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ECOLOGICAL IMPACT ASSESSMENT REPORT

LAND ADJACENT TO 1 HEOL TABOR, CWMAFAN, SA12 9PS

AMITY PLANNING CONSULTANTS

Client:	Amity Planning Consultants
Site/Job:	Land Adjacent to 1 Heol Tabor, Cwmafan, SA12 9PS
Report title:	Ecological Impact Assessment Report
Report reference:	WWE26067 EcIA FINAL

Grid Reference:	SS 78212927729
Survey date(s):	PEA and HSI: 06/05/2026 Bat activity survey 1: 29/05/2026 – 05/06/2026 Bat activity survey 2: 19/06/2026 – 29/06/2026 Reptile Surveys: 29/05/2026 – 09/07/2026
Surveyed by:	Beth Lewis ACIEEM – Consultant Ecologist

VERSIONING AND QUALITY ASSURANCE

Status	Date	Author	Reviewed by	Approved by
Final	28/08/2026	Beth Lewis ACIEEM Consultant Ecologist	Misho Baxendale MCIEEM Principal Ecologist	Misho Baxendale MCIEEM Principal Ecologist

DISCLAIMER

This document has been prepared by Wildwood Ecology Limited for Amity Planning Consultants solely as a Ecological Impact Assessment Report. Wildwood Ecology Limited accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

The evidence which we have prepared and provided is true and has been prepared and provided in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

Purpose
Wildwood Ecology was commissioned by Amity Planning Consultants (the client) to undertake an Ecological Impact Assessment (EcIA) at Land Adjacent to 1 Heol Tabor, Cwmafan, SA12 9PS. The site is subject to a full planning application for construction of residential housing with associated gardens and driveways.
Work undertaken
A Preliminary Ecological Appraisal (PEA) was undertaken, consisting of a desk study and an extended UKHab Habitat Survey, carried out in May 2026 following the Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal (2017) guidelines and using UK Habitat Classification Version 2.0 codes (UK Hab, 2023). The onsite and offsite waterbodies (D1, D2, D3, and P1) were assessed for their suitability to support great crested newt using the Habitat Suitability Index (HSI). eDNA surveys were planned to be undertaken at the four waterbodies on 16/06/2026. However, upon inspection the waterbodies were dry and, together with findings of the HSI, eDNA was not required. A badger walkover was carried out in the offsite woodland on 16/06/2026 to search for signs of badger activity. No setts or signs of badger activity were identified. Bat activity surveys were undertaken, with two static monitoring devices deployed across two monitoring periods, for a total of seven consecutive nights for each monitoring period. Monitoring was undertaken in the Spring and Summer seasons (May and June). Bat activity monitoring was not undertaken during the Autumn season (September or October) because the species assemblage and levels of bat activity recorded during Spring and Summer is considered likely to be indicative for the site and a sensitive lighting strategy is proposed suitable for light-averse species. However, a further Autumn bat activity survey may be required by the local planning authority to conform with BCT best practice guidelines. Reptile presence or likely absence surveys were undertaken to determine if reptiles were onsite and their population size, with checks of artificial refugia undertaken between 29/05/2026 and 09/07/2026. A 'good' population of slow worms (5 to 10 adults), and 'low' population of grass snake (1 adult) and common lizard (1 adult) were recorded onsite.
Impacts and Effects
Due to the proposed works, it is likely that in the absence of mitigation there will be adverse effects on the following ecological features: • Kenfig SAC; • offsite woodland; • onsite ditch (D1); • badger (foraging); • bats (foraging and commuting); • common amphibians; • nesting birds; and • reptiles. With proposed mitigation in place there are no expected long-term impacts on the ecological features identified.
Recommendations Compensation and Enhancements
Designated sites in the vicinity of the site require further consideration as follows: • Kenfig SAC. Mitigation measures during the construction phase of the proposed development are required as follows:

¹ CIEEM (2019). *Advice Note: On the Lifespan of Ecological Reports and Surveys*. Chartered Institute for Ecology and Environmental Management, Winchester.

- Reptile mitigation plan comprised of enhancement of retained habitat and installation of reptile fencing around the buffer zone (retained habitat) and a phased cut of the grassland;
- A badger walkover (to check for signs of set building and/or foraging onsite and within the offsite woodland) by a suitably qualified ecologist prior to works commencing;
- Vegetation clearance will ideally take place outside of nesting bird season (March to August, inclusive). Alternatively, an Ecological Clerk of Works (ECoW) will supervise the vegetation clearance to carry out a nesting bird check;
- Construction Environmental Management Plan (CEMP) to avoid pollution impacts on the onsite ditch (D1);
- No night-time working to avoid impacts on nocturnal wildlife;
- Excavations are to be covered overnight, or fitted with a plank, or similar, to act as a means of escape. The excavation will be checked for the absence of animals prior to works re-commencing;
- Machinery and onsite materials will be stored so that animals cannot come into contact with them. Concrete will not be left unset overnight; and
- Invasive species management of Himalayan balsam onsite and consideration of Japanese knotweed management in the offsite woodland.

Mitigation measures during the operational phase of the proposed development are required as follows:

- Management of habitats by Tai Tarian contractors with methods detailed in habitat management plan;
- Sensitive lighting strategy for bats (including lesser horseshoe and brown long-eared bat) and other nocturnal species;
- Hedgehog hibernacula and passes in fences; and
- Reptile hibernacula.

Conclusions

Providing that the recommendations outlined in this report are implemented in full, the proposed development will adequately mitigate, compensate, and enhance the protected, priority and notable habitats and species within and adjacent to the site.

This report will remain valid for a maximum period of 18 months from the date of the last survey¹ - i.e. until 09/01/2028. In the case of certain exceptions, data may only be valid for 12 months, examples include:

- where a site may support existing or new features which could be used by mobile species, such as bats and birds, within a short timeframe;
- where bats and birds were present onsite or in the wider area, and can create new features of relevance to the assessment; and
- where country-specific or species-specific guidance dictates otherwise.

Further surveys may be required to update the site information if planning is not obtained, or works do not commence within this time period.

¹ CIEEM (2019). *Advice Note: On the Lifespan of Ecological Reports and Surveys*. Chartered Institute for Ecology and Environmental Management, Winchester.

1. INTRODUCTION

- 1.1. Wildwood Ecology was commissioned by Amity Planning Consultants (the client) to undertake an Ecological Impact Assessment (EcIA) at Land Adjacent to 1 Heol Tabor, Cwmafan, SA12 9PS (the site), centred at grid reference: SS 78212927729.
- 1.2. This report has been written in cognisance of the CIEEM Guidelines on: Ecological Report Writing and Ecological Impact Assessment, with full survey methodology provided in the appendices.

Site description

- 1.3. The aerial image of the site (Figure 1) showed that the site consisted of areas of bare ground and grassland. The site was immediately adjacent to a parcel of woodland to the north.



Figure 1 - Aerial image of the site. Red line shows the site boundary. Image used under licence (@2023 Google). Figure created: 15/06/2026.

Proposed development

- 1.4. The site is subject to a full planning application for construction of residential housing with associated gardens and driveways.

Data collected

- 1.5. Data from the following sources was used to inform this report:
 - Desk study undertaken on 01/05/2026 including:
 - Local Records Centre SEWBREC; and
 - Multi-Agency Geographic Information for the Countryside (MAGIC).
 - Preliminary Ecological Appraisal (PEA) survey undertaken on 06/05/2026.
 - Further surveys including:
 - Badger walkover;
 - Bat static detector deployments;
 - Great crested newt habitat suitability index assessment survey; and
 - Reptile presence/ likely absence survey.

- 1.6. Full information on the data sets and search buffers used can be found in the appendices.

Purpose of this report

- 1.7. The purpose of this report is to provide sufficient information for the local planning authority to fully assess the ecological impacts of the proposed development.
- 1.8. Key objectives are to identify:
- the likely ecological constraints associated with the proposed development;
 - mitigation measures likely to be required, following the 'Mitigation Hierarchy'; and
 - opportunities for the proposed development to deliver ecological enhancement.

Limitations and assumptions

- 1.9. Bat activity surveys were only conducted during the Spring and Summer seasons, which deviates from the BCT survey guidelines for 'low' suitability bat foraging and commuting habitat. The species assemblage and levels of bat activity recorded during Spring and Summer is considered likely to be indicative for the site and a sensitive lighting strategy is proposed suitable for light-averse species. However, a further autumn bat activity survey (September or October) may be required by the local planning authority to conform with BCT best practice guidelines.
- 1.10. No other limitations were encountered, or assumptions made during either the desk study or the field survey and it is considered that with the access gained and recording undertaken an accurate assessment of the site's ecological importance has been made.

2. RESULTS

Links to the surrounding landscape

- 2.1. The site had good connectivity to the surrounding landscape via the woodland immediately adjacent to the north of the site. Connectivity to the landscape to the south was relatively less well-connected, mainly due to the presence of residential and commercial areas. Cwmafan Green Corridor SINC was present to the south of site, which provided connectivity east to west, however, the site was separated from the SINC by residential housing and roads.
- 2.2. The wider landscape was comprised of woodland and farmland to the north, which extended to the south, east and west outside of Cwmafan town. The River Afan, lined with woodland parcels, was located to the south of Cwmafan.

Desk study

Designated sites

- 2.3. There were three statutory international designated sites requiring special consideration (Special Areas of Conservation (SAC), Special Protections Areas (SPA), and RAMSAR sites) within 10km; namely Kenfig SAC, Crymlyn Bog SAC and RAMSAR, the closest of which being Crymlyn Bog 6.6km north-west of the site.
- 2.4. There were no statutory national designated sites (Site of Special Scientific Interest (SSSI), National Nature Reserves (NNR), and Local Nature Reserves (LNR)) within 2km. The closest site was Earlswood Road Cutting and Ferryboat Inn Quarries SSSI 5.2km west.
- 2.5. There were no non-statutory sites (Sites of Interest to Nature Conservation (SINC) and Local Wildlife Sites (LWS) within 1km of the site.
- 2.6. The site was situated within the NPT watercourses Sites of Interest to Nature Conservation (SINC). Cwmafan Green Corridor SINC was located 138m east. There were five other SINCs within 1km of the site.

