
Pembrokeshire Coast National Park

Management Plan (2015-2019)

Local Development Plan 2

(2015-2031)

Background Paper: Biodiversity

March 2018

PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY

Contents Page

National context	3
Planning Policy Wales (Edition 9, November 2016).....	3
Environment Strategy for Wales	4
UK Biodiversity Action Plan	5
Nature Recovery Plan for Wales	5
Technical Advice Note 5: Nature Conservation and Planning	5
The Environment (Wales) Act 2016.....	6
Natural Resources Policy Welsh Government (2017)	6
Well-being of Future Generations (Wales) Act 2015.....	7
Working Together for Wales	7
People, Places, Futures	7
Conservation of Habitats and Species Regulations 2017....	8
Wildlife and Countryside Act 1981 (as amended)	8
Wales National Marine Plan.....	8
Regional context	8
West Wales Biodiversity Information Centre	8
People, Places, Futures	9
Local context.....	9
Pembrokeshire Nature Recovery Plan	9
National Park Management Plan 2015-2019	9
References.....	10

National context

Planning Policy Wales (Edition 9, November 2016)

1. Section 4 sets out the principles of promoting sustainable development, in line with The Well-being of Future Generations (Wales) Act 2015. One of the principles (Section 4.3.1) is:

“respect for environmental limits, so that resources are not irrecoverably depleted or the environment irreversibly damaged. This means, for example, mitigating climate change, protecting and enhancing biodiversity, minimising harmful emissions, and promoting sustainable use of natural resources.”
2. The main guidance on biodiversity in Planning Policy Wales is in Chapter 5, “Conserving and Improving Natural Heritage and the Coast”¹. This emphasises the importance of biodiversity protection and enhancement, and the role of the planning system, and statutory nature conservation designations. Consistent with the objectives for their designation, statutorily designated sites are protected from damage and deterioration, with their important features conserved by appropriate management.
3. Chapter 5 of Planning Policy Wales also identifies particular requirements applying to the preparation of development plans in National Parks. It identifies the statutory purposes of National Parks, emphasising that other public bodies and relevant authorities have a statutory duty to have regard to these purposes.
4. It is important that biodiversity and landscape considerations are taken into account at an early stage in both development plan preparation and development management. The consequences of climate change on the natural heritage and measures to conserve the landscape and biodiversity should be a central part of this.
5. The development plan should:
 - identify all international, national and local designated sites (including potential SPAs, candidate SACs and listed Ramsar sites);
 - provide criteria against which a development affecting the different types of designated site will be assessed, reflecting their relative significance;
 - include locally-specific policies for the conservation and, where appropriate, enhancement of landscape and amenity;

¹ Some references in this edition of Planning Policy Wales have been superseded. In particular, the Countryside and Rights of Way Act 2000 section 42 list of habitats and species is now given at section 7 of the Environment (Wales) Act 2016.

- provide for the conservation and, where appropriate, enhancement of biodiversity and landscape outside designated areas, in particular identifying opportunities to conserve important local habitats and species, and to safeguard and manage landscape features of major importance for nature conservation or amenity;
- make appropriate provision for Local Nature Reserves;
- include, where appropriate, locally-specific policies for conserving native woodland and protecting and planting trees;
- clarify how biodiversity will be safeguarded outside statutory designated sites without unduly restricting development that is otherwise appropriate;
- provide for the protection and enhancement of open space of conservation value, seeking to identify opportunities to promote responsible public access for enjoyment and understanding of the natural heritage where this is compatible with its conservation and existing land uses; and
- recognise the potential of, and encourage land uses and land management practices that help to secure carbon sinks.

Environment Strategy for Wales

6. The Environment Strategy for Wales provides a framework within which to achieve an environment which is clean, healthy, biologically diverse and valued by the people of Wales. It sets out Welsh Government strategy until 2026, providing the context, the challenges, the Welsh Assembly Vision for the environment and how change will be enabled under 5 key environmental themes:
 - Addressing climate change
 - Sustainable resource use
 - Distinctive biodiversity, landscapes and seascapes
 - Our local environment
 - Environmental hazards
7. The Environment Strategy specifically considers biodiversity and provides outcomes for 2026.
8. The Strategy is complemented by other schemes, including One Wales: One Planet – the Sustainable Development Scheme for Wales (2009), The Climate Change Strategy for Wales (2010), Towards Zero Waste (2010) and Woodlands for Wales (2011).

