


Blaenau Gwent County Borough Council











be created. For example, new development on previously developed land provides opportunities to restore and enhance the natural heritage through land rehabilitation, landscape management and the creation of new or improved habitats.


2.6 According to paragraph 5.5.13 of PPW 'Local authorities have a duty to ensure that adequate provision is made for the planting or preservation of trees by imposing conditions when granting planning permission and/or by making Tree Preservation Orders (TPOs)'.


2.7 In terms of the historic environment WAG's objectives in this field are to:

- preserve or enhance the historic environment, recognising its contribution to economic vitality and culture, civic pride and the quality of life, and its importance as a resource for future generations; and specifically to
- protect archaeological remains, which are a finite and non-renewable resource, part of the historical and cultural identity of Wales, and valuable both for their own sake and for their role in education, leisure and the economy, particularly tourism;
- ensure that the character of historic buildings is safeguarded from alterations, extensions or demolition that would compromise a building's special architectural and historic interest; and to
- ensure that conservation areas are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls over businesses and householders.

2.8 Paragraph 13.5.1 of PPW explains that the planning system should guide development to lessen the risk from natural or human-made hazards, including risk from land instability and land contamination. The aim is not to prevent the development of such land, though in some cases that may be the appropriate response. Land Reclamation can enable unstable and contaminated sites to be suitable for new development.

2.9 The revised TAN outlines the aims and objectives of the Welsh Assembly Government to promote the Natural Environment, taking into consideration further guidance and the increased importance of the topic area in the interim period





Regulations 2010 (the “Habitats Regulations”). This legislation gives protection to European sites (SACs and SPAs) and also protects certain wild plants and animals (European Protected Species)

2.11 National Nature Reserves (NNRs) are declared under Section 19 of the National Parks and Access to the Countryside Act, 1949 or Section 35 of the Wildlife & Countryside Act, 1981. Sites of Special Scientific Interest (SSSIs) are notified under Section 28 of the Wildlife & Countryside Act 1981. Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) places a duty on all local authorities and other public authorities in England and Wales to have regard to the conservation of biodiversity in exercising their functions (biodiversity duty). Section 42 of this Act places a duty on the National Assembly for Wales to publish a list of the species and habitats of principal importance in Wales. All local authorities must have particular regard to this list when carrying out it's functions, including determining planning applications.


2.12 Policies in Local Development Plans should also provide for the protection of Sites of Interest for Nature Conservation (SINCs), Local Nature Reserves (LNRs) and Regionally Important Geological Sites (RIGs). Locally designated sites should be subject to the application of rigorous criteria to ensure their designation is justified on biological or geological grounds. The process of designating and maintaining the sites should be transparent. Where development proposals may affect national or local BAP habitats or species the same principles apply as to locally designated sites above.

2.13 The revised PPW includes amendments made as a result of consultation on Technical Advice Note 6 (TAN 6) and both documents should be read together


TAN 6 deals with the following issues:

- sustainable rural communities;
- sustainable rural economies;
- rural affordable housing;
- rural enterprise dwellings;
- One Planet Developments;
- sustainable rural services; and
- sustainable agriculture.

2.14 One of the key issues that LDPs need to address is how the land use planning system can be used to create sustainable rural communities. PPW and TAN 6








3.1 In June 2006, the Heads of the Valley Strategy was launched to help tackle the issues faced by the Heads of the Valleys communities. The Heads of the Valleys Programme area covers the whole of Blaenau Gwent.

3.2 The objectives of the programme reflect those of the Wales Spatial Plan in seeking to ensure:


- An attractive and well used natural, historic and built 16a)LC6l):6M6e)LC6)L56a)LC6)L56G







4.1 As a corporate document, the Local Development Plan must have regard to other documents produced by the Council. The relevant documentation in terms of the environment is set out below.


4.2 The Community Strategy builds on the work undertaken by the Community Plan






- 
- 5.1 Special Areas of Conservation (SACs) are strictly protected sites designated under the EC Conservation (Natural Habitats &c.) Regulations 1994 (Council Directive 92/43/EEC of 21 May 1992). The UK is bound to the terms of the Habitats Regulations, which are translated into the Wildlife and Countryside Act 1981, as amended by the Countryside Rights of Way Act, 2000. The legislation focuses not only on protection, but also on management.
 - 5.2 Planning Policy Wales defines SACs as Statutory Nature Conservation Designations. The Assembly will seek to ensure that the “*international*
- 





interest. This gives local authorities more powers to ensure better protection and management of SSSI's and safeguard their existence into the future.

