

P-06-1566: Welsh Government must legislate for full regard to Local Nature Reserves including Cosmeston LNR

Y Pwyllgor Deisebau | 26 Ionawr 2026
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Reference: SR25/12887-3

Introduction

Petition Number: [P-06-1566](#)

Petition title: Welsh Government must legislate for full regard to Local Nature Reserves including Cosmeston LNR.

Text of petition: Although statutory, LNRs are hardly recognised in nature recovery plans and Wales' biodiversity framework. Welsh Government must empower LNR friends' and wildlife groups by strengthening duties on public authorities to take them into account within the provisions of the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill. Parts of Cosmeston LNR are SSSI, but neither NRW nor the Council have to review designated features, update designations, or produce a management plan.

The 1981 Wildlife and Countryside Act protects species, habitats, and nesting sites within LNRs. The Vale Council aim to profit from Cosmeston LNR via commercial water-park activities which clash with the nature conservation and public enjoyment purpose. In not assessing potential impacts on the wildlife and habitats when inviting bids for water-based recreation in 2021 and



Aquapark this year, the council appeared to breach its LNR duty. General duties for biodiversity set out in the Environment (Wales) Act 2016, and for nature recovery (NRAP 2015) carry no bite. The 1981 Act carries a duty to prevent activities disturbing habitats of designated water voles and Cetti's warbler. When the Cetti's started nesting near the aquapark, the council ignored the required 'buffer zone'. The new Bill should include a clearly defined process for public challenge of official bodies when drawing up management plans, submitting funding bids, and assessing developments in LNRs under planning law.

The text provided above is submitted by the petitioner. The petitions team make every effort to ensure it preserves their authentic voice. This text has not been verified for accuracy, or errors, and may contain unverified opinions or assertions.

Mae'r testun uchod yn cael ei gyflwyno gan y deisebydd. Mae'r tîm deisebau yn gwneud pob ymdrech i sicrhau ei fod yn cadw ei lais dilys. Nid yw'r testun hwn wedi'i wirio am gywirdeb, neu wallau, a gall gynnwys barn neu honiadau heb eu gwirio.

1. Background

Local Nature Reserves (LNRs) are designations by local authorities under the *National Parks and Access to the Countryside Act 1949* and their management and protection are primarily the responsibility of the local authority. LNRs are designated for natural features that are of special interest to the local area.

Natural Resources Wales (NRW) estimates there are around 100 LNRs in Wales. Their distribution can be seen on DataMapWales.

2. Welsh Government action

2.1. Planning policy

In terms of the planning system, the Welsh Government classes LNRs as “non-statutory” nature designations. This means that they are subject to a different approach in planning policy to “statutory” designations (such as Sites of Special Scientific Interest) which have greater protection.

Designation	Statutorily and Non Statutorily Protected Sites	Interaction with Step-wise Approach
Special Area of Conservation	Statutory	Avoid
Special Protection Area	Statutory	
Ramsar sites	Statutory	
Site of Special Scientific Interest	Statutory	
National Nature Reserve	Statutory	
UNESCO Biosphere Reserve	Non-Statutory	Apply Step-wise Approach to determine
UNESCO Geoparks	Non-Statutory	
Sites of Importance for Nature Conservation	Non-Statutory	
Local Nature Reserve	Non-Statutory	
Local Wildlife Sites	Non-Statutory	
Regionally Important Geodiversity Sites (RIGS)	Non-Statutory	
Potential National Natural Resources Areas (Future Wales)	Development Plan	
Resilient Ecological Networks (RENs) / Nature Network Maps (NRW)	Area Statements/ Green Infrastructure Assessments	

Source: Planning Policy Wales (Edition 12, Figure 13, page 154).

Planning Policy Wales (PPW) (section 6.4) requires Planning authorities to follow a “step-wise approach” to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimised, mitigated, and as a last resort compensated for. Development may be considered in non-statutory designations, e.g. LNRs, subject to this approach.

In contrast, PPW states that development proposals in statutory designated sites must be avoided altogether, in line with the first step of the step-wise approach.

PPW goes on to state that:

Although non-statutory designations do not have a statutory process for their protection ... they should be given protection in development plans and the development management process.

...

