

G D HARRIES & SONS LTD

FORMER EDWARDS WORKS, LLANDARCY

PRELIMINARY ECOLOGICAL REPORT

07 April 2021



Telephone:- 07969146776
e-mail:- davidrees@bayecology.co.uk

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Document Ref: Doc 01 – 07/04/2021

Issue	Revision	Stage	Date	Prepared by
1		DRAFT FOR REVIEW	12/03/2021	David Rees
2		FINAL	07/04/2021	David Rees

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SUMMARY

Bay Ecology was commissioned by Asbri Planning Ltd care of G. D. Harries & Sons Ltd to undertake an ecological appraisal of a parcel of land located at the Former Edwards Works located in Llandarcy. It is my understanding that the site is proposed to be the location of a new asphalt plant.

The field survey undertaken at the site identified a limited range of habitats dominated by hard standing with a prefabricated storage building located at the south western corner of site. The whole site had a narrow border of stone aggregate that was sporadically colonised by scrub species and poor semi improved grassland. A large flat roof maintenance building was located at the centre of the site but is not included as part of the current planning application. In terms of the ecological importance of the site the hard standing was of negligible ecological value and represented the most suitable area of the site to support the asphalt plant development. The offsite southern boundary tidal canal was considered to be utilised by a variety of foraging and commuting mammals (e.g. Otter & bats), birds and potentially reptiles and should remain undisturbed as a dark wildlife corridor with no incidental site lighting.

The desk study identified that the site is immediately bordered by a section of the Tennant Canal SINC along its southern boundary, which links the Tennant Canal to the west and the Neath Estuary SINC located to the east, the designations were considered to be of some relevance to site due to the proximity and potential hydrological connectivity. The boundary Canal is also designated as a NPT Water Courses SINC. The Red Jacket Fen SINC is also located to the west of site and the Tennant Canal. The above SINCS were considered to be of some relevance to site due to the potential hydrological connectivity and as such it is recommended that a Construction Environmental Management Plan (CEMP) be required to limit/mitigate any run off or drainage issues caused by the construction activities, so as not to pollute the habitats within the SINCS. Operational activities associated with the asphalt plant should also mitigate for any accidental pollution events.

The small prefabricated storage building located at the south western extent of site was considered to be of negligible/low bat roosting potential. The structure was not considered to be able to support a significant bat roost due to the prefabricated nature of the structure. However, the presence of individual roosting bats on an occasional/irregular basis could not be precluded due to its location immediately adjacent to suitable foraging and commuting resources. It is recommended that a precautionary approach to the demolition works be adopted.

The presence of individual reptiles in marginal habitat could not be precluded and as such it is recommended that a sensitive directional vegetation clearance to retained habitats allowing dispersion is adopted. Given the likelihood of birds utilising the scrub, any proposed site clearance works should be undertaken outside the bird-breeding season (i.e. clearance between September and March inclusive) or preceded by a visual check for

nesting birds. Additional considerations for the proposed development relates to the incorporation of bird/bat boxes and the use of soft landscaping species of known wildlife benefit.

1.0 INTRODUCTION

- 1.1 Bay Ecology was commissioned by Asbri Planning Ltd care of G. D. Harries & Sons Ltd to undertake an ecological appraisal of a parcel of land located at the Former Edwards Works located in Llandarcy (Grid Ref: SS 72595 94808) (Appendix I). It is my understanding that the site is proposed to be the location of a new asphalt plant.
- 1.2 The site footprint is comprised of a limited range of habitats dominated by hard standing with a prefabricated storage building located at the south western corner of site. The whole site had a narrow border of stone aggregate that was sporadically colonised by scrub species and poor semi improved grassland. A large flat roof maintenance building was located at the centre of the site but is not included as part of the current planning application. The site footprint is approximately 1.45 ha in area and is surrounded by industrial and commercial yards to the north, west and east; whilst an historic canal was located on the southern boundary of site. The historic canal is currently silted up and tidal but was once connecting the Tennant Canal located to the west to the former Red Jacket Pill lock located to the east and eventually the River Neath beyond. The canal was situated beneath the M4 located to the east.
- 1.3 This report provides a summary of the preliminary ecological appraisal undertaken in December 2020, and includes recommendations on any ecological constraints/ opportunities associated with the proposed development.

