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Consideration of the National Planning Policy for Chapter 6 of Planning Policy Wales – Distinctive and Natural Places – The Stepwise Approach

Introduction

- 1.1 This 'Green Infrastructure Statement' (GIS) has been prepared as an ecological technical note to support a planning application for a proposed development on land at the former Loreto Convent, located in Llandudno (hereafter referred to as the 'Site'). The proposals include the demolition of the former convent to construct residential dwellings and associated infrastructure.
- 1.2 The Welsh Government (WG) Minister for Climate Change Julie James wrote to the heads of the planning authorities in Wales on 11th October 2023 informing them of a finalised policy for Chapter 6 'Distinctive and Natural Places', to be included in the next iteration of Planning Policy Wales Edition 12 (PPW 12). PPW 12 was subsequently issued on 4th February 2024.
- 1.3 PPW 12 sets out the land use planning policies of the WG and the primary objective of PPW 12 is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015¹, the Well-being of Future Generations (Wales) Act 2015² and other key legislation and resultant duties such as the Socio-economic Duty³.
- 1.4 This 'GIS' demonstrates how green infrastructure has been incorporated into the proposals.

Net Benefit for Biodiversity and the Step-wise Approach

- 1.5 PPW 12 (Paragraph 6.4.11) advises that planning authorities must follow a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact.
- 1.6 PPW 12 expands on the approach to decision-making with regard to development and nature conservation previously set out in Technical Advice Note 5 (TAN5): Nature Conservation and

Planning (2009)⁴. TAN5 detailed a five-point approach to decision-making including; information, avoidance, mitigation, compensation and new benefits.

- 1.7 The step-wise approach updated within PPW 12 is summarised in the graphic below extracted from Figure 12 of PPW 12.



- 1.8 The step-wise approach is a means to demonstrate that actions have been taken to provide a net benefit for biodiversity and to promote ecosystem resilience through following attributes included within the 'DECCA Framework'. Attributes identified within the 'DECCA Framework' include:

- **Diversity** - between and within ecosystems;
- **Extent** - scale of ecosystems;
- **Condition** - state of ecosystems including their structure and functioning;
- **Connections** - between and within ecosystems; and
- **Adaptability** - ecosystems ability to adapt to, resist and recover from a range of pressures.

¹ Planning (Wales) Act 2015 (anaw 4) (July 2015) (PWA 2015). National Assembly for Wales [Online] - <https://www.legislation.gov.uk/anaw/2015/4/contents>

² Well-being of Future Generations (Wales) Act 2015 (June 2015). Welsh Government [Online] - <https://www.gov.wales/well-being-future-generations-act-essentials-html>

³ The Socio-economic Duty (May 2020). Welsh Government [Online] - <https://www.gov.wales/socio-economic-duty-overview>

⁴ Technical Advice Note 5 (TAN5): Nature Conservation and Planning (September 2009). National Assembly for Wales [Online] - <https://www.gov.wales/sites/default/files/publications/2018-09/tan5-nature-conservation.pdf>

Understanding the Wider Ecological Context

- 1.9 The State of Natural Resources Report (SoNaRR)⁵ and the Natural Resources Wales (NRW) Area Statement for North West Wales⁶ provide contextual information about the pressures on nature in the area within and surrounding the site and the priorities for improving the resilience of local ecosystems.
- 1.10 The NRW Area Statement for North West Wales has two cross cutting themes and four other themes:
- Ways of working;
 - Climate and nature emergency;
 - Reconnecting people and nature;
 - Encouraging a sustainable economy;
 - Supporting sustainable land management; and
 - Opportunities for resilient ecosystems.
- 1.11 The proposed development has the potential to deliver on some of these themes and thereby assist in the delivery of Sustainable Management of Natural Resources (SMNR) in Wales.

Pre-application surveys – the “information” stage of the step-wise approach.

