

Lidl Store Site

(Including Poundstretcher
and Vitality Gym)

**Briton Ferry Road
Neath
SA11 1AS**



**A Preliminary
Ecological Appraisal
By:**



On Behalf Of:



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1 Executive Summary

- 1.1 It is proposed to re-develop the site of the Lidl store beside Briton Ferry Road, Neath. This will involve the dismantling and removal of the existing store, along with the adjacent Poundstretcher and Vitality Gym building, and constructing a larger Lidl supermarket, with associated parking. A Preliminary Ecological Appraisal of the site was commissioned to provide baseline ecological information in line with relevant policy and legislation, and to inform the planning process. This comprised an ecological assessment of habitats and protected/priority species conducted by an experienced Ecologist and an assistant in December 2021.
- 1.2 The retail site covers an area of approximately 1.14 hectares and it is largely composed of hardstanding surfaces and two modern structures. Car parking and delivery service areas are composed of tarmac and concrete. Small areas of grassland containing introduced shrubs and scattered trees provide landscape features to soften the visual appearance of the site. It is assessed to be of low ecological value with few features supporting biodiversity. No features of the buildings or trees were identified to offer roost potential for bat species. No additional targeted survey effort is recommended.
- 1.3 Limited opportunities for breeding birds were identified due to the presence of trees and shrubs and gull species will utilise built structures if there are opportunities that they can exploit. Breeding birds are protected under the Wildlife and Countryside Act 1981 (as amended). To avoid the risk of encountering and disturbing nesting birds, the removal of buildings, trees and shrub vegetation is advised to be timed to occur outside the bird breeding season. If this timetable cannot be followed, it will be necessary for an appointed ecologist to conduct checks immediately ahead of demolition or vegetation removal so as to be sure that no active nests are present. If nests are found, appropriate measures must be put in place to protect them until they are no longer active.
- 1.4 Invasive non-native plants were also identified at the site. Japanese knotweed is present along the north-western boundary adjacent to the railway line and on the north-east boundary line. It is abundant on the adjacent Network Rail land and dense stands of the plant straddle the fence line. The plant has been treated and appears to be in a state of die-back but on-going monitoring must be carried out and additional treatments may be necessary to eradicate the plant and avoid wider dispersal. Buddleja is also present to a similar pattern with significant growth on the Network Rail land which lies adjacent, with light growth along the north-west and north-east boundary line.
- 1.5 A SEWBRc record search highlighted the ecological value of the Cryddan Brook, which flows in a north-westerly direction towards the Afon Nedd, through land adjacent to the north-east boundary. This report makes recommendations to provide enhancements for biodiversity with an artificial otter holt and new planting of native vegetation along this part of the site. Enhancements for biodiversity are required to meet the planning policy as indicated by PPW11 and Future Wales policy documents. A landscape design around the new retail store must include a minimum of 50% of the species of shrubs and flowering plants indicated in this report which are known to be beneficial for wildlife.

2 Introduction

- 2.1 Just Mammals Limited was commissioned by Lidl Great Britain Ltd to carry out a Preliminary Ecological Appraisal (PEA) of a site at Briton Ferry. The site is proposed for redevelopment with the construction of a new and larger supermarket. Survey was conducted in December 2021 by an experienced Ecologist and an assistant.
- 2.2 Situated on the southern side of Neath, the site is beside Briton Ferry Road (the A474), which is the main highway between Neath and Baglan. It is located at National Grid Reference of SS 74634 96454, at an altitude of approximately 15m Above Ordnance Datum. Adjacent, to the west, is the railway line, and beyond this is a narrow strip of commercial properties on the Milland Road industrial estate and the Neath Canal. West of these features, the landscape is dominated by the salt marsh of the Afon Nedd estuary.
- 2.3 This report details the findings of a survey in December 2021. It considers the overall ecological value of the site and the degree to which its re-development could potentially impact biodiversity. Additionally, it makes recommendations to minimise impacts to protected wildlife and proposes enhancements for biodiversity in line with UK legislations and Welsh planning policy.

3 Survey Team Experience

- 3.1 The survey was undertaken by Diane Morgan and Maja Hudej. Table 1 below details their relevant experience.

Table 1: Survey Team Experience

Name/Position	Licences	Experience
Diane Morgan BA (Hons) ACIEEM Senior Ecologist	S087512/1; bat, expiry January 2022: S090043/1; otter, expiry August 2023: S090042/1; dormouse, expiry August 2023: S090044/1; water vole, expiry August 2023	Diane has considerable experience (over 25 years) of surveying-built structures for bats and has carried out ringing of Daubenton's bat as part of a multi-year project on the species. She has undertaken monitoring work on several important lesser horseshoe bat roosts and assisted in radio tracking projects on the same species. She holds a City & Guilds Level 2 award for working in Medium Risk Confined Spaces. Prior to her work as a consultant ecologist, Diane was the Director of Brecknock Wildlife Trust and was involved in a wide range of nature conservation work including species and habitat protection and conservation land management. Other areas of interest include otter, dormice, water voles, reptiles, amphibians, fungi and crayfish. Diane is a Senior Ecologist with Just Mammals Limited
Maja Hudej BSc (Hons) MSc QCIEEM Trainee Ecologist		Maja holds an MSc in Wildlife Conservation and Management. Maja has practical experience with bat and reptile surveys and is working towards protected species licences. Maja is a Trainee Ecologist with Just Mammals Limited

