



**Land at Jersey Marine,
Neath Port Talbot**

Report to Address County Ecologist's Comments

April 2021

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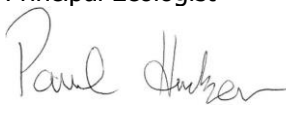
PLAN 1: LOCATION

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APPENDICES

APPENDIX 1: ASSESSMENT OF RELEVANT PLANNING POLICY

DOCUMENT CONTROL

Land at Jersey Marine, Neath Port Talbot Supplementary Report				
Revision	Date	Prepared by	Checked by	Approved by
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1.0 Introduction

1.1 Brief

Acer Ecology Ltd was commissioned by SGW Planning to prepare a report to address comments made by the county ecologist in relation to a planning application proposed at land at Jersey Marine, Neath Port Talbot, SA10 6JL (OS Grid Reference Number Centred at: SS 7110 9371)¹.

The location of the site is shown on plan 1.

1.2 Site Description

The site is approximately 350m south of the village of Jersey Marine and is approximately 2.5 acres in extent. The site has been classified in a previous survey as supporting mainly ephemeral and short perennial vegetation and hard standing/bare ground (Abricon, 2017). The northern and western boundaries constitute broadleaved woodland with the Tennant canal 200m to the north. The southern and eastern boundaries are bordered by metal fencing, with the Towers Hotel forming the eastern boundary and a lightly used railway line forming the wider southern boundary.

The site boundary is shown on Plan 1.

1.3 Proposed Works

At the time of writing the report the works comprise the construction of a mixed-use, light industrial office development and associated works. In order to build a sufficient access road, a section of the broadleaved woodland to the north of the site will need to be cleared (see section 4).

Existing and proposed plans can be found in Drawing 1: Development Proposals (Planning Reference number: P2019/5090²).

1.4 Previous Survey Work

A preliminary ecological appraisal (PEA) survey undertaken on the site in 2017 by Abricon, which assessed the habitats on site and the need for further protected species surveys. It was previously proposed that presence/absence surveys for reptile and great crested newt be undertaken on site alongside bat transect surveys. A subsequent Bat, Great Crested Newt and Reptile Survey Report was undertaken on site in 2019 by Ecology Wales.

¹ Latitude and Longitude: 51.627442673787655,-3.8635504933230456

² <https://planningonline.npt.gov.uk/online-applications/applicationDetails.do?keyVal=PSZD2FKZ01000&activeTab=summary>

1.5 Reporting

The remainder of this report therefore provides supplementary information requested by the county ecologist to facilitate the development of the site. The further information is dealt with in sequence:

- A qualified ecologist will confirm the conclusion in the Air Quality Assessment report that there will be insignificant impact on the Crymlyn Bog SAC;
- An assessment of habitats recorded against S7/SINC criteria should be undertaken, in particular on open mosaic habitats on post-industrial landscape;
- Further clarification on woodland habitat loss and a plan to coincide with this;
- An assessment of ecosystem resilience (Section 2 Environment (Wales) Act 2016) of the habitats on site; and
- An assessment of impacts on wild bird habitat including breeding, foraging, and wintering habitats.

2.0 Review of Air Quality Assessment

We have reviewed the report by Air Quality Assessments Ltd (2020). This report describes the existing air quality conditions at the Crymlyn Bog SAC and assesses the likely impact that emissions from traffic generated by the proposed development will have on the SAC. The main air pollutants of concern related to traffic emissions are nitrogen oxides (NO_x), nutrient nitrogen deposition, and acid nitrogen deposition.

The report states that the predicted total NO_x concentrations are well below the 30µg/m³ assessment criterion both without and with the proposed development. Total NO_x concentrations with the development are predicted to be 77-80% of the assessment criterion at the SAC boundary and 72-74% of the assessment criterion 1m into the SAC. Given that total annual mean NO_x concentrations remain well below the assessment criterion, the impacts are considered to be negligible.

The assessment has demonstrated that the scheme will have a negligible impact on the Crymlyn Bog SAC. Mitigation measures to reduce pollutant emissions from road traffic are principally being delivered in the longer term by the introduction of more stringent emissions standards, largely via European legislation. It is not considered appropriate to propose further mitigation measures for this scheme.

