

CONSTRUCTION METHOD STATEMENT

PROJECT TITLE: Development of eight dwellings with parking and associated works.

SITE ADDRESS: Wellspring, Pearson Way, Neath

PLANNING REF: P2021/0780

DATE: 14th April 2022

The proposed development site comprises a parcel of land off Pearson Way, Neath, located at grid reference SS7464495712. Full Planning Permission (Planning reference P2021/0780) has been granted for 'Development of eight dwellings with parking and associated works'. A number of conditions have been added to the planning consent permitted for the site, one of which relates to ecology.

Condition 7 states:

7. Prior to any works on site an Ecological Construction Method Statement (or section within an overall CMS) shall be submitted to and agreed by the Local Planning Authority. This will include all measures to be implemented in section 4 of the Ecological Impact Assessment.

Reason: In the interest of biodiversity and ecology and to ensure the development complies with Policies EN6 and EN7 of the Neath Port Talbot Local Development Plan

1. Site Survey Work

A walkover survey of the site was undertaken in May 2021 by Ecological Services Ltd; the results of the walkover survey were used to inform an Ecological Impact Assessment.

The site survey work by Ecological Services Ltd detailed above found:

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- The Extended Phase 1 survey found semi-improved grassland, the dominant habitat, with scattered trees along the western boundary.
 - Habitat within the site were highlighted as having potential to support commuting and foraging bats, common reptiles, nesting birds

The details within this document focus on potential impacts to habitats and species potentially present within the site boundary only.

The details within this Method Statement refer to the land within the red line boundary of the site as indicated in drawing PEN-ZZ-ZZ-DR-A-1000, Rev P1, provided by Pentan Architects, dated July 2021. Land within the red line boundary will be referred to as 'the site' for the purpose of this document. A number of biodiversity enhancements are also proposed for the site.

While the site does not provide roosting opportunities for bats there is potential for bats to use the site for foraging as they commute along the adjacent woodland.

The grassland habitat within the site is considered suitable for use by reptiles during the summer months as they move from adjacent gardens and the nearby woodland. Although the site is subject to disturbance their presence within the site cannot be ruled out.

Trees within the site provide opportunities for nesting birds.

2. Legislation

2.1 All British **bats** are a European protected species and are protected under the Conservation of Habitats and Species Regulation 2017. In summary, they are protected from:

- Deliberate capture, killing and injuring,
- Deliberate disturbance of a breeding site or resting place,
- Damage or destruction of a breeding site or resting place.

Schedule 5 of The Wildlife and Countryside Act (1981) also protects all species of British bat and their roosting locations. British bats are protected from intentional or reckless disturbance and or obstruction of their roosting places. Barbastelle, bechstein, noctule, brown long eared, common pipistrelle, soprano pipistrelle, greater horseshoe and lesser horseshoe bats are also listed in section 7 of the Environment (Wales) Act 2016 which makes them a key species to sustain and improve biodiversity.

2.2 **Reptiles** such as slow worm, common lizard, adder and grass snake are protected under the Wildlife and Countryside Act 1981 (as amended). They are protected from killing, injuring and sale. They are also listed in section 7 of the Environment (Wales) Act 2016 which makes them a key species to sustain and improve biodiversity.

2.3 **All wild birds**, their nests and eggs are protected by law. There are certain exceptions but it is generally considered an offence 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,
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or nest containing eggs or young, or disturb the dependent young of such a bird.

Other offences pertaining to the collection of wild birds and their eggs are applicable under this legislation also.

3. During Construction Ecological Measures

All of the grassland habitat will be lost as a result of the proposed development works. The proposed plans for the site, drawing PEN-XX-XX-DR-A-1005, Rev pg, supplied by Pentan Architects, shows three trees along the south west boundary are to be retained. All other trees will be lost as a result of the proposed development.

3.1 Working Methodology

3.2.1 Reptiles

The proposed development site is considered to be suitable for use by reptiles during the summer months for foraging and commuting purposes. Due to the small size of the site and steep topography it is not possible to retain any habitat within the site boundary during construction. Whilst it is thought highly unlikely that any reptiles will be encountered during the site clearance works, a precautionary approach is to be adopted.

Potential Impacts

- Damage, death or injury to reptiles,

Measures to be Implemented

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- All site contractors will be given a toolbox talk which covers the legal protection given reptiles, what they look like, where they may be found and what to do if reptiles are found at any point during the works on site.
 - If site clearance works commence between the months of March to October inclusive the grassland will be cut in two stages. Vegetation cutting will be undertaken by hand and start on Pearson Way (the eastern boundary) and progress westwards. This will naturally encourage any reptiles present in to adjacent gardens of the adjacent SINC.
 - The first stage vegetation cut will take vegetation down to a minimum height of 100mm. All arisings will be collected from site and removed within 24 hours of being cut.
 - The second stage vegetation cut will occur 24 hours after the first stage. For the second stage vegetation will be cut to a maximum height of 50cm, as close to ground level as possible. All arisings will be collected from site and removed within 24 hours of being cut.
 - If reptiles are seen during site clearance works the supervising ecologist will be consulted on how to proceed. Advice may entail that the ecologist visit site and move any animal to the adjacent woodland.
 - The displacement of reptiles from the site boundary will be temporary. Once construction work is completed, animals will be able to recolonise the gardens and soft landscaping within the site.