- 1.12 Ecological surveys of the site were originally undertaken in 2023 by Richards, Moorehead and Laing (RML)⁷ to understand the baseline biodiversity conditions of the site. The results of these surveys informed the:
- design and layout of built aspects of the development
 - approach to habitat retention and creation across the site
 - mitigation and enhancement plans for protected and priority species and habitats found on or adjoining the site

Habitats and Flora

- 1.13 This section describes the ecological features on/adjacent to the site.

Designated Sites and Priority Habitats

- 1.14 There are several statutory designated sites adjacent to the Site. The closest designated sites include Great Orme’s Head / Pen Y Gogarth (SAC, SSSI, LNR) adjacent to the rear of the site, Liverpool Bay (SPA) and Fenai a Bae Conwy / Menai Strait and Conwy Bay (SAC) 0.9 km west of the site and Aber Afon Conwy (SSSI), situated 0.9 km south west.
- 1.15 No priority habitats identified for the purpose of maintaining and enhancing biodiversity in Wales as detailed under Section 7 (S7) of the Environment (Wales) Act 2016⁸ are located within the Site. Priority S7 habitats adjacent to the site include dry heaths and semi-natural dry grasslands and scrubland facies on calcareous substrates (including priority feature “important orchid rich sites”).

On-site Baseline

- 1.16 Habitats within the Site provide limited biodiversity value as the site is predominantly man-made, hard standing and built structures with some landscaped ornamental gardens. These gardens included semi-improved grassland, scattered trees and introduced shrubs. A privet hedge forms the southern boundary to the site. No S7 habitats will be impacted by the proposed development.
- 1.17 The semi-improved grassland, scattered trees and introduced shrubs of the gardens are understood to be retained by the development therefore these habitats will not be lost.
- 1.18 The introduced shrub and dense scrub associated with the inner courtyard will be lost. They are of low diversity and are isolated by the surrounding buildings, reducing connectivity to the wider landscape and therefore of low habitat value.

Fauna

On-site Baseline

- 1.19 An Extended Phase 1, Preliminary Bat Roost Assessment (PRA) and Emergence Surveys Report (Ref: 3260/11) undertaken by Richards, Moorehead and Laing (RML) Ltd in 2023 identified common and widespread transient species likely to be present including Common lizard (*Zootoca vivipara*), Slow-worm (*Anguis fragilis*), several notable bird species and bats including Soprano pipistrelle (*Pipistrellus pygmaeus*), Common pipistrelle (*Pipistrellus pipistrellus*), Brown long-eared (*Plecotus auratus*).. Examples of priority species that may use the Site as part of local sub-urban habitat network, as identified under S7 of the Environment (Wales) Act 2016 include:
- West European hedgehog *Erinaceus europaeus*;
 - Common pipistrelle *Pipistrellus pipistrellus*;

⁵ State of Natural Resources Report (SoNaRR) for Wales (December 2020). Natural Resources Wales [Online] - <https://naturalresources.wales/sonarr2020?lang=en>

⁶ North West Wales Area Statement (August 2023). Natural Resources Wales [Online] - <https://naturalresources.wales/about-us/what-we-do/strategies-and-plans/area-statements/north-west-wales-area-statement/?lang=en>

⁷ Richards, Moorehead and Laing (2023). Extended Phase 1, Preliminary Bat Roost Assessment and Emergence Surveys For Wales & West Housing - Loreto Convent

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⁸ Environment (Wales) Act 2016 (anaw 3) Part 1 Section 7 (May 2016). National Assembly for Wales [Online] - <https://www.legislation.gov.uk/anaw/2016/3/section/7>

- Soprano Pipistrelle *Pipistrellus pygmaeus*;
- Brown long-eared bat *Plecotus auritus*;
- Herring gull *Larus argentatus* subsp. *argenteus*;
- Black-headed gull *Larus ridibundus*;
- House sparrow *Passer domesticus*;
- Dunnock *Prunella modularis*;
- Common starling *Sturnus vulgaris* subsp. *vulgaris*; and
- Song thrush *Turdus philomelos*.

