



Ecological Appraisal Report:

Wenallt Wild Camping,
Wenallt Farm,
Tonna, Neath. SA11 3QH

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Summary

I & G Ecological Consulting were commissioned to undertake a preliminary ecological appraisal of three plots of land, equating to approximately 1.69 hectares, currently being used as an area for wild camping, at the western edge of Wenallt Farm, Tonna, Neath. SA11 3QH (see Fig. 1).

Wenallt Farm is located at the end of Wenallt road, in the hinterland beyond the village of Tonna, located to the north-east of Neath, in Neath Port Talbot. The area of interest, is situated on the western edge of Wenallt Farm. It consists of three plots of improved grassland, which are split by dense broadleaved woodland and scrub. Access to the three plots, is via an existing gravel track from Wenallt Road. The majority of the survey area is on a steep slope, or of a flat elevated area. A fast-flowing stream, which is colliery run-off, runs between plots 2 and 3, as well as a public footpath. Plot 3 is currently being grazed by ponies.

No signs of European protected species or Invasive Non-Native Species (INNS) were observed.



**Figure 1. Location of Farmhouse (yellow), Grid Ref: SS 78377 99079.
Location of Plots (red), Grid Ref: SS 78138 98728 (courtesy of Apple Maps)**

1. INTRODUCTION

I & G Ecological Consulting were commissioned to undertake an ecological appraisal of three plots of land at the western edge of Wenallt Farm, in Tonna, Neath. The survey areas equate to approx. 1.69 hectares. The report is to inform an application for Planning Permission for a small 'wild camping' area, of two shepherd huts, 12 tent pitches, compost eco-toilets and eco-shower cabins, to be used up to 6 months of the year (see Figs. 2 and 3).

1.1.1 This report presents the findings of both a desk study and a site appraisal undertaken in February 2022. The report outlines the ecological constraints/opportunities associated with the site.

1.1.2 The survey was conducted during sub-optimal conditions.

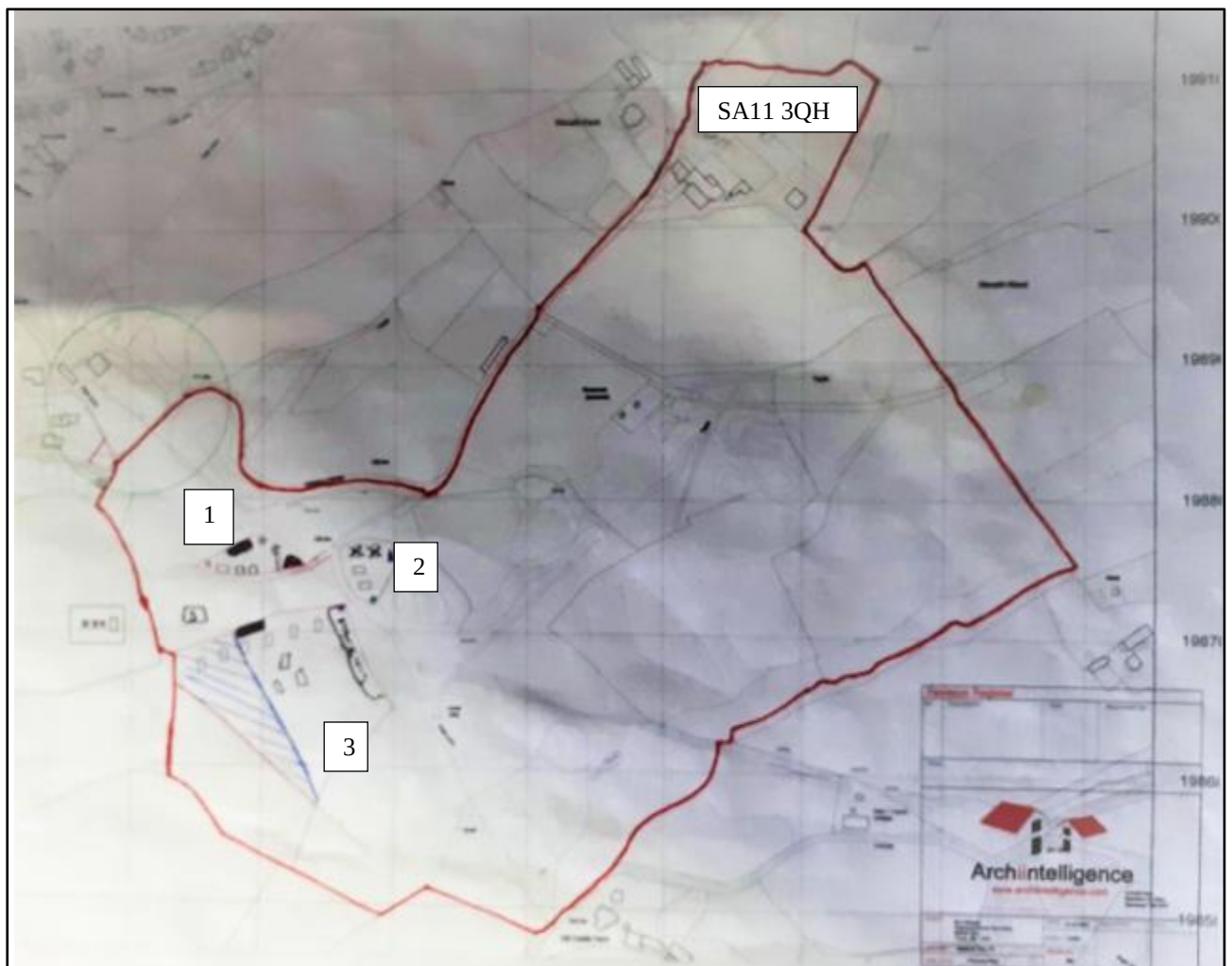


Figure 2. Land Boundary



Figure 3. Plot Locations outlined in red, containing feature locations.