2.1 METHODOLOGY

- 2.2 In order to establish the baseline ecological conditions on site and in the adjoining habitats, a combination of desk-based consultation and walkover survey were undertaken in December 2020.

Desk study

- 2.3 This element of the work primarily involved consultation with the South East Wales Records Centre (SEWBReC) to identify any records of rare, protected or notable flora and fauna within the proposed development site boundary (see plan in Appendix I) and surrounding 1 km area.

Extended Phase I Habitat Survey

- 2.4 Fieldwork was undertaken on the 16th December 2020 by a suitably qualified ecologist and followed standard Phase 1 Habitat Survey protocol (JNCC 1990) as amended by the Institute of Environmental

Assessment (1995). All habitats within the proposed development site were classified. All habitats considered having potential to support rare, protected or otherwise notable species of flora and fauna were noted, as were any direct signs of these species (e.g. Badger setts and dung-pits). The survey also incorporated a subjective, ground-based assessment of any structures on site to support roosting bats.

2.5 In order to establish the potential presence of roosting bats (or nesting birds) in any buildings onsite, the survey aimed to identify:

- if bats are, or have been, present within the building and, if so, which species are present;
- the type of roost (e.g. day roost, feeding perch, night roost, hibernaculum);
- how bats use the buildings (e.g. location of, exit and entrance points to potential roosts);

2.6 External surveys at these structures involved the use of binoculars and ladder to identify possible access/entry points into buildings and aimed to identify any evidence of use by bats such as droppings, staining, prey remains etc. The survey was undertaken from ground-level around the exterior of the buildings; and was assisted by the use of close-focus binoculars and a high powered torch (1 million candlepower). No internal access was available to the maintenance and prefabricated storage structure during the survey.

2.7 The surveyor searched for roost evidence (droppings, staining, scratch marks, etc.) as described above and an assessment of the buildings potential to support nesting birds was also undertaken. The scope of the bat inspection survey was based on guidelines published by the Bat Conservation Trust (BCT)(2016).

2.8 Additionally any species listed as a pernicious weed under Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (as amended) were also noted during the field survey. Examples of such species include Japanese Knotweed *Fallopia japonica* and Himalayan Balsam *Impatiens glandulifera*.

3.0 RESULTS

Desk study

3.1 Data provided by the SEWBRc confirmed that the site did not contain any statutory nature conservation designations. However, Crymlyn Bog Special Area of Conservation (SAC), Ramsar site and National Nature Reserve (NNR) are located approximately 0.635km south west of the site; and Pant Y Sais Site of Special Scientific Interest (SSSI) and NNR & Local Nature Reserve (LNR) are also located 0.635km; whilst

Earlswood Road Cutting and Ferryboat Inn Quarries is located approximately 0.269km. Due to the nature and physical separation of the proposed development from the designations and limited hydrological connectivity it was considered that there would be no adverse impact upon the designations. These designations will not be considered further in this assessment.

