by ensuring that the pond is physically connected to terrestrial habitat and not isolated by the development.

5.55 Special regard should be given to protecting and enhancing SSSIs as part of the stepwise approach, such as by:

- Protecting areas of important habitats suitability, connecting core habitat within ecological networks and introducing buffers, corridors, stepping-stones;
- Safeguarding areas of unprotected high value habitat or habitat with a long ecological history of non-intensive land management; and
- Avoiding fragmentation of ecological connectivity to prevent disruption to species functioning and their favourable conservation statuses.

5.56 Ongoing dialogue with the LPA throughout the design process will ensure that modifications to proposals take appropriate account of biodiversity information as it emerges throughout the development process.

5.57 Pre-application discussion with statutory consultees such as NRW is also recommended, together with non-statutory consultees, where appropriate. NRW have an environmental regulatory function and information on the NRW website provides details of consents, licences and permissions which applicants may need to obtain.

5.58 Where loss of habitat needs to be compensated for, compensation measures of equivalent or greater ecological value should be provided on-site. Only

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where it is not possible to provide this on-site, then off-site provision should be considered, preferably adjacent to the development site.

5.59 **SAB Pre-Application:** Where a pre-application submission is made under the SAB process, it is advisable to carry this out in parallel with the planning pre-application process in order that all opportunities for achieving biodiverse SuDS solutions can be fully explored.



Merthyr Mawr Village

Development Management Stage	Relevant Stepwise Steps
Application – Submission of Surveys & Reports	**Demonstrate application of the Entire Stepwise Approach**

5.60 By the time a planning application is ready for submission, the ecological features present on the site should have been fully considered and the stages of the stepwise approach followed. Any identified impacts should have been avoided, minimised or mitigated in the design of the proposal presented and fully justified in the application. As part of the planning application the applicant must demonstrate how each stage of the stepwise approach has been followed. It should also be demonstrated how the relevant policy criteria have been complied with through supporting evidence. The Green Infrastructure Statement (a template for which can be found in Appendix B of the draft Bridgend County Borough Green Infrastructure SPG) submitted with the application should detail how the stepwise approach has been followed and a NBB has been achieved.

5.61 Any relevant ecological surveys or assessments required should be submitted with the application. The ecologist employed by the applicant or their agent should always work to the relevant recognised survey and mitigation guidelines and industry standards and should give an evidence-based justification for any deviation from these guidelines.

5.62 Where applications are submitted without ecological information, they may be validated but cannot be determined until any necessary ecological work has been undertaken, submitted and approved. Where surveys and reports are submitted that recommend further survey work is carried out, and this is not submitted, the LPA may refuse the application.

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Development Management Stage	Relevant Stepwise Steps
Application – Consideration of Proposals	**Assessment of Avoid, Minimise, Mitigate, Compensate, Enhance, Manage, Monitor**

5.63 The ecological information submitted to support an application will be assessed to ensure that it:

- Is up-to-date (ecological surveys submitted in support of planning applications are generally considered to be valid for a period of up to 2 years, after which time, updated surveys could be required);
- Clearly demonstrates the current biodiversity and ecology baseline of the development site, its value, connectivity to the wider ecological network, how the proposed development will affect these, and how all unavoidable negative impacts have been mitigated and/or compensated for. Robust justification should be provided for where any step within the stepwise approach is considered not achievable. All proposed avoidance, mitigation, compensation and enhancement measures must be clearly defined;
- Provides full and clear justification of the implementation of the stepwise approach, and specifically that any compensation proposed is residual, having first fully considered avoidance, minimisation and mitigation of identified negative effects; and
- Describes how the proposed biodiversity enhancements will achieve resilient ecological networks in accordance with the 5 attributes of resilience (See DECCA framework above).

5.64 To ensure decisions are based upon adequate information in accordance with BS42020 the LPA will consider the information submitted against CIEEM's EcIA checklist. The checklist signposts to all relevant CIEEM and NRW guidance relating to carrying out surveys.

