

Blaenau Gwent County Borough Council

Local Development Plan

Hearing Session 13: Securing Sustainable  
Development

Wednesday 4th July 2012

Examination 2012

Blaenau Gwent County Borough Council Submission

Examination Statement Reference No:	ES13.3
Submission date:	15 <sup>th</sup> June 2012



As such it is considered that the Plan does provide adequate policy support for protecting the Borough's environmental assets.

Rebuttal - Countryside Council for Wales (Representor: 10)

CCW propose that policy DM15 should be amended by replacing Priority Habitats and Species in the last line of

undertake an Appropriate Assessment to determine the impact of the plan on the integrity of the European site, with respect to its conservation objectives.

Requiring measures in new developments to prevent site pollutants, which are likely to adversely affect water quality from being transported by water to the designated European site.

Achieved through the application of policy DM3, the planning determination process and the consultation involved with the regulatory bodies. The EA has developed non-statutory Pollution Prevention Guidelines, which specify best practice procedures for construction and building activities. As well as through the application of some of the development management policies, alongside other national policies

Requiring that approval be obtained from the appropriate regulatory body before consenting to developments which involv

be considered and to highlight development, which may require project level HRAs.

More specific policy guidance has been included in the Local Development Plan on the Usk Bat SAC (DM15.1), due to the known presence of Lesser Horseshoes bats from the Usk Bat SAC within Blaenau Gwent. Within this buffer impact from development proposals on the Usk Bat SAC features specifically Lesser Horseshoe bats and their foraging/commuting area/corridors must be considered. This has been developed in consultation with CCW, utilising best available knowledge on lesser horseshoe ecology. Proposed projects/developments within this buffer must be considered and assessed to determine whether there will be a likely significant effect on the Usk Bat SAC features (lesser Horseshoe bats), and whether an Appropriate Assessment will be required. Specific proposed developments have also been highlighted which will require an HRA with regards to the Usk Bat SAC. For these particular projects, consideration of impacts against the conservation objectives of the European site will be required and where there are likely significant effects, mitigation will be required. This will be based on up to date ecological information, policy and best practice specific to the impacts of the development proposal.

Providing that mitigation measures can be provided through the project, it will not be constrained by the presence of European sites in the region.

Rebuttal – Countryside Council for Wales (Representor No: 10)

The Council welcomes the support.

**3. What is the likely cumulative effect of developing a range of sites for employment use (for example, MU1; EMP1.5 - Rassau Platform B; and EMP1.8 - Crown Business Park Platform A) and transport projects (for example, T6.1) on the commuting and foraging opportunities for bats? Does the Plan provide sufficient policy guidance to address any significant potential impact such development might have on protected species?**

**What is the likely cumulative effect of developing a range of sites for employment use (for example, MU1; EMP1.5 - Rassau Platform B; and EMP1.8 - Crown Business Park Platform A) and transport projects (for example, T6.1) on the commuting and foraging opportunities for bats?**

The Habitat Regulation Assessment (HRA) does assess the separate Local Development Plan allocations (housing, transport, retail etc) and their potential impact on European sites including the Usk Bat SAC and lesser horseshoe bat feature, which it is concluded will have a potentially significant impact. However, it is concluded that individually these could be mitigated. As previously discussed this would be through the statutory consultation process in development control and requirement to undertake project level

HRAs (specific projects which are more likely to have an impact on the integrity of the Usk bat SAC and its features, being highlighted as requiring an HRA). Each HRA will be required to assess the project alone and “in combination” therefore addressing other significant plans and projects, which may be relevant. Where impacts on the integrity of the Usk Bat SAC and lesser horseshoe bats are likely, mitigation measures such as the retention of foraging habitat and linear boundaries will be required as part of each development proposal.

Rebuttal – Countryside Council for Wales (Representor No: 10)

The Council welcomes the support.

**Does the Plan provide sufficient policy guidance to address any significant potential impact su**  
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these. For bats, as a European protected species, in line with national guidance, specific tests (i.e. the 3 tests) will need to be met before development can proceed and ensure that favourable conservation status is maintained.

Rebuttal – Countryside Council for Wales (Representor No: 10)

The Council welcomes the support.

<b>4. What is the purpose of Policy DM5? What does it seek to achieve that is not covered by other policies?</b>
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The purpose of policy DM5 is to provide a positive policy framework for the development of low and zero carbon energy technologies (W41, page 174, paragraph 12.9.1).

It is accepted that the policy repeats other development management policies. However, the lack of reference to these issues was raised through consultation of the Preferred Strategy (SD28) and the Sustainability Appraisal process (



All development at these two sites will seek to obtain BREEAM 'NEAT' 'excellent' standard or obtain Code for Sustainable Homes Level 4 (SD61a, page 16 and SD59a, page 23-24).

The Renewable Energy Assessment (SD50) identified that there is potential for the increase in the amount of the county's electricity and heat requirements from renewable

MU1 Ebbw Vale Northern Corridor identifies that there is potential for combined heat and power system providing heat and electricity to high density parts of the site.

SD59a also identifies that the residential element of the site will be developed at Code for Sustainable Homes Level 4.

**6. Does Policy SP7 provide sound guidance on when it may be appropriate to release greenfield land for new development?**

Policy SP7 fully accords with Planning Policy Wales (W41, page 55, paragraph 4.8.1) where t

Due to the topography of the area it would be impossible to connect the valley communities without infrastructure crossing TAN: 15 (W64) Zone C areas. Two roads, some rail infrastructure and a number of cycle tracks cross flood Zone C areas. However, this is less vulnerable development which is permitted in such areas provided it meets the justification test including acceptability of consequences (W64, page 14).

The main restriction in Zone C2 is for emergency services and highly vulnerable development (W64, page 7), the only site which doesn't have planning permission or has not been completed which falls within this category is allocation (ED1.2) at Six Bells. The Environment Agency is now satisfied that the risks and consequences of flooding at this site could be managed to an acceptable level in accordance with TAN15, subject to the

# Appendix 1

## Transport Infrastructure

<b>Policy</b>	<b>Zone C</b>	<b>Status</b>
T1.1 HoV Route linking Nine Arches, Tredegar to Brynmawr	Small sections within	Completed
T1.3 HoV to Ebbw Vale and Cwm	Small sections within	Completed
T1.4 Cwm to Aberbeeg	Small sections within	
T1.9 Brynmawr to Blaenavon	Small sections within	Completed
T1.10 Extension of Ebbw Fach Trail, Abertillery to Aberbeeg and completion of missing section through Blaina	Small sections within	Completed
T1.11 Link to Cwmtillery Lakes	Small sections within	
T1.12 Aberbeeg to Royal Oak	Small sections within	
T2.1 Extension of rail link from Parkway to Ebbw Vale Town	Within – land raised to address issue	Outline planning permission for site