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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

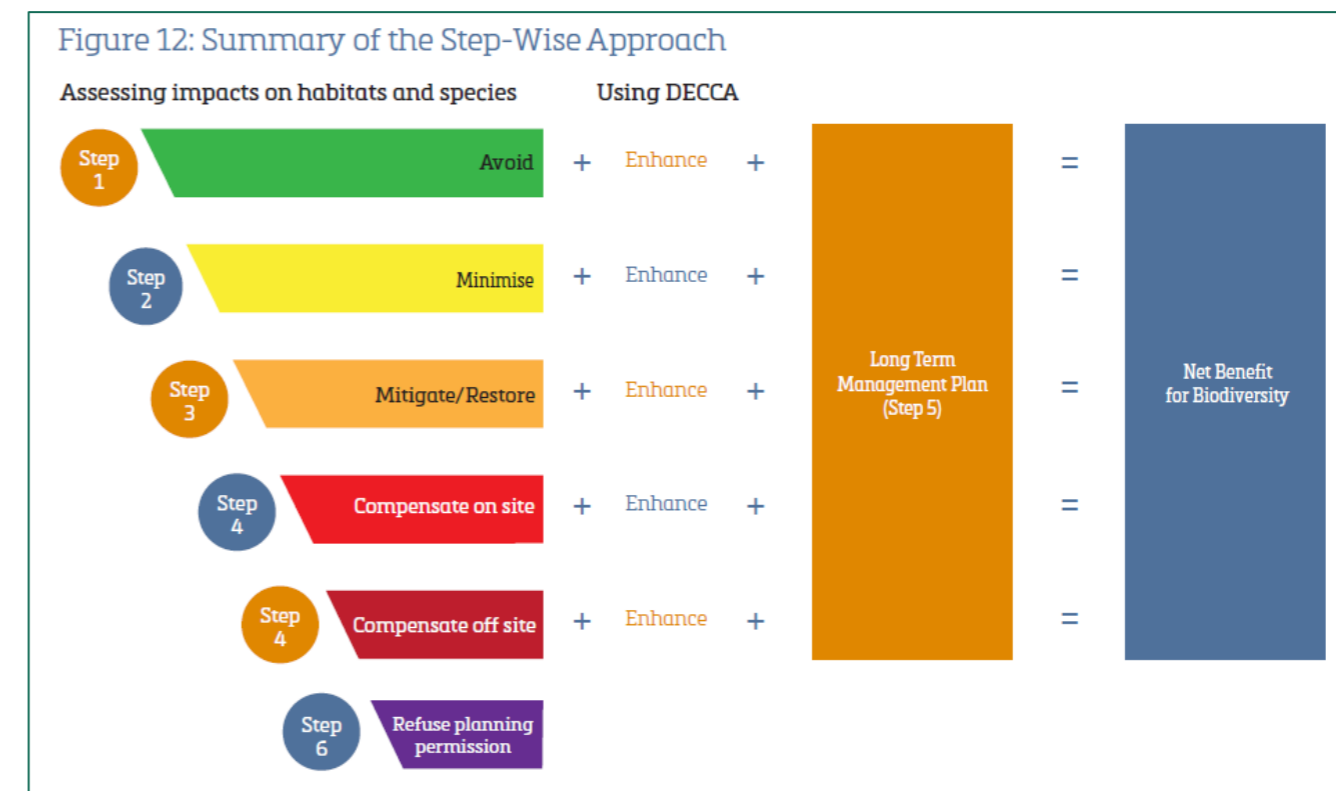
- 1.1 This 'Green Infrastructure Statement' (GIS) has been prepared as an ecological technical note to support a planning application for a proposed development on land at the former TA Centre, located in Prestatyn, LL19 7HA (hereafter referred to as the 'Site'). The proposals include the demolition of the existing TA Centre buildings, to be replaced with a residential development comprising 47 units including dwellings, apartments and public open space.
- 1.2 The Welsh Government (WG) Minister for Climate Change Julie James wrote to the heads of the planning authorities in Wales on 11 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 04 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 East 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 East Wales consists of five key themes:
- Climate emergency: resilience and adaptation;
 - Develop and improve urban/rural green infrastructure;
 - Increasing woodland cover for social, environmental and economic benefits;
 - Promoting the resilience of ecosystems in maintaining and enhancing biodiversity; and
 - Protecting water and soil through farming and sustainable land management.
- 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 A series of ecological assessments were undertaken at the site during August, September and October 2024 by Enfys Ecology Limited 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 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 The following statutory designated sites were identified within 1km of the site:
- Liverpool Bay (SPA) – 630m
 - Gronant Dunes and Talacre Warren (SSSI) – 822m
 - The Dee Estuary (SPA, Ramsar) – 822m
 - Gronant Dunes (LNR) – 822m