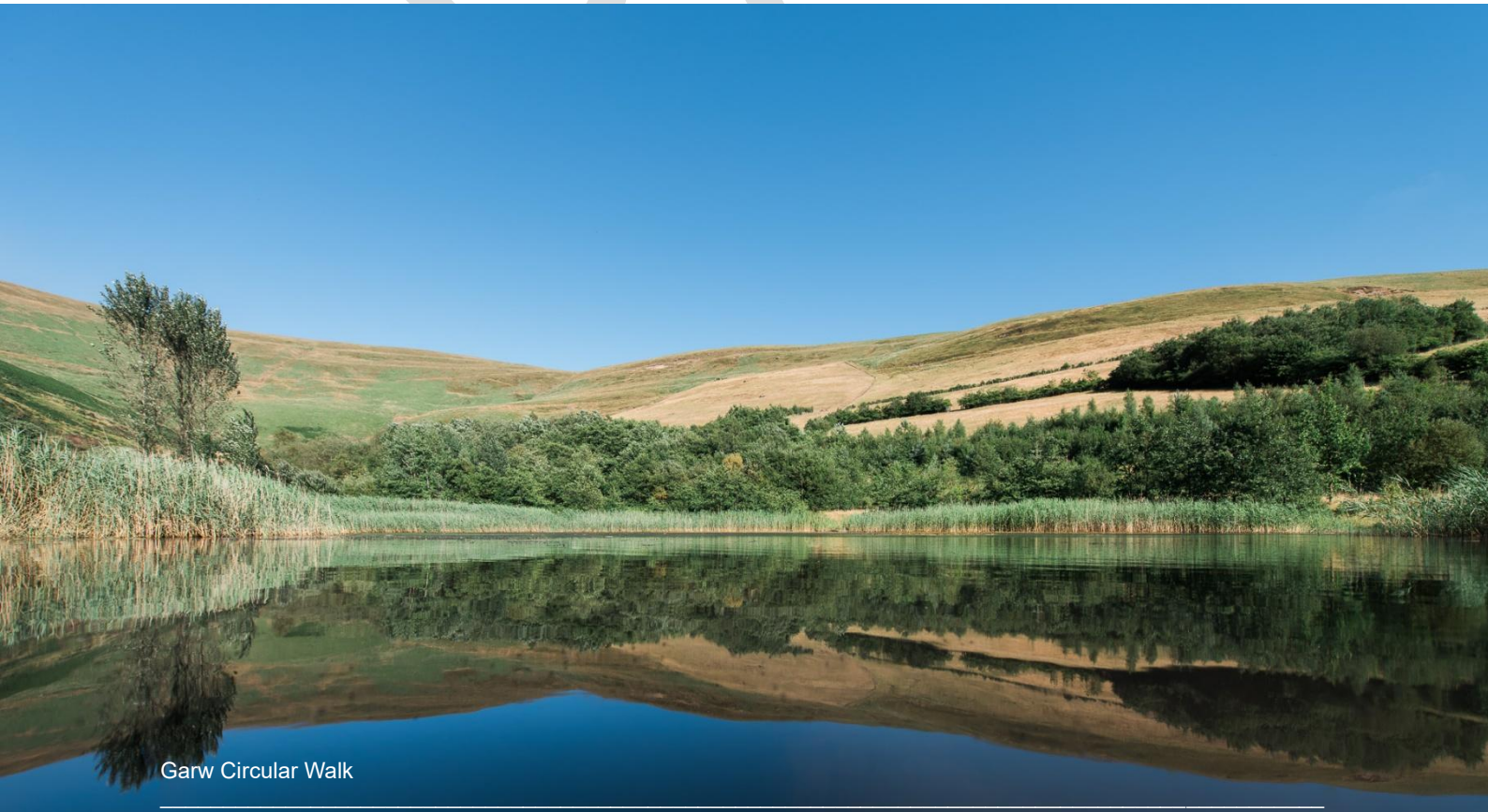
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5.65 The LPA will also assess the application and supporting information submitted to establish:

- Compliance with the relevant legislation and policy with reference to this SPG;
- The current ecosystem resilience of the site which PPW requires must be maintained and enhanced post development;
- The appropriateness of mitigation and compensation measures proposed;
- The appropriateness of enhancement measures proposed;
- The integration of biodiversity measures as part of good placemaking and the provision of quality GI;
- The need for planning obligations to secure biodiversity measures and interventions;
- The need to attach conditions to make the development acceptable; and
- The need to attach informatives to the consent.

