

HAWKLAND ESTATES LTD

LAND AT ELBA CRESCENT, JERSEY MARINE

PRELIMINARY ECOLOGICAL APPRAISAL

NOVEMBER 2021



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DOCUMENT REF : E21105801/DOC 01 – 02 November 2021

Issue	Revision	Stage	Date	Prepared by	Approved by	Signed
I	-	Draft for review	02 November 2021	Ben Satherley (Ecologist)	Dr M Watts (Director)	

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SUMMARY

Soltys Brewster Ecology were instructed by Hawkland Estates Ltd to undertake a preliminary ecological appraisal of a parcel of land adjacent to Elba Crescent in Jersey Marine, where residential development has been proposed. The ecological baseline conditions at the site were established in October 2021 through a combination of desk study and Extended Phase I Habitat Survey.

Desk based consultation confirmed the site holds no statutory or non-statutory designations for nature conservation however, the Crymlyn Bog SSSI, SAC, NNR and RAMSAR site and the Crymlyn Burrows SSSI can both be found within a 1km radius of the site. Neither of these statutory sites were considered of ecological relevance to the proposal due to their designating features which mostly consist of habitats and species that are not present at the application site and very unlikely to be affected by the development. The desk study also revealed the location of 3no. SINC's within a 1km radius of the site but these were also considered to be of little relevance to the site for similar reasons as mentioned above.

The desk study returned several records for protected fauna and flora within 1km of the site (extended to 2km for bats). This included foraging/commuting records for at least 6no. different bat species although there are no known roosts within a 2km radius of the site. Other mammalian records identified in the desk study include several sightings of Otter and Water Vole associated with the Tennant Canal, as well as the location of a single known historic Badger sett approximately 1000m north-east of the site. Herpetofauna (reptile and amphibian) records included those for Common Lizard, Grass Snake, Common Frog, Common Toad and Palmate Newt, while the desk study also returned an extensive list of priority and protected bird and invertebrate species found within 1km of the site, the majority of which were associated with the designated sites.

An Extended Phase I Habitat survey undertaken in October 2021 identified a range of habitats present at the site, most of which are typically associated with colonised brownfield land. Large parts of the site are still covered by existing hardstanding, with parcels of dense scrub, grassland, Bracken and early colonising vegetation also present. The habitats found at the site were considered suitable of supporting commuting/foraging bats, nesting birds and reptiles. A derelict guard house found in the south of the site was also considered to have a low potential to support roosting bats. No non-native invasive plant species listed under the Wildlife & Countryside Act 1981 (as amended) were found at the site.

Further survey work would be recommended to inform a planning submission at the site and to inform any specific mitigation or licensing requirements with regards to bats and reptiles. Any future vegetation works at the site, such as tree and scrub removal, would also be subject to seasonal constraints i.e. outside of the bird nesting season to minimise the risks to any nesting birds that may be present. Development at the site also presents opportunities for both local biodiversity enhancement. Enhancement measures could include the inclusion of bat and bird boxes onto new buildings and retained trees; the creation of 130mm x 130mm gaps at the bottom of any garden and boundary fencing as to allow continued connectivity through the site for Hedgehog and other small mammals; and the use of native species in any soft landscaping scheme and the management of any retained habitat features e.g. scrub/grassland/southern boundary tree line etc.

1.0 INTRODUCTION

- 1.1 Soltys Brewster Ecology were commissioned by Hawkland Estates Ltd to undertake a preliminary ecological appraisal of an area of land near Elba Crescent in Jersey Marine. The area has been proposed for residential development and a survey to establish the baseline conditions and identify any ecological constraints or opportunities with the site is required.
- 1.2 The proposed residential development is located within a larger parcel of brownfield land within an existing industrial park found directly to the north of Elba Crescent (central grid reference: SS 69872 93079). The application site (i.e. the proposed residential area) comprises an area of approximately 4.4ha as shown in Appendix I and consists mostly of existing hardstanding with areas of grassland, scrub and other colonising vegetation also present. A single guard house found near the southern site boundary represents the only building or structure within the application footprint however, residential homes are located immediately south of the site along Elba Crescent while industrial buildings can also be found to the north, east and west of the application site boundary.
- 1.3 The current report presents the findings of an ecological desk study and Extended Phase I Habitat survey undertaken at the application site in October 2021. The current report describes the existing ecological conditions as well as identifying any potential ecological constraints/opportunities associated with the proposed residential development.

2.0 METHODOLOGY

2.1 In order to establish the baseline ecological conditions at the application site and adjacent habitats, a combination of desk-based consultation and Extended Phase I Habitat survey were undertaken in October 2021.

Desk study

2.2 The desk study involved consultation with the South East Wales Biodiversity Records Centre (SEWBRc) to identify any records of rare, protected or notable flora and fauna at the site and within a radius of 1km (extended to 2km for bats as per the Bat Conservation Trust's good practice guidelines) extending from the central point of the site (Appendix II). The search criteria also included information relating to the location and citation details (where available) for any sites designated for their nature conservation interest such as Sites of Special Scientific Interest (SSSIs) or Sites of Importance for Nature Conservation (SINCs).

Extended Phase I Habitat Survey

2.3 The fieldwork was undertaken on 14th October 2021 by a suitably experienced ecologist¹ and followed standard Phase I Habitat Survey protocol (JNCC, 1990) as amended by the Institute of Environmental Assessment (1995). All habitats within and immediately adjacent to the site boundary, were classified and mapped as accurately as possible. Habitats considered to have 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. Eurasian badger *Meles meles* setts and dung-pits). Incidental observations of birds on or flying over the site were also recorded and any incidence of invasive weed species (e.g. Japanese knotweed *Fallopia japonica*) noted.