- 1.20 The Extended Phase 1, Preliminary Bat Roost Assessment (PRA) and Emergence Surveys Report (Ref: 3260/11) concluded the site has little value for protected or notable species, and none were recorded on site during the surveys, with the exception of herring gulls, a species of conservation concern. However, suitable features to support bat roosting were identified and the buildings were categorised as having low – moderate habitat suitability to support roosting bats, in accordance with the Bat Conservation Trust (BCT) 2023 Guidelines⁹. No suitable bat roost habitat was provided by trees within the Site. Suitable bird nesting habitat was identified as being provided by some of trees and shrubs in the rear garden.
- 1.21 The Extended Phase 1, Preliminary Bat Roost Assessment (PRA) and Emergence Surveys Report (Ref: 3260/11) determined that roosting bats were likely absent from the buildings following two presence-absence dusk surveys.
- 1.22 Common pipistrelle (*Pipistrellus pipistrellus*) (S7) and Noctule (*Nyctalus noctula*) (S7) were recorded with most of the activity at the rear of the site along the tree/vegetation line. No bats were detected during the second survey visit. No particularly important areas within the Site were identified to be of significant value for foraging bats.
- 1.23 Much of the site has reduced habitat suitability for reptiles and amphibians however, there are some suitable areas which offer more habitat structure and diversity located at the rear of the site in the terraced gardens (Ref: 3260/11).

Avoidance and Minimising Measures

Designated Sites

- 1.24 Impacts on the SAC, SSSI and LNR require due consideration and as such the implementation of a Construction Environmental Management Plan (CEMP) during demolition and construction phases will be required.

⁹ Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists Good Practice Guidelines (4th edition). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6

Habitats and Flora

- 1.25 The existing tiered garden and trees to the north of the Site will be retained and avoided during construction.

Mitigation and Compensation Measures

Habitats and Flora

- 1.26 The installation of a gravel garden containing a mixture of grasses and flowering perennials together with single species hedgerows along the south and west boundaries and additional shrub planting throughout the site will provide both seasonal and evergreen foliage.
- 1.27 The roadside privet hedgerow is being lost but will be replaced with a hedgerow comprising common hornbeam, *Escallonia* and wall germander.
- 1.28 The proposed landscape planting will provide habitat functions within the site and will compensate for the small habitat loss (semi-improved grassland, introduced shrub and dense scrub) by creating a variety of habitat niches from tree canopies to hedge and shrub cover, to seed and pollen producing grasses and flowers.

Fauna

Bats

- 1.29 The buildings within the Site will be demolished to facilitate the proposals, which will result in the loss of potential bat roosting resources within the locality. Loss of potential bat roosting habitat will be mitigated and compensated for through the provision of bat boxes installed on the external features of the apartment block. The specifications and locations of bat and bird boxes are detailed within the TEP Bat, Bird and Hedgehog Box Scheme (Ref: 10758.001). Enhancements will be provided by the inclusion of bat boxes that will support local bat species. Loss of trees and shrubs within the Site will result in the minor loss of small areas of bat foraging habitat forming part of the wider mosaic of sub-urban gardens. Replacement introduced shrub, hedge and tree planting will compensate for the loss of existing habitats and maintain the function of the site for the limited number of bats recorded foraging within the locality by providing habitat for invertebrates.
- 1.30 No field signs of use by bats were found internally or externally during the surveys undertaken by RML (Ref: 3260/11) however, further emergence surveys for bats were recommended should demolition be delayed for more than one year from the date of the last emergence survey conducted (July 2023).

Birds

- 1.31 Demolition of the buildings and loss of trees and introduced shrubs within the Site will result in the loss of potential bird nesting habitat. Loss of potential bird nesting habitat will be mitigated and

compensated for through the provision of bird boxes installed on the external features of the apartment block. The specifications and locations of bird boxes are detailed within the TEP Bat, Bird and Hedgehog Box Scheme (Ref: 10758.001). Enhancements will be provided by providing nest boxes for swifts, a species on the Red List of Birds of Conservation Concern for Wales¹⁰. Additional shrub and tree planting will also provide replacement bird nesting habitat to mitigate and compensate for areas of shrub and trees lost.