4 Survey Methodology

- 4.1 Prior to the site visit, a desktop study was undertaken, which involved a standard search area of a 2km radius from the site (using a central grid reference), using the web-based MAGIC database (www.MAGIC.gov.uk). Details of statutory sites, designated for nature conservation were obtained. These included sites with statutory designations of international importance; Special Areas of Conservation (SACs), Special Protected Areas (SPAs) and Ramsar sites, as well as sites of national importance; Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs).
- 4.2 The South East Wales Biodiversity Records Centre (SEWBRc) was consulted for records of Protected and Priority species and Phase 1 habitats within 2km of the site (package C). The record centre also provided details of any Local Nature Reserves and Sites Important for Nature Conservation (SINC) within 2km.
- 4.3 A PEA was conducted on the 9th December 2021. Details of the survey activity and weather conditions are provided in Table 2. The assessment comprised a survey employing the Phase 1 habitat survey methodology. This is a standardised technique for classifying and mapping British habitats. The site and its boundaries were appraised according to the standard methodology detailed in the 'Handbook for Phase 1 habitat survey' (JNCC 2010). All areas within the survey zones were inspected and assessed for indicators of ecological value, including the presence and/or field signs of any protected or rare habitats and species. The site was walked over, recording plant species and features onto a custom-made recording sheet. Habitats and notes were drawn onto a map of the survey site and photographs were taken. A coloured Phase 1 habitat map was produced (see Appendix II).
- 4.4 Assessment for the presence or potential presence of protected species, such as bats, otters, hazel dormouse, badger, reptiles and amphibians, was undertaken by considering the features of the site. For consideration of great crested newt (*Triturus cristatus*) potential presence, ponds within 500m of the site were identified using Ordnance Survey maps and aerial imagery. Other priority species listed under Section 7 of the Environment (Wales) Act were also considered, such as west European hedgehog (*Erinaceus europaeus*).
- 4.5 A daytime visual assessment was carried out on the two retail buildings and the Vitality Gym, seeking signs of and potential for the presence of bats. Internal inspection of the buildings looked at construction features and searched for bats or the remains of dead bats (including dead juvenile bats and babies, which might indicate the presence of a maternity site), and other signs (e.g. bat faeces (droppings)), on floors, ledges, walls, stored items and other surfaces. External survey of the two buildings was conducted. A high-powered lamp was used to examine potential access

points and roosting areas. Any gaps or crevices were inspected as closely as possible. The context of the buildings within the surrounding landscape was also assessed.

- 4.6 Bat roosts in trees were also assessed. An assessment follows the process of inspection of trees from ground level with the use of binoculars and a powerful torch to consider features of the trees and their potential to support bat roosts.
- 4.7 When considering the likelihood of bats using the trees, the survey is not concerned with the size of the overall tree or its trunk diameter as even quite small trees can be used for roosting activity. Tree health is considered to be a much better indicator of the likely use by bats, as these animals have no means of making holes in wood themselves. Instead they are reliant on naturally occurring cavities caused by rot or wind damage; holes made by other species such as woodpeckers; branches or limbs damaged by vehicles or other natural means; growth of ivy (*Hedera helix*); and loose bark on trunks.
- 4.8 The potential suitability of the site for nesting birds was also considered, with the ecologists seeking signs of historic bird activity, nest remains, evidence of collections of bird dropping, feathers or any other signs of use by birds.
- 4.9 Invasive non-native species (INNS) such as Japanese knotweed (*Fallopia japonica*), and Himalayan balsam (*Impatiens glandulifera*), were recorded, where present.

5 Site Description

- 5.1 Forming a roughly triangular shaped plot, the survey site is circa 1.14 hectares of flat ground, within the urban environment on the south side of Neath. The frontage faces onto Briton Ferry Road (A474). There is no enclosing feature along this stretch and an open grassy bank with shrubs and trees slopes down from the site towards the pavement. A flight of steps provides pedestrian access onto the site. The short south-western boundary of upright timber fencing is adjacent to a petrol station: the north-west boundary of palisade fencing is beside the railway line. The north-east boundary is formed by a short section of chain-link fencing close to Cryddan Brook and bank side alder trees. This boundary then extends onto Heol yr Ysgol, which provides vehicular access onto the site.
- 5.2 Both structures stand side-by-side on a north-east/south-west axis, with a delivery access separating them. The Poundstretcher and Vitality Gym occupy the north-east building, and the existing Lidl store is the south-west structure. Car parking extends to the front (south-east) and south-west sides of the buildings. Small beds of shrubs and flowering plants intersperse the car parking with the ground surface covered with a wood chipping mulch to suppress weeds. An electricity sub-station stands at the corner of Heol yr Ysgol and Briton Ferry Road. A line of nine semi-mature trees stand on the grassy bank along Briton Ferry Road.
- 5.3 Lidl's store is a single storey building that is essentially a simple rectangle in shape with minor adjustments to the outline around the portico entrance area and the rear side (north-west) delivery parts. It is thought to be built in brick and concrete brick with walls covered with render and painted. A pitched roof is covered with concrete tiles. The roof structure and roof void within the apex was not visible and was not accessible due to the presence of a suspended ceiling. Fascias and soffits around the edge of the roof are formed by tight fitting and light weight metallic panels.
- 5.4 Poundstretcher and Vitality Gym occupy the same building with the gym in a smaller south-western portion. The building is mostly a single storey modern structure, with walls built in concrete block and brick with metal cladding. A metal framed pitched roof is covered with preformed metal sheeting. The Poundstretcher store is open to the roof apex: the gym premises contain an upper level with enclosed office and storeroom spaces and an open mezzanine level with gym equipment.
- 5.5 Dense urban housing and schools and retail outlets are in close proximity to the north-east and south-east of the survey site. The railway line, to the north-west, separates the site from a zone of commercial/industrial activity and beyond this to the west is the salt marsh and open features of the Afon Nedd estuary.

6 Survey Constraints

- 6.1 All habitats on site could be identified with confidence. Full access was provided. Whilst the survey was conducted in the winter period, outside of the growing season, the features of the site were

straightforward to assess. The time of year for the assessment was not deemed to constitute a constraint, but some of the tree species could not be identified precisely.

- 6.2 An enclosed roof void within the Lidl store was not accessible due to the presence of a suspended ceiling. Also, for health and safety reasons, inspection of the area above the suspended ceiling was likely to compromise the clean and safe environment for food products. Consequently, the roof void was not examined, and the roof areas were examined externally only, from ground level.

