Supplementary Planning Guidance 8a

Great Crested Newt Mitigation Requirements

Adopted by Flintshire
County Council on the 23rd
February 2018

CYNGOR
Sir y Fflint
Flintshire
COUNTY COUNCIL

Purpose

It is Flintshire County Council's intention to prepare and keep up to date a series of Supplementary Planning Guidance (SPG) Notes which will provide detailed guidance on a range of development issues and topics. The purposes of these Notes are:

- To assist the public and their agents in preparing planning proposals and to guide them in discussions with officers prior to the submission of planning applications,
- To guide officers in handling, and officers and councillors in deciding, planning applications, and
- To assist Inspectors in the determination of appeal

The overall aim is to improve the quality of new development and facilitate a consistent and transparent approach to decision making.

Planning policies: the Flintshire context

The Development Plan Under planning legislation, the planning policies for each area should be set out formally in the Development Plan. Flintshire County Council, as the Local Planning Authority (LPA), has a legal duty to prepare and keep up to date a development plan for the County, and the Flintshire Unitary Development Plan was adopted in 2011. The UDP provides broad policies together with allocations of land for all the main uses such as housing, employment and retailing, and will help to shape the future of Flintshire in a physical and environmental sense as well as influencing it in economic and social terms. The Plan therefore seeks:

- To help the Council make rational and consistent decisions on planning applications by providing a policy framework consistent with national policy and
- To guide development to appropriate locations.

The need for Supplementary Planning Guidance Despite the Plan containing policies with which the Council can make consistent and transparent decisions on development proposals, it cannot in itself give all the detailed advice needed by officers and prospective applicants to guide proposals at the local level, such as house extensions or conversions of agricultural buildings. The Council's intention is to prepare a range of Supplementary Planning Guidance notes (SPG) to support the UDP by providing more detailed guidance on a range of topics and issues to help the interpretation and implementation of the policies and proposals in the UDP. The review of the Local Planning Guidance Notes will be undertaken on a phased basis and details of the available SPG's can be found on the Council's website. Where there is a need to refer to another SPG this will be clearly referenced. These SPG Notes are freely available from Planning Services, Directorate of Environment, County Hall, Mold, Flintshire CH7 6NF (telephone 01352 703228), at the Planning Services reception at County Hall and can be downloaded from the Planning Web pages www.flintshire.gov.uk/planning

The status of Supplementary Planning Guidance

Supplementary planning guidance can be taken into account as a material consideration in the decision making process. The National Assembly will give substantial weight to SPG which derives out of and is consistent with the development plan. In accordance with National Assembly advice the Council's suite of SPG's has been the subject of public consultation and Council resolution. 16.03.17 (Council Minute No 5) and was subject of a public consultation exercise between 07.07.17 and 18.08.17. The comments submitted to the Council have been taken into account and where appropriate amendments have been incorporated into this final draft which was approved by the Council on 23.02.18 (Council Minute No.11) for use as a material consideration in determining planning applications and appeals. A summary of the representations and the Councils response is set out in Appendix VI.

This document should therefore be afforded considerable weight as a material planning consideration.

1. Introduction

This is one of a series of local planning guidance notes, amplifying local development plan policies and reflecting national guidance in relation to developments affecting Great Crested Newt (GCN) Triturus cristatus populations. This guidance note is intended to provide advice and guidance to developers, land owners, members and other council officers when making decisions on planning issues involving, or in close proximity to GCN populations.

The Great Crested Newt (GCN) is found in lowland habitats across northern Europe. This species of newt is widely distributed throughout most of England, but is rare in Cornwall, Devon and parts of Wales and Scotland. GCN are widespread within Flintshire County and Wrexham County Borough and certain sites (Table 1 and Appendix I), have been designated Sites of Special Scientific Interest (SSSI) and Special Areas of Conservation (SAC) for their important GCN populations.

Table 1 Statutory Designations primarily designated for GCN
(Refer to Appendix I for site boundaries)

County	SSSI	SAC
Flintshire	Buckley Clay Pits & Commons	Deeside & Buckley Newt Site
	Connahs Quay Ponds & Woodlands	
	Maes y Grug	
	Halkyn Common And Holywell Grasslands	Halkyn Mountain
	Herward Smithy	

2. Legislation and Policy

The Great Crested Newt (GCN) is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 making it a European Protected Species (EPS).
Details of the legislation can be found at:

Wildlife and Countryside Act:
http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1981/cukpga_19810069_en_1

The Countryside and Rights of Way Act:
http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81

The Conservation of Habitats and Species Regulations 2017:
https://www.legislation.gov.uk/uksi/2017/1012/contents/made

Where EPS might be affected, local authorities must have regard to the Habitats and Species Regulations. This requires the planning system to effectively prevent harm to GCN including preventing the incidental capture, killing or injury, disturbance and the damage and destruction of their breeding and resting sites.