Light pollution

- 2.7. The site was in a rural area with low to moderate levels of light pollution (VIIRS Data Base, 2024).

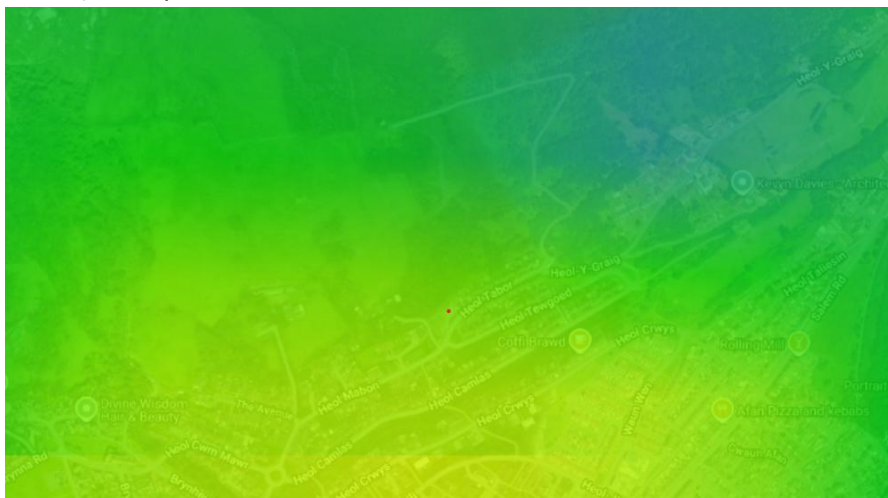


Figure 2 - Light pollution levels onsite. <https://www.lightpollutionmap.info/> Accessed 27/07/2026

Habitat Regulations Assessment (HRA) Screening

2.8. The site was situated within the Zone of Influence (Zoi) of the following international designated sites:

- Kenfig SAC.

2.9. Due to the potential for adverse effects on the integrity of the international designated sites identified above, an HRA will likely be required to determine the likelihood of an adverse effect on the integrity of those sites and whether mitigation measures will be required.

Core sustenance zones/consultation areas

2.10. The site was in the core sustenance zone for the following species: common pipistrelle, soprano pipistrelle, noctule, Daubenton's, and myotis species.

Priority and notable habitats

2.11. There were no priority/ notable habitats/ ancient woodland noted within and adjacent to the site.

Waterbodies

2.12. There were four waterbodies located within 250m of the site, including a ditch (D1) onsite, two ditches located offsite (D2 and D3) and one pond located offsite (P1). See Figure 3 below for locations of identified waterbodies.

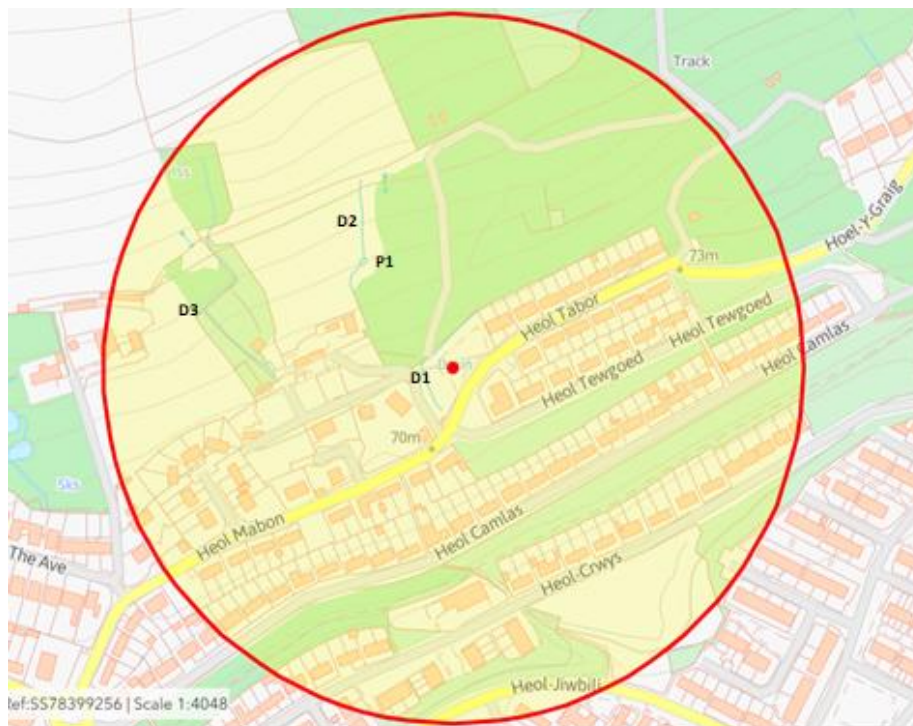


Figure 3 – Waterbodies within 250m of the site boundary. Site marked with red dot.

Priority and protected species

2.13. Priority and protected species records were returned from the South East Wales Biodiversity Records Centre (SEWBREC) for species located within 2km of the site. Key species records can be found below, with the full data set available upon request.

- There were no records of nearby maternity or hibernation bat roosts. There was one record of an unknown species bat roost 686m west.
- There were no records of badger setts within the vicinity of the site. However, there were seven records of badger signs and roadkill.
- There were three records of American mink, the closest being 1.5km.
- There was one record of hazel dormouse, 2km to the south, however, the record was not verified and species not certain.
- There were 10 otter records on the River Afan, all between 2000 and 2009. There were no records of holts.
- There was one record of a water vole sighting from 2002, 1.8km to the south-west.
- There were no records of great crested newt. However, there were two records of smooth newt, one palmate newt, three common frogs, and one common toad, the closest being a smooth newt 152m to the south-east (in residential garden).
- There were 30 records of common reptile species (slow worm, grass snake, common lizard, and adder), the closest being a slow worm 147m to the south.
- There were 92 records of Schedule 1 bird species, the closest being a barn owl record 363m to the north-west (however this record was from 2002 and from reviewing aerial mapping, the barn has since been demolished). Other Schedule 1 species include the following: brambling, crossbill, Dartford warbler, fieldfare, firecrest, goldeneye, goshawk, kingfisher, osprey, peregrine, quail, red kite, redwing, snow bunting, and whooper swan.
- There were 24 records of Category 1 invertebrates recorded, including the following: black oil-beetle, brown-banded carder bee, dingy skipper, goat moth, grayling, marsh fritillary, small heath, scarce blue-tailed damselfly, small pearl-bordered fritillary, star-wort moth, violet oil-beetle, and wall butterfly. The closest being a black oil-beetle 226m to the south.

Field survey – PEA

2.14. A PEA survey was undertaken at the site on 06/05/2026, led by Beth Lewis ACIEEM Consultant Ecologist. Survey details can be found in Table 1.

Table 1 - Field survey timings and conditions.

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Rain
06/05/2026	16	3	2	Nil

- 2.15. Table 2 sets out descriptions of the habitats present within the site using UK habitat Classification Version 2.0 codes, along with a list of species present.
- 2.16. The distribution and extent of habitat parcels at the site, along with the locations of any target notes, are included within a habitat plan in the appendices, alongside an accompanying full species list.

Table 2 - Habitats and linear features present within the site.

Habitat	Habitat description	Species present and abundance (DAFOR: Dominant, Abundant, Frequent, Occasional, Rare)
h3d - Bramble scrub Secondary codes: 82, 521 (vacant or derelict land, unmanaged)	Bramble scrub (patchy and not of sufficient structure to be considered dense scrub or suitable for dormouse) was present on the northern edge of the site, adjacent to the offsite woodland parcel.	bramble (D) beaked hawksbeard (F), common gorse (F), ribwort plantain (F) hairy willowherb (O)
g3c - other neutral grassland Secondary codes: 14, 82, 125, 128, 504, (scattered rushes, vacant or derelict land, flower forage abundant, tall or tussocky sward, waterlogged)	Other neutral grassland was present in several patches across the site. One small area of wetter/ waterlogged ground with scattered rushes and sedges was present towards the west of the site.	creeping bent (D), Yorkshire fog (D) beaked hawksbeard (A), cut-leaf cranesbill (A), red clover (A), red fescue (A) bird's-foot trefoil (F), cocksfoot grass (F) black mustard (O), bramble (O), bristly oxtongue (O), common vetch (O), herb Robert (O) dwarf sedge (R), horsetail sp. (R), pine sp. sapling (R), red osier dogwood (R), sycamore sapling (R)
u1f – sparsely vegetated urban land Secondary codes: 81, 82, 510 (ruderal or ephemeral, vacant or derelict land, bare ground)	This habitat was present in extensive areas across the site. The habitat was not considered to meet the qualifying criteria for Open Mosaic Habitat due to its size, and lack of spatial variation and species composition.	Annual meadowgrass (D) dandelion (A), ribwort plantain (A) bramble (F), creeping bent (F), creeping buttercup (F), speedwell sp. (F) buddleja (O), common vetch (O), creeping cinquefoil (O), pimpernel sp. (O), sticky chickweed (O), white clover (O) dewberry sp. (R), birch sp. sapling (R), common vervain (O), drooping sedge (R), grey willow sapling (R), hoary willowherb (R), wavy bittercress (R), willow sp. sapling (R)
u1e – built linear features Secondary codes: 82 (vacant or derelict land)	A wooden panelled fence was present on the north, south, and western boundaries.	N/A

Habitat	Habitat description	Species present and abundance (DAFOR: Dominant, Abundant, Frequent, Occasional, Rare)
u1e – built linear features Secondary codes: 82 (vacant or derelict land)	A stone wall was present on the eastern boundary, which was well-sealed and had no gaps between the stonework.	N/A
r2c – ditches Secondary codes: 50, 82, 500 (ditch, vacant or derelict land, dry)	A dry ditch was present on the west boundary of the site. There were very small puddles with less than 5cm depth of water. There was an overflow pipe leading into the ditch, however, there was no water flowing at the time of the survey.	Species on ditch banks: cock's foot (D), herb Robert (A), horsetail sp. (A), Yorkshire fog (A), liverwort sp. (A), black mustard (F), bramble (F), cut-leaf cranesbill (F), dandelion (F), creeping buttercup (O), dock sp. (O), ragwort (O), scarlet pimpernel (O), square-stalked St John's wort (O), willowherb sp. (O) common ivy (R), corn salad (R)

Priority, protected, and notable species

2.17. The suitability of the site habitats for protected species, the connectivity of the site, and any evidence identified can be found in Table 3.