- 5.15 There are two Sites of Special Scientific Interest (SSSI) within the Planning authority boundary:
- Cwm Merddog Woodlands / Coed Ty'n y Gelli
 - Brynmawr Sections (geological site)
- 5.16 The Countryside Council for Wales (CCW) is responsible for selecting and designating SSSIs, which are identified under scientific criteria published by the Joint Nature Conservation Committee (JNCC).
- 5.17 The inclusion of a policy within the LDP that refers specifically to the SSSI is not considered necessary due to the protection it has within national legislation. The inclusion of a policy within the local development plan would be repeating national legislation and guidance.
- 5.18 SINC's comprise one category of nature conservation designation that are recognised throughout the UK under a wide range of differing titles, and which are collectively known as '*local wildlife sites*'.
- 5.19 SINC's are a non-statutory wildlife site designation covering a wide range of semi natural habitats of substantive value within a regional, county or district context and protecting and enhancing these sites is an essential part of sustaining the
- 




tinetG:

SINCs to be included in the LDP to 137. Both tranches are shown on the Proposals Map.

- 5.23 The identification and review of SINCs is an ongoing process with sites being identified as and when ecological survey data becomes available. Further tranches of sites will therefore be submitted to Committee as and when the ecological data becomes available and sites are approved bComor: L;6)L:V6 g);61L56h);6e





Act 1949 in consultation with the Countryside Council for Wales. They are statutory designated sites of local biodiversity or geological interest which are managed to protect their natural interest and enhance it if possible, and are of particular value for community enjoyment, involvement and education.

5.30 The important role of Local Nature Reserves is also recognised in Biodiversity – the UK Action Plan (HMSO 1994) which encourages Local Authorities to make reasonable provisions for Local Nature Reserves and green spaces in local plans and countryside strategies. Local Authorities also have a legal responsibility for delivering biodiversity conservation under the Natural Environment and Rural Communities Bill (NERC) 2006.

5.31 PPW states that the designation of LNRs should be based on sound scientific assessment and are considered to add value to the planning process (para 5.3.11).

5.32 Local Nature Reserves are identified and designated using the same guidelines and criteria as SINCs, however to establish a LNR the declaring local authority must first have a legal interest in the land concerned, for example, they could own it, lease it or have a nature reserve agreement with the owner. The land must lie wholly within the area, which the declaring authority controls.

5.33 Blaenau Gwent County Borough currently has the following 6 LNRs, which are shown on the Constraints Map:


- Silent Valley
- Parc Nant-Y-Waun
- Sirhowy Hill Woodlands and Cardiff Pond
- Cwmtillery Lakes
- Beaufort Hills pond and woodland
- Parc Bryn Bach


5.34 It is hoped to designate the following five sites (which will be put on the Constraints Map) as Local Nature Reserves by the end of 2012.

- Six Bells
- Roseheyworth
- Trevor Rowson
- Cwmcelyn
- Garden city

5.35 Policy DM15 in the Local Development Plan will seek to maintain, enhance and provide mitigation for any loss to LNRs.

5.36 The Welsh Assembly Government recognises the important role of Green Infrastructure in terms of promoting sustainable development. At the heart of the Wales Spatial Plan is ‘improving wellbeing and quality of life by integrating social,






economic and environmental objectives in the context of more efficient use of natural resources'. The Wales Spatial Plan is built upon five themes, all of which are supported by Green Infrastructure. The "Valuing our Environment" theme is particularly relevant when considering how the region's green infrastructure can contribute to implementing the Spatial Plan vision for South East Wales. The Valuing our Environment thVu t me3R QL:G6e3R)LC6 QL3:G6 l):63DV3;):6n)LC5;)L:Gy73C











Development of Criteria report allowed for other more specific or local needs to be identified at stage 1, and therefore included at all later stages.

These local criteria are:

- Prominence,
- Spectacle – dramatic topography and views,
- Unspoilt areas - Pre-industrial patterns of land use
- Unspoilt areas – Remoteness and Tranquility
- Vulnerability & sensitivity to change
- Locally rare landscape
- Setting for special landscapes


5.52 In total 8 Special Landscape Areas have been designated and these are shown on the Proposals Maps. The report 'Proposals for Designation of Special Landscape Areas in Blaenau Gwent (2009) contains a full explanation of how SLAs have been designated in Blaenau Gwent.

5.53 Green wedges are a local non-statutory designation that primarily prevents the coalescence of individual settlements and maintain important open green spaces between and within settlement boundaries.