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

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

- 1.15 The following non-statutory designated sites were identified within 1km of the site:

- Y Morfa (LWS) – 370m
- Prestatyn Golf Links (LWS) – 670m
- Y Ffrith (LWS) – 900m

- 1.16 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 2016⁷ are located within or adjacent to the Site.

On-site Baseline

- 1.17 Habitats within the Site provide limited biodiversity value as the site is predominantly hard standing and built structures. Tall ruderal vegetation is present at the foot of the wire boundary fencing along the northern site boundary. A species-poor hedge occupies a small section along the western boundary. The Prestatyn Gutter, a main river, runs along the northern boundary of the site. No S7 habitats will be impacted by the proposed development.
- 1.18 No invasive non-native species (INNS) listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were recorded within the site boundary however Himalayan balsam *Impatiens glandulifera* was seen along the banks of Prestatyn Gutter to the north of the site boundary.

Fauna

On-site Baseline

- 1.19 An Ecological Assessments (EA) Report (Ref: EE.4839.24.LB) undertaken by Enfys Ecology Limited details the results of an Extended Phase 1, Daytime Bat Walkover (DBW), Preliminary Roost Assessment (PRA), Nesting Bird Assessment, bat emergence surveys and an otter and water vole survey.
- 1.20 The EA Report (Ref: EE.4839.24.LB) concluded the site has little value for protected or notable species, however suitable features to support bat roosting were identified and the buildings were categorised as having low habitat suitability to support roosting bats, in accordance with the Bat Conservation Trust (BCT) 2023 Guidelines.
- 1.21 Common pipistrelle *Pipistrellus pipistrellus* (S7) droppings were found within two storerooms inside building three. The storeroom building was found to be an occasional night roost/feeding perch for a single or low number of common pipistrelle.
- 1.22 No bat emergence was observed during both emergence surveys. The site provides very limited suitable habitat for bats with no tall vegetation present, however Prestatyn Gutter, which runs

⁷ 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>

along the outside of the northern site boundary, provides some connectivity to areas of suitable habitat. Common pipistrelles were observed commuting along the northern boundary of the site and foraging briefly within the area.

- 1.23 Nests consistent with House martin *Delichon urbicum* were seen within the storerooms and pigeons were observed roosting within the open shed.
- 1.24 Old water vole *Arvicola amphibius* burrows were found within the banks of Prestatyn Gutter. Rat burrows and fresh signs of mink *Neovison vison* were also noted. No signs or evidence of otter *Lutra lutra* were identified.

Avoidance and Minimising Measures

Designated Sites

- 1.25 Prestatyn Gutter flows eastwards before entering the sea at Gronant, flowing through Gronant Dunes and Talacre Warren, Liverpool Bay, the Dee Estuary and Prestatyn Golf Links. As the water course runs into these designated sites, impacts on the SPA, SSSI, Ramsar, LNR and LWS require due consideration and as such the implementation of a Construction Environmental Management Plan (CEMP) during demolition and construction phases will be required.

Mitigation and Compensation Measures

Habitats and Flora

- 1.26 Floral diversity of the development footprint is low, and species are those typically associated with the habitats on site. None of the species recorded during the survey are protected by the Wildlife and Countryside Act 1981 (as amended) or listed under Section 7 of the Environment (Wales) Act 2016. In addition, no nationally or locally rare species were recorded.
- 1.27 The development will result in the loss of an area of buildings, hardstanding and a narrow strip of tall ruderal vegetation. The existing hedgerow along the western boundary is being lost but will be replaced with an extended single-species native common hornbeam *Carpinus betulus* hedgerow. Additional mixed species native hedgerow planting is also provided as part of the landscaping scheme. Mixed species native hedging including hazel *Corylus avellana*, hawthorn *Crataegus monogyna*, holly *Ilex aquifolium* and dog rose *Rosa canina* will be planted along the northern, eastern and southern boundaries complimented by wildflower margins, spring bulb planting and amenity grass areas. Smaller sections of single species hedging including *Carpinus*, *Euonymus* and *Taxus sp.*, ornamental planting and amenity areas will be installed within the front and rear of several of the new dwellings. This new planting will compensate for the loss of a short section of existing species poor hedgerow.
- 1.28 Himalayan balsam was recorded on the banks of Prestatyn Gutter which is outside of the site boundary. The proposed works will not impact this area and so works are unlikely to cause any further spread of this INNS.