2.4 A map of habitats was drawn up and target notes were used to identify features of ecological interest. Where possible, habitats were cross-referenced to any relevant important UK or Wales priority habitats as identified under Section 7 of the Environment Act (Wales) 2016.

2.5 During the field survey any trees or buildings at the site were assessed for their potential to support roosting bats and were categorised in relation to the bat roosting features (BCT, 2016). The categories are as follows:

- **Known or confirmed roost.**
- **High** - A tree or structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

¹ Qualifying Member of the Chartered Institute of Ecology & Environmental Management (CIEEM), with experience of habitat and protected species surveys
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- **Moderate** – A tree or structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.
- **Low** – A tree of sufficient size & age to contain PRFs (Potential Roost Features) but with none seen from the ground or features seen with only very limited roosting potential; or a structure with one or more potential roost sites that could be used by individual bats opportunistically;
- **Negligible** – Negligible habitat features on site likely to be used by roosting bat.

Survey Constraints

- 2.6 Access was restricted to certain areas of the site due to dense and overgrown vegetation – particularly within the parcel of dense scrub found in the north-west corner of the site. However, this was not considered to have a significant effect upon the findings of this report as these areas were mostly a continuation of the surrounding habitats/vegetation and visual inspections, broad habitat categorisation and subsequent mapping of the site could still be achieved by viewing from nearby locations.

3.0 RESULTS

Desk Study

SEWBRc Records

- 3.1 The Consultation with SEWBRc confirmed that neither the application site or wider land holding (see plans in Appendix I) supported statutory or non-statutory designations for nature conservation. The desk study did however reveal a number of statutory designated sites within a 1km radius of the site (see Appendix II) including the Crymlyn Bog SSSI, Special Area of Conservation (SAC), Wetland of International Importance (RAMSAR site) and National Nature Reserve (NNR) which is found approximately 400m north of the site. Crymlyn Bog is the largest lowland fen in Wales and its extensive reed and sedge beds are home to a wide variety of wetland plant and bird species. The area is also notable for its rich invertebrate fauna, including many nationally rare or highly localized species such as the Fen Raft Spider *Dolomedes plantarius* and the Hornet Robberfly *Asilus crabroniformis*. Crymlyn Burrows SSSI can also be found approximately 300m to south-east of the site. This area is one of the last remaining sections of the Swansea Bay Coastline which has remained substantially unmodified by industrial development. Its dunes and saltmarshes are home to several notable plant species and supports a number of small wading bird species that overwinter in Swansea Bay. Neither of these statutory sites were considered of ecological relevance to the proposal given their physical separation and qualifying features which mostly consist of priority habitats and vegetation which are not present at the application site and are very unlikely to be affected by the proposed works. Similarly, much of the notable fauna associated with these statutory sites are generally only found in habitats that are not present at the application site (e.g. wetlands, sand dunes, salt marshes) and so are also unlikely to be affected by the proposed works.
- 3.2 The desk study also revealed the location of a number of SINC's found within a 1km radius of the site (see Appendix II). This included the Fabian Way Wildflower SINC which is found approximately 50m from the southern site boundary and follows a strip of species-rich neutral grassland that has established along Fabian Way's central reservation and roadside verges. Approximately 300m north-east of the site is the Amazon Woodlands SINC. This parcel of unmanaged wet woodland regularly floods and acts an important steppingstone for mobile species between the Crymlyn Bog and Crymlyn Burrows. The final SINC identified in the desk study was the Tennant Canal SINC which is located approximately 400m north of the site. This site has been designated for its lineal habitats which include wet woodland and structurally diverse and species-rich scrub vegetation. None of the SINC's were considered of particular ecological relevance to the proposal given their physical separation and designating features which consist of priority habitats and vegetation which would not be affected by the proposed residential development.

- 3.3 No known bat roosts were found within a 2km radius of the site however the desk study did reveal a number of foraging/commuting bat records for Common Pipistrelle *Pipistrellus pipistrellus*, Noctule *Nyctalus noctula*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Brown Long-eared Bat *Plecotus auritus*, Daubenton's Bat *Myotis daubentonii* and Lesser Horseshoe Bat *Rhinolophus hipposideros*. The desk study identified the location of a single historic (>10 years old) Badger sett approximately 1000m north-east of the site within Crymlyn Bog. Other protected/priority mammal species found within 1km of the site include several recent records of Otter *Lutra lutra*, as well as historical records of Water Vole, all of which were associated with the Tennant Canal north of the site. Neither of these semi-aquatic species were considered relevant to the proposal given the lack of suitable habitat (i.e. watercourses) at or immediately adjacent to the site and so are not mentioned any further in this report. Other S7 priority listed mammals recorded within 1km of the site include Hedgehog *Erinaceus europaeus* and Brown Hare *Lepus europaeus*.
- 3.4 Records of reptiles found within 1km of the site include those for Common Lizard *Zootoca vivipara* and Grass Snake *Natrix helvetica*, with Common Lizard recently recorded less than 500m from the site boundary. These records were mostly associated with habitats found at Crymlyn Burrows and Tennant Canal. Other herpetofauna (reptile and amphibian) records found within the 1km search radius include Common Frog *Rana temporaria*, Common Toad *Bufo bufo* and Palmate Newt *Lissotriton helveticus*.
- 3.5 The desk study returned a large number of bird species listed under Schedule 1 of the Wildlife & Countryside Act (1981) (as amended) within 1km of the site including Red Kite *Milvus milvus*, Mediterranean Gull *Ichthyaeetus melanocephalus*, Redwing *Turdus iliacus*, Merlin *Falco columbarius*, Barn Owl *Tyto alba*, Hobby *Falco subbuteo*, Black Redstart *Phoenicurus ochruros*, Kentish Plover *Charadrius alexandrinus*, Eurasian Whimbrel *Numenius phaeopus*, Kingfisher *Alcedo atthis*, Peregrine *Falco peregrinus*, Greenshank *Tringa nebularia*, Cetti's Warbler *Cettia cetti*, Common Scoter *Melanitta nigra*, Bearded Reedling *Panurus biarmicus*, Black Tern *Chlidonias niger*, Brambling *Fringilla montifringilla*, Western Marsh Harrier *Circus aeruginosus*, Fieldfare *Turdus pilaris*, Common Firecrest *Regulus ignicapilla*, Eurasian Bittern *Botaurus stellaris*, Hen Harrier *Circus cyaneus* and Green Sandpiper *Tringa ochropus*. The data search also included an extensive list of Priority bird species under Section 7 of the Environmental Act (Wales) 2016 within 1km of the site including Linnet *Linaria cannabina*, Western Yellow Wagtail *Motacilla flava*, House Sparrow *Passer domesticus*, Yellowhammer *Emberiza citrinella*, Grasshopper Warbler *Locustella naevia*, Lesser Redpoll *Acanthis cabaret*, European Pied Flycatcher *Ficedula hypoleuca*, Black-headed Gull *Chroicocephalus ridibundus*, Herring Gull *Larus argentatus*, White-fronted Goose *Anser albifrons*, Common Ringed Plover *Charadrius hiaticula*, Song Thrush *Turdus philomelos*, Cuckoo *Cuculus canorus*, Curlew *Numenius arquata*, Tree Pipit *Anthus trivialis*, Lapwing *Vanellus vanellus*, Marsh Tit *Poecile palustris*, Kestrel *Falco tinnunculus*, Bar-tailed Godwit *Limosa lapponica*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Lesser