In accordance with the legislation, derogation or EPS licences can be issued by Natural Resources Wales (NRW) for developments that satisfy the following three tests:

a) There are no feasible alternative solutions to the development that are less damaging.
b) There are imperative reasons of overriding public interest (IROPI) for the development to proceed.
c) The proposal will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.

A local authority may only grant permission for a development if it considers that the derogation tests are satisfied such as it is likely that the applicant will be issued with an EPS license by NRW. In addition, where harm is likely to be caused wholly or partly by activities as a consequence of the development (e.g. incidental to otherwise lawful activities), then those activities also need to be considered when deciding whether the derogation tests are satisfied.

NRW have recently published an overarching framework for the conservation of great crested newts in Flintshire with the objective of attaining FCS for the species at the County level. Favourable conservation status for a species is defined by the British Standard as when:

a) Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
b) The natural range of the species is not being reduced for the foreseeable future; and
c) There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

The species is also listed under the provisions of Section 7 of the Environment Act Wales 2016. In addition Section 6 of this Act places a duty on all Public Authorities *"to seek to maintain and enhance biodiversity so far as it is consistent with the proper exercise of those functions, in so doing Public Authorities must also seek to promote the resilience of ecosystems."*

National Planning Policy Guidance:

Chapter 5: Conserving and Improving Natural Heritage and the Coast, Planning Policy Wales (PPW Edition 9, November 2016) and Technical Advice Note (TAN) 5: Nature Conservation and Planning (September 2009) provide the national planning framework for the consideration of protected species, including GCN's in the planning process. Paragraph 5.5.11 and 5.5.12 of PPW (protected species) are of particular relevance, as is section 6 (development affecting protected and priority habitats and species) of TAN5.

[1]Spatial Action Plan for Great Crested Newts in Flintshire (2017) Liam Russell, Thomas Starnes & John Wilkinson Amphibian & Reptile Conservation NRW Evidence Report No 78

[2]Biodiversity Code of Practice for planning and development BS42020 (2013) British Standard Institute

Local Planning Policy

Flintshire UDP Policies WB1- WB4 provides the local planning policy context for decision making plus further guidance is also provided by the Local Planning Guidance Note 8 Nature Conservation and Development which was updated and adopted on January 17th 2017

UDP Policies also provide guidance regarding imposing planning conditions and seeking planning benefits through planning agreements negotiated with developers under Section 106 of the Town and Country Planning Act, 1990, which includes enhancing and improving the environment and ecology. The adopted UDP provides this guidance through its policy on Conditions, Development Contributions and Planning Obligations, Policy IMP1 Planning conditions and Planning obligations.

3. The Need for Mitigation or Compensation

New development often has a requirement to provide mitigation or compensation areas to offset any loss of GCN habitat arising from the development, this normally takes the form of off site habitat creation or enhancement but on site mitigation may also be suitable depending on the location, type and size of the development proposed (see section 4).

If developments affect a known breeding or resting site then an appropriate new habitat will have to be created prior to the destruction of the original aquatic or terrestrial habitat under an EPS license. If not a known site but GCN are subsequently found, then works must stop and an EPS licence obtained.

The majority of developments do not affect known sites but rather habitats of varying quality adjacent to, or in proximity to known sites. The likelihood of a terrestrial site being used by GCN is based on habitat quality and its proximity to a breeding pond. The principle issue in determining when mitigation or compensation is required is whether the Favourable Conservation Status (see definition in section 2) of the GCN population can be maintained. The scale of works required will be dependant on whether the land has “High” or “Low” potential for GCN to be present (see Great Crested Newt Conservation Handbook[3]).

Where there are ponds in proximity to a development but no records known locally or via Cofnod (North Wales Biological Record Centre), then appropriate surveys of these sites would be expected to determine the potential of the site. GCN liklihood mapping can also be used to assess the need for surveys. These maps are available from Cofnod or Amphibian and Reptile Conservation (ARC).

Where the development is in proximity to a designated Newt Site SAC (Table 1 and Appendix I) then there is an additional requirement to assess the direct, and indirect effects to ensure that there is no likely significant effect upon the sites integrity either alone or in combination with other projects/development.

[3] Great Crested Newt Conservation Handbook (2001), Tom Langton, Catherine Beckett and Jim Foster

4. Development Types and Mitigation or Compensation Provision

This section provides guidance on the types of mitigation / compensation required as a result of certain types of development. It is split into two sections. Section a) refers to GCN populations outside of designated sites and section b) relates to development in or adjacent to the designated sites where GCN's are a designated Feature.

a) Development affecting GCN populations outside designated areas:

The likelihood of a site being a known GCN resting site is based on habitat quality and its proximity to a breeding pond. Loss of potential terrestrial habitat due to development may or may not affect the overall favourable conservation status of the species. This can be assessed by using a modeling tool which is available from ARC. The model can predict the effect that removing portions of habitat or creating barriers will have on meta-populations of GCN.

