



To: Heads of Planning

23/10/19

Dear Colleagues,

### **Securing Biodiversity Enhancements**

Planning Policy Wales (PPW) 10 sets out that *“planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity”* (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 10 respond to the Section 6 Duty of the Environment (Wales) Act 2016\*.

The purpose of this letter is to clarify that in light of the legislation and Welsh Government policy outlined above, where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission.

It is important that biodiversity and ecosystem resilience considerations are taken into account at an early stage in development plan preparation and when proposing or considering development proposals. Planning authorities should be proactive and embed appropriate policies into local development plans to protect against biodiversity loss and secure enhancement.

The attributes of ecosystem resilience (PPW para 6.4.9 refers) should be used to assess the current resilience of a site, and this must be maintained and enhanced post development. If this cannot be achieved, permission for the development should be refused.

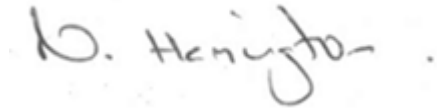
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

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Securing a net benefit for biodiversity within the context of PPW requires a pragmatic response to the specific circumstances of the site. Working through the step wise approach (PPW para 6.4.21 refers), if biodiversity loss cannot be completely avoided (i.e. maintained), and has been minimised, it is useful to think of net benefit as a concept to both compensate for loss and look for and secure enhancement opportunities. A net benefit for biodiversity can be secured through habitat creation and/or long term management arrangements to enhance existing habitats, to improve biodiversity and the resilience of ecosystems. Securing a net benefit for biodiversity is not necessarily onerous; through understanding local context, it is possible to identify new opportunities to enhance biodiversity.

Yours faithfully,



**Neil Hemington**  
**Prif Gynllunydd, Y Gyfarwyddiaeth Gynllunio**  
**Chief Planner, Planning Directorate**

**\*Section 6 – Biodiversity and resilience of ecosystems duty**

Section 6 under Part 1 of the Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (the S6 duty) for public authorities in the exercise of functions in relation to Wales.

*6. Biodiversity and resilience of ecosystems duty*

*(1) 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.*