Table 3 - Protected species onsite.

Species or group	Habitat suitability	Site connectivity	Notable onsite features	Presence confirmed?
Amphibians, including great crested newt	Terrestrial – good Aquatic - poor	Excellent/direct	Ditch, when wet, could be suitable, however, did not have emergent vegetation present Tall/tussocky sward and rubble piles	Onsite terrestrial, and potentially aquatic (in areas of high rainfall) habitat was suitable, and the site had good connectivity to the surrounding landscape
Badger	Sett building – poor Foraging/commuting – good	Excellent/direct	Bank onsite, with connectivity to offsite woodland	Onsite habitat was suitable and the site had good connectivity to the surrounding landscape
Bats: foraging and commuting	Excellent	Excellent/direct	The site was directly adjacent to highly suitable roosting, foraging and commuting woodland habitat. If any roosts were present in the woodland, the site would fall in the core sustenance zones	Onsite habitat was suitable and the site had good connectivity to the surrounding landscape
Fish	Poor	Poor	Ditch was not suitable for fish	Onsite habitat was unsuitable and no connectivity to the surrounding landscape
Hazel dormouse	Poor	Excellent/direct	Bramble scrub was patchy and not of sufficient structure to support dormouse in itself. The scrub was not contiguous of the woodland (offsite) however there were areas of connection. Lack of mature fruiting hazel food sources.	Onsite habitat had low/negligible suitability for foraging dormouse and had some connectivity to low suitability nest building, foraging and commuting habitat immediately adjacent
Hedgehog	Good	Good	Grassland and scrub provided suitable foraging and refuge habitat	Onsite habitat was suitable and the site had good connectivity to the surrounding landscape
Invertebrates	Excellent	Excellent/direct	Ample foraging habitat comprised of bare ground, sparse vegetation, and rough grassland	Onsite habitat was suitable and the site had good connectivity to the surrounding landscape
Nesting birds	Good	Excellent/direct	No nesting birds identified onsite, but scrub and offsite woodland provided suitable nesting habitat	Onsite habitat was suitable and the site had good connectivity to the surrounding landscape
Otter	Poor	Good	The onsite ditch was unsuitable. There was some connectivity (offsite	Onsite habitat was unsuitable but there was

Species or group	Habitat suitability	Site connectivity	Notable onsite features	Presence confirmed?
			woodland) between offsite ditches and the site	some connectivity to the surrounding landscape
Reptiles	Excellent	Excellent/direct	Rough grassland and rubble/ gravel piles provided suitable refugia. South facing bank provided suitable basking habitat	Onsite habitat was suitable and the site had good connectivity to the surrounding landscape
Water vole	Poor	Good	The ditch onsite was not suitable for water vole. However, the offsite waterbodies, with good terrestrial connectivity, may provide suitable habitat	Onsite habitat was unsuitable but there was some connectivity to the surrounding landscape

Key findings

2.18. The following bird species were noted onsite: blackbird, blue tit, bullfinch, chaffinch, coal tit, common redstart, dunnock, great tit, goldfinch, greenfinch, herring gull, house martin, house sparrow, jackdaw, robin, siskin, swift, and wren.

Invasive species

- Species listed on Schedule 9 of the Wildlife and Countryside Act 1981 were present onsite; namely stands of **Himalayan balsam** was noted alongside the onsite ditch D1 (TN 1 on PEA map). Additionally, **rockspray cotoneaster** was noted in the north-east corner of site during May static deployment and reptile mat deployment (TN 5 on PEA map).
- It is worth noting that **Japanese knotweed** was present in significant, dense areas in the offsite woodland (observed during the badger walkover). It is understood that no works are planned for the woodland, however, it would be prudent for consultation with the landowner to occur to employ invasive species management, particularly as Japanese knotweed could spread easily to the new development site.

Further surveys

2.19. Results of further surveys undertaken at the site are listed in the following sections:

Amphibians (including great crested newt)

Habitat Suitability Index (HSI)

2.20. The results of the Habitat Suitability Index (HSI) assessment undertaken at the waterbodies can be seen in Table 4.

2.21. Pond 1 identified on OS map layer on Magic was found to not exist when carrying out the HSI assessment. Therefore, no HSI was carried out on Pond 1.

Table 4 - Habitat Suitability Index assessment results – Ditch 1.

Ditch 1		
Attribute	Result	SI score
SI ₁ - Location	Zone B	0.5
SI ₂ - Pond area (m ²)	<50m ²	0.05
SI ₃ - Pond drying	Dries annually	0.1
SI ₄ - Water quality	Moderate	0.67
SI ₅ - Shade	40%	1
SI ₆ - Fowl	Absent	1
SI ₇ - Fish	Absent	1
SI ₈ - Ponds per km ²	2	0.9
SI ₉ - Terrestrial habitat	Moderate	0.67
SI ₁₀ - Macrophytes	0%	0.3
HSI calculation	$= (SI_1 \times SI_2 \times SI_3 \times SI_4 \times SI_5 \times SI_6 \times SI_7 \times SI_8 \times SI_9 \times SI_{10})^{1/10}$	
HSI score	0.44	
Pond suitability	Poor	

Table 5 - Habitat Suitability Index assessment results – Ditch 2.

Ditch 2		
Attribute	Result	SI score
SI ₁ - Location	Zone B	0.5
SI ₂ - Pond area (m ²)	<50m ²	0.05

SI ₃ - Pond drying	Dries annually	0.1
SI ₄ - Water quality	Moderate	0.67
SI ₅ - Shade	20%	1
SI ₆ - Fowl	Absent	1
SI ₇ - Fish	Absent	1
SI ₈ - Ponds per km ²	2	0.9
SI ₉ - Terrestrial habitat	Poor	0.33
SI ₁₀ - Macrophytes	0%	0.3
HSI calculation	$= (SI_1 \times SI_2 \times SI_3 \times SI_4 \times SI_5 \times SI_6 \times SI_7 \times SI_8 \times SI_9 \times SI_{10})^{1/10}$	
HSI score	0.39	
Pond suitability	Poor	

Table 6 - Habitat Suitability Index assessment results – Ditch 3.

Ditch 3		
Attribute	Result	SI score
SI ₁ - Location	Zone B	0.5
SI ₂ - Pond area (m ²)	100m ²	0.1
SI ₃ - Pond drying	Dries annually	0.1
SI ₄ - Water quality	Moderate	0.67
SI ₅ - Shade	80%	0.6
SI ₆ - Fowl	Absent	1
SI ₇ - Fish	Absent	1
SI ₈ - Ponds per km ²	2	0.9
SI ₉ - Terrestrial habitat	Good	1
SI ₁₀ - Macrophytes	0%	0.3
HSI calculation	$= (SI_1 \times SI_2 \times SI_3 \times SI_4 \times SI_5 \times SI_6 \times SI_7 \times SI_8 \times SI_9 \times SI_{10})^{1/10}$	
HSI score	0.47	
Pond suitability	Poor	

eDNA

- 2.22. The three ditches were intended to be sampled for great crested newt eDNA. However, upon visiting site, the water levels were very low (>5cm water depth and only formed of rainwater in very small puddles and lacked any emergent vegetation) and were therefore not suitable for sampling.
- 2.23. It was determined that the water levels were likely to be too low to support aquatic great crested newts and would only provide suitable commuting connectivity to terrestrial habitat offsite and to the wider landscape (the habitat onsite was considered to be of lower quality for GCN in their terrestrial phase than the surrounding landscape to the north of site).
- 2.24. The ditch onsite was not connected to any suitable aquatic habitat (suitable for breeding or otherwise) offsite, and provided limited terrestrial commuting habitat, particularly as the surrounding habitat (woodland and tussocky grassland north of the development site) provided more suitable commuting, foraging and refuge habitat. The habitat between the two offsite ditches and the site provided good terrestrial habitat for amphibians, including great crested newt.

Badger

- 2.25. A badger walkover survey was carried out in the offsite woodland immediately adjacent to site.
- 2.26. No setts or signs of activity (tracks, hairs, latrines etc) were noted.

Bats

Static monitoring surveys

- 2.27. Onsite habitat was assessed as **'low' suitability for foraging and commuting bats**, due to the lack of continuous scrub habitat and sparse grassland present onsite. Offsite habitat including the woodland to the north of the site was considered likely to provide 'moderate' to 'high' suitability for foraging and commuting bats.
- 2.28. As such, following BCT survey guidelines, **a minimum of one bat activity survey is required per season (Spring, Summer, and Autumn)**. Night-time bat walkover surveys were considered to not be proportionate due to the small size of the site and lack of habitat diversity. Instead, automated (static) bat detectors were deployed onsite at the north-east and north-west corners of site for a minimum of 5 nights per deployment.
- 2.29. Bat activity surveys were only conducted during the Spring and Summer seasons. The species assemblage and levels of bat activity recorded during Spring and Summer is considered likely to be indicative for the site. However, a further Autumn bat activity survey (September or October) may be required by the local planning authority to conform with BCT best practice guidelines.
- 2.30. The information and records analysed indicated that the species onsite included common and soprano pipistrelle, myotis species, noctule, Nathusius pipistrelle, Bechstein's/Natterer's bat, whiskered bat, Daubenton's bat, Leislers bat, brown long-eared bat, and lesser horseshoe.

2.31. Particularly light-sensitive species of bat, including brown long-eared bat and lesser horseshoe bat were identified onsite.

2.32. Full results from the static monitoring surveys can be seen in Table 7.

Table 7 - Static monitoring results.

