

In spring 2018, Welsh Assembly Government consulted on revisions to Planning Policy Wales. ALERC responded to this consultation by commenting on the relevant paragraphs

5. Distinctive and Natural Places.

Q30 Do you agree with the approach taken to landscape, biodiversity and green infrastructure? If not, please explain why.

Yes largely. However a few modifications could make a good policy even better. There should be more detail on the access, storage and use of ecological evidence and greater reference to Technical Advice Note 5 (TAN 5)

5.59 Explains the importance of planning authorities advising applicants on the statutory protections afforded to certain species and how surveys may be needed to detect the presence of such species. However, this should be strengthened to explain how evidence supports protected species decisions.

TAN 5)is mentioned elsewhere in section five, but not in the paragraph on protected species. This should be amended as TAN 5 has some critical advice on protected species evidence, particularly in 6.2.2 "...bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present. However, the level of likelihood that should trigger a requirement for developers to undertake surveys should be low where there is a possibility that European protected species might be present. It is considered best practice that such screening should be carried out by a competent ecologist on the basis of data provided by the relevant Local [Environmental] Record Centre(s) [(LERCs)]".

Not all planning authorities are using the available protected species evidence, creating an inconsistency in requirements between different areas. Reference to using the best available evidence should therefore be added to 5.59 as well as a specific reference to TAN 5 to ensure that protected species laws are adhered to and ecological surveys are commissioned when they are necessary and appropriate to the likely species present.

Similarly, the policy as regards evidence for Green Infrastructure (GI) assessments should also be augmented. Currently it says that GI assessments make "...pragmatic and inclusive use of existing datasets, and the best available information" (5.70). It is unclear however which datasets and what information, or where this information should be stored and how it should be accessed. TAN 5 only provides a small amount of information on Green Infrastructure and no mention of green infrastructure evidence. This should be another area where LERCs are approached for evidence (as well as for protected species as already mentioned earlier). Therefore, either the text should be amended specifically refer to sources of evidence (with LERCs being the primary source) or TAN 5 should be reviewed so that it's information regarding GI evidence is as detailed as for protected species or preferably both amendments should be made.

Finally, the LERCs should be referred to as places to send evidence as well as source it. This applies not only to Green Infrastructure information (such as geographic information system habitat polygons) but also for protected and priority species records as this information, once

presented in reports that accompany planning applications, is lost or hard to achieve. It would be very powerful if retained digitally in databases and would inform individual future plans and planning decisions. Therefore we recommend either modifying the text of 5.59 and 5.70, or that TAN 5 be reviewed ensure that planning authorities are advised to send ecological evidence to LERCs for further use.