Spotted Woodpecker *Dryobates minor*, Wood Warbler *Phylloscopus sibilatrix*, Spotted Flycatcher *Muscicapa striata*, Eurasian Skylark *Alauda arvensis*, Common Reed Bunting *Emberiza schoeniclus*, Dunnock *Prunella modularis*, Starling *Sturnus vulgaris* and Bullfinch *Pyrrhula pyrrhula*. Many of the species listed above are associated with specific habitats which do not occur at the application site (e.g. wetlands, watercourses or woodland) and so were not considered relevant to the proposed works. However, there are several species such as Dunnock, Song Thrush and Linnet that are known to use scrub vegetation and broadleaved trees such as those found at the site for nesting purposes and so their presence at the site would need to be considered.

- 3.6 An extensive number of priority invertebrate species listed under Section 7 of the Environmental Act (Wales) 2016 were found within 1km of the site including Fen Raft Spider, Shaded Broad-bar *Scotopteryx chenopodiata*, Small Phoenix *Ecliptopera silaceata*, Rosy Rustic *Hydraecia micacea*, Dot Moth *Melanchra persicariae*, Buff Ermine *Spilosoma lutea*, Dark-barred Twin-spot Carpet *Xanthorhoe ferrugata*, Latticed Heath *Chiasmia clathrate*, Dusky Thorn *Ennomos fuscantaria*, White Ermine *Spilosoma lubricipeda*, Centre-barred Sallow *Atethmia centrigo*, Green-brindled Crescent *Allophyas oxyacanthae*, Hedge Rustic *Tholera cespitis*, Cinnabar *Tyria jacobaeae*, Brown-banded Carder-bee *Bombus humilis*, Small Blue *Cupido minimus*, Small Pearl-bordered Fritillary *Boloria selene*, Sallow *Cirrhia icteritia*, White-spotted Sable *Anania funebris*, Hornet Robberfly, Hairy Click Beetle *Synaptus filiformis*, Grayling *Hipparchia semele*, Dingy Skipper *Erynnis tages*, Lesser Silver Water Beetle *Hydrochara caraboides*, Small Heath *Coenonympha pamphilus*, Crescent *Helotropha leucostigma*, Red Sword-grass *Xylota vetusta*, Minor Shoulder-knot *Brachylomia viminalis*, Autumnal Rustic *Eugnorisma glareaosa*, Grass Rivulet *Perizoma albulata* and Lackey *Malacosoma Neustria*.
- 3.7 A number of invasive species listed under Schedule 9 of the Wildlife and Countryside Act (1981) (as amended) such as Canada Goose *Branta canadensis*, American Mink *Neovison vison*, Rhododendron Ponticum *Rhododendron ponticum*, Japanese Rose *Rosa rugosa*, Himalayan Cotoneaster *Cotoneaster simonsii*, Entire-leaved Cotoneaster *Cotoneaster integrifolius*, Japanese Knotweed and Montbretia *Crocasmia pottsii* x *aurea* = *C. xcrocasmiiiflora*.

Extended Phase I Habitat Survey

- 3.8 The distribution and extent of habitats recorded in October 2021 at the site are illustrated on the Extended Phase I Habitat Plan in Appendix III. The Extended Phase I Habitat Survey revealed a range of habitat types at the application site, most of which are typically associated with recently colonised brownfield land. Large parts of the site are still covered by existing hardstanding, with parcels of dense scrub, grassland, Bracken and early colonising vegetation also present. Outside of the site boundaries, the site is surrounded on all sides by buildings and further hardstanding (roads, car parks and forecourts).

