

Page	Section	NRW Comment	AtkinsRéalis Response / Action
N/A	N/A	We recommend dividing the site into management units or compartments, named or numbered for clarity of reporting. We advise you consider whether management targets should relate to specific compartments or to the specified habitat resource as a whole. Whilst targets may apply to the habitats as a whole, the habitat structure may vary between management units across the site.	Created mixed scrub habitat divided into five coupes of approximately equal size. Coupes and hedgerows labelled on Figure A-4.
N/A	N/A	The wording in multiple sections of the LEMP is not enforceable in its current form, as it contains recommendations ("ecologist should be appointed", "the advice of a specialist contractor should be sought", "Fertiliser should not be applied") rather than requirements. We advise this is rectified in an amended LEMP.	Amended throughout.
N/A	N/A	Dormouse habitat creation on the compensation site seems to comprise native hedge and mixed scrub only. We advise that some of the mixed scrub is replaced by woodland planting, incorporating suitable canopy tree species and ground flora into the mix.	The approved planting schedule is shown on drawing <i>Proposed Dormouse Compensation Plan 5222535-ATK-XX-XX-M2-L-401011 P03</i> , which is an approved document secured under Condition 1 of the planning permission 24/0747. The approved planting schedule must be accorded with. There is no mechanism within Condition 5 to enable amendments to the approved planting schedule through the approval of the Landscape and Ecological Management Plan. Condition 5 requires details of the provision, management and maintenance of the approved planting schedule. NRW has had several opportunities to comment on the planting schedule prior to its approval. A copy of NRW's response to statutory pre-application consultation in August 2024 is attached to this response. In this consultation NRW suggested reducing willow and holly in the proposed planting mix to facilitate an increase in the proportion of hazel. The applicant incorporated this suggestion prior to planning submission. Silver birch and pedunculate oak, two canopy species, are included in the approved scrub planting schedule at 10% composition each and will not be subject to thinning or coppicing so they can grow to form a canopy. There is an overhead powerline above the Compensation Site, which limits the size of tree whips that can be planted. It would also be difficult to ensure any introduced ground flora would survive, with management measures instead focused on ensuring the scrub develops into habitat suitable for hazel dormice as quickly as possible.
5	1.1	Section 1.1: We note this section indicates that "Any trees, shrubs or grass areas that are planted or retained as part of the development that die, become seriously damaged, destroyed or diseased within five years from completion of the development shall be replaced..." We advise that this is increased to 10 years, with the species planted or the exact planting location to be revised, should multiple failures occur at the given location.	Amended.
5	1.2	Section 1.2: We note that the LEMP is intended to be read in conjunction with planning drawings and reports listed in this section. These documents have not been submitted in support of this application.	Copies of the approved Landscape drawings for both Development Site (Proposed Landscape General Arrangement Plan 5222535-ATK-XX-XX-M2-L-401001 P08) and Compensation Site (Proposed Dormouse Compensation Plan 5222535-ATK-XX-XX-M2-L-401011 P03), the <i>Ecological Impact Assessment 5222535-ATK-XX-XX-RP-E-0001</i> , and <i>Dormouse Compensation Strategy 5222535-ATK-XX-XX-RP-E-0002</i> , all secured under Condition 1 of 24/0747, are attached as appendices to the revised Landscape Ecological Management Plan. They are also available on Newport Council's planning file.
6	1.3	Section 1.3: One of the purposes of the LEMP is given as "To help in the allocation of site resources and funding for the landscape maintenance". However, it appears that funding mechanisms have not been stipulated anywhere in the submitted information. We advise this information is submitted to the LPA.	Section 4 of LEMP amended.
10	4	Section 4: This section contains the following passage: "A suitably qualified ecologist should be appointed by the client (or their successor) and / or their contractor to undertake the ecological monitoring detailed in this LEMP. At this stage Vantage Data Centers cannot confirm who will be responsible for undertaken [sic] the management and monitoring prescriptions set out in this LEMP. This can be confirmed at a later stage by planning condition." We observe that the current application seeks to discharge conditions; there appears to be no means of imposing further planning conditions on an application to discharge conditions. Therefore we advise that this information is provided at this juncture.	Section 4 of LEMP amended.