3.2.2 Nesting Birds

The removal of any trees within the site boundary could impact on nesting birds.

- Tree removal must be completed outside of the **bird nesting season of March to August inclusive**. If this is not achievable, an ecologist must inspect any trees or ground vegetation, with the potential for birds to be present, for active nests prior to removal works beginning. If an active bird nest is identified, a buffer zone of at least 5m around the nest must be observed until the chicks have fledged. This can take up to 6 weeks and will require repeated checks to see if the nest is still active.

3.2.3 Bats

Whilst the presence or roosting bats within the site boundary is considered highly unlikely, the presence of foraging and commuting bats in the local area is likely. Garth More SINC lies adjacent to the development site, separated by a tarmac footpath. The woodland

habitat is likely to be used for various nocturnal species such as bats. It is therefore important that the development does not result in light spill onto adjacent habitat.

Potential Impacts

- Loss of foraging and commuting habitat on site,
- Light spill onto adjacent SINC,

Measures to be Implemented

- All external lighting will be kept to the bare minimum required for health and safety reasons.
- Any external light source installed as part of the construction works will be motion activated and set to the lowest time to remain lit that is possible.
- Any external light source will be directional and will only illuminate a doorway or footpath as required. A directional light source can be cowed or recessed back into the casing to prevent light spill.
- All lighting must meet the recommendations in the BCT Guidance Note 08/18 Bats and artificial lighting in the UK document <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

4. Ecological Enhancements

The Environment (Wales) Act 2016 places a duty on public bodies such as local councils to demonstrate that they are maintaining and enhancing biodiversity through their actions. The below measures in conjunction with the habitat retention and species protection measures demonstrate the overall improvements to biodiversity that the development will deliver.

The proposed development site owner will have the responsibility to ensure the measures within this document are fully and continually implemented during the life time of the project. All site sub contractors must be fully inducted and made aware of the ecological constraints and required working methods.

Each plot will be sold to an individual buyer once construction is completed. Within the buyer information details on the buffer zone will be included. The buyer will be advised to manage the hedgerow sensitively for wildlife and that the hedge can only be cut once every 2 years between the months of November to February inclusive.

5.1 New Hedgerow Planting

A habitat buffer will be created along the western boundary of the site within the rear garden of each unit. The buffer will create a vegetated corridor for wildlife to commute along the periphery of the development site boundary, helping to prevent habitat fragmentation. The buffer zone will measure at least 1m in width and be planted with native hedgerow species to create a hedgerow / shrub area. Each owner of a plot within the site boundary will be advised that the hedgerow will be managed **once every two years** to ensure a dense hedgerow is created. Each hedgerow section will be trimmed **between the months of November to February inclusive** to avoid bird nesting season and allow any fruit or berries to be eaten by local wildlife.

5.2 Fencing

Any fencing within the site boundary will incorporate features to ensure it is wildlife friendly. Should any close board timber fencing be used it will have either:

- a 13cm by 13cm gap cut at ground level every 2m or;
- it will have a continuous gap of 13cm from the base of the fence and ground along the entire fence line,

Any mesh fencing must have a continuous gap of 13cm from the base of the fence and ground along the entire fence line.

5.3 Species Enhancements

Bat Enhancement Measures

Roosting opportunities for bats will be enhanced across the site by the installation of integrated bat boxes, see details below:

- 1 x Vivara Pro Build-In Woodstone Bat Box will be erected on the south facing elevation of unit 4.
- 1 x Vivara Pro Build-In Woodstone Bat Box will be erected on the west facing elevation of units 6, 7 and 8.
- All boxes will be built into the walls at the gable apex or eaves of the building. No lighting will be placed within 2m of any bat box.

Examples of bat box designs can be found in Appendix 1.

Bird Enhancement Measures

Roosting opportunities for birds will be enhanced across the site by the installation of bird boxes, see details below:

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- 1 x Vivara Pro Woodstone House Sparrow Nest Box will be erected on the north facing elevation of units 1, 2 and 3. The boxes will be built into the walls at the gable apex or eaves of the building.

Examples of bird boxes can be found in Appendix 1

Best Wishes

Ash Harris
Director
Ecological Services Ltd

Signed: *Ash Harris* **Date:** *April 2022*

Appendix 1 – Bat and Bird Box Designs



Vivara Pro Build-In WoodStone Bat Box

Vivara Pro WoodStone House Sparrow Nest Box

