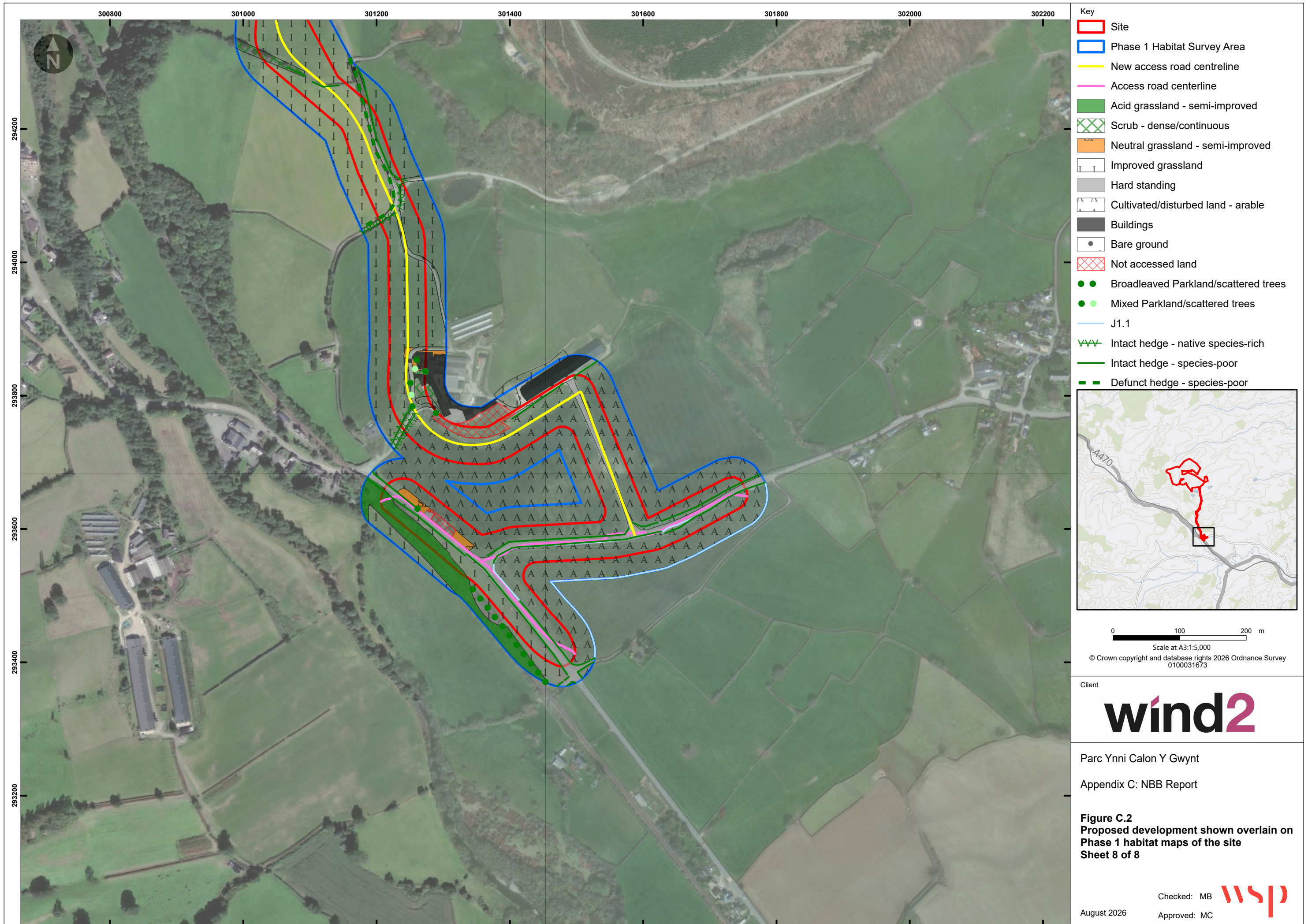