Dates	Location	Species	Number of recordings	Calls per night
May 29/05/2026 – 05/06/2026	Static 1 (no.5) Door.crowds.soaks	Common pipistrelle	544	77.7
		Soprano pipistrelle	30	4.2
		Myotis species	26	3.7
		Brown long eared	1	0.1
		Noctule	5	0.7
		Lesser horseshoe	1	0.1
	Static 2 (no.6) Advice.walks.crazy	Common pipistrelle	1777	253
		Soprano pipistrelle	14	2
		Myotis species	7	1
		Noctule	1	0.1
June 19/06/2026- 29/06/2026	Static 1 (no.4) Door.crowds.soaks	Common pipistrelle	1160	116
		Soprano pipistrelle	87	8.7
		Nathusius	6	0.6
		Myotis species	125	12.5
		Bechstein's/Natterers	3	0.3
		Whiskered	1	0.1
		Noctule	8	0.8
		Brown long-eared	7	0.7
		Lesser horseshoe	1	0.1
	Static 2 (no.3) Advice.walks.crazy	Common pipistrelle	1102	110
		Soprano pipistrelle	56	5.6
		Nathusius pipistrelle	5	0.5
		Myotis species	50	5.0
		Daubenton's	6	0.6
		Leisler's	1	0.1
		Noctule	6	0.6
		Brown long-eared	5	0.5
		Lesser horseshoe	1	0.1

2.1. Due to the number of calls recorded per night and diversity of species recorded, the **overall assemblage of bats was considered to be of moderate ecological significance**. Common pipistrelle bats accounted for a significant proportion of the recorded bat calls, with on average more than one hundred calls per night, indicating frequent use of the site by this species for foraging and / or commuting behaviour.

2.2. Relatively **scarce species of bat, such as lesser horseshoe, were recorded infrequently**, with less than one call per night on average.

Reptiles

Presence/absence surveys

2.3. Table 8 summarises the survey timings and prevailing weather conditions during the reptile survey visits.

Table 8 - Dates and conditions prevalent during the reptile survey visits.

Visit	Date	Conditions			
		Temp Max [°C]	Cloud cover [Oktas]	Wind speed [Beaufort]	Rain
Deployment	29/05/2026	18	2	2	0
1	15/06/2026	16	2	3	0
2	19/06/2026	18	6	2	0
3	22/06/2026	20	0	2	0
4	29/06/2026	16	8	1	0
5	02/07/2026	19	2	3	0
6	06/07/2026	17	5	2	0
7 & collect	09/07/2026	18	0	2	0

2.4. Table 9 summarises the results of the reptile presence or likely absence survey.

Table 9 - Results of the reptile presence or likely absence survey.

Visit	Slow worm			Grass snake			Common lizard	Other species
	No. of males	No. of females	No. of juveniles	No. of males	No. of females	No. of juveniles	No. of adults	
1	2	3	1	0	0	0	0	-
2	1	3	11	1	0	0	1 (sex unknown)	2x toads, wood mouse
3	0	1	7	0	0	0	0	1x toad
4	0	2	0	0	0	0	0	Meadow brown butterfly, labyrinth spider
5	0	2	0	0	0	0	0	Small white butterfly
6	0	0	7	0	0	0	0	-
7	0	0	5	0	0	0	0	-
Peak Count:	2	3	11	1	0	0	1	-

Population size estimate

2.5. The population size of the onsite reptiles was calculated using the peak survey count of adults per species. No universally agreed upon methodology for

surveying reptiles is currently available. Therefore, the methodology employed in this survey was adapted from the following reptile survey publications:

- Evaluation of reptile survey methodologies (1996), Report No. 200. English Nature Research.
- Advice sheet 10 reptile survey: an introduction to conduction and interpreting surveys for snake and lizard conservation (1999). Froglife.
- Technical Information Note TIN102, Reptile Mitigation Guidelines (2011) [withdrawn] Natural England.
- Herpetofauna workers' manual (2003), JNCC.
- Sewell et al. (2013) Survey protocols for British herpetofauna; Version 1.0. Amphibian and reptile conservation; Durrell Institute of Conservation and Ecology (DICE); University of Kent; University of Sussex.

- 2.6. Using the above methodologies, the site was classified as having a 'good' (5-10 adults) population of slow worms, a 'low' (1 adult) population of grass snake and a 'low' (1 adult) population of common lizard.

3. IMPACTS AND EFFECTS

- 3.1. The following discussion and assessment are provided to ensure compliance with legislation and planning policy (see Appendices).

Impacts of the proposed development

- 3.2. The proposed development will result in the loss of c.423 sqm other neutral grassland, and c.820 sqm sparsely vegetated urban land as a result of the development. Additionally, c.223 sqm of scrub will be enhanced.
- 3.3. The onsite ditch will be retained and a sustainable drainage feature created within/ around this habitat. The bramble scrub on the bank enhanced with native understorey planting and the edges, and some of the existing grassland enhanced with wildflower planting. The woodland immediately adjacent (offsite) will not be directly impacted. However, the woodland could be impacted by lighting, noise, littering and edge effects from the new development, and soil compression within root protection zones.
- 3.4. Due to the proposed works, it is likely that in the absence of mitigation there will be adverse effects on the following designated sites, habitats, and species:
- Kenfig SAC;
 - onsite culvert/ ditch;
 - neutral grassland;
 - sparsely vegetated urban land;
 - amphibians;
 - foraging and commuting bats;
 - nesting birds; and
 - reptiles.
- 3.5. A summary of impacts and effects can be found in Table 10.

Table 10 - Summary of potential impacts

Ecological feature	Potential impacts and effects	Cause of impact	When will impacts occur?
Kenfig SAC	Degradation of the designated site	Possible increased footfall	Operational phase
Onsite culvert/ ditch	Degradation of the waterbody	Soil run off, chemical spillage	Pre-commencement / construction phase
Offsite woodland	Damage to root protection zones Degradation of the woodland	Soil compaction Littering, potential encroachment by residents	Construction / operational phase
Amphibians (excluding GCN) confirmed in onsite terrestrial habitat	Killing/injury of common amphibian species Loss of terrestrial habitat	Vegetation clearance Disturbance by light and noise	Construction phase
Badger possibly foraging onsite	Killing/injury of foraging badger Disturbance of foraging/ commuting badger	Vegetation clearance Disturbance by light and noise	Pre-commencement / construction phase
Foraging and commuting bats	Loss of notable commuting route/s and/or foraging area/s used by light sensitive species of bat, including brown long-eared bat and lesser horseshoe bat Loss of foraging habitat and / or commuting routes used by relatively abundant species of bat such as common pipistrelle and soprano pipistrelle	Increased lighting Loss of grassland habitat, resulting in reduced invertebrate prey	Construction phase Operational phase
Breeding birds likely nesting onsite	Destruction of an active nest	Vegetation removal	Pre -commencement / construction phase
Hazel dormouse	Loss of patchy scrub of very low/ negligible suitability Disturbance	Vegetation removal Lighting / noise	Pre-commencement / construction / operational phase
Invertebrates	Loss of suitable habitat and food plants	Vegetation removal	Pre-commencement / construction phase
Reptiles	Direct killing/injury Loss of habitat	Vegetation removal Ground breaking works if carried out in reptile brumation period (mid-October to February inclusive)	Pre-commencement / construction phase

4. RECOMMENDATIONS, COMPENSATION AND ENHANCEMENTS

- 4.1. There are a number of impacts and effects on ecological features which cannot be eliminated in the absence of proposed mitigation measures.
- 4.2. Due to these resulting impacts and effects, the following recommendations and/or compensation measures are suggested:

Recommendations / compensation measures

Designated sites

- 4.3. The proposed development/works lie 9.33km of Kenfig SAC, and so, in line with **core policy EN6 and EN7 of Neath port Talbot Local plan (2021-2026)**, further consultation with Natural Resources Wales will be required.
- 4.4. Kenfig SAC has the threat code G01 (Outdoor sports and leisure activities, recreational activities) and therefore, due to the proposed development comprising the construction of 10 new dwellings, Kenfig SAC could be impacted by an increased footfall, particularly as it geographically, would be the closest beach for future residents.
- 4.5. Therefore, the local council, as the competent authority, will need to assess the need for, and if necessary complete, a Habitats Regulation Assessment (HRA), alongside consultation with NRW.

Priority and irreplaceable habitats

- 4.6. There were no irreplaceable habitats, such as ancient woodland or ancient and veteran trees, within the site or immediately adjacent.
- 4.7. The offsite woodland directly adjacent to the north boundary of the site could meet the definition for priority habitat woodland. Indirect impacts to the woodland habitat are considered below and in the species-specific sections.
- 4.8. The onsite ditch was not connected to the River Afan, and was sufficiently separated by urban areas, so the risk of runoff to the River Afan (priority habitat) is highly unlikely.

Habitats

- 4.9. The ditch onsite could be indirectly impacted by pollution events, via run-off, during the works. Therefore, a Construction Environmental Management Plan (CEMP) will be required to mitigate these impacts.

Invasive species

- 4.10. An invasive species specialist must be consulted regarding the Himalayan balsam and rockspray cotoneaster present onsite. Treatment for Himalayan balsam will be required.
- 4.11. It is worth noting that Japanese knotweed was present in significant, dense areas in the offsite woodland (observed during the badger walkover). It is understood that no works are planned for the woodland, however, it would be prudent for consultation with the landowner to occur to employ invasive species management, particularly as Japanese knotweed could spread easily to the new development site.

Amphibians (including GCN)

- 4.12. GCN were not anticipated to be present onsite, however, due to the suitability of onsite terrestrial habitat, a GCN mitigation strategy will be required in order to ensure works do not impact upon GCN in the unlikely event that this species is moving across the site. If GCN are identified onsite during works undertaken under the mitigation strategy, all works will stop and a licence sought from Natural Resources Wales.
- 4.13. Common amphibian species were considered likely to be present onsite. To prevent impacts of these species during the hibernation period, ground-breaking works will not take place during the brumation period of mid-October to February, inclusive.

Badger

- 4.14. As onsite/nearby habitats were suitable to support foraging by local badger populations and as badger are a highly mobile species, as a precaution, a suitably qualified ecologist will carry out a badger check at the site prior to the start of works to ensure no new setts have been created that would be adversely affected by the development.
- 4.15. As a precaution, trenches will be covered overnight during the works (or a plank provided as a means of escape) and pipes will be capped.