5.66 SuDS Approval: The details of any parallel SAB approval will be considered.

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Garw Circular Walk

Development Management Stage	Relevant Stepwise Steps
Application – Decision	**Assess, Avoid, Design, Mitigate, Compensate, Enhance, Manage, Monitor**

5.67 All biodiversity measures agreed should be incorporated into the design of the development at the earliest stage and shown on all plans submitted for approval. Consent will be conditional upon approval in accordance with approved plans.

5.68 WG have clarified that, where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise, it will be necessary to refuse permission. The Council considers that the lack of ecological evidence of a negative effect on biodiversity or ecosystem resilience which is directly related to the development to be a significant material consideration in this regard.

5.69 Where the Council concludes that it is reasonable to require mitigation, compensation, or enhancement measures, and this cannot be integrated into the design of the development or created on site, it may still seek to secure these measures off-site.

Enhancement

5.70 In accordance with PPW and the Section 6 duty, the LPA will seek to ensure that development provides a NBB. The LPA will therefore explore with the applicant what opportunities exist within or outside the development to provide enhancements to biodiversity and ecosystem resilience, having regard to the SMNR framework and any up-to-date ecological surveys submitted with the application. Proposals for enhancements to biodiversity are expected to form part of the application. If the LPA is satisfied that the proposed enhancements can be achieved, these should be included in a Biodiversity Enhancement Plan, which together with all relevant details, including long-term maintenance

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and management of such measures, may be conditioned as part of the planning permission.

5.71 Introducing small individual enhancement measures such as installing bird boxes, planting trees or creating wildflower areas, for example, will not necessarily make a scheme that otherwise makes a poor contribution to biodiversity acceptable if important habitats and/or species are being adversely affected.

S106 Agreements and Conditions

5.72 The LPA may recommend approval subject to conditions and/or planning obligations secured by way of s106 agreement. Where a condition could be used to secure the same outcome as a legal agreement, it will be used in preference to a planning obligation in accordance with the tests set out in Circular 13/97 and the Conditions Circular (WGC 016/2014). Conditions are typically used to restrict development, control timing for implementation of works and/or require on-site actions to make development acceptable. In contrast, planning obligations are typically used to secure financial contributions, requirements for future management and/or transfer of public open space and off-site works, and bind the development land. They are normally secured through s106 legal agreements between a planning authority and a landowner/developer, or undertakings offered unilaterally by a landowner/developer, that ensure certain obligations related to a development are complied with. Where appropriate, planning conditions will be used in the first instance in preference to planning obligations, although larger and more complex sites will often require a combination of both.

5.73 Ecological planning obligations will normally be required where off-site compensation provisions are necessary or financial contributions are needed to ensure that there are no detrimental impacts on biodiversity.

5.74 Ordinarily, the LPA does not condition protected species surveys and would typically not consider doing so for any scheduled development works. In accordance with the stepwise approach, survey work should be undertaken at the earliest possible stage in order that measures to maintain and enhance biodiversity are integrated into the design of the development. The LPA may,

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however, condition plans concerning mitigation, compensation and biodiversity enhancements, as well as recommendations made within a specific survey, if necessary. For example, conditions may be sought by the LPA relating to requirements around landscaping, habitat creation, enhancement measures, lighting plans, long-term management, clearance methodologies, Construction Environmental Management Plan (CEMPs) and Landscape and Ecological Management Plan (LEMPs).

5.75 Where an INNS of flora listed in Schedule 9 Part II section 14(2) of the Wildlife and Countryside Act 1981 (as amended) is present on a planning application site, (e.g. Japanese Knotweed) an INNS (flora) condition will be placed upon that application to secure the appropriate management and ongoing monitoring of that INNS.

Development Management Stage	Relevant Stepwise Steps
Application – Management & Monitoring	**Manage, Monitor**

5.76 By this stage, the planning consent and associated conditions will have established the requirements of management and monitoring before, during and after construction. The preparation and implementation of the appropriate management and monitoring plan will usually be agreed as part of the plans required to be submitted to grant consent. However, in some cases, it may be appropriate to condition the preparation and implementation of a management and monitoring plan after consent.

5.77 The plan will detail management objectives for habitats and species present, both retained and created, and will include details for ongoing management and monitoring prescriptions as required. The plan will often include an 'Ecological Constraints and Parameters Plan' (ECoPP) which will demonstrate that appropriate ecological features are integrated into the development.