We see no reason why the conclusion of this report cannot be relied upon.

3.0 Assessment of Habitats Against SINC Criteria

Sites displaying a mosaic of habitats on post-industrial land have the potential for high diversity and value (WBP, 2008). A site is considered to have substantive nature conservation value, and thus the site is eligible for Wildlife Site selection, if 20 or more plant species are identified on the site (see Table 1 below).

3.1 Species Recorded on Site

All species were recorded by Abricon 2017, unless stated otherwise:

Table 1: Species List assessed against SINC Criteria

Species	Common name	W	LM	CG	LDA	PMR	PIL	TF	Status
<i>Acer pseudoplatanus</i>	Sycamore								Alien
<i>Betula</i> sp.	Birch								
<i>Buddleja davidii</i>	Buddleia								Alien
<i>Carex pendula</i>	Pendulous sedge	W				PMR			
<i>Carex sylvatica</i>	Wood sedge	W							
<i>Crataegus monogyna</i>	Common hawthorn								
<i>Dipsacus fullonum</i>	Teasel						PIL		
<i>Fragaria vesca</i>	Wild strawberry								
<i>Iris pseudacorus</i>	Yellow flag-iris					PMR			
<i>Juncus effusus</i>	Soft rush								
<i>Leucanthemum vulgare</i>	Ox-eye daisy		LM						
<i>Lotus corniculatus</i>	Common bird's-foot-trefoil		LM	CG			PIL		
<i>Myosotis</i> sp.	Forget-me-not species								
<i>Phragmites australis</i>	Common reed					PMR			
<i>Plantago lanceolata</i>	Ribwort plantain								

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<i>Primula veris</i>	Cowslip		LM	CG					
<i>Pteridium aquilinum</i>	Bracken								
<i>Quercus robur</i>	Pedunculate oak								
<i>Ranunculus acris</i>	Meadow buttercup								
<i>Rubus fruticosus agg</i>	Bramble								
<i>Rumex obtusifolius</i>	Broad-leaved dock								
<i>Salix sp.</i>	Willow sp.								
<i>Taraxacum officinale agg.</i>	Dandelion								
<i>Trifolium pratense</i>	Red clover		LM						
<i>Tussilago farfara</i>	Colt's-foot						PIL		
<i>Ulex europaeus</i>	Common gorse								
	Totals	2	4	2	0	3	4	0	
	Habitat	W	LM	CG	LDA	PMR	PIL	TF	

Key to Indicator Species (SWWSP 2004)

W - Woodland, NG - Neutral Grassland, CG - Calcareous Grassland, AG – Acid Grassland, MG Marshy Grassland, PIL – Post Industrial Land, TF Species-rich Tillage Fields and Margins

SINC Selection

Sites which support 1 primary species or 5 contributory species or habitats which support 8 neutral grassland, 8 calcareous grassland, 7 acid grassland, 12 marshy grassland or 8 tillage field and margins indicator species should be considered for selection as a SINC. Post-industrial sites which support 20 or more indicator species from the combined post-industrial land, acid, neutral, calcareous and marshy grassland lists should also be considered for selection.