- 3.2 The site is immediately bordered by a section of the Tennant Canal Site of Importance for Nature Conservation (SINC) at its southern boundary, which links the Tennant Canal to the west and the Neath Estuary SINC located to the east the designations were considered to be of some relevance to site due to the proximity and potential hydrological connectivity i.e. surface water run off, spillage etc.. The boundary Canal feature appears to be tidal and is also included as part of the NPT Water Courses SINC, which have been adopted throughout the county. The Red Jacket Fen SINC is also located to the west of site and the Tennant Canal and was considered to be of some relevance to site due to the potential hydrological connectivity from the boundary canal/watercourse.
- 3.3 A number of SINC, were identified within a 1km radius of site including the Jersey Marine Woods, Earlswood Grasslands, Earlswood Area, Neath Canal, Giant's Grave, Shelone Woods and Fabian Way Wildflower Verge; all of which were not considered to be of relevance to the site due to physical separation and the nature of the habitats present onsite dominated by hard standing.
- 3.4 A number of notable and protected species records were also identified within 1km of the site. The majority of the records were associated with the Tennant Canal and Neath Estuary and included such species as Otter *Lutra lutra*, Water Vole *Arvicola amphibious*, Fen Raft Spider *Dolomedes plantarius* and Grass Snake *Natrix Helvetica*. A number of foraging and commuting bat species were also identified in close proximity to the Tennant Canal including Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle *Pipistrelle pygmaeus*, *Myotis sp.* and Noctule *Nyctalus noctula*. Multiple records of bird species were also associated with the adjacent designations.
- 3.5 The mobile species such as bats were potentially considered to be of limited relevance to the structure onsite; whilst species such as Otter which could utilise the boundary watercourse were also considered to be of limited relevance to the development. Reptile records such as Grass Snake and Common Lizard *Zootoca vivipara* were also considered to be of limited relevance to the southern boundary grassland and scrub located adjacent to the offsite watercourse.

Field Survey

Overview

3.6 The results of the day-time inspection are summarised in the following sections. The site footprint is comprised of a limited range of habitats dominated by hard standing with a prefabricated storage building located at the south western corner of site. The whole site had a narrow border of stone aggregate that was sporadically colonised by scrub species and poor semi improved grassland. A large flat roof maintenance building was located at the centre of the site but is not included as part of the current planning application. The site footprint is approximately 1.45 ha in area and is surrounded by industrial and commercial yards to the north, west and east; whilst an historic canal was located on the southern boundary of site. The historic canal is currently silted up and tidal but was once connecting the Tennant Canal located to the west to the former Red Jacket Pill lock located to the east and eventually the River Neath beyond. The canal was situated beneath the M4 located to the east. See Appendix III for Phase 1 habitat map.

Hard Standing & Stone Aggregate Border

3.7 The majority of the site footprint is comprised of a Tarmacadam yard that is located to the north and south of the central maintenance structure (Cover Photo & Photo 1) and currently used as a parking and storage area. The whole site is bordered by a narrow strip of stone aggregate (Photo 2) that has been sporadically colonised by scrub/tall ruderal species such as Butterfly Bush *Buddleja davidii*, as well as small areas of species poor semi-improved grassland, which included species such as Cock's Foot *Dactylis glomerata*, Ribwort Plantain *Plantago lanceolate* and Creeping Buttercup *Ranunculus repens* (Photo 3).

Photo 1: Tarmacadam located at southern extent of site (view looking south east).



Photo 2: Stone aggregate border with colonising scrub/tall ruderal species (view looking north).



Photo 3: Poor semi improved grassland on stone substrate at southern extent of site (view looking east).



Fauna

3.8 In the course of the survey, a search for field signs of protected or notable species was undertaken and the potential of the habitats to support these species considered. In the context of this report notable species were those considered to meet any of the following criteria:

- Species protected by British or International law;
- Environment (Wales) Act Section 7 Priority Species or local BAP species;
- Nationally rare or nationally scarce species;
- Species of Conservation Concern (e.g. JNCC Red List, RSPB/BTO Red or Amber Lists)

Birds

3.8 During the survey only small numbers of bird species were identified on and adjacent to site, which was consistent with the hard standing habitats present and time of year. The bird species recorded included Magpie *Pica pica* and Wren *Troglodytes troglodytes*. None of the bird species recorded would be considered to be particularly rare or endangered. The hard standing that comprised the majority of site was not considered suitable for nesting birds. However, the marginal scrub habitat and structures onsite were considered capable of offering nesting habitat for local birds.