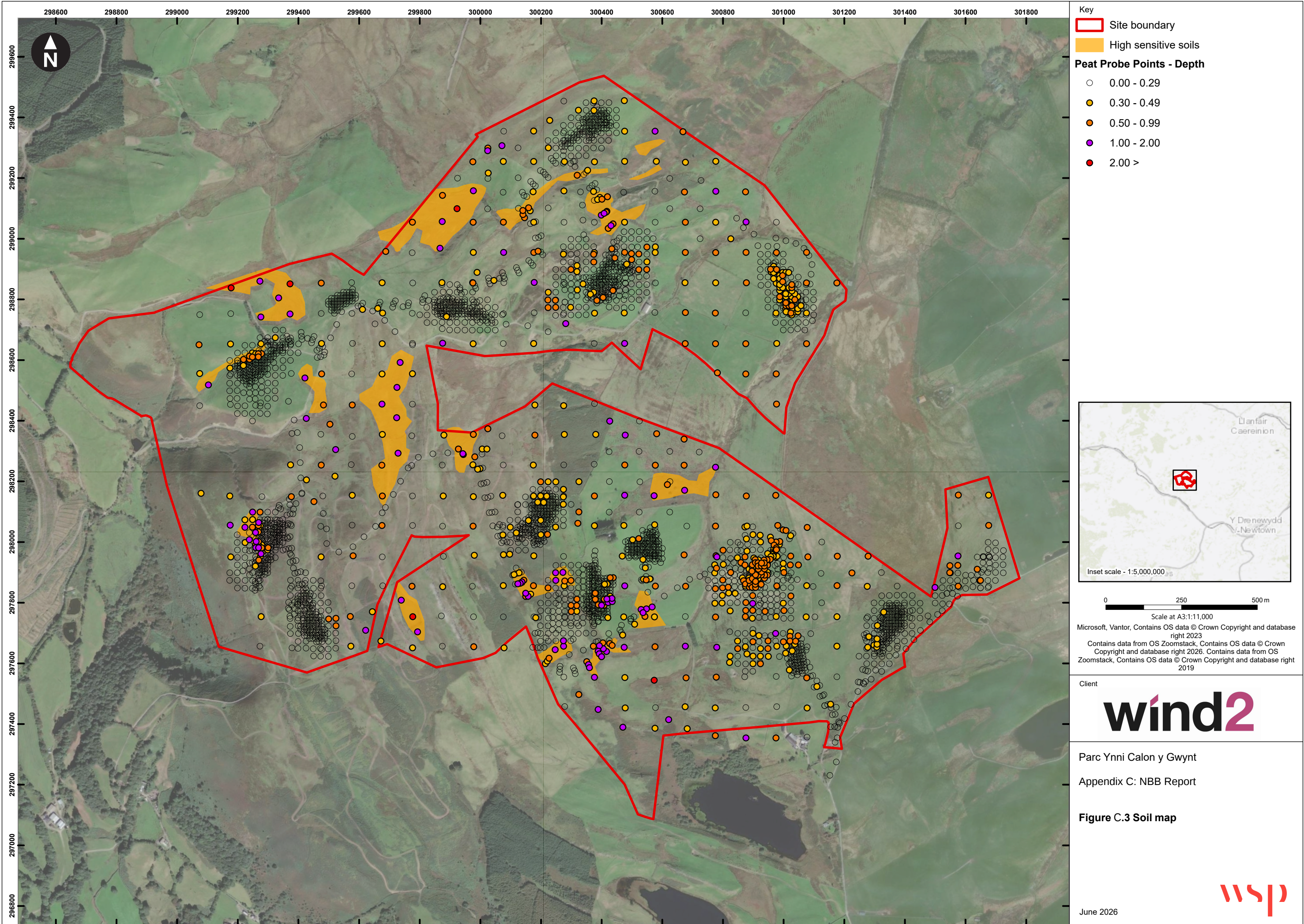