Table 2 - Categories of development and the typical type and amount of mitigation / compensation required as a result of that development.

Development Type	Major Development	Minor Development	
	Full, Outline, Approved Matters/etc *Mineral & Waste, Transport applications etc*	*Up to 10 dwellings*	*Extension/ Conservatory/ Garage*
A1 - Directly affects known GCN breeding/ resting site	Like for like principle; Need to provide replacement habitat capable of its purpose e.g. breeding pond prior to destruction of existing. So that the favourable conservation status of the population is maintained.		
B1 - Adjacent to and up to 250m from known GCN breeding ponds. Refer to local knowledge, Cofnod and "likelihood maps" see Appendix III	Mitigate for loss of habitat type on a like for like basis – Refer to the management costs table within Appendix II.		Undertake Reasonable Avoidance Measures (RAMs) to prevent harm to GCN (see example in appendix 4). This depends on suitability of habitats present, if poor e.g. hardstanding / amenity grassland then a note to applicant might suffice.
C1 250-500m from known GCN breeding pond Refer to local knowledge, Cofnod and "likelihood maps" see Appendix III	Mitigation relevant to loss of habitat type on a like for like basis – Refer to the management costs table within Appendix II.		Note to applicant will generally suffice.
D1 - Over 500m from known GCN breeding pond	Mitigation generally not required unless key connecting habitats are affected.		N/A

b) Development in or adjacent to SAC's with GCN's as the Designated Feature Refer to Table 1 and Appendix I

Regulation 61 of the Conservation of Habitats and Species Regulations 2017 (as amended) requires that any application likely to significantly affect a European Site is subject to an Appropriate Assessment (AA) of the implications of the proposal on the site's conservation objectives as detailed in the Core Management Plan for the site[4] the planning authority must ascertain that the plan or project does not have a likely significant effect, either alone or in combination with other plans or projects by first conducting a Test of Likely Significance (ToLS).

Habitat creation, enhancement and future management may be required to prevent any significant effect. Table 3, provides typical standard habitat creation and future management requirements to provide mitigation on different types of development. Reference is also made to Appendix II: Management Costs, which outlines typical costs for providing such mitigation solutions.

The intensification of residential development within the Buckley and Connahs Quay areas, including the cumulative effect from small scale residential development is placing additional pressures on the favourable conservation status of the SAC. There are no specific studies which demonstrate that recreational pressure has an adverse impact on amphibian populations, but casual observations indicate a potential link, and in the absence of evidence local authorities are required to be precautionary in their response. Halkyn Mountain SAC is the exception due to the limited residential development currently in this locality.

[4]Deeside and Buckley Newt Sites Special Area of Conservation Core Management Plan (2008) CCW

Table 3 - Development affecting designated sites with GCN as the main feature Refer to Table 1 and Appendix I

Development type	Major Development	Minor Development	
	Full, Outline, Approved Matters/etc *Mineral & Waste, Transport applications etc*	*Up to 10 dwellings*	*Extension/ Conservatory/ Garage*
A2 - Directly affects known SAC with GCN as key feature	Like for like principle; Need to provide replacement habitat capable of its purpose e.g. breeding pond and terrestrial habitats prior to destruction of existing, so that the "favourable conservation status" of the population is maintained. Also need to demonstrate through a "ToLS or AA that the development will not significantly affect the Conservation Features of the SAC directly or indirectly. As well as replacement habitat, this will involve measures to avoid indirect effects such as increased recreational pressures through the provision of informal recreational areas. This is referred to as the "thirds principle": 1/3 development, 1/3 mitigation, 1/3 informal recreation.		
B2 - Adjacent to, and up to 250m of GCN SACs	Mitigate for loss of habitat type on a like for like basis – Refer to management costs within appendix II. Also need to demonstrate through a ToLS or AA that the development will not significantly affect the Conservation Features of the SAC directly or indirectly. As well as replacement habitat, this will involve measures to avoid indirect effects such as increased recreational pressures through the provision of informal recreational areas.		Only need to undertake a ToLS dependant on suitability of site to be lost. Undertake Reasonable avoidance measures (RAMs) to prevent harm to GCN (see appendix 4). This depends on suitability of site if poor e.g. hardstanding / amenity grassland then a note to applicant might suffice.
C2 - 250m – extent of SAC Buffer (Appendix I) Refer to local knowledge, Cofnod and "likelihood maps" (see Appendix III)	Mitigate for loss of habitat type on a like for like/50% basis – Refer to Appendix II of management costs. Also need to demonstrate through a ToLS or AA that the development will not significantly affect the Conservation Features of the SAC directly or indirectly.		Unless the habitat lost represents key connecting habitat or important habitat type, test of significance is not required. Note to applicant will generally suffice.
D2 - Outside Newt Site Buffer (see Appendix I)	Mitigation generally not required unless key connecting habitats are affected. Indirect effects of large developments still need to be assessed through a ToLS	N/A	N/A