Bats

- 4.16. All UK bats are nocturnal species and some species are light-averse (horseshoe bats, brown long-eared and *Myotis* particularly so). Artificial lighting of foraging and commuting routes is known to act as a barrier to bats and fragment otherwise suitable habitats, causing a negative impact on their local populations. As all of the above listed light-averse species were observed to commute at and around the site, dark zones will be maintained around key foraging and commuting areas to avoid impacting upon foraging and commuting features.
- 4.17. It is worth noting that during the badger walkover survey in the offsite woodland, there were no trees noted with potential roost features immediately adjacent to the site. Therefore, it is considered unlikely that roosting bats within the woodland would be directly impacted by light spill or noise. However, mitigation measures will be in place to reduce light spill and noise into the woodland. Foraging and commuting bats could be more greatly impacted, however, the impact of increased lighting and noise is still considered low due to the site being in an existing residential area, with gardens and housing on the street backing onto the woodland currently. Therefore, particularly as no additional street lights are to be installed (only motion sensor lights at the rear of the properties) additional/ accumulative light, and noise disturbance, is considered to be low.
- 4.18. As areas of the site will require new lighting, a sensitive lighting plan will be produced, demonstrating consideration for bats with dark flight lines retained to ensure the proposed development would not have a detrimental effect on bats commuting/ foraging along nearby habitat. Due to the confirmed presence of lesser horseshoe bat and brown long-eared bat, the plan must ensure a lux level of 0.2 lux is achieved on horizontal and 0.4 lux on vertical planes at the retained

woodland edge, taking into consideration internal and external lighting, to reduce light spill/ levels as much as possible. Additionally, the external works for the proposed development will be undertaken during daylight hours only. Night-time working in this context is taken to mean works starting at least 30 minutes after sunrise and stopping at least 30 minutes before sunset.

- 4.19. Suggestions for mitigating the light impact on bats are outlined in Guidance Note 08/23 - 'Bats and artificial lighting in the UK; Bats and the built environment series' (The Bat Conservation Trust, BCT, and the Institution of Lighting Professionals, ILP). These are summarised in the appendices.

Birds

- 4.20. Vegetation removal will ideally take place outside of the bird nesting season. In the event that clearance work has to be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a nesting bird check will be required; carried out by a suitably qualified person. Active nests will be protected by a suitable buffer, as directed by the ecologist, until the young have fledged, as confirmed by the ecologist.

Hazel dormouse

- 4.21. The scrub onsite, was very patchy and not of sufficient structure for nesting dormouse, therefore was of very low/ negligible suitability for nesting and foraging dormouse, and their presence onsite was considered highly unlikely. The woodland adjacent to the site, which was accessed to carry out a badger walkover survey, was also noted to have poor understorey structure and species composition, therefore dormouse presence offsite was considered unlikely. Additionally, the onsite scrub habitat will be enhanced by planting of native understorey habitat, therefore, providing improved species diversity for food sources and structure suitable for dormouse.
- 4.22. Following enhancement of the scrub habitat, by planting of native understorey habitat, this area will be separated from the rest of the development site and will be retained post-development. A close-boarded fence will be installed to demarcate the buffer zone, which would also provide a barrier to light spill. A gate will be provided within the fence to allow for access by the management team (Tai Tarian) to maintain/ monitor the planted areas.
- 4.23. Any evidence of dormouse found within the scrub then works are to stop and a licence applied for from Natural Resources Wales

Hedgehog

- 4.24. Hedgehog are considered to likely be present onsite, therefore an ECoW will be required onsite during vegetation clearance to supervise the works, including a pre-works check and a directional (north and westwards towards areas of retained habitat) and phased cut. This will be detailed in a Precautionary Working Methods Statement.
- 4.25. Trenching or excavations will be backfilled or securely covered if left overnight. If any excavation must be left open overnight, the contractor must ensure that one end of the trench is shallow sloping so that any animals falling into the excavation

can escape. Alternatively, the excavation can be fitted with a plank, or similar, to act as a means of escape. The excavation will be checked for the absence of animals prior to works re-commencing.

- 4.26. Machinery and onsite materials will be stored so that animals cannot come into contact with them. Concrete will not be left unset overnight
- 4.27. Any new fencing across the site should have gaps at the base to allow hedgehog to pass through them. These gaps should be approximately 15cmx15cm (Figure 4) with at least one pass in each run of new fencing. If new concrete gravel boards are proposed for the fencing, then pre-cast hedgehog passes are available ([Hedgehog friendly fencing - Hedgehog Street/](#)).



Figure 4 - Hedgehog passes in new fences.

- 4.28. New hedgerows (if used) will not require similar gaps as the natural spacing will allow animals to pass through them.
- 4.29. Hedgehog hibernacula can be delivered through provision of a hedgehog house (Woodstone Hedgehog House). Alternatively, hedgehog houses can be built out of wood, logs, or bricks (guidance provided by the Natural History Museum (How to make a hedgehog house | Natural History Museum) and RSPB (Build a Hedgehog House)). If a pre-built hibernacula is used, it should be well-maintained to reduce the risk of parasites spreading, so it should be cleaned once a year. Cleaning can be carried out in April, following hibernation.

Invertebrates

- 4.30. Moderately sized areas of habitat suitable for invertebrates will be disturbed or lost, but there will be substantial continued foraging resources are available immediately adjacent to site and in the wider area. Consequently, it is unlikely that impacts will occur on local invertebrate populations due to habitat loss.
- 4.31. New planting, as specified in the landscape plans, of native understorey planting, wildflower mixes will provide ample food plants for a variety of invertebrate species.

- 4.32. The scrub, and sections of longer sward height grassland, onsite will be enhanced with wildflower mix. This will provide a greater variety of food plants for more invertebrate species.

Otter

- 4.33. Otter are not anticipated to be using onsite habitats, particularly as the River Afan was sufficiently separated from the site and there were ample woodland parcels surrounding the river. Therefore, it is considered highly unlikely that otter would commute across urban areas to the woodland north of the site.
- 4.34. However, as a precaution, trenches will be covered overnight during the works (or a plank provided as a means of escape) and pipes will be capped. Any onsite chemicals are to be properly stored away within a locked shed/ building overnight to avoid any spillage into the nearby waterbody.

Reptiles

- 4.35. Common reptile species were recorded onsite during the presence/ likely absence surveys; therefore, avoidance and mitigation measures will be undertaken to avoid killing and injuring reptiles. Vegetation clearance will need to be managed in phases so that impacts to reptiles can be avoided in high-risk development areas.
- 4.36. It is therefore recommended that a reptile mitigation strategy is produced, which will incorporate the following broad elements:
- Habitat manipulation – cutting above ground vegetation with handheld machinery (i.e., strimmers or brush cutters) will make areas less suitable for reptiles once they emerge after brumation and can, in a non-invasive way, guide the animals, if found in the rest of the site, to the habitat on the west aspect of site (ditch and immediate habitat to be retained). The manipulation of habitat must be undertaken before the start of the bird breeding season (i.e. works may typically commence between early-August and mid-February). Avoidance and mitigation measures will be undertaken to avoid killing and injuring reptiles and amphibians. Vegetation clearance will need to be managed in phases, with a first cut down to a minimum of 300mm to allow for reptiles to move out of the areas of vegetation to be removed. At least 48hrs later, the remainder of the vegetation can be removed in a second cut down to 150mm. Following another 48hrs, the ECoW will hand search the remaining habitat for presence of reptiles and/or common amphibians prior to topsoil stripping should it be required. Any reptiles and amphibians encountered will be allowed to move freely to the area of retained habitat (habitat immediately surrounding the ditch) or will be moved to a safe place by the ecologist. Arisings should be used to create brash piles (either in the created SuDS feature around the ditch and/or in the scrub on the bank).
 - Reptile fencing – reptile-proof fencing will be erected around development areas and retained site boundaries to prevent the dispersal of slow worm, grass snake, and common lizard into the work area. As all reptile records were found in the scrub habitat on the bank on the northern aspect of site, which will be a retained area of site, findings of reptiles during the works in the remainder of the site will be unlikely.

- Brash piles will be created, prior to the clearance works, adjacent to the onsite ditch to provide suitable refuge habitat for onsite reptiles. The south facing bank will be retained and the scrub will be enhanced with native understorey planting.
- Timing constraints – ground-breaking works, other than the removal of scrub and the cutting of grass, will not take place during the reptile/amphibian brumation period of mid-October to February (inclusive) without an inspection of the area proposed for the ground-breaking works by a suitably qualified ecologist to search the area for reptiles and amphibians. This will require supervision of an ecologist during hand digging/ dismantling to ensure no hibernating reptiles are injured/ killed during works. Any hibernating reptiles will be moved by the ECoW to suitable retained brash pile created during vegetation clearance.

Enhancements

- 4.37. Local authorities have a duty to seek to maintain **and enhance** biodiversity in the exercise of their functions.
- 4.38. Where possible the existing onsite habitat of ecological importance will be retained to ensure that habitats and species that rely on them are not adversely affected by the development. Native species of local provenance or ornamental plants with known wildlife value will be used for new planting on the site.
- 4.39. Further onsite habitat retention, creation or enhancement may be required as part of the required net benefit for biodiversity (NBB).
- 4.40. In order to achieve NBB, the following measures are recommended, and/or may be required:
- Ensure light spill is effectively managed in onsite and offsite habitat in order to for nocturnal species (such as badger and bats).
 - Where possible, any offsite habitat creation occurs within the B-Lines initiative, a nationwide network of 'pollinator pathways' aimed at ensuring pollinator populations do not face adverse impacts resultant from habitat fragmentation.
 - A Green Infrastructure Statement (GIS) will be required, and has been provided, to ensure that new habitat achieves the desired levels of connectivity to the wider landscape. A Soft Landscaping Plan has also been produced to contain these details.
 - Use of native species of local provenance and avoidance of non-native species in any planting areas.
 - Incorporation of a well designed SuDS (Sustainable Drainage Systems).
- 4.41. A SuDS scheme can be a tool for enhancing local biodiversity and supporting wildlife, and contribute to Net Benefit to Biodiversity (NBB) and Green Infrastructure (GI) by:
- Enhancing existing habitats and species in the local area;
 - Providing multi-functional green infrastructure;

- Helping to delivering local biodiversity objectives;
- Connecting habitats, thereby supporting wider ecosystem resilience and climate change adaptability; and
- Creating new, diverse, self-sustaining local ecosystems.
- Examples of SuDS features could include green roofs, ponds, rain gardens, bioretention areas, filter strips, swales, attenuation basins and wetlands.