5.54 The purpose of green wedges according to Planning Policy Wales (4.7.3) is to:

- prevent the coalescence of large towns and cities with other settlements;
- manage urban form through controlled expansion of urban areas
- assist in safeguarding the countryside from encroachment;
-







5.58 The results of the assessment are shown in Table 1 below. It is considered that 2 (Beaufort and Brynmawr; Tredegar and Ebbw Vale) serve an important function and should therefore be retained, although the latter requires modifications to the original boundary. The boundary of the Green Wedge between Tredegar and Ebbw Vale has been reduced considerably to that previously designated in the UDP as some land has been afforded sufficient protection because it has been designated as a Special Landscape Area. It was not considered necessary to retain the Green Wedges at Rassau and housing areas to the south and Tafarnaubach and housing areas to the east because they fail to meet the criteria of the green wedge policies (S5V;6w):G6e)LC6d)LC6g);6e)LC6)L5V;6p)LC6o)LC6l):6i):6c)








- 
- 5.74 The Council does not have a list of such buildings and structures however, but a local list will be compiled from visual surveys and consultation with local interest groups. SPG will set out methodology for such a list.
- 5.75 Under the Planning (Listed Buildings and Conservation Areas) Act and Regulations 1990, local authorities have a statutory duty to identify areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance, and designate them as conservation areas. These are afforded statutory protection by the Act, which provides that within these areas, local authorities are duty bound to prepare proposals for their preservation and enhancement, and to have special regard for proposals that may affect its character. The Act further provides control over the total or substantial demolition of a building within a conservation area and enables local authorities to affect repairs and make available grants and loans for repairs or restoration of buildings.
- 5.76 The two conservation areas in Blaenau Gwent are both located in Tredegar and shown on the Constraints Map. The second conservation area has been declared as part of the Tredegar Townscape Initiative and it adjoins the other conservation area at Bedwellty Park.
- 5.77 As the Council does not intend to depart from or add to the position as laid down by legislation or national guidance conservation areas are not considered relevant for inclusion in the LDP
- 5.78 Cadw, in association with the International Council on Monuments and Sites and the Countryside Council for Wales, has prepared a Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. The register has been prepared in two parts. The first part covering historic parks and gardens lists Bedwellty Park. Tredegar. This designation is reflected in the LDP Constraints Map.
- 5.79 The designation is given to parks and gardens for their historic interest, contents and features, condition, and historical associations. They are graded on a similar grading system to listed buildings and Bedwellty Park is evaluated as Grade II.
- 5.80 The effect of development upon historic parks and gardens, and their settings is regarded as a material consideration with respect to the determination of planning applications. As such the inclusion of Bedwellty Park within the register provides the protection afforded by the designation and the inclusion of a policy in the LDP is unnecessary.
- 5.81 In Wales, the most important and best surviving historic landscapes have been identified on the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales, which was referred to in the above paragraph. The first part
- 



part of the lake and create a wetland. Llanhilleth Pithead Baths is another newly allocated site and the removal of the derelict industrial building, which is considered to be an eyesore will enable the land to be developed. In total 4 sites have been allocated for land reclamation and they are shown on the Proposals Map. The results of the review are shown in the following table.

Ty Pwcca to Beaufort, Ebbw Vale	No	Site of archaeological importance
Ty Pwcca to Beaufort, Nantyglo	No	Site of archaeological importance
Caban Gwyn Nantyglo	No	Site of archaeological importance
Racehorse–Brynmawr-Clydach	No	Site of archaeological importance
Blaenavon Road, Brynmawr	No	Site of archaeological importance
Blaenant Farm, Brynmawr Cwmcrachen. Brynmawr	No Yes	Site of archaeological importance Some land still requires reclamation/remediation works but the site has been reduced considerably to that allocated in





could be released to help achieve the aims of the LDP. Another felt that policies should be adopted to ensure adequate protection against potentially undesirable schemes, possibly wind development and waste disposal.

These views have been taken into consideration when determining the detailed policies of the Deposit Plan.

50% of respondents said there is sufficient protection, 33% said too little and 17% believed there to be too much. One respondent thought there is a need to identify more sites for protection, (SINCs), whilst another commented that limited development in the countryside could have positive results. One stated that there are other considerations, such as the social and economic aims of the LDP.

The current level of protection was considered sufficient by half the respondents, which may indicate that current urban boundary policies and environmental policies are working to a degree. It is noted that a third of respondents were dissatisfied and this has been taken into account by ensuring extra protection has been afforded to the countryside through the designation of 137 SINCS in Blaenau Gwent.

This will be taken into consideration when determining the detailed policies of the Deposit Plan.