7 Desktop Study

- 7.1 No part of the site is within or directly adjacent to any statutory site of nature conservation interest, and the desktop study found no such sites within a 2km radius of the survey site.
- 7.2 SEWBRc's record search reported one Local Nature Reserve, Eaglesbush Valley, along Cryddan Brook, to the south-east of the survey site, as well as 17 SINC's. Many of these are within the Nedd estuary and salt marsh habitat to the west, and also include the Neath Canal. Areas of interesting woodland including Ancient Semi Natural Woodland (ASNW) and Restored Ancient Woodland Sites (RAWS) are to the east and south-east, and beyond the zone where development is considered likely to impact these woodlands.
- 7.3 The record search (unique reference 0212-707) reported 2159 species records with 905 for protected and priority species within 2km. These are briefly summarised in the bullet list below.
- terrestrial mammals – excluding bats – accounted for 107 records. The closest record to the site was that of west European hedgehog*, from approximately 200m south in streets of residential housing. Otter *(*Lutra lutra*) has been recorded in different locations along Cryddan Brook and also along the Afon Nedd. The closest badger (*Meles meles*) record is almost 1km to the east in the area of Cupola Wood which contains other badger records. There are no records for dormouse* (*Muscardinus avellanarius*);
 - bats accounted for 144 records with the dataset dominated by pipistrelle records, and a low number of *Myotis*, *Nyctalus* and *Plecotus* species. Pipistrelle* bats and noctule* (*Nyctalus noctula*) were recorded in 2020, at a site 150m to the south of the survey site. Other records for the same species relate to the industrial site 350m to the west. No unusual bat records are within the dataset but many of the records are Section 7 species;
 - reptiles account for 19 records with grass snake* (*Natrix helvetica*) records from the area of pools on the Milland Road industrial estate to the west and a slow-worm* (*Anguis fragilis*) record from 500m south of the survey site. Other records are at a greater distance from the site;
 - amphibians accounted for 20 records. The closest record of smooth newt (*Lissotriton vulgaris*) was approximately 800m to the west near Cupola Wood. Other records including palmate newt (*Lissotriton helveticus*) and common frog (*Rana temporaria*) are scattered within a variety of habitats. There are no records for great crested newt* (*Triturus cristatus*) in the dataset;
 - bird data dominated the dataset. Recorded within 1000m of the site include redshank (*Tringa totanus*), snipe (*Gallinago gallinago*), starling* (*Sturnus vulgaris*), dunnoek* (*Prunella modularis*), house sparrow* (*Passer domesticus*) song thrush* (*Turdus philomelos*), Eurasian bullfinch (*Pyrrhula pyrrhula*), curlew* (*Numenius arquata*), lapwing* (*Vanellus vanellus*), lesser black-backed gull (*Larus fuscus*) black headed gull (*Chroicocephalus ridibundus*) and green sandpiper (*Tringa ochropus*). Many of the bird records are species seen on the salt marsh and River Neath estuary area;
 - plants accounted for a large proportion of the records with the Neath Canal habitat resulting in the records of the closest plants. Numerous records for invasive non-native plants relate to this feature including Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*) and Nuttall's waterweed (*Elodea nuttallii*);
 - invertebrates accounted for 241 records with cinnabar* (*Tyria jacobaeae*), and stag beetle* (*Lucanus cervus*) within 500m of the site.
 - fish accounted for 2 records, including eel* (*Anguilla anguilla*) and common carp (*Cyprinus carpio*).

*denotes Section 7 priority species from the Environment (Wales) Act 2016

8 Survey Results

- 8.1 In summary, the site supports retail activity on an area of land approximately 1.14 ha, set within an urban context. The features of the site are dominated by hard surfaces and two modern buildings with a narrow fringe of green habitat around the boundary composed of amenity grassland,

introduced shrubs and a small number of semi-mature trees. The site is well maintained with a tidy and orderly appearance. A Phase 1 survey, was completed on Thursday 9th December 2021 by an experienced Ecologist and an assistant. Details of the conditions under which the surveys were conducted are given in Table 2 below. Wind speeds shown employ the Beaufort scale.

Table 2: Summary of Survey Activity and Weather Conditions

Date	Survey Type	Timing	Weather Conditions
09/12/2021	Day time visual inspection, botanical survey and habitat assessment, including protected species assessment and preliminary roost assessment of buildings, and assessment of trees for roosting bats	10.00 – 11.50 hours Greenwich Mean Time	Air temperature: 7.5°C Cloud cover: 8/8 oktas Wind speed: F1, light air Conditions: Dry
Surveyors	Diane Morgan, Maja Hudej		

- 8.2 For recording purposes, the site was divided into five different habitat types and mapped following the codes and conventions described in the Phase 1 Habitat Survey Handbook (JNCC 2010). Table 3 below describes the on-site habitats in order of surface area, with the most extensive habitats listed first. The most dominant plant species are also listed: a complete list can be found in Table 6 (see Appendix V).

Table 3: Summary of Phase 1 Habitat Notes

Habitat	Phase 1 Classification	Description of Area and Typical Species
Type 1	J5 Other habitat; hardstanding	Tarmacadam car parking areas and concrete surfaced vehicle delivery areas extend around the two large buildings on the site. A narrow band of gravel held behind a concrete kerb is beside the north-west boundary line adjacent to the railway line
Type 2	J3.6 Buildings	Two large modern structures stand side-by side facing south-east towards Briton Ferry Road. The Lidl store is to the south-west and the Poundstretcher and Vitality Gym are within the structure to the north-east. A small substation is located at the eastern edge of the site
Type 3	J1.2 Amenity grassland	This habitat extends mostly around the narrow fringe of the site along the south-west, south-east and north-eastern edges. Recorded species include grass species (<i>Poa sp.</i>) bracken (<i>Pteridium aquilinum</i>), daisy (<i>Bellis perennis</i>), dandelion (<i>Taraxacum officinale agg.</i>), bramble (<i>Rubus fruticosus agg.</i>), common chickweed (<i>Stellaria media</i>), creeping buttercup (<i>Ranunculus repens</i>), butterfly bush (<i>Buddleja davidii</i>), ribwort plantain (<i>Plantago lanceolata</i>), and a speedwell (<i>Veronica sp.</i>)
Type 4	J1.4 Introduced shrubs with A3.1 Scattered trees	These habitats are interspersed within the amenity grassland along the south-west, south-east and north-east edges. A line of nine semi-mature trees stand along the boundary beside Briton Ferry Road; Shrubs include many cultivars and some exotics including palms: privet (<i>Ligustrum ovalifolium</i>), dogwood (<i>Cornus sp.</i>), hebe (<i>Hebe sp.</i>), ivy (<i>Hedera helix</i>) and photinia (<i>Photinia sp.</i>). Alder (<i>Alnus glutinosa</i>), birch (<i>Betula sp.</i>), cherry (<i>Prunus sp.</i>) and unidentified <i>Sorbus</i> species trees
Type 5	J2.4 Fence	A combination of fencing materials form the boundary on three sides (upright timber planking, palisade fencing and chain-link fencing) with the longest south-east boundary open to the adjacent pavement and highway areas; Target Note Japanese knotweed (<i>Fallopia japonica</i>) is present in several locations along the north-west and north-east boundary