Other Habitat (Grassland)

- 3.9 In the western extent of the site there is some grassland which has some similarities to both calcareous and neutral grassland (see Plate 1). The grassland, which has colonised over a shallow and stony soil layer, is typical of nutrient poor and disturbed ground and a review of historic satellite imagery² indicated that it has not been managed for over 10 years. While no livestock are present at the site, the sward height was still short in places, and this was likely due to grazing from Rabbits *Oryctolagus cuniculus* which were present at the site (see Target Notes 3, 5, 6 & 8). Species included Crested Dog's-tail *Cynosurus cristatus*, Meadow Oat-grass *Helictochloa pratensis*, False Oat-grass *Arrhenatherum elatius*, Cock's Foot *Dactylis glomerata*, Common Bent *Agrostis capillaris*, Creeping Bent *Agrostis stolonifera*, Perennial Rye-grass *Lolium perenne*, Common Nettle *Urtica dioica*, Ribwort Plantain *Plantago lanceolata*, Greater Plantain *Plantago major*, Hemp-agrimony *Eupatorium cannabinum*, Black Medick *Medicago lupulina*, Dove's-foot Crane's-bill *Geranium molle*, Common Bird's-foot-trefoil *Lotus corniculatus*, Red Clover *Trifolium pratense*, Hogweed *Heracleum sphondylium*, Perennial Wall-rocket *Diploaxis tenuifolia*, Common Dandelion *Taraxacum officinale*, Burnet Saxifrage *Pimpinella saxifraga*, Common Knapweed *Centaurea nigra*, Wild Carrot *Daucus carota*, Common Vetch *Vicia sativa*, Hedgerow Crane's-bill *Geranium pyrenaicum*, Viper's-bugloss *Echium vulgare*, Wild Parsnip *Pastinaca sativa*, Spear Thistle *Cirsium vulgare*, Herb Robert *Geranium robertianum*, Male Fern *Dryopteris filix-mas*, Pale Toadflax *Linaria Repens*, Oxeye Daisy *Leucanthemum vulgare*, Field Horsetail *Equisetum arvense*, Yarrow *Achillea millefolium* and several unidentified Sedges *Carex* sp. This species list includes at least 5no. indicator species of species-rich semi-improved grassland and at least 7no. indicator species of species-rich calcareous grassland as per the guidance for SINC selection within South Wales (Gwent Wildlife Trust, 2004). The selection criteria for both Neutral and Calcareous grasslands indicate that 'relatively species rich' examples – i.e. containing at least 8 indicator species – should be considered for selection. Although it shared similarities with both neutral and calcareous grassland, this habitat could not be confidently categorised to a Phase I habitat and as such is labelled as 'other habitat' in the Extended Phase I Habitat Plan in Appendix III. Scrub encroachment within and at the margins of the grassland was noted.

Poor Semi-improved Grassland

- 3.10 Towards the eastern extent of the site and along the northern site boundary there are some areas of poor semi-improved grassland. This grassland was noticeably less diverse in both structure and species composition and contained species such as Perennial Rye-grass, Cock's Foot, Ribwort Plantain, Spear Thistle, Creeping Buttercup *Ranunculus repens*, Ragwort *Jacobaea vulgaris*, Hogweed, Ground Ivy *Glechoma hederacea*, Yarrow, Field Horsetail, Wood Avens *Geum urbanum*, Perforate St John's-wort *Hypericum perforatum*, Rosebay Willowherb *Chamerion angustifolium*, White Clover *Trifolium repens*, Mouse-ear-hawkweed *Pilosella officinarum*,

² Google Earth: https://www.google.co.uk/intl/en_uk/earth/

Great Mullein *Verbascum thapsus* and Forget-me-not *Myosotis* sp. Grazing from Rabbits has maintained the sward height of this grassland low, and a large number of anthills were also found here.

Plate 1 – Strip of grassland along western site boundary



Plate 2 – Poor Semi-improved grassland parcel in eastern extent of site



Dense/Continuous & scattered Scrub

- 3.11 An extensive parcel of continuous scrub has built up in the north-western extent of the site (see Plate 3). This was largely made up of tall strands of Bramble *Rubus fruticosus*, Buddleia *Buddleja davidii*, Gorse *Ulex europaeus*, Broom *Cytisus scoparius* and Dog Rose *Rosa canina*, interspersed with young/semi-mature Willow *Salix sp.*, Birch *Betula sp.*, Alder Buckthorn *Frangula alnus* and Blackthorn *Prunus spinosa*. This area was largely inaccessible.

Plate 3 – Parcel of dense scrub in north-western corner of site



- 3.12 Elsewhere across the application site, dense thickets of Bramble can be found along much of the southern site boundary as well as along the margins of the poor semi-improved grassland parcels. Scattered strands of Buddleia and Willow can also be found growing through areas of existing hardstanding that have begun to break down (see photo on front cover).

Broadleaved & Coniferous Trees

- 3.13 A line of mixed trees can be found along the verge of Elba Crescent, marking the southern site boundary. This tree line was made up predominately of conifers such as Yew *Taxus baccata* and Scots Pine *Pinus sylvestris* but also contained some White Willow *Salix alba*, Silver Birch *Betula pendula*, and Oak *Quercus sp.* A cluster of broadleaved trees was also located immediately east of the guard house in the south-east corner of the site. These trees, which included White Polar *Populus alba*, Oak, Willow and Sycamore *Acer pseudoplatanus*, had recently been cut back/managed with the arisings piled into several large brash piles nearby.

Ephemeral/Short Perennial

- 3.14 Some early colonising vegetation has established on some areas of bare ground in the southern extent of the site and upon areas of the existing hardstanding that has begun to breakdown (see Plate 4). Species included Ribwort Plantain, Common Bird's-foot-trefoil, Common Dandelion, Ivy *Hedera helix*, Broadleaved Dock *Rumex obtusifolius*, Hogweed, Yarrow, Viper's-bugloss, Biting Stonecrop *Sedum acre* and Burnet-saxifrage.

Plate 4 – Small parcel of early colonising vegetation surrounded by grassland and scrub



Continuous Bracken

- 3.15 There is a single small parcel of continuous Bracken found within an opening of dense scrub in the central region of the site.