5. Provision of Mitigation/Compensation Habitats:

a) Alternatives to onsite GCN mitigation

The local authority will assess proposals using a sequential methodology as described in BS 42020. The preferred options, in order of preference are:

- Onsite provision;
- A combination of onsite and offsite provision;
- Offsite provision but this must be close to the site; and
- A financial contribution towards strategic GCN mitigation/compensation in lieu of direct provision.

b) Mitigation related to development size

Developments of up to 10 dwellings are not normally required to provide mitigation land unless readily available as it would be inappropriate in relation to size constraints and the subsequent management of areas of limited value. Such developments will instead be expected to make a financial contribution to enhance existing GCN populations. For development of more than 10 dwellings, like for like mitigation will be expected.

c) Indirect Impacts

- Indirect impacts include the following:
- Loss, deterioration, reduced access or changes to foraging areas
- Increased risks of predation including illegal introduction of fish
- Habitat loss, damage or deterioration through increase or changes to recreational pressures
- Increased risk to disturbance particularly during the breeding season
- Increased risk of incidental capture/killing

It is expected that there will be additional requirements for developments adjacent to or in close proximity to SACs to provide informal recreational areas to avoid increased impacts on the designated site. Where this cannot be incorporated into the development proposals, a financial contribution for enhancements within the SAC buffer to offset indirect impacts may be considered.

d) Future Management

In order to satisfy the ‘three tests’ necessary for a derogation licence and maintain favourable conservation status in the long term, areas of mitigation/compensation must be secured in perpetuity. It is important to ensure that financial and legal provision is made for the future management of the mitigation/compensation areas. Local Planning Authority’s preferred option is for the area to be handed over to a Wildlife Trust or similar organisation with freehold ownership or a long term lease and sufficient resources. The resources may be provided up front or annually through a management company. Material attributes of an appropriate organisation include specialist expertise and mitigation land longevity so that assets are retained for conservation purposes in perpetuity. Other options are listed in Table 4.

e) Planning obligations and commuted payments

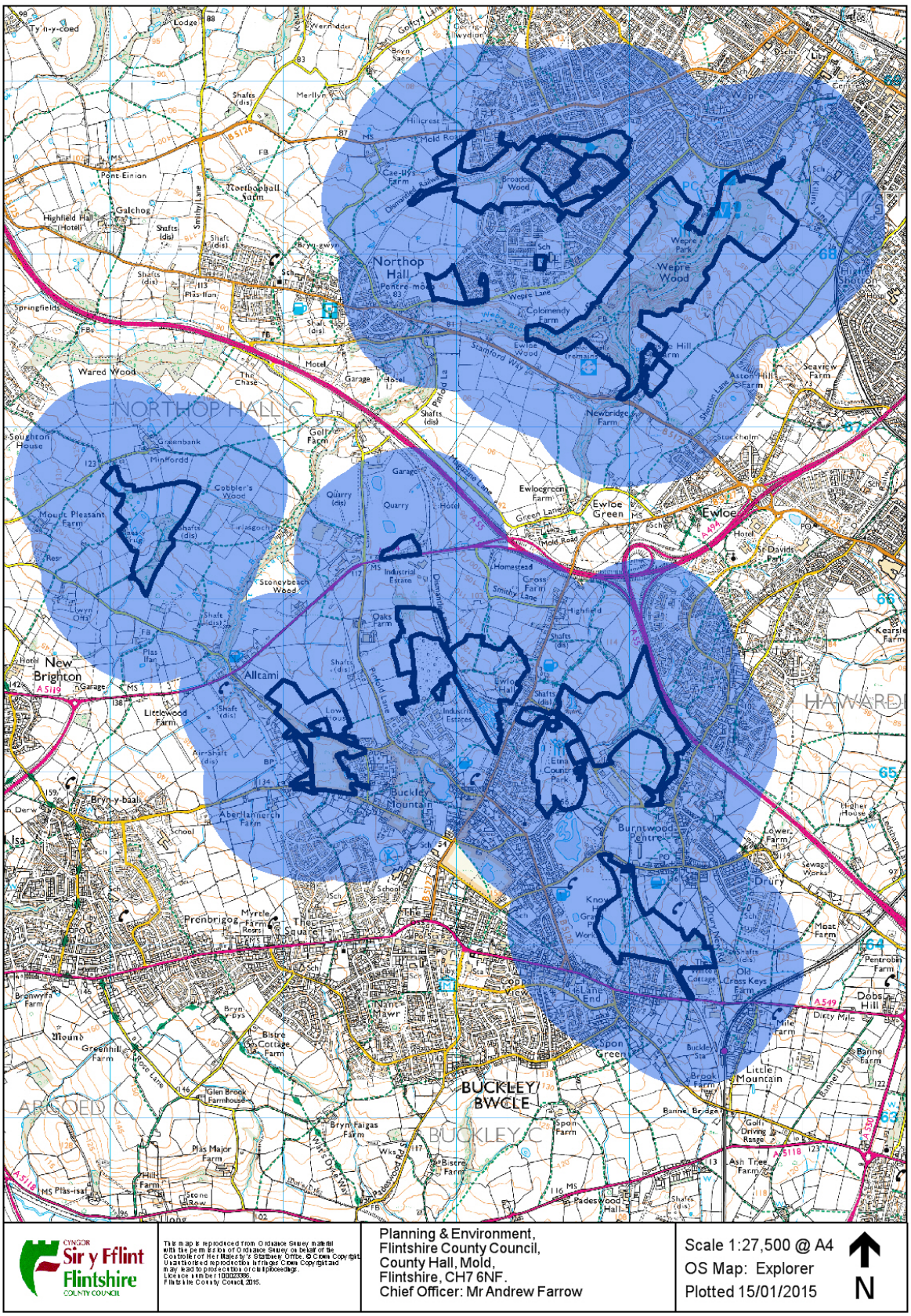
Payments necessary as mitigation and/or for long term management can be made as a one off or through an annual service charge on householders. Developers will be required to enter into a Section 106 agreement and contributions will normally be paid to the Council on commencement of development. Alternatives will involve payment to a recognised Independent/Wildlife Trusts to oversee and manage the mitigation long term (details within Appendix V).