- 8.3 Target notes indicate the areas where Japanese knotweed was found. Dense stands are present along the boundary with the adjacent railway line to the north-west. The plant growth straddles the palisade fence and it shows signs of treatment to control and eradicate it; although it is not possible to determine the precise status of the health of the plant outside of the growing season. Whilst recent control action may have checked the growth of the plant, it may still require on-going applications to effectively kill this invasive alien.
- 8.4 The Lidl store was carefully examined externally and the roof structure and tops of walls appear in good order. No features suitable for bats to exploit were identified and materials are modern with tight fitting roof tiles and ridge capping. Soffits and fascias are a well-maintained cladding material with a metallic finish. Materials applied to the building are generally of a kind unlikely to be attractive to bats. No historic breeding bird activity was found. Ledges above ventilation fan fittings on the rear (north-west side) may be suitable for nesting birds to exploit but the location is noisy and likely to vibrate to some degree, which might deter birds from using these features (see Plate 13).
- 8.5 Poundstretcher's retail store and the Vitality Gym are housed within the same building, with the retail element occupying the larger portion at the north-east end. This modern metal framed structure has a pitched roof and roof coverings of pre-formed metal sheeting. The roof materials do not contain potential roost features, and the tops of walls are well sealed. No features were

- identified suitable or likely to be attractive to roosting bats. No historic breeding bird activity was found and no features suitable for nesting birds were identified.
- 8.6 Characteristics of the site contain few features of natural habitat suitable to support wildlife. A landscape of introduced shrubs softens the hard surfaces of buildings and car parking but the plants and trees offer limited shelter and food sources for birds and invertebrate species. Nesting opportunities for common garden bird species occurs in some of the denser bushes, but many trees and shrubs are in positions where human activity and noise and disturbance levels would be high. Gull species will exploit the roofs of building if shelter and any features create a level platform for their nests. No signs were noted from ground level of historic gull nests, but adult and juvenile herring gull (*Larus argentatus*) were present on the roofs of both buildings.
- 8.7 When considering the site in relation to protected mammals, there is no evidence of badger, with no linking habitat likely to encourage them to explore or make use of the survey site. Similarly the presence of dormouse is dismissed, with no suitable habitat at the site or the wider area. Otter has been historically recorded within 160m of the site on Cryddan Brook. This watercourse flows north-west towards the Afon Nedd, close to the north-east boundary line and it provides an obvious route for a highly mobile aquatic animal such as otter to move between the river estuary and Neath Canal, west of the site towards the Eaglesbush Valley and Cupola Wood (and associated natural habitats), along Cryddan brook east of the survey site.
- 8.8 European water vole (*Arvicola amphibius*), records are few but may indicate a low density population in the Cryddan brook area of Neath, some 1000m to the south-east of the site. An urban environment separates this area of natural habitats and the survey site, but as described above for otter, the riparian corridor offers a possible link for animals to move along this linear feature. There is no indication that water vole are present on or in close proximity to the survey site.
- 8.9 The site offers very limited suitability for hedgehog as there is little shelter and restricted forage habitat. The busy network of roads, the adjacent railway line makes the survey site a very hazardous environment for this species.
- 8.10 Reptiles favour tussocky, rank grassland with areas of bare ground, along with varied vegetative architecture. No reptiles were recorded during the survey and habitat on site is not considered suitable for reptiles. Historic records for grass snake are in the vicinity of the pools on Milllands Road Industrial Estate, some 700 – 800m south-west of the survey site, but the built environment and railway line that separates them make it highly unlikely for these animals to disperse and be present on the Lidl site proposed for re-development.
- 8.11 There are no ponds present on the survey site, but a search for water bodies within 500m of the site identified two pools on the Milllands Road Industrial Estate, to the west, beyond the railway line. There are no historic records for newts from these pools and no records for great crested newts in the dataset. Amphibians require a mosaic of habitats for the terrestrial phase of their cycle, but a key element of their ecology is a still water body in which to breed. The habitat between the survey site and the ponds, and the lack of suitable habitat on site makes it unlikely for amphibian species that may be present at the two pools to disperse eastward. As described above, the area of built environment to the east of the survey site is assessed to act as a barrier to the movement of amphibians that have been recorded in the Eaglesbush Valley area east of the site.
- 8.12 In terms of habitat quality, the built environment of residential and industrial areas which are in close proximity and the features of the adjacent railway line, mean the site is not well connected to natural habitats in the wider area. For mobile species, the Cryddan Brook offers connective opportunities only for species such as otter. The survey site is unlikely to be significant for foraging or commuting bats as the area is well lit and other features in the wider landscape look to offer better opportunities for bat species elsewhere.
- 8.13 Invasive non-native species (INNS) of plants were considered during the assessment. Japanese knotweed is present along the north-west and north-east boundary line. It has been subjected to some treatment but the timing or on-going work for eradicating the plant is not known, and its current health cannot be determined outside of the growing season. Unless Network Rail maintains constant vigilance with active management of this invasive plant, the Lidl site is at risk of repeated incursions of this plant which is well established along the route of the railway line.