Standing Water

- 3.16 In the eastern extent of the site there is a man-made ditch that runs parallel along the edge of an old road (see Plate 5). The ditch, which is approximately 40cm wide with vertical concrete walls, is full of stagnant water of unknown depth that has likely built up from recent heavy rainfall.

Buildings

- 3.17 The application site contains a single building with a derelict guard house found near an access point into the site through the southern site boundary (see Plate 5). The building is of brick construction with wooden fascias/soffits and a flat felt roof. There are several access points into the building including damaged soffit boards and an open window.

Plate 5 – Concrete channel in east of site



Plate 5 – Derelict guard house on southern site boundary



Other

- 3.18 The remaining land at the site is covered in hardstanding (foundations of a previous development and a carpark surface) and areas of bare ground (gravel and bare earth).

Invasive Species

- 3.19 The survey found no instances of any invasive plant species listed on Schedule 9 of the Wildlife and Countryside Act (1981) (as amended) at the site.

Fauna

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

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

Amphibians

- 3.21 No records of Great Crested Newt *Triturus cristatus* (GCN) were identified within 1km of the site and no permanent waterbodies or suitable breeding habitat can be found within the site boundaries – the single wet ditch in the south-east corner of the site is unlikely to be wet year-round and has vertical concrete walls which would be likely impassable for amphibians. A review of OS mapping revealed that the next nearest pond was located approximately 250m north-west of the site however this was separated from the site several considerable physical barriers that would likely restrict amphibian movement such as industrial development and a series of roads. As such the chances of amphibians using the site during their terrestrial phase was considered to be negligible and so no further consideration is given to the likely developmental impact on GCN or any other common amphibians in this report.

Badger

- 3.22 The desk study identified a single known historic Badger sett found approximately 1000m from the site boundaries. During the survey no evidence of Badger presence (e.g. setts, latrines or footprints) was found at the application site and the site in general was considered of poor suitability for this species. Much of the site was covered in either hardstanding or a shallow and stony substrate which was considered unsuitable for sett building. Furthermore, the site is surrounded on all sides by industrial and residential development and this likely acts as a dispersal barrier for any Badgers that may be present within more suitable habitats in the surrounding area such as the woodland parcels found to the north and east of the site. While a number of small mammal pathways were found at the site (see Target Notes 3 & 5), these were considered to be too small to have been made by Badger and were more characteristic of other small mammals such as Rabbit or

Hedgehog. For these reasons the likelihood of foraging/commuting badgers using the site on even an occasional basis was considered to be low.

Bats

- 3.23 The areas of grassland and scrub at the site are likely to provide sufficient foraging resources for a small number of bats in the local area – the desk study identified at least 6no. different species present within 1km of the site. The tree line found along the southern site boundary may also act as a valuable commuting corridor for bats locally, particularly more common species often associated with urban areas such as Pipistrelle species.
- 3.24 The site contains a number of broadleaved trees, the majority of which are young/semi-mature and unsuitable for supporting bats. Some mature broadleaved trees can be found along the southern site boundary although these were also considered unsuitable for supporting roosting bats as they had narrow trunks/branches with no obvious potential roosting features – Negligible Potential. The site also contained a single building with a derelict guard house found near an access point on the southern site boundary (see Plate 5). This building had several features that bats (or nesting birds) could use to gain entry into the structure such as damaged soffit boards and an open window and as such was considered to have a Low Potential of supporting roosting bats. While the internal structure of the building could be partially viewed through the open window, a detailed internal inspection searching for evidence of roosting bats could not be undertaken during the survey as the building was boarded up (no access). No external evidence of bats was identified during the current survey.

Birds

- 3.25 During the survey a number of bird species were heard/seen flying over or within the habitats present at the site including Red Kite, Common Gull *Larus canus*, Herring Gull, Wood Pigeon *Columba palumbus*, Magpie *Pica pica*, Blackbird *Turdus merula*, Raven *Corvus corax*, Wren *Troglodytes troglodytes*, Robin *Erithacus rubecula*, Collared Dove *Streptopelia decaocto* and Song Thrush *Turdus philomelos*. Of the species noted above Red Kite is listed under Schedule 1 of the Wildlife & Countryside Act (1981) (as amended) while both Herring Gull and Song Thrush are listed under Section 7 of the Environment Act (Wales) 2016. The parcels of dense scrub and scattered broadleaved trees were considered suitable of supporting a range of scrub/tree nesting bird species although no nesting habitat for Red Kite, Raven or Herring Gull was noted at the application site.

Hazel Dormouse

- 3.26 No records of Hazel Dormouse were found within a 1km radius of the site, and the site was considered unsuitable for supporting this species. There are no suitable habitat features capable of supporting a source population of Dormouse at the site (e.g. structurally diverse woodland or hedgerows) and the site lacks any

connectivity to more suitable habitats in the wider environment. As such this species was not considered relevant to the proposed works and is not mentioned any further in this report.

Invertebrates

- 3.27 The brownfield habitats at the site (i.e. mixture of bare ground, short perennial, grassland and scrub) are likely to support a diverse range of invertebrates. In addition, the areas of grassland, especially in the western extent of the site, contain suitable food plant species (e.g. Common Bird's-foot Trefoil, Cock's Foot and Bent grasses) for priority invertebrate species such as the Dingy Skipper, Small Heath and Wall *Lasiommata megera*, the latter of which is associated with coastal brownfield habitats.

Reptiles

- 3.28 The habitats at the application site were considered suitable of supporting common reptile species such as Common Lizard and Slow Worm *Anguis fragilis* – the desk study revealed that Common Lizard has recently been recorded within 500m of the site. The mixture of dense/scattered scrub, grassland, bare ground and short perennial vegetation provide plentiful sheltering and basking opportunities and are also likely to contain an abundance of invertebrate prey.