UK Biodiversity Action Plan

9. The Convention on Biological Diversity of 1992 led to the UK Government's provision of the UK Biodiversity Action Plan. It describes the biological resource of the UK, and sets out a plan of how these resources will be protected. The objectives of the UK Biodiversity Action Plan provide the context for the Local Biodiversity Action Plan for Pembrokeshire (see **Pembrokeshire Nature Recovery Plan** at para 31 below).

Nature Recovery Plan for Wales

10. The Nature Recovery Plan for Wales (2015) is the National Biodiversity Strategy and Action Plan for Wales. It sets out a commitment to biodiversity in Wales, issues to address, and objectives for action. It sets out how current and proposed action, particularly through the Well-being of Future Generations (Wales) Act 2015, and Sustainable Management of Natural Resources will contribute to reversing the loss of biodiversity in Wales.
11. An Action Plan sets out those actions which have been specifically identified to meet our objectives to reverse the decline of biodiversity. A Nature Recovery Framework, in development, shows the governance structure for the Nature Recovery Plan, and the roles and responsibilities of everybody involved in the delivery of action for biodiversity in Wales. It will also define the accountability measures in place to ensure delivery.
12. The Nature Recovery Plan for Wales sets out how partners will address the Convention on Biological Diversity's Strategic Plan for Biodiversity and the associated Aichi Biodiversity Targets in Wales, as well as the EU Biodiversity Strategy targets. It has been produced by the Wales Biodiversity Strategy Board, members of which represent both land and sea managers, Natural Resources Wales, the environmental third sector, local authorities, Wales Biodiversity Partnership and Welsh Government.

Technical Advice Note 5: Nature Conservation and Planning

13. Technical Advice Note 5: Nature Conservation and Planning (September 2009):
 - sets out the key principles of planning for nature conservation;
 - provides advice about the preparation and review of development plans, including the relevant statutory requirements;
 - addresses nature conservation in development management procedures;
 - deals with the conservation of internationally and nationally designated sites and habitats and also covers local sites; and
 - deals with the conservation of protected and priority species.

The Environment (Wales) Act 2016

14. The Environment (Wales) Act 2016 is intended to legislate for planning and managing Wales' natural resources in a proactive, sustainable and integrated way.
15. Part 1 of the Environment Act sets out Wales' approach to planning and managing natural resources at a national and local level with a general purpose linked to statutory principles of sustainable management of natural resources, defined at Section 4 of the Act.
16. Section 6 of the Act places a duty on public authorities to “maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.” The duty replaces the Section 40 duty in the Natural Environment and Rural Communities Act 2006, in relation to Wales, and applies to those authorities that fell within the previous duty. Public authorities are required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience.
17. Section 7 of the Act replaces the duty in Section 42 of the Natural Environment and Rural Communities Act 2006: “Welsh Ministers must prepare and publish a list of the living organisms and types of habitat which in their opinion are of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. The Welsh Ministers must also take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section, and encourage others to take such steps.”
18. Section 9 places a duty on Welsh Ministers to prepare and publish a document setting out their general and specific policies for contributing to achieving sustainable management of natural resources in relation to Wales (the “national natural resources policy”). This must set out what the Welsh Ministers consider to be the key priorities, risks and opportunities for sustainable management of natural resources in relation to Wales, including what they consider should be done in relation to climate change and biodiversity. Section 11 requires Natural Resources Wales to prepare and publish Area Statements for the purpose of facilitating the implementation of the national natural resources policy, and specify the public bodies which Natural Resources Wales considers may assist in addressing the priorities, risks and opportunities.

Natural Resources Policy Welsh Government (2017)

19. The policy contains the following in regard to Local Development Plans:

“The Planning (Wales) Act 2015 improves the planning process to ensure the right development is located in the right place. Planning Policy Wales is being restructured to reflect the goals and ways of working set out in the Well-being of Future Generations Act. Following this, we will consider whether the supporting series of Technical Advice Notes also need to be amended. Taken together, Planning Policy Wales and the National Development Framework will set the national planning context which will support the delivery of the Natural Resources Policy at the national level. At the local level, Natural Resources Wales' area statements will provide a vital local

evidence base for the sustainable management of natural resources, which Local Authorities must have regard to in their Local Development Plans.”