9 Discussion and Conclusions

- 9.1 The Lidl site, on Briton Ferry Road, is currently assessed to be of low ecological value due to the existing features of two large modern buildings surrounded by extensive areas of hard surfaces. Soft landscaping features are limited to the narrow fringe of the site with amenity grassland, introduced shrubs and a low number of trees. The surrounding built environment results in wildlife unlikely to be drawn to the site or passing through it. A feature of interest adjacent to the north-east boundary is Cryddan Brook, and this watercourse forms a linking corridor for species such as otter between the Nedd estuary, to the west, and the woodland and natural habitats along Cryddan Brook, to the east in the Eaglesbush Valley area. Measures to protect the watercourse during the proposed re-development of the site are recommended below, and a buffer zone along this boundary is proposed for enhancements for biodiversity to benefit local wildlife. Issues of fencing, artificial lighting and new habitat planting are associated with the recommendations for enhancements so as to provide real benefits.
- 9.2 No evidence for the presence of protected species was found at the site and there are no recommendations for any follow-up targeted survey effort. No potential roost features for bats were identified on the buildings and no evidence for breeding bird activity was noted. Gull species may attempt to establish nests on the roofs of the buildings, and general guidance is provided in relation to the legally protected status of nesting birds. Herring gull is now on the British Trust for Ornithology: Birds of Conservation Concern 5 red list, which is the highest conservation priority with species needing urgent action. It is also a Section 7 species on the Environment (Wales) Act 2016.
- 9.3 Apart from the herring gulls noted perched on the roofs of the buildings during the survey, no other Section 7 species was found to be present. Whilst some mobile bird species may be temporarily present in a similar fashion to the gulls, the site is not attractive for wildlife as it offers limited shelter and forage opportunities for wildlife, with very limited habitat. It is not suitable to support mammals, reptiles, amphibians and has poor quality features for invertebrates and birds. Good quality habitats are present to the west in the salt marsh and estuary area of the Afon Nedd, and along the Cryddan Brook to the east of the site. Data revealed by the SEWBRc data contains interesting records for protected species in both these zones.
- 9.4 Situated beside a busy highway with abundant street lighting in the wider area, the site is not considered likely to be attractive to nocturnal wildlife such as foraging or commuting bats, otter or hedgehog. These creatures may stray onto the site, so measures to protect against disturbance of these creatures is made with regard to ground work trenching during redevelopment and also artificial lighting.
- 9.5 Invasive plant species were considered during the assessment. Treatment to kill Japanese knotweed has been carried out but the results must be assessed so as to know if it has been effective and whether additional effort must be undertaken to eradicate the Japanese knotweed to prevent its wider dispersal. Several applications of an appropriate herbicide treatment will exhaust the plant and prevent the spread. Disposal must be made in accordance with current legislation. Close consultation with Network Rail will be necessary to ensure that management of the invasive species on their neighbouring land does not lapse and result in renewed growth or wider dispersal onto the Lidl site.
- 9.6 To comply with recent Welsh planning policy, it will be necessary for the new development to make a positive contribution to local biodiversity. A scheme is proposed below which takes account of the context of the site in the wider landscape.

10 Recommendations

- 10.1 No further targeted ecological surveys are recommended at this time. At least 50% of the existing trees on site must be retained and incorporated into the design of the new store layout. The removal of some trees is likely due to health and safety risk assessments. Urban trees are an important resource for wildlife with benefits to the local human population. The existing tree specimens are mostly semi-mature and the loss of established trees must be minimised.
- 10.2 All nesting birds, their nests, chicks and eggs are protected by Part 1 of the Wildlife and Countryside Act 1981 (as amended). Clearance of any trees and shrub vegetation necessary to make way for the proposed new supermarket building and associated infrastructure must consider the potential presence of active nests. Vegetation removal work is recommended to take place during the

autumn/winter months of late August to February inclusive in order to avoid the bird nesting season of the species noted at the site. If this is not possible, then the vegetation must be carefully checked by an appropriately qualified ecologist immediately ahead of any removal.

- 10.3 As birds will seek to establish nest sites on the roofs of the buildings, the same recommendations for the dismantling of the buildings are made in relation to breeding birds. The pitched roofs of the two buildings do not look to offer suitable features, but if nests are present, they will result in substantial delay and expense so demolition is best timed to avoid the nesting season of March to August inclusive. Once a nest is established, the birds must be able to have access at all times until the young have fledged and the nest is no longer active. If an active nest is found, it must be retained and protected. A cordon must be established for a safe working zone a suitable distance from the nest, and not until the chicks have fledged can the nest be destroyed. Where active nests are identified, precautions as described above must be followed so that the birds can breed successfully and eggs and chicks are not lost. Only when a nest is no longer active can it be removed. A suitably qualified and experienced ecologist must be retained on a watching brief during the period of vegetation clearance and building demolition to make a site visit and provide appropriate advice if any wildlife species are encountered.
- 10.4 As an enhancement for bird species, a suite of 6 bird boxes are recommended for the site to be attached to retained trees. The boxes must be installed in suitable positions avoiding direct sun and possible predation by cats. A mixture of styles of boxes and box materials is proposed to attract a variety of bird species and also to ensure longevity of the new nesting opportunities.
- 10.5 To protect and enhance the area of the site in close proximity to Cryddan Brook, a buffer strip of minimum 4m width is proposed along the north-east boundary of the site. In the northern corner of the site an artificial otter holt will be provided so as to provide a safe resting place for otters moving along the watercourse neighbouring the site. The design of the otter holt offers low headroom (*circa* 350mm) and roughly 1m dimensions in width and depth (see Appendix VI for suggestions and a descriptions of a kit design). The artificial holt must be installed as close as possible to the watercourse with an entrance facing the brook. It must be camouflaged by vegetation to be inconspicuous with new planting of native shrubs in the buffer zone around it. Gaps in the boundary fence to enable otters to pass under the existing chain link fence towards the brook must be fashioned but the new fence between the new buffer strip and the rest of the Lidl site must not enable otters to roam onto the supermarket site where they may come to harm if encountered, disorientated or trapped. A gate for secure access into the buffer zone must be created for maintenance and monitoring purposes.
- 10.6 Appropriate safeguards must be drawn up by the contractor so as to protect the adjacent watercourse of Cryddan Brook from any detrimental impacts. On no account may any chemical leaks, or spills of vehicle fuels or lubricants occur either by accident or deliberately (e.g. vandals), resulting in spillage to the watercourses. Strict measures must be in place to ensure no pollution incident can occur. Otters like other aquatic life forms are highly susceptible to pollution and any contractors engaged in works on the site must have in place secure storage facilities and an agreed pollution prevention plan. If necessary appropriate pollution control equipment and procedures must be available at the site to control spillages if they do occur.
- 10.7 A lighting plan must consider how essential light can be directed for safe access for vehicles and pedestrians on the redeveloped site, but avoiding light spill and unnecessary lighting. Artificial lighting must avoid the north-east boundary buffer strip so that the new otter holt and associated vegetation cover is left naturally dark for wildlife.
- 10.8 During construction works, any trenches must not be left in such a state as to present a pitfall trap, where animals such as hedgehogs can fall in and not be able to climb out. An escape builders' plank must be secured so that any animal falling into pits and trenches can make use of the plank, set at an angle of 45°, in order to escape. Food waste from the workforce must not be left at the site, which can attract wildlife such as hedgehog or otter into the working zone.
- 10.9 The stands of Japanese knotweed identified need to be monitored and treated appropriately to ensure the plant is eradicated and does not disperse more widely. Any excavated soil from areas where Japanese knotweed is established must be disposed of at a licenced landfill site, and not re-used in further construction or landscaping. When disposing of contaminated soil it is essential that the landfill operator is made aware of the presence of INNS and that the soil is not used for landscaping or restoration works at the tip site. To ensure safe disposal contaminated soils must be buried to a depth of at least 5m. Section 34 of the Environment Protection Act 1990 places a