Bats

- 3.9 A prefabricated metal storage building was located at the south western extent of site and possessed a shallow pitched roof and a large metal roller door (Photo 4). No access was available to the internal of the structure at the time of the survey. However, it was evident that the building had an open front above the roller door providing a potential access point to the interior. No evidence of roosting bats was identified externally. The prefabricated nature of the building meant the structure only offered limited potential bat roosting features and as such it was considered to be of negligible/low bat roosting potential.
- 3.10 The offsite watercourse was considered to be a suitable foraging and commuting resource for the local bat species.

Reptiles

- 3.11 The hard standing and stone aggregate that comprised the majority of site was considered unsuitable for common reptile species such as Common Lizard that were identified in the SEWBRc data search. However, the southern boundary of site was located adjacent to the offsite silted former canal with associated scrub that could potentially support small numbers of common reptile species and as such the presence of individuals along the southern boundary could not be precluded.

Otter & Water Vole

- 3.12 The offsite watercourse was considered to offer a suitable foraging and commuting resource for Otter species, whilst the tidal nature and stone aggregate composition of the southern boundary watercourse bank meant that section of the former canal was considered to be unsuitable for Water Vole. However, their presence could not be precluded.

Photo 4: Prefabricated storage shed located at south western extent of site (View looking south).



4.0 LEGISLATION, POLICIES AND PLANS

- 4.1 The following international, national and local legislation and planning policies relating to nature conservation and biodiversity are considered of relevance to the current proposals.

National Planning Policy

- 4.2 In terms of planning policy, a number of over-arching policies are of relevance not least of which are those described within Planning Policy Wales (PPW), which sets out land use planning policies of the Welsh Assembly Government with Chapter 5 dealing with Conserving and Improving Natural Heritage and Coast. The advice contained within PPW is supplemented for some subjects by Technical Advice Notes (TAN's), with TAN 5 addressing Nature Conservation.

Technical Advice Note 5 (2016)

- 4.3 TAN 5 identifies a number of key principles, which the Town and Country Planning system in Wales should incorporate those relevant are detailed below:
- work to achieve nature conservation objectives through a partnership between local planning authorities, CCW, the Environment Agency, voluntary organisations, developers, landowners and other key stakeholders;
 - integrate nature conservation into all planning decisions looking for development to deliver social, economic and environmental objectives together over time
 - ensure that the UK's international obligations for site, species and habitat protection are fully met in all planning decisions;
 - Look for development to provide a net benefit for biodiversity conservation with no significant loss of habitats or populations of species, locally or nationally.
 - Promoting approaches to development which create new opportunities to enhance biodiversity, prevent biodiversity losses, or compensate for losses where damage is unavoidable. Minimising or reversing the fragmentation of habitats and improving habitat connectivity through the promotion of wildlife corridors;
 - Local planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality;

- The presence of a species protected under European or UK legislation is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

Environment (Wales) Act, 2016

- 4.4 Part 1 of the Environment Act Wales' came into force in May 2016 and sets out the approach to planning and managing natural resources at a national and local level with a general purpose linked to statutory 'principles of sustainable management of natural resources' defined within the Act.

Section 6 - Biodiversity and resilience of ecosystems duty

- 4.5 Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

Section 7 - Biodiversity lists and duty to take steps to maintain and enhance biodiversity

- 4.6 This section lists living organisms and types of habitat in Wales which are considered of key significance to maintaining and enhancing biodiversity in relation to Wales. The Welsh Ministers are required to take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section, and encourage others to take such steps.

Local Planning Policy

- 4.7 The LDP for Neath Port Talbot was adopted in 2016 superseding the Unitary Development Plan, and provides the basis for decisions on land use planning in the County Borough up to 2026. Policies of relevance to the development include:

Policy SP 15

Biodiversity and Geodiversity. Important habitats, species and sites of geological interest will be protected, conserved, enhanced and managed through the following measures:

1. The identification of the following Internationally and Nationally designated sites within the County Borough to enable their protection:
 - (a) *Special Areas of Conservation (SACs) and Ramsar Sites;*
 - (b) *Sites of Special Scientific Interest (SSSIs);*
 - (c) *National Nature Reserves (NNRs).*
2. The identification and protection of sites of regional and local importance;

3. The protection of important natural heritage features.

Policy EN 6

Important Biodiversity and Geodiversity Sites Development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habitats or species will only be permitted where:

1. They conserve and where possible enhance the natural heritage importance of the site;
or
2. The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site. Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.