11	5.1	Section 5.1: Table 5-1 - Landscape and ecology management objectives and targets notes the target to "Provide short-term nesting opportunities by installing seven hazel dormouse nest boxes in the Development Site and 20 in the Compensation Site". We advise that the provision of nest boxes should not be considered to be a short-term nesting opportunity, but a long-term one maintained throughout the management and monitoring period, with long term commitment to replace when required.	Nest boxes to be monitored for 10 years, as created scrub habitat will be suitable for dormice by this time, and the habitat monitoring and management for 30 years will ensure the habitats are suitable for dormice.
12	5.2: table 5-2	Section 5.2: Table 5-2 – Target conditions of retained and created habitats contains the following proposed criteria: a. Mixed scrub: i. "At least 80% of scrub is native". We advise this is increased to a minimum of 95%. ii. "There are at least three native woody species". Table 6-5 - Mixed scrub in the Compensation Site specification indicates that at least eight scrubby species are proposed to be planted within the compensation site mixed scrub areas. We therefore advise the target is increased to at least six. iii. "Medium structural complexity with a diverse age structure of woody species are present" – please define "medium structural complexity within the document in measurable descriptions. iv. "species indicative of suboptimal condition make up less than 5% of ground cover" – please list these species.	Amended. Criteria taken from Biodiversity Net Gain (BNG) Statutory condition assessments.
12	5.2: table 5-2	Native species-rich hedgerow: i. Desired condition is stipulated as "Good (no more than 2 failures in total, excluding the compulsory bold criteria)". It is unclear whether the "failures" refers to failing any one of the ten criteria set for this habitat type. If so, even a single failure of many of the non-compulsory criteria would render this habitat less than optimal for dormice. We advise this is revised. ii. "Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground." – please include a list of these plant species. iii. There are a number of references to "canopy". Even if standard trees are present within the hedgerow, this habitat type is unlikely to have a canopy. We advise that references to canopy are removed and the section appropriately revised. iv. "90% of the hedgerow and undisturbed ground is free of invasive nonnative plant species (including those listed on Schedule 9 of WCA) and recently introduced species". We advise this is increased to 95% for retained/ enhanced hedgerows, and 100% in newly created hedgerow habitats. v. "High species diversity" is stipulated. Please clarify what this looks like on the ground in measurable descriptions. vi. "Created hedgerow will have medium structural complexity, retained and enhanced hedgerow will have high structure complexity" – please define these terms within the document in measurable descriptions.	Amended. Criteria taken from BNG condition assessments removed, with only criteria based on Hazel Dormouse Mitigation Handbook retained.

12	5.2: table 5-2	Wet woodland: i. "Three age classes of tree present." – please define age classes of trees within the document. ii. "There is no significant browsing damage evident in the woodland." – please clarify in measurable terms what is intended by "significant browsing damage". Please also include a commitment to deliver fencing to prevent grazing by deer or fly-grazing by domestic livestock, and to monitor the condition of the fencing present. iii. "There are five or more native tree or shrub species found across the woodland parcel." We advise this is increased to six. iv. ">80% of canopy trees and >80% of understorey shrubs are native". We advise this is increased to a minimum of 95%. v. "Recognisable NVC plant community at ground layer present." – please define which community/ list desired species. vi. "Three or more stories across all survey plots. There is high structural complexity" – please provide map of plots and define "high structural complexity" within the document in measurable descriptions.	Amended.
20	6.1: Table 6-3	Section 6.1: Table 6-3 - Hedgerow in the Development Site specification indicates that hazel is intended to constitute 10% of the hedgerow. Table 6-6 - Hedgerow in Compensation Site specification indicates that hazel is intended to constitute 20% of the hedgerow. We advise that both are increased to a minimum of 30%.	The approved planting schedule is shown on drawing <i>Proposed Landscape General Arrangement Plan 5222535-ATK-XX-XX-M2-L-401001 P08</i>, which is an approved document secured under Condition 1 of the planning permission 24/0747. The approved planting schedule must be accorded with. There is no mechanism within Condition 5 to enable amendments to the approved planting schedule through the approval of the Landscape and Ecological Management Plan. Condition 5 requires details of the provision, management and maintenance of the approved planting schedule. NRW has had several opportunities to comment on the planting schedule prior to its approval. A copy of NRW's response to statutory pre-application consultation in August 2024 is attached to this response.