duty of care on all waste producers to ensure that any wastes are disposed of safely, and that a written description of the nature of that waste, and any specific harmful properties, is provided.

- 10.10 Development of an area gives the opportunity to carry out enhancements to benefit wildlife, especially during the landscaping process. The boundary zones of the car parking area provide an opportunity for a planting scheme to favour shrubs beneficial to wildlife. Table 4 below includes a list of suitable native tree and hedgerow species, which can be planted as part of the landscaping design proposals. It is best that such plants are sourced locally in order to reduce likelihood of importing diseases.

Table 4: Recommended Native Tree and Shrub Species

Common Name	Scientific Name
Alder	<i>Alnus glutinosa</i>
Crab apple	<i>Malus sylvestris</i>
Dogwood	<i>Cornus sanguinea</i>
Elder	<i>Sambucus nigra</i>
Field maple	<i>Acer campestre</i>
Hawthorn	<i>Crataegus monogyna</i>
Hazel	<i>Corylus avellana</i>
Holly	<i>Ilex aquifolium</i>
Rowan	<i>Sorbus aucuparia</i>

- 10.11 A minimum of 50% of the flowering plant and shrub species shown below in Table 5 must be included within the site landscape layout. Although not exclusively native species, they will bring benefits for wildlife. Again, only plants from local stockists must be used.

Table 5: Recommended Flowering Plants and Shrubs

Common Name	Scientific Name
Barberry	<i>Berberis vulgaris</i>
Clematis	<i>Clematis montana</i> or <i>Clematis vitalba</i>
Common broom	<i>Cytisus scoparius</i>
Guelder rose	<i>Viburnum opulus</i>
Hebe	<i>Hebe albicans</i>
Honeysuckle	<i>Lonicera periclymenum</i>
Lavender	<i>Lavandula</i> spp.
Oregon grape	<i>Mahonia aquifolium</i>
Tree cotoneaster	<i>Cotoneaster</i> 'Coral Beauty'
Viburnum	<i>Viburnum davidii</i>