4.0 POLICIES AND PLANS

4.1 The following local and national planning policy relating to nature conservation and biodiversity are considered of relevance to the site.

Planning Policy Wales (2021)

4.2 This document set out the land use planning policies of the Welsh Government with Chapter 6 dealing with Distinctive and Natural Places which covers Biodiversity and Ecological Networks. The advice contained within PPW is supplemented for some subjects by Technical Advice Notes (TAN's), with TAN 5 addressing Nature Conservation & Planning.

4.3 TAN 5 identifies a number of key principles, which the town and country planning system in Wales should consider. Those relevant are detailed below:

- *Work to achieve nature conservation objectives through a partnership between local planning authorities, Natural Resources Wales (NRW), 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 I 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

Neath Port Talbot CBC Local Development Plan 2011 - 2026 (Adopted January 2016)

- 4.7 The Neath Port Talbot Local Development Plan (LDP) 2011 – 2026 was adopted on the 27th January 2016. It is now the most up to date Development Plan for Neath Port Talbot, superseding the Unitary Development Plan, and is used in the determination of planning applications. The LDP sets out a range of policies and proposals relating to future development and deals with the use and conservation of land and buildings within Neath Port Talbot up to 2026. A number of policies within the LDP are considered of relevance to the site and these are detailed below.

Section 5 – Topic Based Policies

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 (SINC)s, 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 combination of desk study and Extended Phase I Habitat survey identified a range of habitats at the application site, many of which are typically associated with colonised brownfield land, including hardstanding, dense/continuous scrub, grassland, Bracken and early colonising vegetation. The scrub, grassland, scattered broadleaved trees and short perennial vegetation was considered suitable for supporting foraging/commuting bats, nesting birds and reptiles – for which further targeted survey work is recommended. The derelict guard house found near the southern site boundary was also considered to have a low potential of supporting roosting bats.

Grassland habitat

- 5.2 The grassland in the western part of the site supported species suggestive of both neutral and calcareous conditions which were relatively diverse and could meet the selection criteria for consideration as a SINCC. Based on the current survey, undertaken at the end of the season, the grassland would not meet the criteria of a minimum 8no. indicator species although a survey in summer is likely to identify more species. On this basis, any proposed development layout should consider some retention of the grassland in the southwest of the site. This area could be retained and managed as an informal open space (meadow) for use by local residents – this would also serve to retain habitats suitable for invertebrates and common reptiles as part of the layout.

Badger

- 5.3 No evidence of Badger was found during the survey and the site in general was considered of poor suitability for this species. Nevertheless, in the very unlikely event that a badger sett was found on site in the future (e.g. within inaccessible parcel of dense scrub), any on-going works will stop immediately, and the project or local authority ecologist contacted for advice. It is also recommended that during the construction phase of any future development any excavations are covered overnight, or a means of escape provided (e.g. rough sawn timber board of 300mm width placed at an angle less than 45 degrees) to minimise the risk to Badger and other mammals such as Rabbit and Hedgehog that may become trapped.

Bats

- 5.4 The derelict guard house found near the southern site boundary was considered to have a Low Potential to support roosting bats. Further survey work may be required dependant on the development impacts to this structure. If the building is to be demolished as part of any future development design it is recommended that, in the first instance, a more detailed external and internal building inspection is carried out to assess the building for its potential to support roosting bats and search for any evidence of roosting bats - during the current survey no access was possible to inspect the internal structure of building. Under the BCT (2016) guidelines for

buildings assessed to have Low potential it is recommended that a single survey visit (either a dusk emergence or dawn re-entry) is undertaken in appropriate weather conditions between May – September.

- 5.5 Some features at the site such as the southern boundary tree line and parcels of dense scrub/grassland were considered likely of supporting a range of locally foraging/commuting bat species. Further activity surveys (manual transects and automated surveys) would be required to establish how bats are using the site to inform any particular mitigation/avoidance measures. Based on the availability of suitable habitats at the site the minimum level of survey recommended in the best practice guidelines (BCT, 2016) would be considered appropriate in the first instance to achieve a representative sample of bat activity across the site. This would comprise 3no. activity survey visits in spring, summer and autumn in appropriate weather conditions. Given the scale of the site activity surveys would likely to consist of a single transect. Separate automated/static surveys (minimum one static per transect) would also be required, with each session recording for 5 consecutive nights in situ per season. The location of the static detectors (e.g. Anabat Express units) would be focused on the areas likely to be subject to development impacts (e.g. tree line/scrub removal).
- 5.6 The design of any site lighting should also seek to reduce artificial light spill onto any retained green boundary habitats and linear features (e.g. southern boundary tree line). These habitat features should be maintained as dark corridors for bats and other nocturnal wildlife. See lighting guidance note produced by BCT & ILP (2018) for advice on how to mitigate for impacts of artificial lighting on bats.

Birds

- 5.7 The parcels of scrub and scattered broadleaved trees at the site were considered suitable of supporting a number of tree/scrub nesting bird species. Under the Wildlife and Countryside Act (1981) (as amended) all wild birds and their nests are protected against damage or destruction whilst in use or being built. Given the likelihood of nesting birds being present within the abovementioned habitats, any future vegetation works (i.e. scrub/tree removal) would be subject to seasonal constraints and should be undertaken outside of the nesting bird season (undertaken between September – February). If this is not possible an ecologist should be present to inspect habitats for the presence of nesting birds prior to removal and to supervise vegetation clearance.