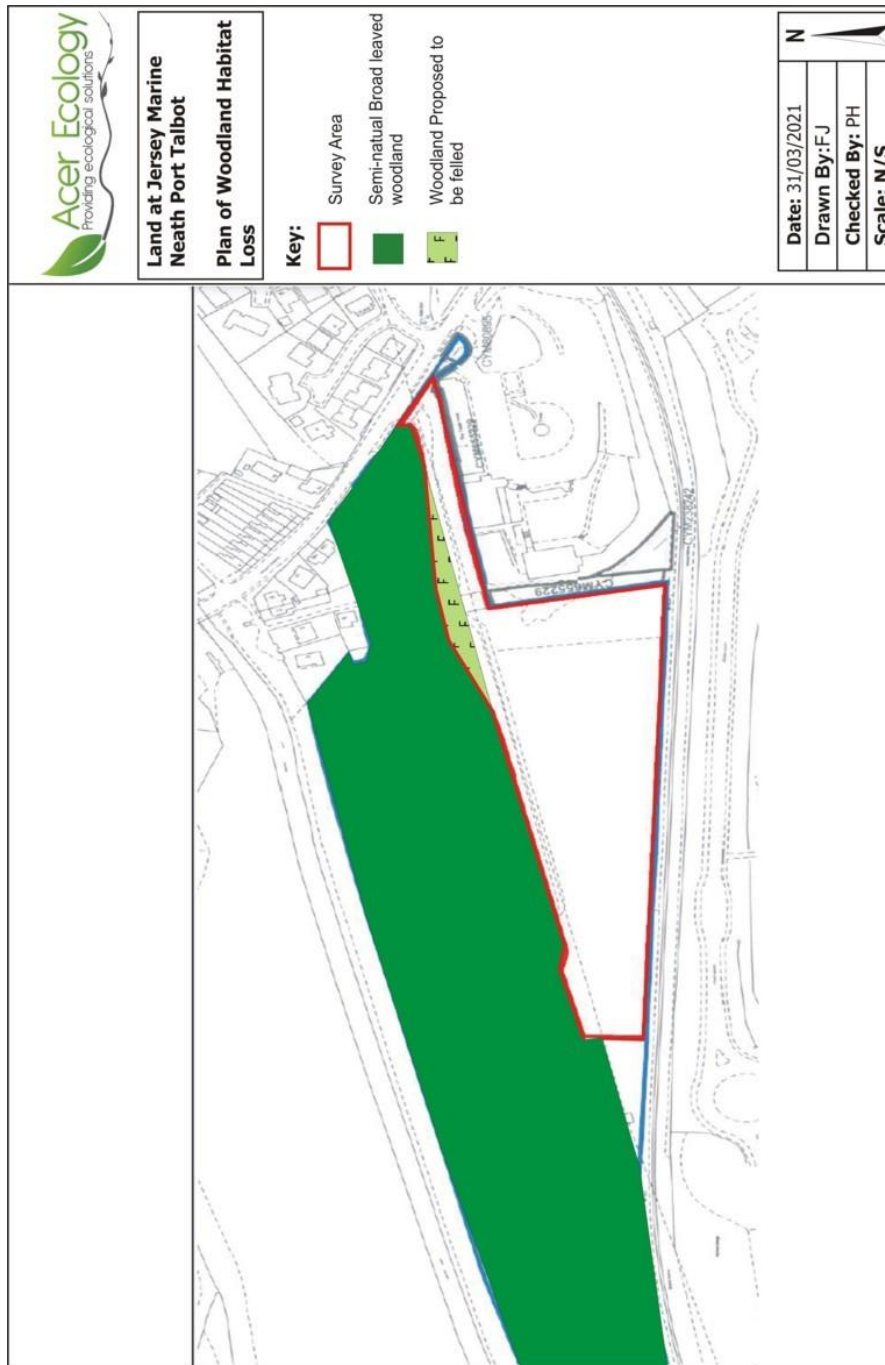
3.2 Assessment of Habitats on Site

From the results of the previous phase 1 habitat survey conducted in 2017 (Abricon, 2017), the majority of the site is documented as ephemeral/short perennial habitat with semi-natural broadleaved woodland forming the northern boundary of the site. Sections of marshy grassland were also documented; however, these sections were patchy and small in nature and do not contain 12 or more marshy grassland indicator species which would indicate that this habitat would be designated as SINC quality. Additionally, none of the habitats met the criteria for designation as a SINC under the guidance for SINC identification at the county (i.e Neath Port Talbot) level (SWWSP, 2004).

The site supports two species indicative of species rich-woodland, four species indicative of species-rich neutral grassland, four species indicative of species-rich post-industrial sites, two species indicative of calcareous grassland and three species indicative of rich marshy grassland habitat. The SINC guidance dictates that post-industrial sites which support 20 or more indicator species from the combined post-industrial land, acid, neutral, calcareous and marshy grassland lists should also be considered for selection. On this basis, the site would not qualify as being of SINC value for wildlife.

4.0 Plan of Woodland Habitat Loss

The woodland proposed to be felled, shown below, is approximately 3% of the total woodland coverage. This value is a small enough percentage that the integrity and functionality of the mature woodland will remain intact. Additionally, the majority of the woodland proposed to be felled is edge habitat mainly comprising holm oak and introduced shrubs such as buddleia, however it is likely that some of the mature woodland will be felled.