Before authorising development likely to damage a local wildlife designation, planning authorities should give notice of the proposed operation to the local authority Ecologist and third sector environmental organisations. In all cases a written opinion must be secured from the local authority Ecologist.

Technical Advice Note (TAN) 5, on nature conservation and planning, aims to protect features of an LNR through including them as a material consideration in planning decisions (section 5.5.1). Developers are required to avoid harm to the features of these sites where possible.

2.2. Sites of Special Scientific Interest

The petition notes that there is a Site of Special Scientific Interest (SSSI) within the LNR. SSSIs are recognised for their important wildlife and natural features (covering land, sea and freshwater) and are protected under section 28 of the Wildlife and Countryside Act 1981.

NRW is responsible for designating sites as SSSIs. NRW also directly manages SSSIs on land it has responsibility for, and advises other landowners/occupiers on sites it does not manage directly. As stated above, SSSIs have certain protections in planning policy.

According to a [2020 baseline assessment](#) by NRW, the condition of 52% of SSSI features was unknown, 20% had features in favourable condition and 28% in unfavourable condition.

2.3. Environment (Wales) Act 2016

Section 6 of the [Environment \(Wales\) Act 2016](#) includes a general 'biodiversity duty' requiring public authorities to maintain and enhance biodiversity and promote the resilience of ecosystems. The intention is that public authorities should embed the consideration of biodiversity and ecosystems into their day to day activities. To comply with the duty, public authorities must prepare and publish a plan setting out what they propose to do to maintain and enhance biodiversity and promote ecosystem resilience, and report on their work every three years.

2.4. Wildlife and Countryside Act 1981

The [Wildlife and Countryside Act 1981](#) includes general laws to protect wildlife such as prohibiting (without a licence) the killing or taking of wild birds, or the destruction of their eggs or nest, while that nest is in use or being built.

2.5. Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill

[Environment \(Principles, Governance and Biodiversity Targets\) \(Wales\) Bill](#) is currently passing through the Senedd. If passed it aims to:

- embed [environmental principles](#) into law to underpin future policy decision-making;
- establish an [environmental governance body](#) (the Office of Environmental Governance Wales – OEGW) which would hold public authorities to account on environmental law; and
- introduce a statutory framework for [legally binding biodiversity targets](#).

The Bill does not create new duties specific to LNRs. Its provisions aim to reinforce the requirement for public bodies to consider biodiversity in decision-making and work towards biodiversity targets e.g. as part of their section 6 biodiversity duty (above).

The OEGW would provide a route for complaints and enforcement where public authorities fail to comply with environmental law. With regards to this petition, anyone concerned that the public authority was not complying with its legal

environmental duties could make representations to the OEGW which would have powers to ensure compliance (such as via compliance notices, with escalation to the High Court as a possible option).

2.6. Nature Recovery Action Plan

The petition mentions the Nature Recovery Action Plan for Wales (NRAP) (2021), which is the Welsh Government's biodiversity strategy.

While the NRAP refers to restoring and maintaining the Protected Site network, this is in relation to sites designated historically under the EU's Natura 2000 network, which does not include LNRs. However the NRAP does aim to restore and create habitat outside protected sites "to build nature networks and mosaics".

Welsh Government's intention is for the section 6 biodiversity plan, augmented by the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill, to replace the current NRAP. However, as mentioned, the Bill does not include specific provision for LNRs.

2.7. Biodiversity Deep Dive

The Welsh Government's 2022 Biodiversity Deep Dive (which makes recommendations to reaching the global target to protect 30% of land, freshwater and sea by 2030 - '30 by 30') includes a recommendation on LNRs:

Identifying ways to maximise the role of Local Nature Reserves and other habitats not under statutory designation, such as Sites of Importance for Nature Conservation, to deliver for the 30 by 30.

3. Welsh Parliament action

The Climate Change, Environment and Infrastructure Committee (CCEI) undertook an inquiry into biodiversity, reporting in July 2024 on halting and reversing the loss of nature by 2030. It explored the management of protected sites in the context of the global '30 by 30' target, but didn't specifically address the status of LNRs.

CCEI has been the principle committee scrutinising the Environment (Principles, Governance and Biodiversity Targets) (Wales) Bill. Its Stage 1 report and Stage 2 amendments did not specifically consider the status of LNRs, rather the provisions around environmental principles, the governance body and biodiversity targets.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.