Policy EN 7

Important Natural Features 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.

5.0 CONCLUSIONS AND RECOMMENDATIONS

- 5.1 The field survey undertaken at the site identified a limited range of habitats dominated by hard standing. A prefabricated storage building was located at the south western corner of site. The whole site had a narrow border of stone aggregate that was sporadically colonised by scrub species and poor semi improved grassland. In terms of the ecological importance of the site the hard standing was of negligible ecological value and represented the most suitable area of the site to support the asphalt plant development. The offsite southern boundary tidal canal was considered to be utilised by a variety of foraging and commuting mammals (e.g. Otter & bats), birds and potentially reptiles and should remain undisturbed as a dark wildlife corridor with no incidental site lighting.
- 5.2 The desk study identified that the site is immediately bordered by a section of the Tennant Canal SINC along its southern boundary, which links the Tennant Canal to the west and the Neath Estuary SINC located to the east, the designations were considered to be of some relevance to site due to the proximity and potential hydrological connectivity. The boundary Canal is also designated as a NPT Water Courses SINC. The Red Jacket Fen SINC is also located to the west of site and the Tennant Canal. The above SINC's were considered to be of some relevance to site due to the potential hydrological connectivity and as such it is recommended that a Construction Environmental Management Plan (CEMP) be required to limit/mitigate any run off or drainage issues caused by the construction activities, so as not to pollute the habitats within the SINC's. Operational activities associated with the asphalt plant should also mitigate for any accidental pollution events. The adoption of these measures will satisfy Policy EN 6 & EN 7 of the LPA LDP.

Bats

- 5.3 The small prefabricated storage building located at the south western extent of site was considered to be of negligible/low bat roosting potential. The structure was not considered to be able to support a significant bat roost due to the prefabricated nature of the structure. However, the presence of individual roosting bats on an occasional/irregular basis could not be precluded due to its location immediately adjacent to suitable foraging and commuting resource. On this basis, it is considered that any proposed demolition works would not require further surveys or a European Protected Species (EPS) derogation licence. However, it is recommended that a precautionary approach to any demolition works be adopted given the itinerant nature of some common bat species identified within a 1km radius of site i.e. Pipistrelle species.

- Contractors advised prior to the start of works of the low risk that bats (or birds) could be present and the action to take should a bat be discovered (see below);

- Removal of corrugate metal sheeting to be undertaken by hand or using hand-tools (e.g. crowbars etc.);
- In the unlikely event that a bat were discovered, all works would cease immediately and Natural Resources Wales (NRW) or the project ecologist contacted for advice on how to proceed.

Reptiles

- 5.4 The majority of the site footprint was considered unsuitable for common reptile species. However, the marginal scrub and grassland in close proximity to the offsite watercourse was considered potentially suitable to support individual common reptile species. It is recommended that a sensitive directional vegetation clearance to retained habitats allowing dispersion is adopted allowing any reptiles to disperse or be removed to the retained habitats offsite. All common reptiles are protected against intentional killing or injury under the Wildlife and Countryside Act 1981 (as amended).

Birds

- 5.5 The marginal scrub and structures onsite were considered potentially suitable habitat for breeding birds. It is recommended that any proposed site clearance works or proposed works to the structures are either undertaken outside the bird-breeding season (i.e. clearance between September and March inclusive) or preceded by a visual check for nesting birds. All wild birds are protected against killing and injury under the Wildlife and Countryside Act 1981 (as amended) and their nests against damage or destruction whilst in use or being built.
- 5.6 Additional considerations for the proposed development relate to the incorporation of bird/bat boxes and use of soft landscaping species of known wildlife benefit.

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APPENDIX I SITE LOCATION PLAN

APPENDIX II PHASE 1 MAP