5.0 Assessment of Ecosystem Resilience

5.1 Ecosystem Resilience of the Broadleaved Woodland

Diversity

The semi-natural broadleaved woodland comprising the northern boundary of the site consists of willow (*Salix sp.*), pedunculate oak (*Quercus robur*), birch (*Betula sp.*), sycamore (*Acer pseudoplatanus*) and hawthorn (*Crataegus monogyna*). The southern edge of the woodland consists mainly of holm oak (*Quercus ilex*) and buddleia (*Buddleja davidii*), with increased native species diversity away from the woodland edge. Additionally, two species that are indicative of species-rich woodland were recorded on site.

Extent

The woodland is likely to be of district value due to the extent and connectivity of it to the Crymlyn Bog SAC to the north west of the site. The Broadleaved woodland on the northern boundary extends the entirety of the site from west to east for approximately 470m. The woodland within the site's boundaries (shown in section 4) equates to 180m², however, this continues to extend westwards for another approximately 270m. This comprises a more scattered canopy than the woodland present directly to the north of the site as it connects with the Crymlyn Bog SAC. The woodland that extends northwards is only broken up by the Tennant Canal and the village of Jersey Marine, 110m to the north and 180m to the north-east of the site, respectively.

Adaptability

The woodland on site is likely listed as Lowland Mixed Deciduous Woodland, a priority habitat under the UK Biodiversity Action Plan and its Welsh equivalent (WAG 2003; CCW 2003) and the Neath Port Talbot LBAP. Planning Policy Wales Edition 11 (2021) section 6.4.25 states that permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland is removed as part of a development, compensatory planting is expected to be provided by the developer. However, the majority of the woodland to be removed on site consists of edge habitat dominated by the introduced species such as buddleia and the evergreen holm oak, additionally, the section of woodland proposed to be removed will not significantly sever any ecological corridors or reduce connectivity between the woodland on site and the wider environment. The location of several SINC quality woodland lie to the east and south west of the site, however, they are separated by heavily industrialised roads (i.e. Amazon road and the B4290) which act as hard barriers for any connectivity between the woodland on site and the SINC woodland.

Compensation

The loss of woodland habitat will be mitigated by the compensatory planting of trees on the western boundary and scrub planting on the southern boundary of the site.

5.2 Ecosystem Resilience of the Post-Industrial Land

Diversity

The post-industrial habitat covers the majority of the site, mainly comprising ephemeral and short perennial vegetation. Two species recorded on site are indicative of post-industrial land and within this habitat there are areas of 2m-by-2m marshy grassland indicated by species such as flag iris (*Iris pseudacorus*) and common reed (*Phragmites australis*) which may be classed as being of greater quality habitat. Nevertheless, the post-industrial land is most likely to be of poor quality with the areas of marshy grassland not considered as greater value than at the local level due to their extent and dry nature.

Extent

To the south-east lie some areas of the habitat dominated by trees and scrub, and areas of bare ground. The habitat is isolated from similar habitat in the wider vicinity to that on site. However, to the north and west of the site, woodland predominates providing good ecological connectivity to the wider environment.

Adaptability

The ephemeral and /short perennial vegetation on the site are also considered to be of no greater than local value for wildlife. The majority of the post-industrial site is proposed for clearance which will lead to the permanent loss of this habitat, having local impacts to species, such as ground nesting birds and foraging birds and bats alongside loss of potential reptile habitat. Nevertheless, the post-industrial habitat is considered unlikely to be resilient or be able to adapt as a result of this clearance.

Compensation

To combat the likely impact to protected species on site, the successional scrub area on the eastern margin of the site is proposed to be retained due to its benefits for reptiles, birds and insects. Additionally, a 3m-by-3m pond has been proposed to be built within the retained eastern margin (Ecology Wales, 2019).

6.0 Assessment of Impacts on Wild Bird Habitat

6.1 Assessment of Ecological Value of Site for Nesting Birds

The previous phase I report stated that the semi-natural broadleaved woodland to the north and the scattered trees to the south-east of the site provides nesting and foraging opportunities for a range of tree nesting bird species. However, as a whole, the site is considered to be of low local value to nesting birds, due to the fact that there is extensive woodland of greater quality adjacent to the woodland to be felled.