Applicants should note that larger developments, particularly those subject to an EIA, will require a CEMP. 'Construction Industry Research and Information Association' set out guidance for methods and measures of working a development site where biodiversity is present, including suggested contents for CEMPs and risk assessments, details on setting out no-go zones, protective fencing and other practical measures. The management plan should clearly identify long-term funding mechanisms, state which parties are responsible for its implementation, and include clear measures for success.

5.78 Monitoring is intended to both check compliance with conditions or planning obligations and to establish whether the measures undertaken are effective and are successfully delivering the intended outcomes.

5.79 During construction, the management of the site should follow appropriate guidelines for the protection of habitats and species, including trees and ecological features to be retained on site which will form part of the overall management and monitoring plan. Where appropriate, protection will be in the form of development licences granted by NRW.

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Appendix A – External Resources

1. BSI - BS42020:2013 - British standard for Biodiversity – Code of Practice for Planning and development
2. BSI - BS8683:2021 - Process for designing and implementing Biodiversity Net Gain – Specification
3. CIRIA - B£ST – Benefits Estimation Tool
4. Building Research Establishment (BRE) - Home Quality Mark guide
5. Sintali - Building with Nature – the defining standard of high-quality green infrastructure
6. Valuing Nature Network - Demystifying Series
7. IEMA - Environmental Impact Assessment Guide to Delivering Quality Development
8. National Biodiversity Network
9. CIEEM - Registered ecological consultants directory
10. CIEEM – Guidelines for Preliminary Ecological Appraisal (GPEA)
11. CIEEM - Ecological Impact Assessment (EcIA) Checklist
12. Biodiversity in Planning - Wildlife Assessment Check
13. CIEEM - Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine
14. CIEEM - Advice Note on the lifespan of ecological reports and surveys
15. Natural Resources Wales (NRW) – Advice on Permits and Permissions
16. NRW - State of Natural Resources Report (SoNaRR) 2025
17. NRW – South Central Wales Area Statement
18. Buglife - Creating green roofs for invertebrates: Best practice guidance
19. Bat Conservation Trust - Designing for Biodiversity: a technical guide for new and existing buildings

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20. TCPA - Green Infrastructure and Biodiversity. PERFECT Fact Sheet
21. CIRIA, CIEEM, IEMA - Biodiversity Net Gain: Good practice principles for development.
22. The Wildlife Trusts - Homes for People and Nature: How to build housing in a nature friendly way
23. Bat Conservation Trust - Landscape and Urban Design for Bats and Biodiversity
24. Plantlife - Managing Grassland Road Verges: Best practice guidance
25. Trees and Design Action Group (TDAG) - Trees Species selection for Green Infrastructure
26. Local Nature Partnerships (LNPs) Cymru
27. National Wildlife Crime Unit
28. Partnership for Action Against Wildlife Crime (PAW)
29. Welsh Government - Statutory National Standards for Sustainable Drainage
30. SusDrain - National Standards for Sustainable Drainage
31. Ciria - SuDS Manual (Chapter 6 part B - Designing for Biodiversity)
32. Freshwater Habitats Trust - The Pond Creation Toolkit
33. Bat Conservation Trust - Planning and the law
34. Wales Biodiversity Partnership - Biodiversity in Wales guidance, including S6 duty biodiversity guidance and the Action Plan for Pollinators
35. RSPB, CIEEM and RTPI - Planning naturally: Spatial planning with nature in mind in the UK and beyond
36. TCPA - Planning for green and prosperous communities. Guide 7 Practical Guides for Creating Successful New Communities
37. Design Commission for Wales – Placemaking Wales Guide
38. Welsh Government - Building Better Places: The Planning System Delivering Resilient and Brighter Futures

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39. NRW - Terrestrial and Freshwater Resilient Ecological Networks: a guide for practitioners in Wales

40. BS - British Standard for Biodiversity (BS 42020:2013)

41. Institution of Lighting Professionals / Bat Conservation Trust – Bats and Artificial Lighting Guidance Note

42. Welsh Government – Planning policy and guidance: green infrastructure

43. NRW – Green Infrastructure Assessments: how to use NRW datasets as part of a GI Assessment

44. Welsh Government – Section 7 list of species and habitats of principal importance in Wales

45. Swift Conservation – Swift bricks and development

46. Hedgehog Street – Hedgehogs and development

47. Eryri National Park – Biodiversity and planning resources

48. Amphibian and Reptile Conservation – Planning & development

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Appendix B – Checklist for Protected/Priority Species Surveys Likely to be Required for Terrestrial Development Sites