Well-being of Future Generations (Wales) Act 2015

20. The Well-being of Future Generations (Wales) Act 2015 concerns the embedding of the principle of sustainable development into all of the work carried out by public bodies and places a requirement on all public bodies to set out how they will progress the 7 well-being goals set out in the Act. As overarching sustainable development framework for Wales it is essential that sustainability appraisal of Pembrokeshire Coast National Park Authority’s replacement Local Development Plan has full regard for the Act and its goals. The Local Development Plan Manual Edition 2 also considers that a sound Local Development Plan must have regard for the Well-being goals of the Act. This will be done through the Sustainability Appraisal of the replacement Local Development Plan and the Equalities Impact Assessment. The replacement National Park Management Plan (2020-2024) will similarly need to have full regard for the Act, to be assessed through Sustainability Appraisal (the Management Plan 2015-19 preceded the Act).
21. The Sustainability Appraisal Scoping Report has examined the compatibility and coverage between the Sustainability Appraisal Objectives and the 7 well-being goals of the Well-being of Future Generations Act 2015. The Sustainability Appraisal Objectives are largely compatible with the Well-being goals, with the majority of the goals being contributed to by at least 7 of the Sustainability Appraisal Objectives.
22. The Vision and Objectives background paper appraises the replacement Local Development Plan vision and objectives against Welsh Government’s Well-being goals and those in the Well-being Plan for Pembrokeshire (draft February 2018). Overall, they show a positive complementarity across all the goals. The Local Development Plan objectives particularly support Welsh Government’s goals of ‘A prosperous Wales’, ‘A resilient Wales’, ‘A Wales of vibrant communities’ and ‘A globally-responsible Wales’.

Working Together for Wales

23. Working Together for Wales: Policy Statement for the National Parks and National Park Authorities in Wales, March 2007 restates the statutory National Park purposes and confirms the contribution towards adapting for climate change in key areas including nature conservation / biodiversity. It also emphasises the practical action undertaken on nature conservation by the National Parks, and the increased importance as a result of Section 40 of the Natural Environment and Rural Communities Act 2006 (Section 6 of the Environment (Wales) Act 2016 applies: a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions).

People, Places, Futures

24. People, Places, Futures: The Wales Spatial Plan 2008 update identifies the following nature conservation opportunities:
 - Working collaboratively to get designated sites into favourable condition

Biodiversity Background Paper April 2018

- Maximising the opportunities to enhance biodiversity through sensitive land use development planning and local biodiversity action planning.

Conservation of Habitats and Species Regulations 2017

25. The EU Habitats Directive (92/43/EEC) is transposed into UK law by the Conservation of Habitats & Species Regulations 2017². Also known as the Habitats Regulations, the 2017 Regulations consolidate the 1994 version and all its amendments. They provide for the designation and protection of 'European sites' (also known as Natura 2000 sites) and 'European protected species'.

Wildlife and Countryside Act 1981 (as amended)

26. The Act is implemented to comply with European Council Directive 2009/147/EC on the conservation of wild birds. The Act gives protection to native species, controls the release of non-native species, enhances the protection of Sites of Special Scientific Interest and builds upon the rights of way rules in the National Parks and Access to the Countryside Act 1949. Part II deals with nature conservation, countryside and national parks.

Wales National Marine Plan

27. In December 2017, Welsh Government published a consultation draft Wales National Marine Plan, which will guide decisions on the sustainable use of Welsh seas. Specifically, the Plan is intended to: integrate policy with the rest of the UK, guided by the UK Marine Policy Statement; support the vision for clean, healthy, safe and biologically diverse seas; guide future sustainable development; support "blue growth" by directing key decisions taken on the future use of marine space and natural resources.

28. The consultation draft Plan identifies indicative Strategic Resource Areas. Relevant authorities are expected to guide sectors towards these areas and ensure their sustainable use (in accordance with the principles of sustainable development and sustainable management of natural resources).

Regional context

West Wales Biodiversity Information Centre

29. The centre has been established to collate and provide biodiversity information for West Wales (Carmarthenshire, Ceredigion, and Pembrokeshire). Information is currently held by numerous organisations and individuals.