In addition, the post-industrial land provides nesting and foraging opportunities for birds such as reed warbler, however no evidence of this was seen on site.

6.2 Impact Assessment of Development on Nesting Birds

Approximately 180m² of broadleaved woodland will be lost to the north of the eastern pylon for the creation of an access road into the site. Additionally, it is anticipated that ground nesting habitat will be cleared as part of the development. Therefore, the impact upon tree and ground nesting birds is anticipated to be long term at the site level if habitat replacement and recreation is not implemented. However, the wider landscape contains other examples of dense scrub and woodland, so any negative impacts are unlikely to extend beyond the site.

6.3 Impact Assessment of Development on Wintering Birds

No surveys for wintering birds have been undertaken on the site. The habitats on site do not suggest that the site is likely to be of particular importance for wintering birds.

6.4 Mitigation, Compensation and Precautionary Measures for Nesting Birds

Vegetation Clearance

To avoid adverse impacts to nesting birds, the clearance of vegetation including trees, scrub and ground nesting material will be undertaken from September to February outside of the bird breeding season (March to August inclusive). Alternatively, any works undertaken from March to August will be subject to a check for nesting birds by a suitably qualified ecologist immediately prior to removal of such habitats. If any active nests are found these will be protected, along with an appropriate buffer zone of 5m, until the nesting is complete, and the young have fledged³.

In line with Planning Policy Wales 2021, the proposed works will include compensation measures for the loss of nesting habitat for protected species, this can be done through the installation of bird nest boxes in the adjacent woodland to the north, details of which can be secured via planning condition.

³ Some bird species, especially raptors and owls remain dependent upon the nesting site after fledging and so depending upon the species the nest site may need to be protected for a period of time after fledging.

Additionally, sections of the site are proposed to be enhanced, including the compensatory planting of trees and scrub to the west and south of the site which will provide further opportunity for tree and scrub nesting species. Furthermore, the successional scrub on the eastern margin of the site is to be retained (Ecology Wales, 2019).

7.0 References

Eaton, M, Aebischer, N, Brown, A, Hearn, R Lock, L, Musgrove, A, Stroud, D and Gregory, R (2014) *Birds of Conservation Concern 4: the population status of birds in the UK, Channel Islands and Isle of Man*. British Birds 108. December 2015. 708-746. Available online at <http://bit.ly/2h23DqV>.

South Wales Wildlife Sites Partnership (2004) *Guidelines for the Selection of Wildlife Sites in South Wales*. Gwent Wildlife Trust. <http://bit.ly/2gx1SBo>

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Wales Biodiversity Partnership (2016) *Environment Wales Act 2016. Section 7 Habitats List*. Wales Biodiversity Partnership/Welsh Assembly Government. <http://bit.ly/2hFuEvO>