Development types	Type of Species survey likely to be required	Checklist
Conversion, modification, demolition or removal of buildings:		
1.a Agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams*	Barn owls, bats, breeding birds	
1.b Buildings and structures with weather boarding and/or hanging tiles; or 1.c Pre-1960 detached buildings and structures - that are within 200m of woodland and/or water 1.d pre-1914 buildings and structures – that are within 400m of woodland and/or water*	Bats, amphibians, barn owls, great crested newts, nesting birds, otters	
1.e pre-1914 buildings and structures with gable ends or slate roofs, regardless of location	Bats, nesting birds	
2. Development affecting built structures:		
2.a. tunnels, mines, kilns, ice-houses, military fortifications, air raid shelters, cellars and similar underground ducts and structures	Bats	
2.b. bridge structures, aqueducts and viaducts (especially over water and wet ground)	Bats, breeding birds, otters, water voles	
3. Illumination/floodlighting of:		
3.a churches and listed buildings, green space (e.g. sports pitches) within 50m of woodland, water, field hedgerows or lines of trees with connectivity to woodland or water	Bats, badgers, barn owls, breeding birds, otters	

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Development types	Type of Species survey likely to be required	Checklist
3.b. agricultural buildings (e.g. farmhouses, barns and outbuildings) of traditional brick or stone construction and/or with exposed wooden beams	Bats, barn owls, breeding birds	
3.c. rivers, streams, canals, lakes, ponds or other aquatic habitats (water bodies)	Amphibians, bats, breeding birds, otters, water voles, fish, aquatic invertebrates	
3.d. areas of scrub or woodland	Barn owls, bats, breeding birds, dormouse, otters	
4. Felling, removal or lopping of:		
4.a. woodland 4.b hedgerows and/or lines of trees with connectivity to woodland or water bodies	Bats, badgers, dormice, otters, plants, breeding birds	
4.c. old and veteran trees that are older than 100 years 4.d. mature trees with obvious holes, cracks or cavities (and also large dead trees)	Bats, barn owls, breeding birds, plants, invertebrates	
4.e. removal of mature/semi-mature trees on riverbanks	Bats, breeding birds, otters	
5. Proposals affecting ponds with respect to		
5.a. applications within 500m of a pond marked on an OS map	Great crested newts, amphibians, aquatic	

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Development types	Type of Species survey likely to be required	Checklist
5.b. applications which directly impact on any pond	invertebrates, water voles, otters, fish	
6. Proposals affecting water bodies:		
6.a. in or within 200m of rivers, streams, canals, lakes, reedbeds or other aquatic habitats (water bodies)	Bats, otters. great crested newts, amphibians, breeding birds, plants, reptiles, water voles, fish, aquatic invertebrates	
7. Proposals located in or immediately adjacent to:		
7.a. quarries 7.b. natural cliff faces and rock outcrops with crevices or caves (see also specific guidance on marine/coastal developments).	Bats, breeding birds	
7.c. derelict land (brown field sites), allotments and railway land 7.d arable or pasture land 7.e apparently unmanaged habitats (e.g. scrub, rank grassland)	Bats, badgers, breeding birds, brown hare, plants, reptiles	
8. Renewable energy		
8.a. Multiple wind turbines 8.b. Single wind turbines 8.c. Solar arrays	Bats, breeding birds, nesting birds, vantage	

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Development types	Type of Species survey likely to be required	Checklist
	point bird surveys	
9. Householder Development		
	Bats, barn owls, breeding birds, great crested newts	

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Appendix C – Ecological Survey Seasons – Terrestrial Species

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Badgers												
Bats (hibernation roosts)												
Bats (summer roosts)												
Bats (foraging/commuting)												
Birds (breeding)												
Birds (over-wintering)												
Dormice												
Great Crested-Newts Terrestrial												
Great Crested Newts Aquatic												
Other amphibians												
Invertebrates												
Otters												
Reptiles												
Water voles												
Habitats/Vegetation												

KEY:

Optimal survey time

Sub-optimal survey time

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Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council