Reptiles

- 5.8 The mixture of grassland, scrub, bare ground and short perennial vegetation was considered likely to support common reptiles such as Slow Worm and Common Lizard. All UK reptiles are protected against intentional killing and injuring under Schedule 5 of the Wildlife & Countryside Act (1981) (as amended) and are an important ecological consideration in terms of site development. To support the planning application a targeted reptile survey would be required to establish the likely presence/ absence of reptiles within the site, the species

present and inform mitigation proposals. Surveys would involve the placement of artificial refugia (e.g. roofing/bitumen felts) within suitable reptile habitats (grassy/scrub margins) at the site. A total of 7 – 10 survey visits undertaken at appropriate times of the year (between April – September) under suitable weather conditions are required to determine the presence/absence of reptiles, as per Froglife (1999) guidelines.

Other Considerations and Enhancements

- 5.9 Other enhancement measures as part of any proposed development at the site would include the inclusion of bat and bird boxes onto new buildings and retained trees and the creation of 130mm x 130mm gaps at the bottom of garden and boundary fencing so as to allow continued connectivity through the site for Hedgehog and other small mammals³. Finally, the use of native species in any soft landscaping scheme and management of any retained grassland/boundary features would enhance the habitat for biodiversity locally.

³ Based on the 'Hedgehog Street' principle advised by the People's Trust for Endangered Species (PTES) and other conservation groups: <https://www.hedgehogstreet.org/>

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APPENDIX I SITE LOCATION PLAN



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LEGEND
SITE BOUNDARY

Rev	Description	Date	Initials	checked



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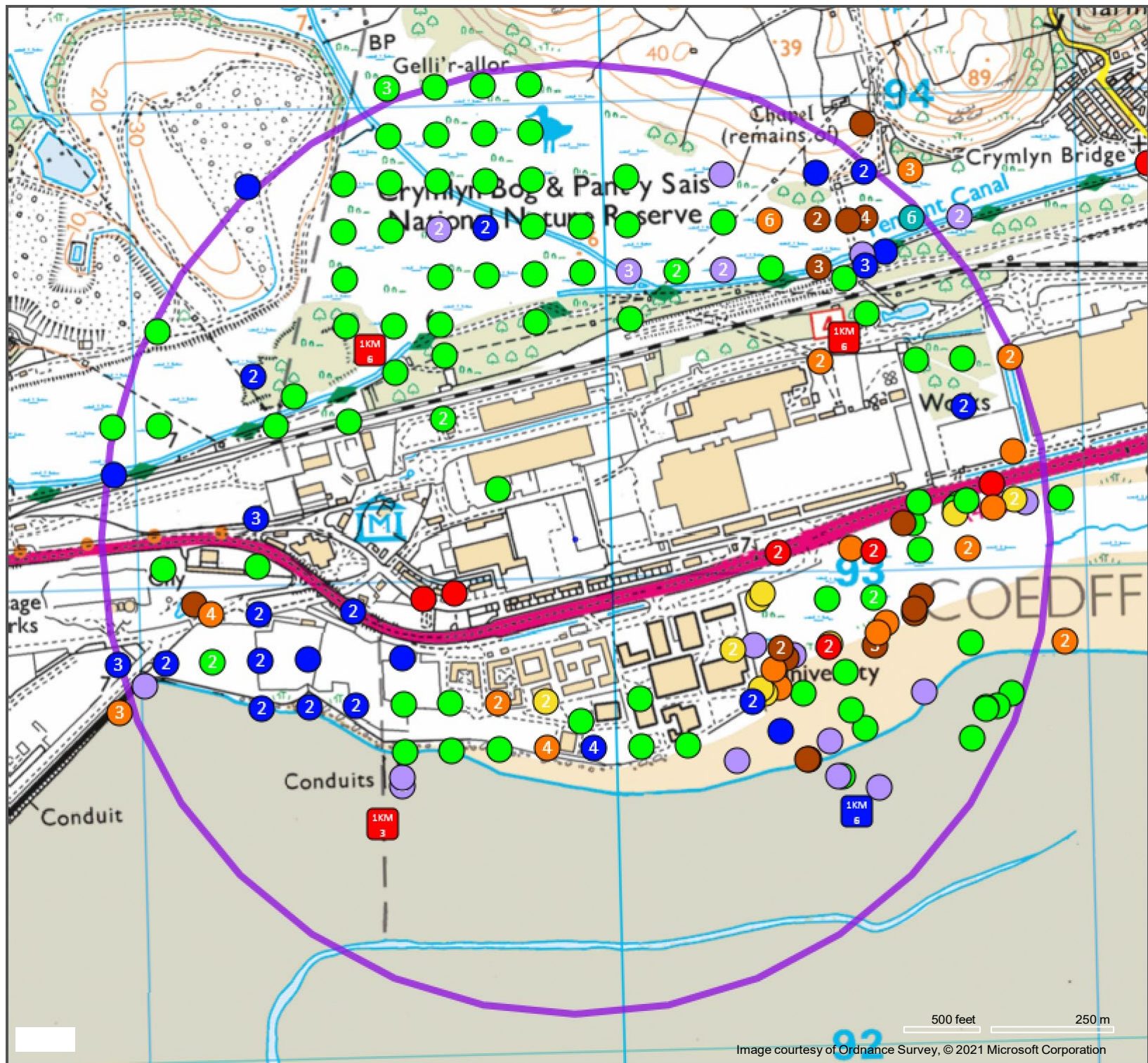
Title **Site Location Plan**

Status Preliminary	Drawn By YT	PM/Checked by JS
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Drawing Number 102		Rev -