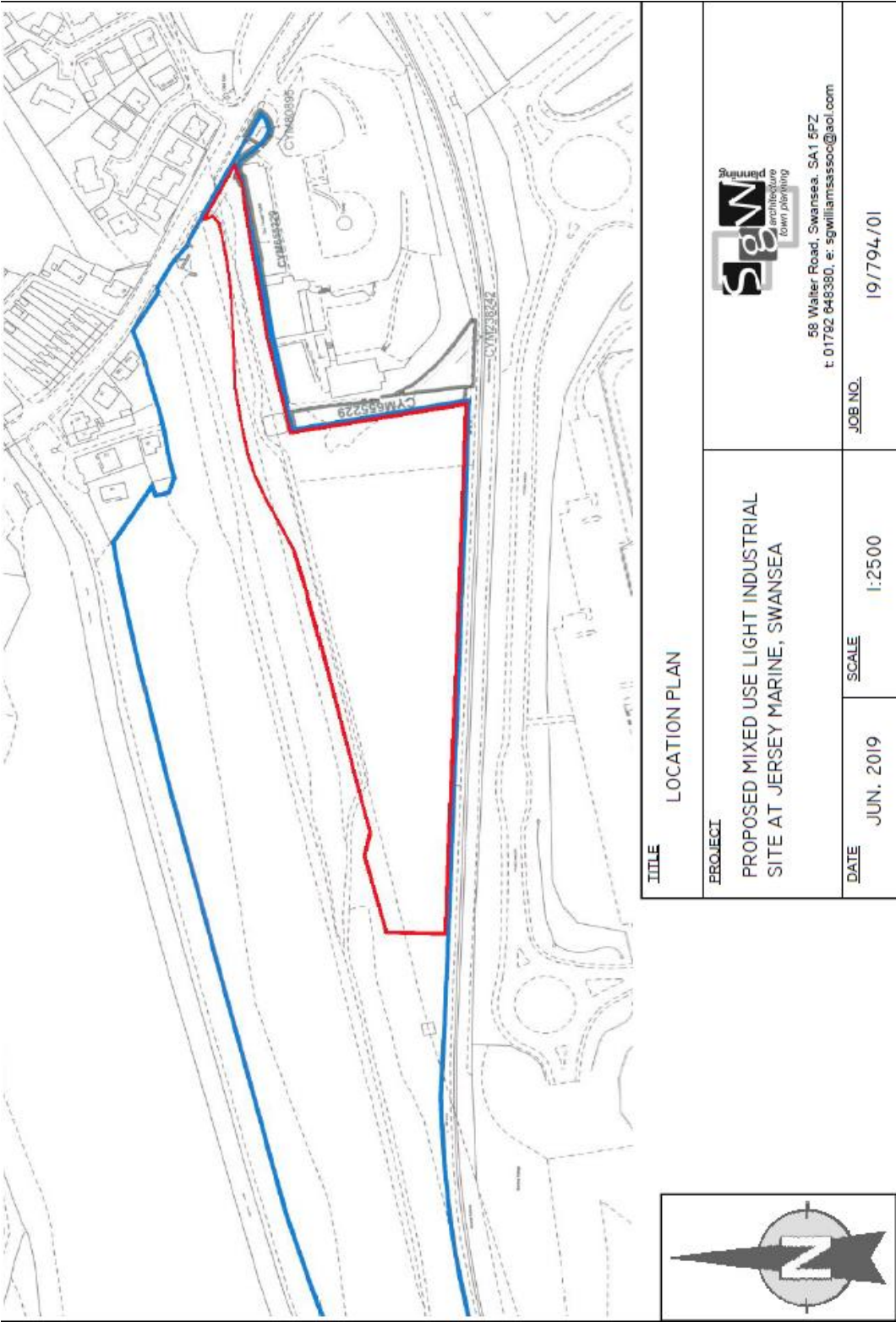
Air Quality Assessments Ltd (2020) Jersey Marine, Neath Port Talbot – Air Quality Assessment Unpublished Report for SGW Planning.