Option	Type	Positive	Negative
1	Transfer land and resources* to 3rd Sector (ARC, NWWT, Wild Ground)	Local and/or national specialist expertise; Estate management skills; Assets retained for conservation purposes in perpetuity.	Possible resource issue if adequate provision isn't provided;
2	Transfer land and resources* to LA e.g. Countryside Service.	Local expertise Estate management skills.	Possible resource issue if adequate provision isn't provided; Risk of questioned regulation; Perceived dual funding (council tax and service charge);
3	Transfer land to Commercial land manager with resources collected annually.	Estate management skills.	May lack specialist skills; Risk of inappropriate management; No local accountability; Possible resource issue if adequate provision isn't provided; Uncertainty in respect of a corporate merger or take-over with regards to longevity of assets for conservation.
4	Land retained by landowner With resources	Estate management skills	May lack specialist skills; Risk of inappropriate management; No local accountability;
5	Transfer resources (and land) to Independent Trust	Development of strategic conservation action.	Establishment of Independent Trustees, Need to engage with third sector organisations and/or contractors in management.

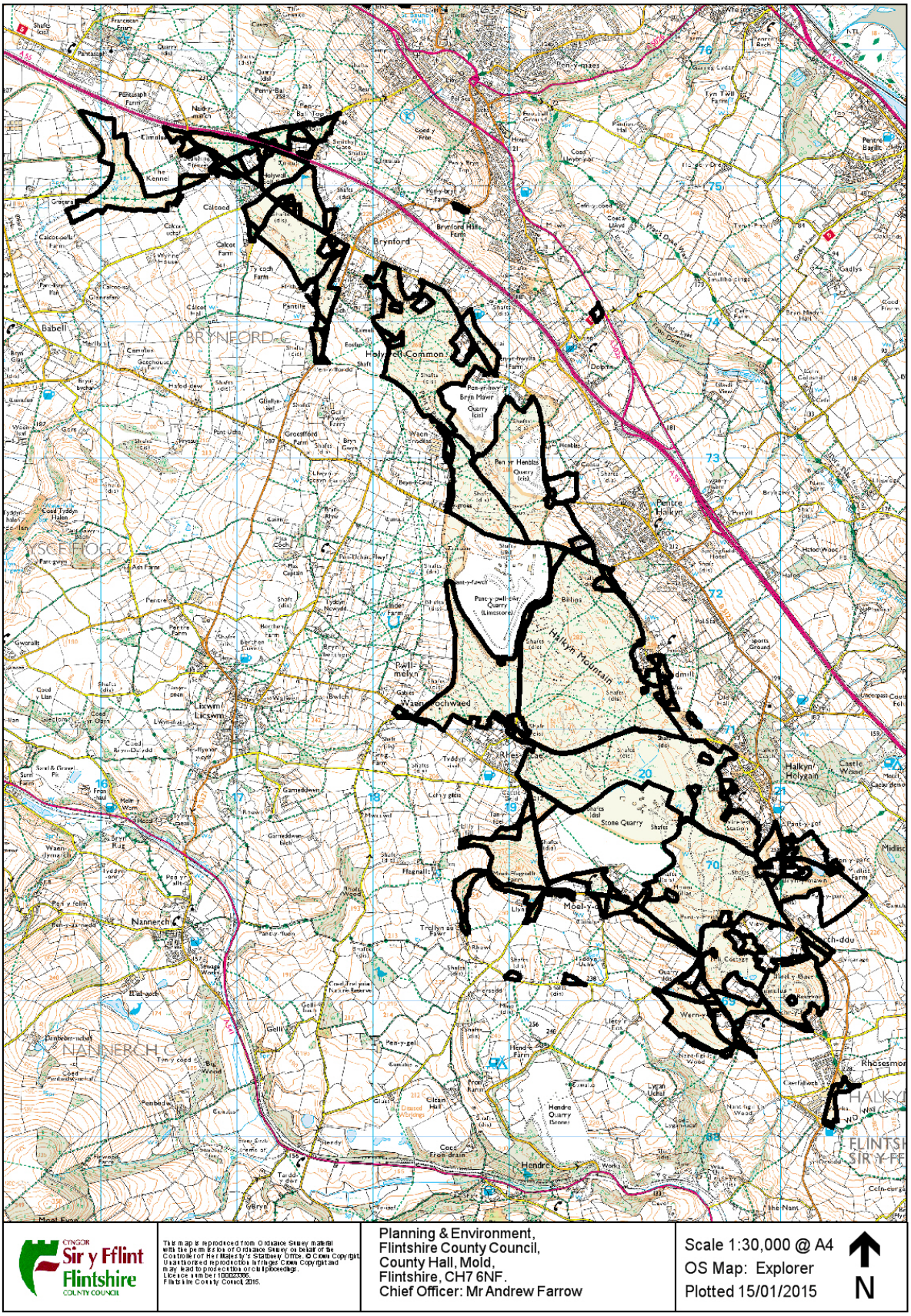
* Financial resources either provided as one off payments or annually through collection of service charge.