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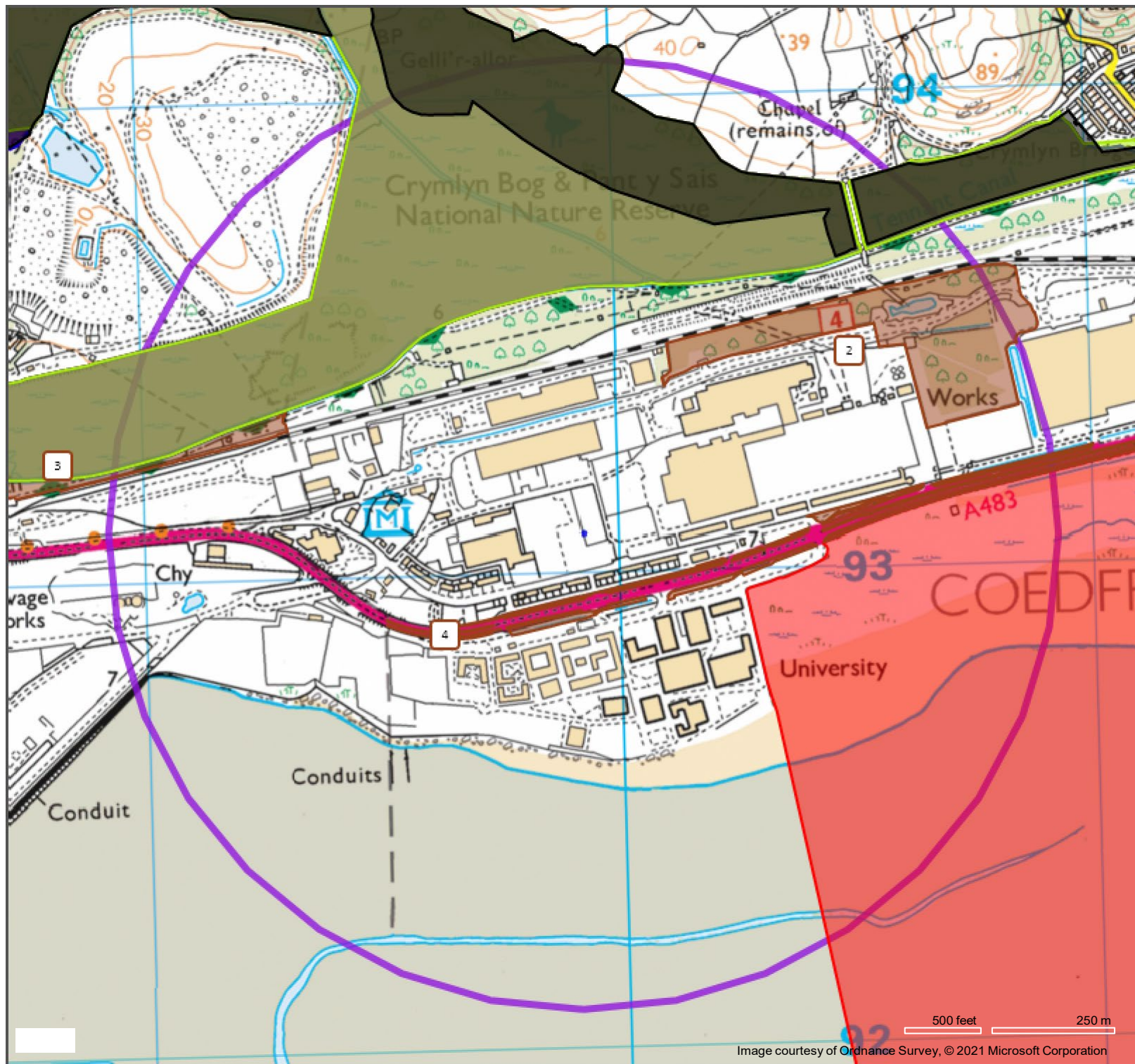
APPENDIX II DESK STUDY INFORMATION RECEIVED FROM SEWBRcC

DRAFT



Key

-  Search Location
-  Search Buffer (1000m)
-  Bees, Wasps, Ants and Sawflies
-  Birds
-  Butterflies and Moths
-  Fish
-  Mammals
-  Other Invertebrates
-  Plants
-  Reptiles and Amphibians



Key

- Search Location
- Search Buffer (1000m)

■ National Nature Reserves

- 1: CRYMLYN BOG AND PANT Y SAIS

■ Ramsar Sites

- 1: Crymlyn Bog

■ Special Areas of Conservation

- 1: Crymlyn Bog / Cors Crymlyn

■ Adopted SINC

- 2: AMAZON WOODLANDS
- 3: Tennant Canal
- 4: FABIAN WAY WILDFLOWER VERGE

■ Sites of Special Scientific Interest

- 1: CORS CRYMLYN / CRYMLYN BOG
- 2: CRYMLYN BURROWS

APPENDIX III EXTENDED PHASE I HABITAT SURVEY PLAN AND TARGET NOTES

Target Note	Description/Comment
Birds seen/ heard: Red Kite, Common Gull, Herring Gull, Wood Pigeon, Magpie, Blackbird, Raven, Wren, Robin, Collared Dove and Song Thrush.	
1	Several Rabbit burrows found within the parcel of dense scrub in the northern extent of the site. 
2	Building material have been left in various places across the site. 
3	Small mammal pathway leading through parcel of dense scrub. Likely too small to have been made by Badger and more likely belonged to Fox <i>Vulpes vulpes</i> or Rabbit. The remains of a Shrew were also found near this pathway.

		
4	Anthills found throughout the grassy areas in the south of the site. 	
5	Several small mammal pathways were found throughout parcels of dense scrub in the eastern regions of the site. Rabbit droppings were found near many of these pathways.	

		
6	Gastrointestinal track believed to be from a Rabbit. This is likely to be feeding remains from a Fox or bird of prey. 	
7	Anthills can be found in the grassland parcel in the eastern extent of the site.	
8	Several further Rabbit carcasses were found at the site. These were also believed to be the feeding remains left by either a bird of prey or Fox.	



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