4.42. SuDS will consider the species that may already be present on or near a site and existing habitats such as woodland, scrub, or grassland will be retained or created to provide refuge for wildlife. Including flowering native species will encourage pollinators, which will in turn provide a food source for birds, bats and other small mammals.

4.43. Additionally, ongoing management of SuDS is likely to be required, with wildlife as a key objective. A Habitat Management Plan may be needed to detail maintenance actions with consideration for any protected species and habitats on site. Further information and guidance regarding SuDS and biodiversity can be found at:

- https://www.susdrain.org/delivering-suds/using-suds/benefits-of-suds/Biodiversity_and_ecology
- <https://www.wwt.org.uk/uploads/documents/2019-07-22/1563785657-wwt-rspb-sustainable-drainage-systems-guide.pdf>
- https://freshwaterhabitats.b-cdn.net/app/uploads/2024/01/UCL_FHT_pond_conservation_guide.pdf

4.44. Any arisings from site will be used to create log piles and/or brash piles within retained habitat in a suitable location identified by the ECoW. Further details will be given in the Precautionary Working Methods Statement (PWMS).

4.45. The following bird and bat box enhancements are recommended:

- Bird nesting boxes and bat roosting boxes (in addition to any recommended as part of mitigation and compensation measures) will be incorporated within newly constructed buildings and boundary features with bat boxes preferably being provided at a 3:1 ratio per dwelling.
- A range of box types will be used to provide opportunities for a number of species. The following designs are recommended (or similar, if they are not available):
- Bats - inbuilt bat box, Ibstock Bat Box B, Ibstock Bat Box C, Schwegler 2FE wall-mounted bat shelter, Wildcare Integrated Eco Bat Box;
- Birds - general purpose, small bird species (Schwegler 1B, Schwegler 2M, Woodstone Nest Box - 32mm / 28mm);
- Birds - swifts (S brick, Vivara Pro Woodstone Swift Box, Ibstock Swift Eco, Cambridge Swift Brick, Schwegler 1A, Schwegler 18, Schwegler 16, Schwegler 1MF);
- Birds - house martins and swallows (Woodstone single chamber house sparrow, Esco House Martin Nest Box, Eco Swallow Nest Bowl, Woodstone

House Martin Nester, Schwegler No.9B Double House Martin Nest, Schwegler 10 Swallow Nest); and

- Birds - owls and raptors (Eco Barn Owl Nest Box, Schwegler No.23 Owl Box, Schwegler No.5 Tawny Owl Box, Schwegler No.4 small owl).
 - Birds – chaffinch, song thrush, wagtails, robin, and wren (open fronted nest box hung 1-2m high in shrub or on wall with surrounding vegetation).
 - Conifers could be planted onsite and maintained to provide nesting habitat for siskin. Additionally, maintenance of dense shrubs with plenty of understorey would provide habitat for nesting chiffchaff, goldfinch, dunnoek, and other nesting bird species.
- 4.46. If onsite buildings are suitable: a 1:1 nest brick to dwelling ratio is followed, based on guidance from the Swift Conservation Group.
https://www.swift-conservation.org/universal_swift_nest_brick02.pdf. Integrated nest bricks should be installed in clusters of 2-3 at the north, east and west gable ends or close under the eaves away from windows and doors, at a height of 4m+, with clear flight access and no protruding ground floor roofs such as garages

5. CONCLUSION

- 5.1. In the absence of any mitigation measures, the proposed development would have the potential to result in significant negative impacts on designated sites / protected habitats and protected species.
- 5.2. With the implementation of mitigation and precautionary measures proposed in this report, the development is not anticipated to result in any significant impacts on important ecological features.
- 5.3. The species assemblage and levels of bat activity recorded during Spring and Summer is considered likely to be indicative for the site and a sensitive lighting strategy is proposed suitable for light-averse species. However, a further autumn bat activity survey (September or October) may be required by the local planning authority to conform with BCT best practice guidelines.

APPENDIX I: SURVEY METHODS

Preliminary Ecological Appraisal using UKHabitat Classification

A field survey was undertaken on 06/05/2026.

All habitats present within the site with the suitability to support rare, protected, or otherwise notable species of flora or fauna (together with direct signs) were noted.

In the context of this report, rare, protected, or otherwise notable species of flora or fauna were those considered to meet any of the following criteria:

- Species protected by UK or European legislation (see Appendix VII)
- UK Post 2010 UK Biodiversity Framework priority species or Local Biodiversity Action Plan (LBAP) species
- Nationally rare or nationally scarce species
- Species of Conservation Concern (e.g. JNCC Red List, RSPB/BTO Red Lists)
- The Wildlife and Countryside Act (1981) as amended, makes it an offence to release or allow to escape into the wild any animal, plant or micro-organism not ordinarily resident in the UK (as listed in Schedule 9 of the Act). Plant species listed in Schedule 9 were searched for during the survey. However, many invasive species can be cryptic and therefore this survey does not provide a guarantee that an invasive species is not present and shouldn't be relied upon to rule out absence of an invasive species

An extended Phase 1 Habitat Plan was produced in QGIS, incorporating Target Notes used to highlight features of ecological interest (see Appendix II).

Badger - Visual survey

Where access was possible, the site was systematically surveyed for evidence of badgers, in the form of:

- Setts - comprising either single isolated holes or a series of holes, which may be link to each other underground;
- Droppings and latrines - badgers deposit droppings in characteristic excavated pits, concentrations of which (latrine sites) are typically found at home range boundaries, field boundaries and around setts;
- Paths - worn paths used by badger, often linked to setts or foraging grounds;
- Scratching posts - typically at the base of tree trunks;
- Snuffle holes - scrapes where badgers have searched for food;
- Day nests - bundles of grass and other vegetation where badgers may sleep above ground; and
- Hairs - usually found outside setts or caught under fencing.

Where badger setts were found, they were described using the following criteria:

- Number of well-used holes - one or more of the features: well-worn entrance; freshly excavated soil; bedding material;
- Number of partially used holes - leaves or twigs in entrance and/or mosses and other plants growing in or around entrance); and
- Number of disused holes - partially or completely blocked, with considerable amount of excavation required for reoccupation.

Where evidence within the site allowed, badger setts were broadly categorised, as follows:

- Main sett - continuously used, breeding and over-wintering sett for a social group of badgers. Only one main sett will exist in each social groups territory, and will be relatively centrally located within the group's range;
- Annexe sett - annexe of the main sett, linked by well-used paths to the main sett (but not connected underground). Not continuously used;
- Subsidiary sett - distant from the main sett. Several entrances, but with no well-used paths connecting to the main sett, and only used seasonally; and
- Outlier sett - distant from the main sett. Small, with only one of two entrances only. Used for short periods sporadically, with no obvious, well-used paths connecting to other setts.

Static monitoring surveys

Static detectors (Song Meter SM4 and/or anabat express) were deployed across the site at different locations over a set time period and collected data for a total of 10 consecutive nights.

The static data was analysed using Kaleidoscope Pro with all files labelled as "noID", horseshoe species, non-UK resident species or barbastelle manually checked, and with a minimum of 10% of all "noise files" and other species labelled files also manually checked.

Myotis species were also grouped as a genus, with only those clearly identifiable (manually) as a species listed as such.

The aim of the static recordings was to assess species usage of the area across the time periods surveyed.

Great crested newt - Habitat Suitability Index (HSI) Assessment

Ponds within 500m of the site, where access was possible, were assessed for their suitability to sustain great crested newt using the HSI scoring system.

This method seeks to quantify the suitability of a pond to support great crested newt by numerically assessing ten indices thought to influence their presence.

The indices considered were: location; pond area; water quality; percentage of shade; presence of water fowl; presence of fish; number of ponds in the wider landscape; suitability of terrestrial habitat; and percentage of macrophyte cover.

The HSI system is not a substitute for presence/absence surveys and is not intended to predict the occurrence of great crested newt. However, a correlation between the presence of great crested newts and a high HSI score is observed in ponds.

Reptiles – Presence/Absence Survey

No universally agreed upon methodology for surveying reptiles is currently available. Therefore, the methodology employed in this survey was adapted from the following reptile survey publications:

Evaluation of reptile survey methodologies (1996), Report No. 200. English Nature Research.

Advice sheet 10 reptile survey: an introduction to conduction and interpreting surveys for snake and lizard conservation (1999). Froglife.

Technical Information Note TIN102, Reptile Mitigation Guidelines (2011) [withdrawn] Natural England.

Herpetofauna workers' manual (2003), JNCC.

Sewell et al. (2013) Survey protocols for British herpetofauna; Version 1.0. Amphibian and reptile conservation; Durrell Institute of Conservation and Ecology (DICE); University of Kent; University of Sussex.

The survey assumed the possible presence of all common UK reptile species (adder, common lizard, grass snake and slow worm).

An artificial refugia survey (ARS) was carried out in order to determine the presence or likely absence of reptile species at the site. This type of survey exploits the affinity of reptiles for microhabitats created beneath objects on the ground that are warmed by the sun. In this survey the artificial refugia used were made from roofing felt (0.5m x 0.5m and also 1m x 0.5m); corrugated roofing material (1m x 0.5m); profile tin (0.5m x 0.5m).

A total of NUMBER refugia were set out over the site (see Figure 2). The refugia were placed at a density of 100 per hectare, but limited to areas that were suitable for reptiles. The artificial refugia were pressed down on to vegetation in order to create a microclimate favoured by reptiles. The refugia were allowed to 'bed in' for 14 days prior to the start of the survey.