⁸ 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.

Fauna

Bats

- 1.29 Building three will be demolished to facilitate the proposals, which will result in the destruction of the pipistrelle night roost/feeding perch. Bat roosting habitat will be mitigated and compensated for through the provision of bat boxes installed on the external features of the new houses located along potential commuting and foraging routes. The specifications and locations of bat boxes are detailed within the EA Report (Ref: EE.4839.24.LB). Enhancements will be provided by the inclusion of bat boxes that will support local bat species. Replacement introduced shrub, hedge and tree planting will maintain the function of the site for the limited number of bats recorded foraging within the locality by providing habitat for invertebrates.

Birds

- 1.30 Building three will be demolished to facilitate the proposals, which will result in the destruction of the house martin nests. To compensate for the loss, two pairs of house martin nest cups will be installed on the external features of the new houses.
- 1.31 Enhancements will be provided by installing nest boxes for swifts *Apus apus*, a species on the Red List of Birds of Conservation Concern for Wales⁸. Six general bird boxes will also be installed to enhance the site for other bird species. The specifications and locations of bird boxes are detailed within the EA Report (Ref: EE.4839.24.LB). Additional shrub and tree planting will also provide replacement bird nesting habitat to mitigate and compensate for the loss of existing nests.
- 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.

Otter / Water Vole

- 1.34 The section of Prestatyn Gutter along the northern site boundary is deemed suitable for foraging and commuting otters and signs of likely past use by water vole were identified during the survey. Reasonable avoidance measures (RAMs) as detailed within the EA Report (Ref: EE.4839.24.LB) will be followed during and after construction. If any works to the banks of Prestatyn Gutter are proposed, a pre-works check by an ecologist will be required and dependent on the proposed works, further survey work may be required to confirm the presence of either species.

Hedgehogs

- 1.35 The EA Report (Ref: EE.4839.24.LB) identified records of hedgehogs in the area. The creation of a 'hedgehog highway' comprising a 13cm x 13cm square hole at the base of every fence or gravel

board will ensure they can continue to move through the area to forage. Replacement introduced shrub, herbaceous planting and amenity grassland within the proposals will also enhance the Site's potential use by this S7 rapidly declining species.

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

- 1.36 A sustainable drainage system (SuDS) integrated into the development proposals will be sown with a wildflower and grassland meadow mixture, allowing for the natural colonisation by plants, along with additional planting of native tree species.
- 1.37 The proposed landscape planting will enhance habitat functions within the site by providing seasonal and evergreen foliage and creating a variety of habitat niches including tree canopies, hedge and shrub cover, seed and pollen producing grasses and flowers. 26 extra heavy standard trees are being planted within the proposed development including *Acer*, *Betula*, *Malus* and *Prunus sp.* which provide nectar and pollen for bees and many other types of pollinating insects.
- 1.38 Enhancement for roosting bats, nesting birds and hedgehogs will be delivered within the new development through the provision of bat and bird boxes, a 'hedgehog highway' and a diverse planting scheme.

Ecosystem Resilience and the DECCA Framework

- 1.39 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** – the length of hedgerow will be extended and habitats will be maintained within the site;
 - **Condition** – the condition of 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 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

- 1.40 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.

- 1.41 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).
- 1.42 The proposed landscaping scheme will create GI components with additional tree, hedgerow, shrub and herbaceous planting around the Site which exceeds the PPW 12 compensation planting ratio of 3:1. Management of trees and introduced shrub should be designed to allow species to flower and maintain varying canopy cover.
- 1.43 Amenity grassland areas will be seeded with wildflower and grassland meadow mixtures which will provide additional pollen and nectar resources for invertebrates.
- 1.44 Trees, hedgerows and shrubs will be planted within the areas of public open space and gardens and will comprise non-native and native species, the latter being more wildlife friendly and beneficial for pollinators.