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Appendix I: Site Plans

Figure 1: Site location plan



Aerial View of the Site

Site Reference:
JM15121

Map Scale:
1:50,000 & 1:4000

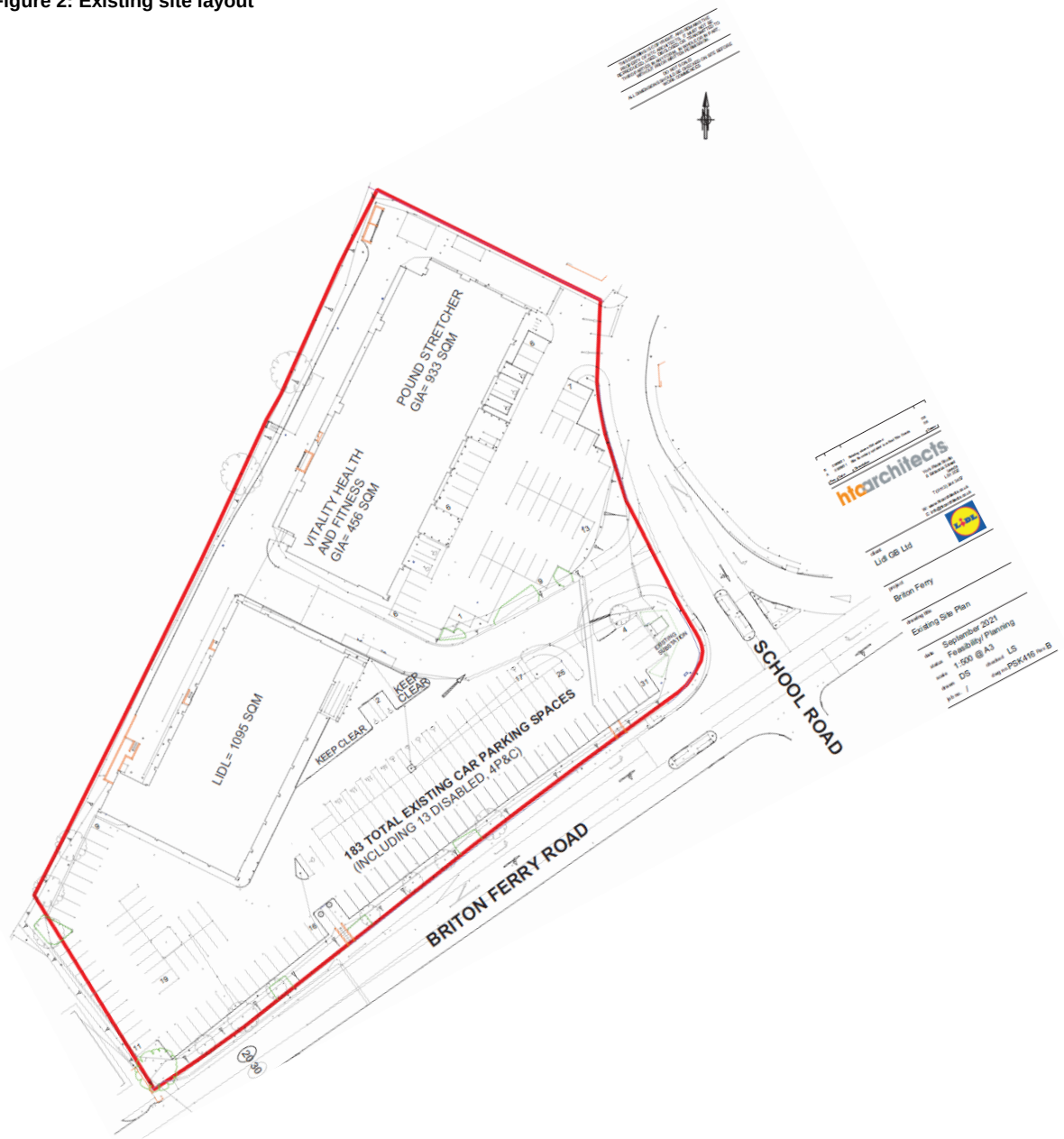
Source:
© Google Satellite Imaging
2021

Just
MAMMALS
Limited

Legend

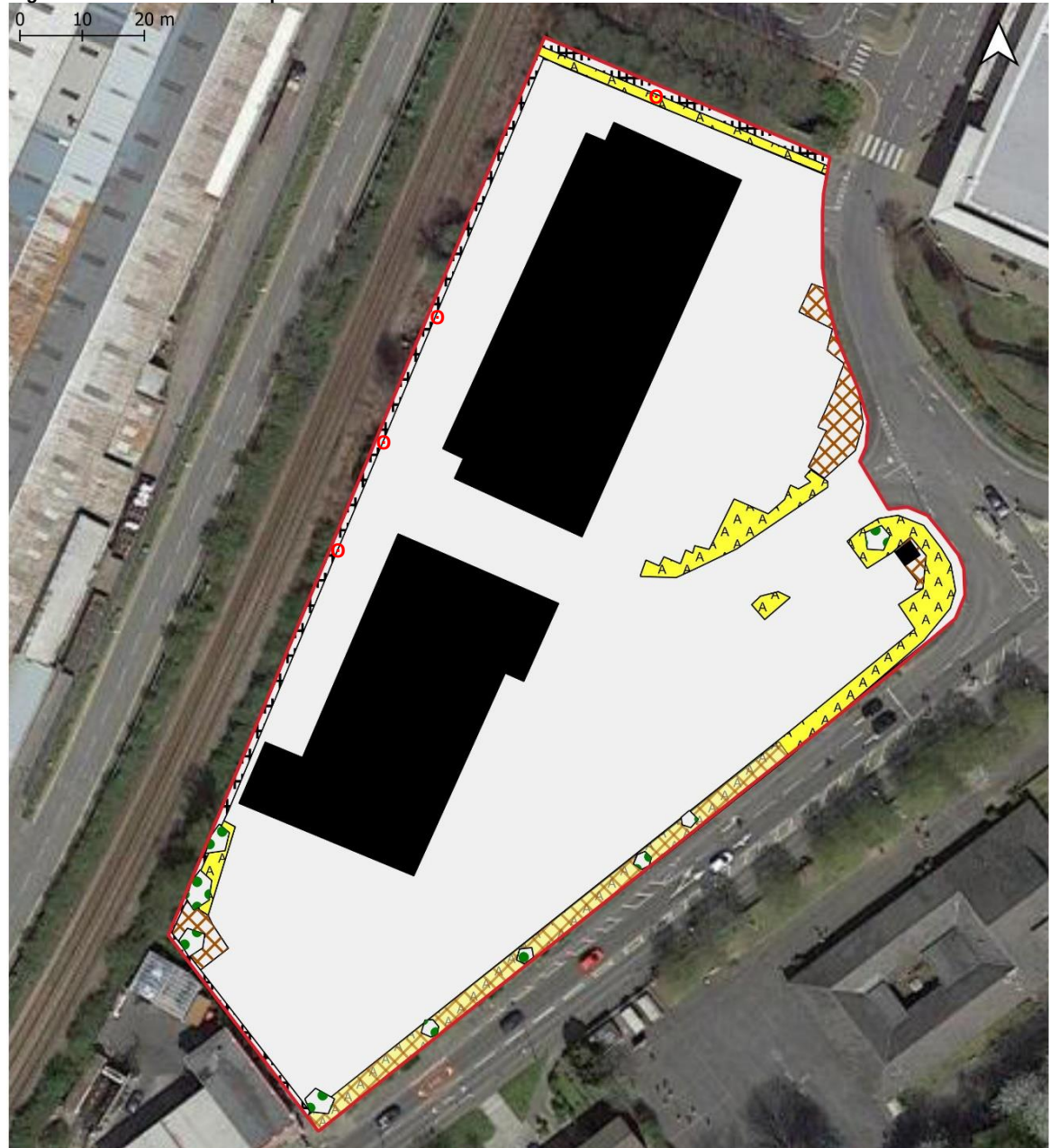
- Site outline
- Site location

Figure 2: Existing site layout



Appendix II: Phase 1 Habitat Map

Figure 3: Phase 1 habitat map



Phase 1 Habitat Map

Site Reference:
JM15121

Map Scale:
1:1300

Source:
© Google Satellite Imaging
2021



Legend

- Site outline
- J5 - Other habitat - hardstanding
- J3.6 - Buildings
- J1.2 - Cultivated/disturbed land - amenity grassland
- A3.1 - Broadleaved Parkland/scattered trees
- J1.4 - Introduced shrub
- J2.4 - Fence
- ⊙ Target note