83% of responses agreed that the boundaries should be reviewed. It was felt that as SINCs are currently being identified there is a clear need to determine their boundaries and adequacy. A respondent commented that the use of Special Landscape Areas within the LDP need to be reassessed using LANDMAP. A further comment was that the Green Wedge designation should be re-examined and adjusted accordingly. One stated that it would be difficult to comprehensively reassess the adequacy of all land and boundaries and that it may be more





6.12 Deposit plan policies have, where appropriate, take these views into account.


6.13 The Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) Scoping Exercise was undertaken between March – December 2007. The process identified key strategic problems, objectives and issues for sustainability. 18 key sustainability issues were identified 2 of which are related to the environment:

- Protection of ecological resources and biodiversity; and
- Under appreciation and protection of heritage

7.1 The Preferred strategy provided the following policy framework for the environment in Blaenau Gwent:

- 12 Protect, enhance and manage the diversity of the biodiversity resource of Blaenau Gwent through the identification of ecological corridors
- 13 Raise the standard of design to improve the quality of the physical and





and protected species generally, and where appropriate through the design of new development/ regeneration schemes.

7.8 The Deposit plan will refer




















The Green Infrastructure will also be enhanced by creating new open space and natural features as part of new development or through developer contributions. This whole approach integrates biodiversity interests, provides a response to climate change and enables more sustainable and healthy lifestyles by incorporating interests of cyclists and walkers. This infrastructure will be developed and enhanced in accordance with the aims and objectives of the Valleys Regional Park (VRP).



Trees, woodlands and hedgerows are a key part of the landscape, making a positive contribution to both the natural and built environment. In order to retain trees, woodlands and hedgerows of natural heritage and conservation value and minimise any adverse effects of development, applicants are required to assess all trees and woodlands, on and adjoining their site, using the recommendations of the current British Standard 5837 for trees in relation to construction in conjunction with the Council's Supplementary Planning Guidance 'Trees and Development: A Guide to Incorporating Trees, Woodlands & Hedgerows into Development Proposals'. The assessments should be used to inform the design, and will be used by the Council in fulfilling its statutory obligations in respect of protecting trees and woodlands. In considering hedgerows, the Council will have regard to their landscape, historic and nature conservation value, as well as their function as boundaries.


A number of trees, woodlands and hedgerows are protected through Tree Preservation Orders (TPO's), Conservation Area Status and the Hedgerow Regulations. In such instances there is national policy and guidance, which protects them. This policy relates to trees, woodlands and hedgerows which are a key part of the landscape and make a positive contribution to both the natural and built environment but are not protected through Acts or Regulations.







51.	Nine Arches Grassland	71.	Trefil Ddu Pond 4 (4 of 4)
52.	North Pen-y-Lan Grassland	72.	Trefil Village Grassland
53.	Milgatw Farm Grassland	73.	Pyllau-duon Pond
54.	Fairview Field	74.	Upper Troedrhiwgwair Grasslands
55.	Pine Tree House Grassland	75.	Scotch Peter's Pond
56.	River Sirhowy	76.	South of Troedygwair
57.	Sheepfold Grasslands	77.	Highlands Grassland
58.	Shon Sheffrey's Reservoir Banks	78.	The Ducky/ The Small Ducky
59.	South Pen-y-Lan Grassland	79.	Tredeggar Patch Grassland
60.	The Fountain Inn Meadows		





The current provision of SAC's and SSSI's alone is not sufficient to maintain the biodiversity of Blaenau Gwent. It is therefore important to identify locally designated wildlife sites such as Sites of Importance for Nature Conservation (SINC). Blaenau Gwent currently has 137 SINC's which are shown on the Proposals Map. Work is in progress to designate a number of other SINCS. As








- 
-
- 9.18 Statement in paragraph 6.68 has a get out clause where special species and habitats are concerned and gives priority to development. If a site is of special interest (such as the SINCS at Bryn Serth, Rhyd-y-Blew and Blue Lakes) then development should be limited to preserve some of the site.
- 9.19 There are a variety of statutory (both national and international) and non-statutory designations that cover sites of nature conservation and wildlife value in Blaenau Gwent, which are a material consideration when determining planning applications. They are afforded different levels of protection, for example, locally designated sites such as SINCS are afforded less protection than statutory sites. Further information is contained in the Council's Supplementary Planning Guidance on Biodiversity and Geodiversity (see figure 4 p.26).
- 9.20 It should be noted that the intention is still to both protect and enhance biodiversity in Blaenau Gwent.
- 9.21 It is recommended that paragraph 6.66 be amended to provide clarity. It is recommended to the Inspector that this issue be addressed through a Focussed Change.
- 9.22 Policy and title called Built Environment but relates to broader historic environment
- 9.23 it is recommended to the Inspector that the title of Policy SP11 be amended as through a Minor Change.
- 9.24 It is agreed that to avoid repetition of national policy criterion a should be amended. It is recommended to the Inspector that this issue is addressed through a Focussed Change.
- 