25	7: Table 7-1	Section 7 (containing Table 7-1 - Landscape and ecological management prescriptions): a. All planted areas: i. "Re-planting to be undertaken in the next following planting season or as agreed with client." We advise that "or as agreed with the client" is deleted. ii. "Check all landscaped areas for unwanted or invasive species i.e. bramble (excessive coverage), ground ivy and nettles. Reduce/ clear by hand and remove from site." Dense bramble is a highly valued nesting resource for dormice, and we would not advocate bramble removal unless essential. We advise "excessive coverage" is clearly defined, ensuring that some areas of bramble are retained particularly on the development site, and a stipulation is included to ensure that any bramble removal is undertaken under ecological supervision due to the risk of finding dormice at any time of year.	Amended.
25	7: Table 7-1	b. Retained scrub and existing woodland and hedgerows: i. "Only a third of each hedgerow will be cut in any one year (between November and March), rather than all. This creates a diverse hedgerow structure and ensures there is adequate food for hazel dormice." We advise a plan showing each hedgerow clearly named/ numbered is submitted to the LPA. ii. We note that some new hedges, as well as those of significant age, may benefit from laying. Please include this as a management option. iii. "The woodland will be adaptively managed to ensure it does not become a close canopy woodland and has a regenerative understorey." There appear to be no percentage targets for canopy cover. We advise these are stipulated on the amended LEMP. Please note these may vary between different management parcels of the same type of habitat.	Amended. No percentage target for canopy cover given as not provided in hazel dormouse mitigation or conservation handbooks guidance.
25	7: Table 7-1	c. Species-rich hedgerow planting: i. "Once hedgerows are established (first five years) they will be maintained for the benefit of hazel dormice by raising the cutting height and width subjecting them to a three-year trimming regime." Target hedgerow height appears not to have been defined beyond Table 5-2 stating that "...the average height of woody growth estimated from base of stem to the top of the shoots... ..exceeds >1.5 m average along length". We advise target height and width of hedgerows is specified. A target of 2m width and 3m height is advised.	Amended.
25	7: Table 7-1	d. Mixed scrub planting: i. "Cut back all stems to the nearest bud to a height approximately 200mm above ground level to encourage and promote new growth stem colour." This appears to stipulate that all newly planted scrub material is to be cut down to 20cm every year between years 2 and 5. We advise this is appropriately revised. ii. "Confirm root growth is well established and remove shelters, stakes and ties from thicket whips and transplants – to avoid damage, cut shelters away then remove stakes." We advise this is undertaken under ecological supervision, as dormice are known to build nests within tree guards. iii. "Thinning and coppicing will be undertaken on rotation (maximum 20% every 5 years to year 30, if determined appropriate through monitoring), cutting patches in a sequence that encourages new coppice adjacent to old, permitting access to hazel crops and easy recolonisation by dormice and to ensure diverse age structure of the woodland and letting light in for ground flora." We advise that a map with numbered/ named coppicing coupes is produced and submitted to the LPA. We advise that the LEMP is amended to stipulate that no more than 20% of the total area of habitat will be coppiced in any given 5 year period, and that coppice rotation is no shorter than 20 years.	Amended. Created mixed scrub split into five coupes of approximately equal size, shown in Figure A-4.
30	8: Table 8-1	9) Section 8 (containing Table 8-1 - Monitoring the landscape and ecological objectives plan): This section indicates that dormouse nest box survey is proposed to be undertaken in March, May, and September/ October in years 1, 3, and 5. We advise that nest box monitoring is extended to year 30 alongside habitat monitoring.	Nest boxes to be monitored for 10 years, as created scrub habitat will be suitable for dormice by this time, and the habitat monitoring and management for 30 years will ensure the habitats are suitable for dormice.