30. The National Park Authority has a Service Level Agreement with the West Wales Biodiversity Information Centre, whereby the services and information WWBIC can provide are listed below.

- Species information for the National Park, plus additional mobile protected species which have 'buffers' which intersect with the county;

² The Conservation of Habitats and Species Regulations 2017 SI No 1012

- Species information will consist of 3 stratified layers reflecting species priority
- Invasive Plant Species – including records of Japanese knotweed, Himalayan balsam, Giant hogweed and classified ‘injurious weeds’.
- Phase 1 semi-natural habitat data (provided by Natural Resources Wales as open data available to download from www.lle.wales.gov.uk)
- Layers of locally designated sites, e.g. Wildlife Trust Reserves and Local Nature Reserves

People, Places, Futures

31. People, Places, Futures, the Wales Spatial Plan update (2008) identifies the following environmental priorities:
- Working collaboratively to get designated sites into favourable condition
 - Maximising the opportunities to enhance biodiversity through sensitive land use development planning and local biodiversity action planning.

Local context

Pembrokeshire Nature Recovery Plan

31. A Pembrokeshire Nature Recovery Plan will replace the current Local Biodiversity Action Plan for Pembrokeshire, and is expected to closely follow the format of the Wales Nature Recovery Plan. It will provide the framework for local biodiversity action that will contribute to the delivery of national targets for key habitats and species, and raise awareness and understanding of the relevance of biodiversity. Component habitat and species action plans cover the county and its adjacent waters, identifies locally, nationally and internationally important habitats and species, and sets out action needed to help conserve them.

National Park Management Plan 2015-2019

32. The National Park Management Plan was approved by the National Park Authority in December 2014. The NPMP contains a section on biodiversity (‘Landscape-scale conservation in the National Park’) which outlines conservation outcomes, trends, and causes for concern within the National Park. The policies specifically relating to biodiversity are as follows:
- B1: Pursue an ecosystem approach to conservation on land
 - B2: Pursue an ecosystem approach to marine management
 - B3: Manage invasive species
 - B4: Promote and celebrate the connections between biodiversity, landscape and culture

References

Planning Policy Wales, Edition 9 November 2016, Welsh Government

[Welsh Government | Planning Policy Wales \(Edition 9, November 2016\)](#)

Environment Strategy for Wales

<http://wales.gov.uk/topics/environmentcountryside/epq/envstratforwales/?lang=en>

UK Biodiversity Action Plan (UK BAP)

<http://jncc.defra.gov.uk/page-5705>

Technical Advice Note 5: Nature Conservation and Planning, September 2009

<http://gov.wales/topics/planning/policy/tans/tan5/?lang=en>

Environment (Wales) Act (2016)

<http://www.legislation.gov.uk/anaw/2016/3/contents/enacted>

Natural Resources Policy Welsh Government

<http://gov.wales/topics/environmentcountryside/consmanagement/natural-resources-management/natural-resources-policy/?lang=en>

State of Natural Resources Report (Natural Resources Wales) 2016

<https://naturalresources.wales/evidence-and-data/research-and-reports/the-state-of-natural-resources-report-assessment-of-the-sustainable-management-of-natural-resources/?lang=en>

Wellbeing and Future Generations Act 2015

<http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

‘Working Together for Wales’, March 2007 – Policy Statement for the National Parks and National Park Authorities in Wales

http://www.snowdonia.gov.wales/_data/assets/pdf_file/0003/524199/National-Park-Authorities-in-Wales-Policy-Statement.pdf

People, Places, Futures. The Wales Spatial Plan update 2008

<http://wales.gov.uk/topics/planning/development-plans/wales-spatial-plan/?lang=en>

Biodiversity Background Paper April 2018

Conservation of Habitats and Species Regulations 2017

<https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

Wildlife and Countryside Act 1981 (as amended)

<http://www.jncc.gov.uk/page-1377>

Natural Environment and Rural Communities Act 2006

<http://www.legislation.gov.uk/ukpga/2006/16/contents>

West Wales Biodiversity Information Centre

www.wwbic.org.uk

Pembrokeshire Nature Recovery Plan

www.pembrokeshire.gov.uk/biodiversity

Pembrokeshire Coast National Park Management Plan 2015 – 2019

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=196>

Web links shown above were accessed in February 2018