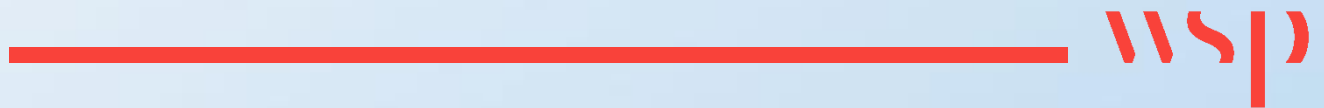


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Annex C-1

RELEVANT LEGISLATION AND PLANNING POLICY



ANNEX C-1 - RELEVANT LEGISLATION AND PLANNING POLICY

Table A-1 - Descriptions of relevant Legislation and Planning Policy

Legislation/policy	Overview
The Environment (Wales) Act 2016	The Environment (Wales) Act 2016 replaced the existing biodiversity duty (in the Natural Environment and Rural Communities Act 2006) which required public authorities to have a regard to conserving biodiversity. The new Section 6 duty takes this further, requiring all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”. This was introduced to plan and manage Wales’ natural resources in a sustainable and joined-up way and is intended to work alongside the Wellbeing of Future Generations Act 2015.
The Wellbeing of Future Generations Act 2015	The Wellbeing of Future Generations Act 2015 requires national government, local government, local health boards and other specified public bodies to carry out sustainable development and work towards objectives that contribute to seven wellbeing goals. Sustainable development in the Act means “the process of improving the economic, social, environmental and cultural wellbeing of Wales by taking action, in accordance with the sustainable development principle (i.e. not compromising the ability of future generations to meet their needs), aimed at achieving the well-being goals”.
Nature Recovery Action Plan Wales (NRAP) – the Biodiversity Strategy for Wales. Part 1: Our Strategy for Nature (2015) and Part 2: Nature Recovery Action Plan (2020 – 2021)	The NRAP complements The Well-being of Future Generations (Wales) Act 2015 and the Environment Act (Wales) 2016. The Plan sets out how the United Nations Environment Programme’s Convention on Biological Diversity’s (CBD) Strategic Plan for Biodiversity (and the associated Aichi Biodiversity Targets for 2011-20 in Wales) is addressed in Wales. The ambition of the plan is ‘To reverse the decline in biodiversity, for its intrinsic value, and to ensure lasting benefits to society’. The NRAP is split into three parts. Part 1: Our Strategy for Nature, sets out the commitment to reversing the loss of biodiversity in Wales, and the objectives for action, these objectives are listed below: - Engage and support participation and understanding to embed biodiversity throughout decision making at all levels. - Safeguard species and habitats of principal importance and improve their management. - Increase the resilience of our natural environment by restoring degraded habitats and habitat creation. - Tackle key pressures on species and habitats. - Improve our evidence, understanding and monitoring. - Put in place a framework of governance and support for delivery. Part 2: Our Action Plan set out those actions which had been specifically identified to meet our objectives to reverse the decline of biodiversity.

Legislation/policy	Overview
	Part 3: The Nature Recovery Framework sets out the governance and partnerships involved in nature recovery in Wales, and the relationships between them.
Planning Policy Wales, 2024	NBB in association with development is encouraged by PPW (2024). It states 'By protecting, maintaining and enhancing biodiversity, increasing the resilience of ecosystems and our natural environment more generally, it will be possible to future proof economic assets in response to the challenges presented by the climate emergency, to promote low carbon and appropriate resource choices which address the causes of climate change and to provide cost effective ecosystems services such as clean air and water.'
Future Wales – The National Plan 2040	Future Wales – the National Plan 2040 is a national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. The plan contains Policy 9 – Resilient Ecological Networks and Green Infrastructure, a high bar strategic planning system. Policy 9 seeks "To ensure the enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure". The Welsh Government now requires strategic action to safeguard ecological networks and secure biodiversity enhancement.
Welsh Government's Chief Planner Letter on Biodiversity Enhancements	In 2019, the Welsh Government's Chief Planner issued a letter to the Heads of Planning to set out how biodiversity enhancements should be secured as part of a development proposal. The letter stated that development applications which do not propose biodiversity enhancements will be refused unless they include other significant material considerations. The letter reiterated the importance of incorporating biodiversity enhancements into development proposals at the earliest possibility and into local development policies. It also stated that a net benefit for biodiversity should be proportional to the extent and impact of a development and should contribute to a bigger, better, more joined up approach to a resilient and biodiverse ecological network in Wales.
Powys Local Development Plan (LDP) 2011 – 2026, with particular reference to; Policy DM2 – The Natural Environment	The Powys LDP states the following in relation to Biodiversity: <i>'Development proposals shall demonstrate how they protect, positively manage and enhance biodiversity and geodiversity interests including improving the resilience of biodiversity through the enhanced connectivity of habitats within, and beyond the site.'</i>
Powys Nature Recovery Action Plan (PNRAP)	The aim as stated within the PNRAP: <i>'is to halt and reverse the declines in biodiversity across Powys. The PNRAP takes an ecosystem approach, focusing on building resilient ecological networks (i.e. nature recovery networks) which are bigger, better and more joined up'.</i>



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