Appendix I Relevant SAC boundaries

Map 1 Deeside & Buckley Newt Site SAC (black line) and 500m buffer (blue) – in addition wildlife corridors linking the compartments and buffer should also be considered as key habitats.



Map 2 showing Halkyn Mountain SAC (black line)



Appendix II Management Costs

(Excluding preparation of licences, reasonable avoidance measures, compliance audit etc.). These costs are derived from the costs agreed at the Hafod Land Tribunal 2006 and up to date management costs incurred by Flintshire Countryside Service as of 2017.

Component	One off cost	Recurring cost	Time (yrs)	Cost £/ha	
1.Land Acquisition	✓		1	£3750/ha	**£ 3750 poor quality farmland £7500 high quality farmland**
2. Habitat Creation*					
2.1. Ponds 10x10m minimum size	✓		1	*2500 (with liner)*	(£1250 with liner) (2 per ha)
2.2. Planting	✓		1	£1.50 per plant (=£300/ha) +£100/day	includes stake and maintenance (max 25% per ha = 200 plants) 200 planted per day
2.3. Grassland/ meadow planting	✓		1	£1000/ha* £250/day	Wildflower seeds (not always appropriate) Tractor seeding/scarifying etc
2.4 Hibernaculum (50m^2)	✓		1	£100	1 per pond Reduced costs if materials available.
2.5 New Fencing	✓		1	£7/m	400m/ha (£2800)
3. Management					
3.1 Pond management		✓	*25	£100/yr/pond	£45/yr/pond 5 year cycle management of pond and pond edge (5m) eg scrub control.
3.2 Planted trees/shrubs		✓	*25	*£600/yr/ha*	NRW maintenance costs is £1000/ha for years 2 and 3 only.
3.3 Grassland – mowing once per annum		✓	*25	£480/yr	Flintshire Countryside Service Etna cut and bail 1ha =£400/yr
3.4 Fence maintenance		✓	*25	£1.30/m/yr or £112/yr	400m/ha – fencing replaced on 12-15 year cycle.
4 Monitoring & Surveillance		✓	*25	*£200/site/*	2 visits per year
5. Wardening		✓	*25	£150/day	4 days/month includes overheads/vehicle/maintenance
6. Contingency		✓	*25	£2500/pond Cost as 2.1	Lump sum based on repeat pond construction and fish removal.

The costs within this table may be subject to change dependant on inflation and the fluctuation of actual costs for *25 years or the life of the development.

Cost summary
Example for one hectare of high quality mitigation land

For the creation of a hectare of high quality fenced mitigation land containing 2 ponds and hibernacula and a mix of shrub and grassland creation the initial creation cost is **£16295**.