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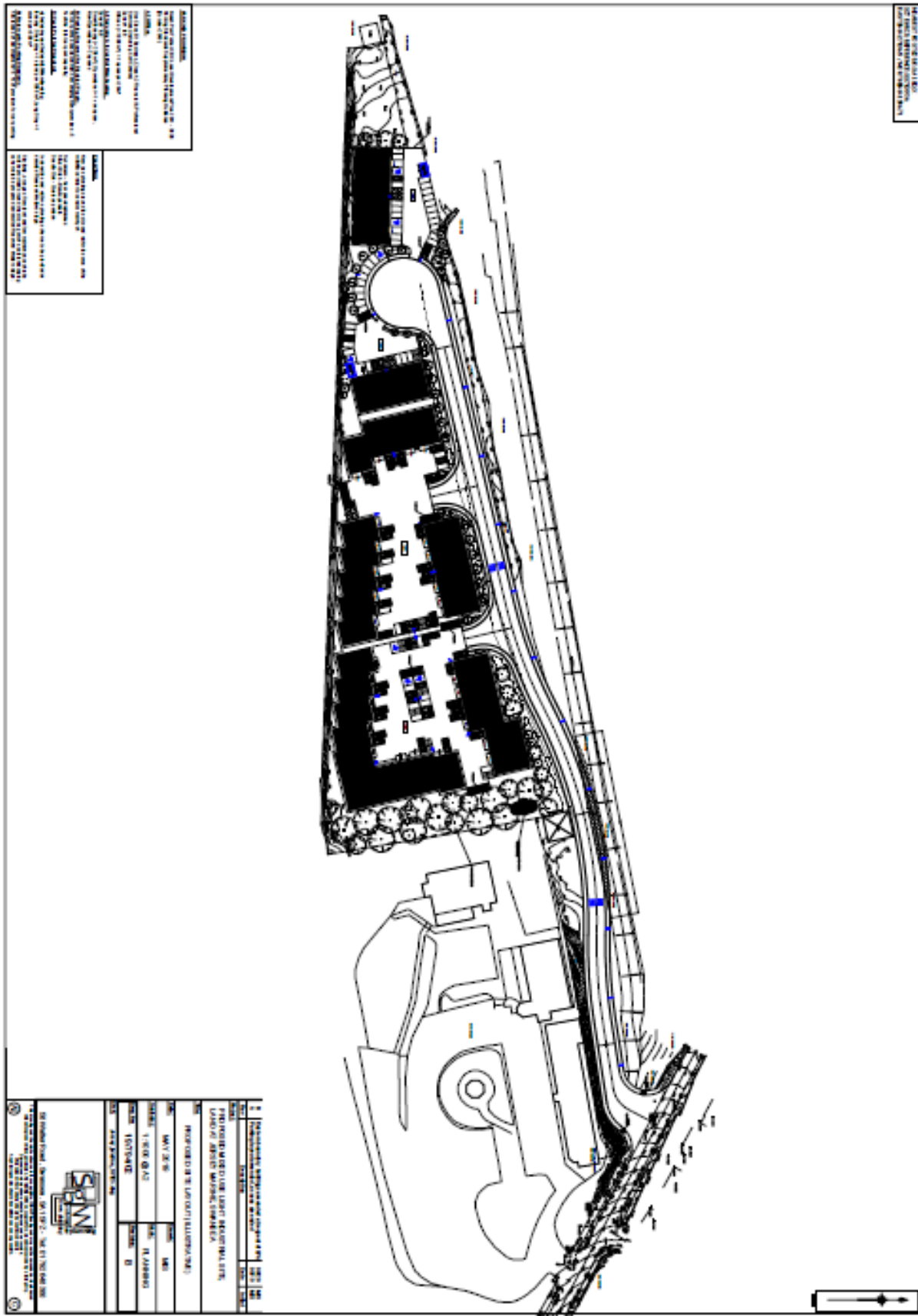
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Plan 1: Location Plan



Drawing 1: Proposed Development



Appendix 1: Assessment of Relevant Planning Policy

Applicable policies and relevant guidance are set out below from Neath Port Talbot Council and national (Welsh) planning documents are set out below.

Environment (Wales) Act 2016

Section 6 of the act places a duty on the public authorities to seek to maintain and enhance biodiversity so far as it is consistent with the proper exercise of their functions. In doing so, public authorities (including local planning authorities) must also seek to 'promote the resilience of ecosystems'.

Public authorities are required to take account of the resilience of ecosystems, in particular the following aspects:

1. Diversity between and within ecosystems;
2. The connections between and within ecosystems;
3. The scale of ecosystems;
4. The condition of ecosystems (including their structure and functioning);
5. The adaptability of ecosystems.

In doing so, the public authority should have regard to the presence of Section 7 habitats and species.

Neath Port Talbot Local Development Plan (NPT LDP) 2011-2026

Policy EN7: Important Natural Features

The LDP was published in January 2016. Policy EN7 states:

"Development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows / field boundaries, watercourses or ponds will only be permitted where:

- 1. Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they are retained and protected wherever possible; or*
- 2. The biodiversity value and role of the relevant feature has been taken into account and where removal is unavoidable, mitigation measures are agreed."*

Policy EnW1: Nature Conservation and Ecosystem Resilience

Development proposals will be required to promote the resilience of ecosystems. In particular, proposals will be required to maintain and enhance biodiversity interests unless it can be demonstrated that:

1. The need for the development clearly outweighs the biodiversity value of the site; and
2. The impacts of the development can be satisfactorily mitigated and acceptably managed through future management regimes.