9.25











9.40 Paragraph 7.88 highlights that the Ebbw Fach Trail has improved connectivity




- 
- 9.44 The plan's written statement should clarify the relationship between this plan area and its neighbours. It would be useful for the plan to clarify its relationship with the existing and emerging LDPs of neighbouring plan areas with regard to the mapping of green wedges
- 9.45 The two green wedges in Blaenau Gwent are not on the boundaries of any of the neighbouring authorities. Neither are there any green wedges on the boundaries of neighbouring authorities. Therefore there is no issue with green wedges and no need for the plan to clarify how the mapping of the green wedge areas meets with neighbouring authorities. It is therefore not considered necessary to make any amendments.
- 9.46 Concerned at limited northern area of green wedge between Ebbw Vale and Tredegar, ENV 1.2. Designation should be broader & extend further northwards up to the southern edge of the HoV Road (a logical physical boundary) to prevent coalescence.
- 9.47 It is agreed that the boundary of the green wedge should be amended and it is recommended to the Inspector that this issue be addressed through a Focussed Change.
- 9.48 Disagree with altering the green wedge since the CCW's comments are very vague. CCW are supposed to protect rural Wales not allow unnecessary developments to be forced on the community via the back door.
- 9.49 The representor appears to misunderstand the proposed amendment that would increase the green wedge.
- 9.50 The plan's written statement should clarify the relationship between this plan area and its neighbours. It would be useful for the plan to clarify its relationship with the existing and emerging LDP of neighbouring plan area with regard to the mapping of Special Landscape Areas.
- 



- 
- 9.59 The approach taken by the Council is that the Proposals Map sets out local designations identified by the Council. Designations identified by separate legislation are identified on the Constraints Map. The advantage of this is that they can be updated when necessary and it does not give a false impression that the designations can be changed through the LDP process.
- 9.60 The boundary of the designated SINC at Bryn Serth (ref ENV3.2) should be redrawn to exclude the land allocated as MU1 where there is an extant planning permission for mixed-use development as the duplication may be a barrier to development.
- 9.61 Sites of Importance for Nature Conservation were assessed and identified in accordance with a document produced by several South Wales Local Authorities, namely; 'Criteria for the selection of Sites of Importance for Nature Conservation in the County Boroughs of Blaenau Gwent, Caerphilly, Merthyr Tydfil and Rhondda Cynon Taff'. These criteria may be viewed in the document, which is part of the LDP evidence base. SINCS are approved by a Panel of experts, which includes
- 







9.79 No evidence of the 'detrimental effect' has been provided. Therefore it is difficult to respond specifically. However, in general terms it is considered that the creation of a wetland will add to the biodiversity value of the site by creating additional habitats

-






6NF10136 TD () TJ1






- 
- c. Maintaining and enhancing the Green Infrastructure including creating a network of local wildlife sites and wildlife corridors, links and stepping stones;
 - d. Ensuring that development retains, protects and enhances features of ecological or geological interest, and provides for the appropriate management of these features;
 - e. Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for;

The local natural environment has seen considerable changes over the past 30 years. As the pressures put upon it by heavy industry have subsided, the visual and wildlife qualities that are unique to the area have significantly increased. The Strategy aims to protect and enhance the local landscape, biodiversity and geodiversity. This will be achieved through the identification, protection and enhancement of international, European, national and locally important sites as well as habitats and species across the Borough.

The natural environment is diverse and widespread including specific biodiversity protection for areas and habitats and species including national and local designations. It is important that these are protected from inappropriate development but, where the need for the development outweighs the nature conservation importance of the site and it can be demonstrated that the development cannot reasonably be located elsewhere, mitigation and/ or compensation will be required to ensure that there is no net loss of biodiversity. Mitigation will be necessary to offset any negative effects and where this is not possible, compensatory provision equivalent to that lost as a result of the development will be necessary. Mitigation may mean on-site or off-site mitigation and will be delivered through S106 agreements and planning conditions. However, development will be encouraged to result in a net improvement in terms of biodiversity by taking account of it as part of any development.

- a. It maintains or enhances the ecological or geological importance of the designation , or
- 









For further Information please contact:

Planning Policy Team
Blaenau Gwent County Borough Council
Business Resource Centre
Tafarnaubach Industrial Estate
Tredegar, Blaenau Gwent
NP22 3AA

Tel. 01495 354740/355538/355544/355501
email. planningpolicy@blaenau-gwent.gov.uk
or visit www.blaenau-gwent.gov.uk