Appendix III: Site Photographs

Plate 1: Looking south-west across the front of the site



Plate 2: Front of Lidl store from the north-east corner



Plate 3: Poundstretcher store, front elevation



Plate 4: Rear (north-west) view of buildings



Plate 5: Interior of Lidl store



Plate 6: Interior of Poundstretcher store



Plate 7: North-east boundary fence



Plate 8: South-east open boundary



Plate 9: South-west boundary fence



Plate 10: Japanese knotweed along north-west boundary



Plate 11: Northern corner of the site



Plate 12: Group of shrubs with substation behind



Plate 13: Rear of Lidl store with narrow ledge above fans



Appendix IV: List of Recorded Species

Table 6: List of Recorded Species

Common Name	Scientific Name
Plant Species	
Alder	<i>Alnus glutinosa</i>
Birch, A	<i>Betula sp.</i>
Bracken	<i>Pteridium aquilinum</i>
Bramble	<i>Rubus fruticosus agg.</i>
Buttercup, creeping	<i>Ranunculus repens</i>
Butterfly bush	<i>Buddleja davidii</i>
Cherry	<i>Prunus sp.</i>
Common chickweed	<i>Stellaria media</i>
Daisy	<i>Bellis perennis</i>
Dandelion	<i>Taraxacum officinale agg.</i>
Dogwood, A	<i>Cornus sp.</i>
Grass	<i>Poa sp.</i>
Hebe	<i>Hebe sp.</i>
Ivy	<i>Hedera helix</i>
Japanese knotweed	<i>Fallopia japonica</i>
Photinia	<i>Photinia sp.</i>
Privet	<i>Ligustrum ovalifolium</i>
Ribwort plantain	<i>Plantago lanceolata</i>
Sorbus	<i>Sorbus sp.</i>
Speedwell	<i>Veronica sp.</i>
Fauna	
Herring gull	<i>Larus argentatus</i>
Crow	<i>Corvus corone corone</i>

Appendix V: General Arrangement of Artificial Otter Holt

Artificial holt design

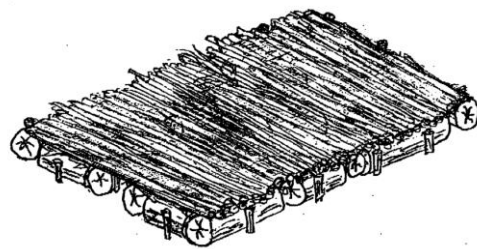
An artificial otter holt, using component kit parts made from recycled plastic, is available from Filcris Ltd at <http://www.filcris.co.uk/products/product-details/otterholt>.

This design has been created in conjunction with Surrey Wildlife Trust. The holt has both front and rear entrance holes, and an internal chamber 600mm x 600mm. While this may appear small, research has confirmed that female otters prefer a confined space in which to rear their young. The top is crenelated to improve ventilation, so the holt can be partially buried and the top covered in turf or brash. It is a safe, low cost, easy to install and longer lasting than alternative timber log holts.

Plate 14: Flat pack component parts of artificial otter holt



Figure 6: Sketch of otter holt with brash coverings.



The holt location will be planted with hazel, elder, holly and hawthorn shrubs to camouflage its location and screen it from people and dogs. Lightweight brash can be placed over the roof or around the edges to soften the contour and conceal it.

Appendix VI: Relevant Legislation

Bats

All species of bat in Britain, and their places of rest are protected under the provisions of the Wildlife and Countryside Act 1981 (WCA), Section 9(1), 9(4)(a) and 9(4)(b) as amended by Schedule 12 of the Countryside and Rights of Way Act 2000. Further protection is afforded by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019. In relation to structures used by bats for shelter or protection (i.e. roosts), this legislation makes it an offence to either intentionally or recklessly damage, destroy or obstruct access to any site used by bats, whether bats are present at the time or not, or to intentionally or recklessly disturb bats within a roost.

Infringements under this legislation include building demolition, removal of hollow trees, blocking, filling or installing grills over old mines or tunnels, building alteration or maintenance work, re-pointing of stone walls, getting rid of unwanted bat colonies, re-roofing, remedial timber treatment, re-wiring or plumbing in roofs, treatment of wasps, bees or cluster flies (Mitchell-Jones, 1992; Childs, 2001). Lesser horseshoe bats are included in Annex II of the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019 and hence require special protection.

Maximum penalties for committing offences relating to bats or their roosts can amount to imprisonment for a term not exceeding six months or to fines of up to Level 5 on the standard scale under the Criminal Justice Act 1982/1991 (i.e. £5000 in April 2001) per roost or bat disturbed or killed, or to both. Bodies corporate and their directors/secretaries are liable for offences under the above mentioned Regulations and the WCA. Additionally, where such an offence results in the offender benefitting in a monetary form from the illegal action, confiscation or civil recovery of the proceeds can occur under the Proceeds of Crime Act 2002.

It is sensible to assess as soon as possible if bats are present at potential sites for development – preferable before the land is acquired. In some cases, the period required for adequate survey work may span more than one calendar year. If a development, including demolition or change of use, is likely to impact on bats and their roosts then a licence will usually be required. Adequate survey results are a necessary input to any licence application. If bats are not found until late in the development stage this may result in delays while a licence is sought and even in offences being committed.

The law with respect to dwellings and other structures is applied equally. Where disturbance is deemed likely to have a significant effect on bats to survive, breed and rear their young or will affect the local distribution and abundance of the species, a European Protected Species licence issued by Natural Resources Wales. A licence application must demonstrate that the development will not be detrimental to the maintenance and conservation status of the species concerned. This explanation must be regarded only as a guide to the law. For further details, reference must be made to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019, and the Countryside and Rights of Way Act 2000.

Wild birds

All wild birds, their eggs and nests are protected by The Wildlife and Countryside Act 1981 (as amended). It is an offence, with certain exceptions, to:

- intentionally kill, injure or take any wild bird;
- intentionally take, damage or destroy the nest of any wild bird while it is in use or being built;
- intentionally take or destroy the egg of any wild bird;
- sell wild birds or put them on display for sale;
- use traps or similar items to kill, injure or take wild birds; and
- intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

Penalties that can be imposed for criminal offences in respect of a single bird, nest or egg contrary to the Wildlife and Countryside Act 1981 (as amended) is an unlimited fine, up to six months imprisonment or both. In exceptional cases Natural Resources Wales issues licences for specific purposes, so that legitimate work may be undertaken without breaking the law.

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