- 1.32 Tree and hedge species included within the proposals will include species providing nectar and pollen for bees and the many other types of pollinating insects.
- 1.33 To minimise impacts on nesting birds, vegetation clearance will be undertaken outside the bird nesting season (March to August inclusive). Where this period cannot be avoided, a nesting bird check will be undertaken a maximum of 24 hours in advance of vegetation clearance works.

Hedgehogs

- 1.34 Provision of hedgehog boxes and maintenance of pathways for small mammals around the Site will also maintain and enhance its potential use by this S7 rapidly declining species (Ref: 10758.001). Incorporation of a mixture of shrub and herbaceous planting and amenity grassland within the proposals will also mitigate for the minor loss of potential foraging habitat for hedgehogs.

Enhancement – the “Net Benefit” stage of the step-wise approach

- 1.35 Four extra heavy standard trees are being planted within the proposed development including *Amalanchier*, *Crataegus* and *Malus* sp. which provide nectar and pollen for bees and the many other types of pollinating insects.
- 1.36 Non-native *Montbretia* present to the rear of the site will be removed to prevent its spread into the adjoining Great Orme’s Head / Pen Y Gogarth SSSI designated site.
- 1.37 Enhancement for roosting bats, nesting birds and hedgehogs will also be delivered within the new development through the provision of bat, bird and hedgehog boxes.

Ecosystem Resilience and the DECCA Framework

- 1.38 The proposals have sought to provide an ecosystem function, considering the design, siting and scale density to maintain biodiversity and ecosystem resilience. The resilience of ecosystems supported by the site have been considered through the DECCA Framework:
- **Diversity** – a variety of native and introduced shrub planting will be incorporated within proposals and boxes will be installed to provide habitat for a variety of species, acting to support biodiversity within the site locality.
 - **Extent** - habitats will be maintained within the site;

- **Condition** - the condition of retained and created habitats will be maintained through long-term management, and could be secured through a Landscape Management Plan (including like for like replacements of any failed plants for a period of at least 10 years);
- **Connectivity** - connectivity through the site will be maintained and enhanced through habitat retention and creation in locations to that currently in situ; and
- **Adaptation** – incorporating a variety of native and cultivar flora species with deciduous and evergreen characteristics will maintain habitat cover through seasons. Provision of bat and bird boxes in different locations around the proposed development will also allow bat and bird species to adapt roosting and nesting locations dependent on season and life cycle.

Green Infrastructure

- 1.39 PPW 12 (Paragraph 6.0.3) notes that Distinctive and Natural Places must maintain or incorporate Green Infrastructure (GI) as key components of the natural environment and built fabric.
- 1.40 PPW 12 (Paragraph 6.2.1) notes the components of GI that may be present at local or smaller scales (the scales of GI applicable to development proposals, rather than landscape-scale GI).
- 1.41 The proposed landscaping scheme will create replacement GI components where introduced shrub or dense scrub will be lost and will include additional shrub and herbaceous planting around the Site. Replacement planting will not be incorporated at the PPW 12 compensation planting ratio of 3:1, however the retention of existing vegetation and the incorporation of additional trees around the Site will serve a similar function.
- 1.42 Management of trees and introduced shrub should be designed to allow species to flower and maintain varying canopy cover. Seeding amenity grassland areas with diverse seed mixes would also provide additional pollen and nectar resources for invertebrates.

¹⁰ Johnstone, I.G., Hughes, J, Balmer, D.E., Brenchley, A., Facey, R.J., Lindley, P.J., Noble, D.G., Taylor, R.C. (2021). Birds of Conservation Concern Wales 4: the population status of birds in Wales.