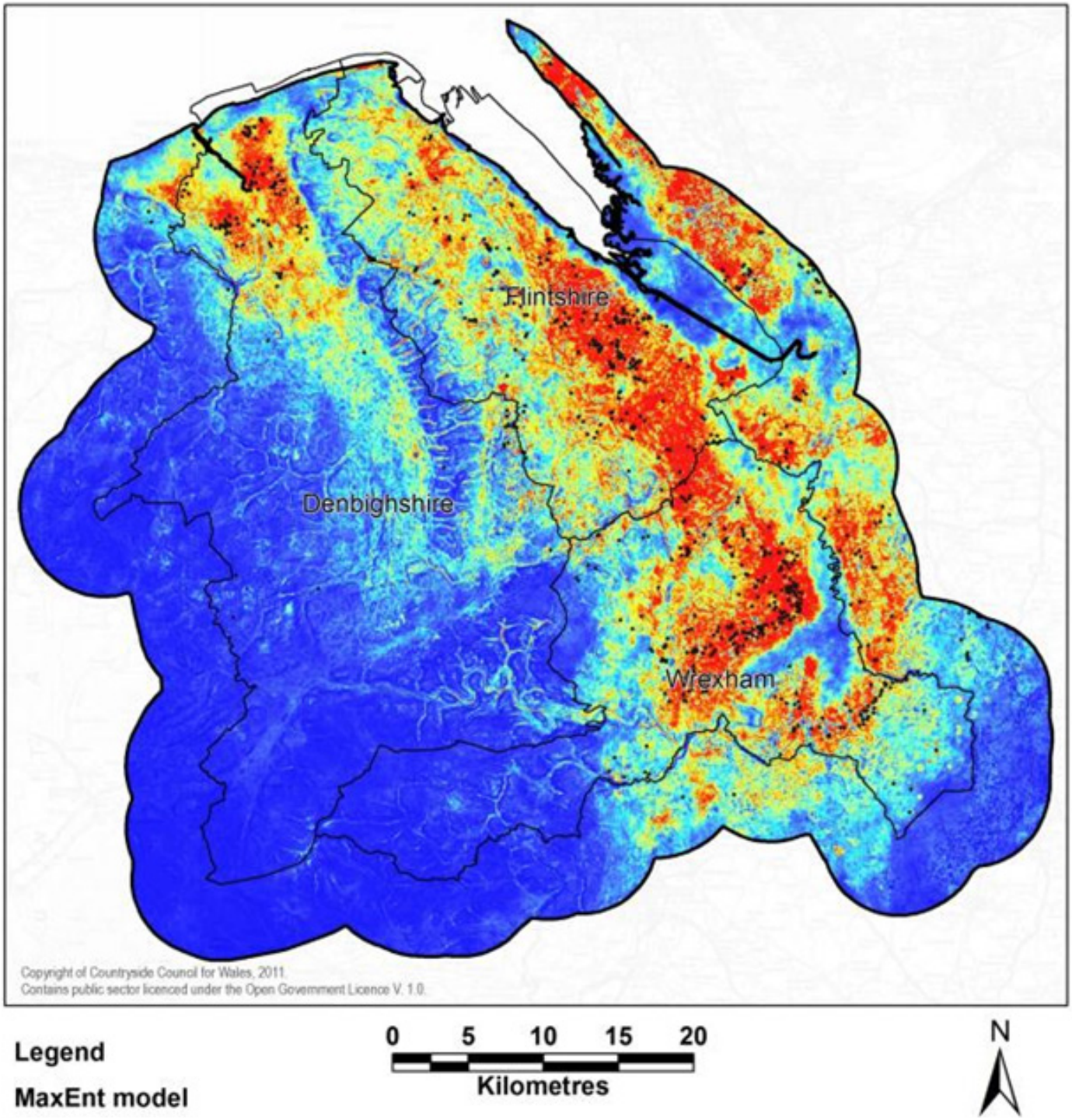
For continued management and monitoring of the site the annual cost will be **£2500** thereafter or based on 30 homes per ha £83.33 per property.

These costs are a basis for negotiation as situations vary widely, but for this situation are broken down as follows;

Land acquisition		£7500
Habitat Creation	Ponds	£5000
	Planting	£170
	Grassland/meadow planting	£625
	Hibernaculum	£200
	Fencing	£2800
		£16295.00
Management	Pond Management	£200
	Planted trees/shrubs	£240
	Grassland	£240
	Fencing	£520
Monitoring and Surveillance		£400
Wardening		£900
		£2500.00

Appendix III GCN Likelihood Mapping North East Wales

Map showing Great Crested Newt likely presence, provided by Amphibian & Reptile Conservation (ARC)



Key:

Red :	**High likelihood**
Yellow/turquoise:	**Medium/Low likelihood**
Blue:	**Unlikely/no likelihood**

Appendix IV Reasonable Avoidance Measures Example

- As part of the site induction process, all staff working on site will be made aware of the potential presence of Great Crested Newts on site and their status as a UK and European Protected Species.
- Areas of tall rough grassland and scrub will be strimmed to a height of 150mm. All arising will be removed and these areas will then be left undisturbed for at least 48 hours.
- During the works, materials such as stacks of bricks, wood, tiles etc. must not be stored directly on the ground around the building as there will be a risk of GCN seeking shelter within the stacks; the materials should be stored on wooden pallets or on trailers (or elevated by similar means) so that GCNs will not crawl into them.
- All trenches, or holes should not be left open overnight. They should either be backfilled or covered and the edges sealed to prevent amphibians getting trapped overnight. They should be checked in the morning prior to work restarting.
- If a great crested newt is identified during any of the above operations, development may need to be suspended until a development licence is obtained.