A total of seven separate reptile survey visits were made over a 25 day period from (29/05/2026 deployment) and check 1 to check 7 (15/06/2026 to 09/07/2026). In addition to this, searches were undertaken of natural refugia (e.g. stones, rocks) and anthropogenic refugia (e.g. debris left from previous works and rubbish).

Reptiles observed were identified to species level and, where possible, their sex determined.

Surveys were undertaken at a suitable time of day and in suitable weather conditions as defined by Natural England Technical Information Note TIN102, Reptile Mitigation Guidelines.

Population size estimation

Determining the size of a population of reptiles can be problematic without substantial survey effort. However, a method of obtaining an assessment of population size in very broad terms can be useful for informing impact assessments and mitigation planning.

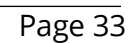
Here, a scoring system for estimating reptile population size (Natural England Technical Information Note TIN102) has been applied to the data, which provides a broad population class assessment of 'small', 'medium' or 'large', based on the peak count of adults obtained by a thorough survey (by whatever method) under good conditions in one day, and at the optimal time of the year.

APPENDIX II: HABITAT PLAN



APPENDIX III: PROPOSED DEVELOPMENT PLAN





APPENDIX IV: LOCATION OF BIRD AND BAT BOXES AND REPTILE/HEDGEHOG ENHANCEMENTS



Figure 5 – Blue circles – in built bat boxes. Red circles – swift bricks. Orange circles – house martin and swallow. Purple circles – conifers planted for siskin. Pink circle – open fronted nest box hung 1-2m on wall with surrounding vegetation for chaffinch, song thrush, wagtails, robin, and wren. Green triangles – reptile hibernacula. Brown triangle – hedgehog house.

APPENDIX IV: SURVEY IMAGES



Figure 6 - Area of bare ground at north-east corner.



Figure 7 - View of site looking east.



Figure 8 - View of site looking south.



Figure 9 - View of site looking north.



Figure 10 - Dry ditch onsite on western boundary.



Figure 11 - Offsite woodland understorey.



Figure 12 – Himalayan balsam in/around ditch onsite (D1)



Figure 13 – Ditch 1



Figure 14 – Ditch 2



Figure 15 – Ditch 2



Figure 16 – Ditch 3

APPENDIX V: SPECIES LIST

The site name: Land Adjacent to 1 Heol Tabor, Cwmafan, SA12 9PS **Provided by:** Wildwood Ecology

Grid reference: SS 78212927729 **Verified by:** Beth Lewis

Common name	Scientific name (if known)
Flora	
annual meadowgrass	<i>Poa annua</i>
beaked hawksbeard	<i>Crepis vesicaria</i>
birch sp. sapling	<i>Betula sp.</i>
bird's-foot trefoil	<i>Lotus corniculatus</i>
black mustard	<i>Brassica nigra</i>
bramble	<i>Rubus fruticosus agg.</i>
bristly oxtongue	<i>Helminthotheca echinoides</i>
buddleja	<i>Buddleja davidii</i>
cock's foot	<i>Dactylis glomerata</i>
common gorse	<i>Ulex europaeus</i>
common ivy	<i>Hedera helix</i>
common vervain	<i>Verbena officinalis</i>
common vetch	<i>Vicia sativa</i>
corn salad	<i>Valerianella locusta</i>
creeping bent	<i>Agrostis stolonifera</i>
creeping buttercup	<i>Ranunculus repens</i>
creeping bent	<i>Agrostis stolonifera</i>
cut-leaf cranesbill	<i>Geranium dissectum</i>
creeping cinquefoil	<i>Potentilla reptans</i>
dandelion	<i>Taraxacum officinale</i>
dewberry sp.	<i>Rubus sp.</i>
dock sp.	<i>Rumex sp.</i>
dogwood	<i>Cornus sanguinea</i>
drooping sedge	<i>Carex pendula</i>
dwarf sedge	<i>Carex humilis</i>
grey willow sapling	<i>Salix cinerea</i>
hairy willowherb	<i>Epilobium hirsutum</i>
hoary willowherb	<i>Epilobium parviflorum</i>
herb Robert	<i>Geranium robertianum</i>
Himalayan balsam	<i>Impatiens glandulifera</i>
horsetail sp.	<i>Equisetum sp.</i>
liverwort sp.	<i>Marchantiophyta sp.</i>
ragwort	<i>Jacobaea vulgaris</i>
red clover	<i>Trifolium pratense</i>
red fescue	<i>Festuca rubra</i>
red osier	<i>Cornus sericea</i>
ribwort plantain	<i>Plantago lanceolata</i>
Rockspray cotoneaster	<i>Cotoneaster horizontalis</i>
scarlet pimpernel	<i>Lysimachia arvensis</i>
square-stalked St John's wort	<i>Hypericum tetrapterum</i>
speedwell sp.	<i>Veronica sp.</i>
sticky chickweed	<i>Cerastium glomeratum</i>
sycamore sapling	<i>Acer pseudoplatanus</i>
pimpernel sp.	<i>Lysimachia sp.</i>
pine sp. sapling	<i>Pinus sp.</i>

wavy bittercress	<i>Cardamine flexuosa</i>
white clover	<i>Trifolium repens</i>
willowherb sp.	<i>Epilobium sp.</i>
willow sp. sapling	<i>Salix sp.</i>
Yorkshire fog	<i>Holcus lanatus</i>
Fauna	
blackbird	<i>Turdus merula</i>
blue tit	<i>Cyanistes caeruleus</i>
bullfinch	<i>Pyrrhula pyrrhula</i>
chaffinch	<i>Fringilla coelebs</i>
coal tit	<i>Periparus ater</i>
common redstart	<i>Phoenicurus phoenicurus</i>
dunnock	<i>Prunella modularis</i>
great tit	<i>Parus major</i>
goldfinch	<i>Carduelis carduelis</i>
greenfinch	<i>Chloris chloris</i>
herring gull	<i>Larus argentatus</i>
house martin	<i>Delichon urbicum</i>
house sparrow	<i>Passer domesticus</i>
jackdaw	<i>Coloeus monedula</i>
robin	<i>Erithacus rubecula</i>
siskin	<i>Spinus spinus</i>
swift	<i>Apus apus</i>
wren	<i>Troglodytes troglodytes</i>

APPENDIX VI: FULL METHODOLOGY

This report has been informed by the following, with detailed methodology provided in Appendix I:

- Full desk study and records search;
- Preliminary Ecological Appraisal;
- Badger walkover;
- Bat static detector deployment surveys;
- Habitat suitability index assessment; and
- Reptile presence/likely absence survey.

This report has been written in cognisance of the CIEEM Guidelines on: Ecological Report Writing, Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Ecological Impact Assessment.

A desk study was undertaken in relation to the site. The sources consulted and the type of information obtained are summarised below.

Source	Information and data sets	Search buffer from the site centre/boundary
South East Wales Biodiversity Records Centre (SEWBReC)	• Protected and priority species. • Non-statutory designations	• (2km) • (1km)
Multi-Agency Geographic Information for the Countryside (MAGIC)	• International statutory designations • National statutory designations • Bat consultation zones/core + juvenile sustenance zones	• (10km) • (2km) • (4km)

The search buffers were sufficient to cover the Zone of Influence (ZoI) of the proposed development in relation to Protected and Priority species and designated sites.

The impact of the proposed development on the biological integrity of nearby designated protected sites has been fully considered.

Assessing ecological importance

The assessment of the importance of sites, habitats and species were made with reference to CIEEMs guidelines for EcIA, where possible. These guidelines provide consistency in the approach to evaluating the importance of the ecological features within a site and the effects or impacts a proposed development will have on them.

Firstly, the sites, habitats and species were assessed using a framework which assigns a level of geographical importance to ecological features. This framework incorporates a wide range of legislation and governmental guidance in assessing each feature's importance.

Next, the effects/likely effects of the proposed development were predicted, considering different stages and activities within the development process. These effects/likely effects

were then assessed for their significance, based upon the importance of the site, habitat or species being assessed. The assessment of effects/likely effects significance is considered before and after the proposed mitigation to give an overall indication of significance.

The importance of specific ecological receptors (sites, habitats or species) is assigned according to their level of importance using the following terms:

- International Importance;
- UK Importance;
- National Importance (i.e. England/Northern Ireland/Scotland/Wales);
- Regional Importance;
- County Importance;
- District Importance (or Unitary Authority, City, or Borough);
- Local or Parish Importance; and
- Of Importance within the site (the zone of influence or a larger defined area).

APPENDIX VII: LIGHTING GUIDANCE

As foraging and commuting bats were confirmed to be present on or close to the site, Guidance Note 08/23 - 'Bats and artificial lighting at night' (The Bat Conservation Trust, BCT, and the Institution of Lighting Professionals, ILP) will be followed:

All luminaires will lack UV elements when manufactured. Metal halide, compact fluorescent sources will not be used.

LED luminaires will be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.

A warm white light source (2700Kelvin or lower) will be adopted to reduce blue light component.

Light sources will feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats (Stone, 2012).

Internal luminaires can be recessed (as opposed to using a pendant fitting - See Figure 5) where installed in proximity to windows to reduce glare and light spill.

Waymarking inground markers (low output with cowls or similar to minimise upward light spill) to delineate path edges (see Case Study 1).

Column heights will be carefully considered to minimise light spill and glare visibility. This will be balanced with the potential for increased numbers of columns and upward light reflectance as with bollards.

Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, will be considered - See ILP GN01.

Luminaires will always be mounted horizontally, with no light output above 90° and/or no upward tilt.

Where appropriate, external security lighting will be set on motion sensors and set to as short a possible a timer as the risk assessment will allow. For most general residential purposes, a 1 or 2 minute timer is likely to be appropriate.

Use of a Central Management System (CMS) to light on demand.

Use of motion sensors for local authority street lighting may not be feasible unless the authority has the potential for smart metering through a CMS.

The use of bollard or low-level downward-directional luminaires is strongly discouraged. This is due to a considerable range of issues, such as unacceptable glare, poor illumination efficiency, unacceptable upward light output, increased upward light scatter from surfaces and poor facial recognition which makes them unsuitable for most sites. Therefore, they will only be considered in specific cases where the lighting professional and project manager are able to resolve these issues.

Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern LED luminaires, the effect of cowls and baffles is often far less than anticipated and so will not be relied upon solely.

APPENDIX VIII - BIBLIOGRAPHY

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APPENDIX IX: PLANNING POLICY AND LEGISLATION

The following planning policy and legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity (Wales)

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

Planning Policy Wales – Edition 12 (2024) and Technical Advice Note 5 (2009)

Planning Policy Wales (Edition 12, February 2024) sets out the land use planning policies of the Welsh Government, integrating with the Environment (Wales) Act (2016). The advice contained within Planning Policy Wales (PPW) is supplemented for some subjects by Technical Advice Notes (TANs).

Section 6.2 of Planning Policy Wales (Edition 12) describes how elements of Green Infrastructure should be incorporated into new developments. Paragraph 6.2.12 states: “A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.”

Section 6.4 of Planning Policy Wales outlines how all developments should achieve net benefit for biodiversity by implementing the DECCA framework. Paragraph 6.4.5 states: “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non- native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable and demonstrable benefit, primarily on or immediately adjacent to the site. The step-wise approach outlined below is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity. In doing so, planning authorities must also take account of and promote the resilience of ecosystems, in particular the following attributes, known as the DECCA Framework:

- diversity between and within ecosystems;
- the extent or scale of ecosystems;
- the condition of ecosystems including their structure and functioning;
- the connections between and within ecosystems; and

- adaptability of ecosystems including their ability to adapt to, resist and recover from a range of pressures likely to be placed on them through climate change for example."

Section 6.4.15 outlines how the step-wise approach should applied to all new developments. This has been summarised below:

Avoid

"The first priority for planning authorities is to avoid damage to biodiversity in its widest sense (i.e. the variety of species and habitats and their abundance) and ecosystem functioning."

Proposals in statutory designated sites are, as a matter of principle, unacceptable and therefore must be excluded from site searches undertaken by developers. This principle also extends to those sites containing protected species and habitats which are irreplaceable and must be safeguarded."

Minimise

"When all locational, siting and design options for avoiding damage to biodiversity have been exhausted, applicants, in discussion with planning authorities, must seek to minimise the initial impact on biodiversity and ecosystems."

Restore/mitigate

"Where, after measures to minimise impact, biodiversity and ecosystems could still be damaged, or lost through residual impacts, the proposed development should mitigate that damage."

"Effective mitigation or restoration measures should be incorporated into the design proposal following the consideration of steps one and two above. Mitigation or restoration measures must be designed to address the specific negative effects by repairing damaged habitats and disturbed species. They should seek to restore in excess of like for like, accounting for disturbance and time lags for the recovery of habitat and species, and in every case, mitigation or restoration measures should seek to build ecosystem resilience within the site and where possible the wider area."

Compensate onsite

"When all the steps above have been exhausted, and where modifications, alternative sites, conditions or obligations are not sufficient to secure biodiversity outcomes further on-site/immediately proximate, as a last resort off-site compensation for unavoidable damage must be provided."

"Off-site compensation should normally take the form of habitat restoration, or habitat creation, or the provision of long-term management agreements to enhance existing habitats and deliver a net benefit for biodiversity."

"The Green Infrastructure Assessment should be used to identify suitable locations for securing off-site compensation."

"Where compensation for specific species is being sought, the focus should be on maintaining or enhancing the population of the species within its natural range."

"Any proposed compensation should be place based, take account of the Section 6 Duty (Biodiversity and Resilience of Ecosystems Duty), the DECCA framework and appropriate ecological advice from the local authority Ecologist, NRW or a suitably qualified ecologist."

Compensate offsite

"Each stage of the step-wise approach must be accompanied by a long term management plan of agreed and appropriate avoidance, minimisation, mitigation/restoration and compensation measures alongside the agreed enhancement measures."

Refuse planning permission

"Finally, where the adverse effect on biodiversity and ecosystem resilience clearly outweighs other material considerations, the development should be refused."

Paragraph 6.4.42 states that Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a **minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost**. Where a woodland or a shelterbelt area is lost as part of a proposed scheme, the compensation planting must be at a scale, design and species mix reflective of that area lost. In such circumstances, the planting rate **must be at a minimum of 1600 trees per hectare for broadleaves, and 2500 trees per hectare for conifers**.

TAN 5 (Welsh Government, 2009) specifically provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. The TAN provides advice for local planning authorities on the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and development affecting protected and priority habitats and species.

Under Section 2.4 within the TAN 5, 'when deciding planning applications that may affect nature conservation local planning authorities should':

- Pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective;
- Contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment;
- Promote the conservation and enhancement of statutorily designated areas and undeveloped coast;
- Ensure that appropriate weight is attached to designated sites of international, national and local importance;
- Protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;
- Ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation;
- Ensure that the range and population of protected species is sustained;

- Adopt a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation; where there may be significant harmful effects local planning authorities will need to be satisfied that any reasonable alternative sites that would result in less or no harm have been fully considered.

Future Wales: The National Plan 2040

Policy 9 of Future Wales: The National Plan 2040 (Resilient Ecological Networks and Green Infrastructure) states: "In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit) the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, naturebased approaches to site planning and the design of the built environment."

Policy 30 of Future Wales: The National Plan 2040 (Green Belts in the South West) states: "The Welsh Government supports the use of Strategic Development Plans to identify and establish green belts to manage urban form and growth in the South West, particularly around Swansea Bay and Llanelli."

Policy 34 of Future Wales: The National Plan 2040 (Green Belts in the South East) states: "The Welsh Government requires the Strategic Development Plan to identify a green belt to the north of Cardiff, Newport and the eastern part of the region to manage urban form and growth. The Strategic Development Plan must consider the relationship of the green belts with the green belt in the West of England. Local Development Plans and development management decisions should not permit major development in the areas shown for consideration for green belts, except in very exceptional circumstances, until the need for green belts and their boundaries has been established by an adopted Strategic Development Plan."

Wellbeing of Future Generations (Wales) Act 2015

The Wellbeing of Future Generations (Wales) Act 2015 aims to create:

- A globally responsible Wales;
- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities; and
- A Wales of vibrant culture and thriving Welsh language.

As part of the National Well-being Indicator Framework, 46 wellbeing indicators have been identified including Healthy Ecosystems (43) and Biological Diversity (44). These indicators have been identified as central to all seven of the goals that the Wellbeing of Future Generations (2015) Wales Act has set out to achieve.

The Future Generations Commissioner for Wales acts as a guardian for the interests of future generations in Wales, supporting 48 public bodies in assuring sustainable development (defined as acting “in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs”) in line with each of the seven wellbeing goals. The public bodies listed within the act include Natural Resources Wales, Local Authorities and National Park Authorities. Therefore, planning proposals submitted to the aforementioned parties should be in aligned with the goals listed within the Wellbeing of Future Generations (Wales) Act 2015, and should aim to have a positive impact on the indicators identified with the National Well-being Indicators Framework.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some ‘intentional’ acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. signal crayfish and American mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to ‘wild animals’; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are ‘defences’ provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Amphibians

Common frog, common toad, common newt, and palmate newt receive limited protection under the Wildlife and Countryside Act 1981 (as amended), making it illegal to sell or trade them.

Great crested newt and natterjack toad are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended) as European Protected Species. It is illegal to:

- deliberately capture, injure, kill, or disturb either species;
- intentionally or recklessly obstruct access to any structure/place used for shelter or protection; or
- damage or destroy a breeding site or resting place.

If proposed development work is likely to kill/injure great crested newt or destroy a known breeding site, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard amphibians.

Badger

Badger are protected in the UK under the Protection of Badgers Act 1992. Under the act it is an offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat¹ a Badger, or attempt to do so; and
- to intentionally or recklessly interfere with a sett² (this includes disturbing badger whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

The legislation aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is common over most of Britain; it is not intended to prevent properly authorised development.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately kill, injure or capture a bat;
- deliberately disturb bats; and
- damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- obstruct access to any structure or place which any bat uses for shelter or protection; or
- disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended). All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species.

¹ The intentional elimination of sufficient foraging area to support a known social group of Badgers may, in certain circumstances, be construed as an offence by constituting “cruel ill treatment” of a Badger

² A sett is defined as “any structure or place which displays signs indicating current use by a Badger”. Advice issued by Natural England (June 2009) is that a sett is protected as long as such signs remain present, which in practice could potentially be for some time after the last actual occupation by Badger.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.

Hazel dormouse

The hazel dormouse is classed as a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately capture, injure, or kill a dormouse;
- deliberately disturb dormouse; and
- damage or destroy a breeding site or resting place of a dormouse.

In addition, dormouse is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- obstruct access to any structure or place which a dormouse uses for shelter or protection; or
- disturb a dormouse while occupying a structure or place which it uses for that shelter or protection.

Otter

Otter is a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately capture, injure or kill any wild otter;
- deliberately disturb wild otters; and
- damage or destroy a breeding site or resting place of an otter.

In addition, otter is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- disturb an otter while it is occupying a structure or place which it uses for shelter or protection; or
- obstruct access to such a place.

If proposed development work is likely to destroy or disturb otter or their resting places, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard otter.

Reptiles

Adder, slow worm, grass snake and common lizard are protected against killing and injuring under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it illegal to intentionally kill or injure a common reptile. As a result, reptiles must be removed from areas of development and relocated onto suitable release sites before site works can commence.

Smooth snake and sand lizard are European Protected Species under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). This makes it illegal to carry out the following activities:

- deliberately or recklessly disturb, capture or kill these animals;
- deliberately or recklessly take or destroy eggs of these animals; and
- damage or destroy a breeding site or resting place of such a wild animal; or
- keep, transport, sell or exchange, or offer for sale or exchange, any live or dead animal, or any part of, or anything derived from such a wild animal.

Water vole

Water vole is a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately capture, injure or kill any wild water vole;
- deliberately disturb wild water voles; and
- damage or destroy a breeding site or resting place of an water vole.

In addition, water vole is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- disturb a water vole while it is occupying a structure or place which it uses for shelter or protection; or
- obstruct access to such a place.

If proposed development work is likely to destroy or disturb water vole or their resting places, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard water vole.