Appendix V Appropriate Trusts

Amphibian and Reptile Conservation (ARC) www.arc-trust.org
The Amphibian and Reptile Conservation Trust (ARC) was established in June 2009 created around the core of the Herpetological Conservation Trust (HCT), in response to the wider needs of herpetofauna conservation, providing the UK focus for all aspects of reptile and amphibian conservation. ARC has a broad remit but retains the traditional focus on nature reserve management and rare species action plans.

Building Wildlife (BW) www.buildingwildlife.org.uk
BW defines its charitable remit fairly broadly; allowing it scope to support wildlife conservation and promote good practice in connection with development and other human activities/ land uses. BW is able to receive mitigation or compensation payments from developers and re-distribute funds via project applications which are assessed by a panel.

North Wales Wildlife Trust (NWWT) www.northwaleswildlifetrust.org.uk
The Wildlife Trusts have a vision of an environment rich in wildlife, for everyone. Specific projects include Living Landscapes, secure Living Seas to inspire people to value and take action for wildlife and the natural world. NWWT manage over thirty nature reserves across North Wales. The reserves cover a wide range of habitats and species, and range in size from many hectares to less than one, and in status from a National Nature Reserve to very small areas supporting a single species of interest.

Wild Ground https://www.groundworknorthwales.org.uk/wild-ground/
Wild Ground is a registered charity that owns and manages a suite of nature reserves across North Wales, most of which are great crested newt mitigation sites that are managed specifically for GCN, including long-term population monitoring. Wild Ground has long-standing experience of working with developers, land managers and estate management companies to deliver GCN mitigation schemes.

Appendix VI – Summary of Representations and the Councils Response		
Comment	**Response**	**Action**
GCNs		
Huw Evans/Building Wildlife Grammatical errors and clarification	Accepted	Amend SPG to incorporate changes and clarify relevant sentences/paragraphs.
Andrea Mearns Mold Resident Wildlife corridors linking the compartments and buffer should also be considered key habitats. Inclusion of wildlife corridors linking compartments and buffer to clarify Map 1 Appendix 1	Noted Appendix 1 does reference the need to consider connectivity between SAC compartments. Section 4b references Conservation Objectives which includes habitat connectivity. Conservation objectives are detailed in the SAC Core Management Plan which I have now specifically referenced.	Assessed whether the aerial photo could be used as the background information of Map 1 to provide an idea of habitat connectivity, but decided map subsequently too cluttered for purposes of this SPG.
Leah Williams NEWW* Table 3, A2 – Regarding the requirement to adopt the 'like for like' principle; - this should not be set in stone as it may be necessary to create more habitat than was destroyed, by way of terrestrial area, pond number/density/size, or both. Appendix V – Please change the wording for North East Wales Wildlife. *NEWW are now Wild Ground.	Noted "like for like" principle is the guidance but agree each mitigation/compensation project needs to be "capable of its purpose" as stated in Tables 3 A2 so ultimately each scheme is likely to be site specific.	N/A Amended NEWW wording Appendix V, in part to keep general in line with other organisations listed.
Cheshire West and Chester Council	No comments	N/A
Clwydian Range and Dee Valley AONB Joint Committee **"***The Joint Committee notes that there is generally medium to low likelihood of Great Crested Newt presence in the AONB but supports the proposed SPG which seeks to conserve and maintain a*	Noted	N/A

viable population and distribution of this internationally important protected species. The approach is fully consistent with the aims of the AONB Management Plan in respect of conservation and enhancement of biodiversity."		
Campaign for the Protection of Rural Wales This draft SPG is considered to be clear and concise. The members of the branch have no issue with the content of the document and are supportive of its adoption by Flintshire County Council.	Noted	N/A
NRW	1.The LPA may wish to refer to the main international legislation drivers. – 2.Reference GCN Spatial Conservation Plan 3.Table 2 – add disclaimer 4b 3rd paragraph consider attached report "A Strategic Approach to development likely to affect the Deeside and Buckley Newt Sites SAC 5 Future Management amendments/ additions Table 4. add to Options 5.Accronym TEP? And clarify which costs based on the 2006 costs.	N/A referenced as per PPW Reference added Disclaimer added to S3 No attached report but in any case, consider there are enough drivers for the approach proposed. SAC Core Management Plan now referenced. Amended with clarification Amended with clarification. Deleted TEP reference; Hafod land tribunal costs now merged with 2017 Flintshire Countryside Service Management costs. Costs are for guidance purposes.