2. METHODOLOGY

2.1 Desk Study

A desk-based survey was undertaken to establish the ecological conditions on site. The data search was requested from Aderyn, LERC Wales' Biodiversity Information & Reporting Database, for the planning application site and surrounding area of up to 2km.

2.2 Ecological Walkover Survey

Ecological walkover survey visits were conducted on the 25th February 2022 by a suitably qualified ecologist. A field botanical survey was carried out using survey methods that were based on standard Phase 1 Habitat survey techniques. The CIEEM Guidelines for Preliminary Ecological Appraisal were also followed and adhered to.

Protected Species

2.2.1 **Badgers**

The surrounding habitat was assessed for its suitability for badgers which includes the presence of setts, well-worn paths and runs, snagged hair, latrines, footprints and foraging. Any such incidental signs of badgers were recorded if they were encountered.

2.2.2 **Otters**

The surrounding habitat was assessed for its suitability to support otters. The area was searched for otter field signs such as spraint marking, slides, hovers or footprints.

2.2.3 **Dormouse**

The habitats on site, particularly the defunct hedgerow boundary line was assessed for their suitability to support dormice.

2.2.4 **Birds**

The habitats on site were assessed for their suitability for breeding birds, including trees, scrub and grassland.

2.2.5 **Bats**

Habitats on site were assessed for their suitability to support bats, particularly any trees on site that could have bat roosting potential or opportunities.

2.2.6 **Reptiles**

The habitats on site were assessed for their suitability to support reptiles.

2.2.7 **Amphibians**

The habitats on site were assessed for their suitability to support amphibians.

2.2.8 **Water Voles**

The surrounding habitats on site were assessed for their suitability to support water voles.

2.2.9 **Marsh Fritillary**

The surrounding habitats on site were assessed for their suitability to support marsh fritillary butterfly and their food plant Devil's bit scabious *Succisa pratensis*.

2.3 Non-Native Invasive Species

Any pernicious weeds under Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (as amended) were also noted and mapped during the site survey. These species include Japanese Knotweed (*Fallopia japonica*) and Himalayan Balsam (*Impatiens glandulifera*).

3. RESULTS

3.1 Desk study

3.1.1 A data search was requested from Aderyn, LERC Wales' Biodiversity Information & Reporting Database for the planning application site and surrounding area of up to 2km. The species information was returned to I&G Ecology on 24th February 2022. A number of protected and notable species records were returned within 2km of the site centre. The records will not be listed here, but the most significant, those which are considered to potentially be affected by development of the site, will be briefly summarised. However, the full data are available upon request to those nominated on the request form, as some data may be classified as sensitive.

3.1.2 The significant findings from the data search are summarised below: -

3.1.3 Birds

The data search returned 284 entries of birds which are categorised as priority species within 2km of the site, the closest recorded was Redwing (*Turdus iliacus*), at 425m. Data entries within 500m include Wood Warbler (*Phylloscopus sibilatrix*), Starling (*Sturnus vulgaris*), Dunnock (*Prunella modularis*), Bullfinch (*Pyrrhula pyrrhula*), Song Thrush (*Turdus philomelos*), Fieldfare (*Turdus pilaris*), Eurasian Skylark (*Alauda arvensis*) and Common Reed Bunting (*Emberiza schoeniclus*).

Other entries include Ring Ouzel (*Turdus torquatus*), Western Barn Owl (*Tyto alba*), House Sparrow (*Passer domesticus*), Lapwing (*Vanellus vanellus*), Tree Pippit (*Anthus trivialis*), Linnet (*Linaria cannabina*), Lesser Redpoll (*Acanthis cabaret*) and Kingfisher (*Alcedo atthis*).

Raptor sightings within 2km of the site include Goshawk (*Accipiter gentilis*), Red Kite (*Milvus milvus*), Kestrel (*Falco tinnunculus*) and Peregrine Falcon (*Falco peregrinus*).

3.1.4 Mammals

The data search returned 106 entries of terrestrial mammals which are categorised as priority species within 2km of the site, the closest being Brown Hare (*Lepus europaeus*), 434m from site. Entries included: -

- Entries for Bats include 15 entries of Pipistrelle (*Pipistrellus*), 2 entries for Daubenton's Bat (*Myotis daubentonii*), 2 entries for Noctule Bat (*Nyctalus noctule*) and single entries for Brandt's Bat (*Myotis brandtii*) and Whiskered Bat (*Myotis mystacinus*).
- 39 entries for Otter (*Lutra lutra*), closest being recorded at 838m from site.
- 16 entries for Hedgehog (*Erinaceus europaeus*), the closest being 671m from site.
- 12 entries for Badger (*Meles meles*), the closest being 864m from site.
- 6 entries for Brown Hare (*Lepus europaeus*), closest being 434m from site.
- 2 entries for Polecat (*Mustela putorius*), 864m from site.
- 2 entries for Weasel (*Mustela nivalis*), 671m from site.
- 1 entry for European Water Vole (*Arvicola amphibius*), 1292m from site.

3.1.5 Invertebrates

The data search returned 38 entries of invertebrates which are categorised as priority species within 2km of the site. This was principally for Moths and Butterflies.

- Moth entries include Blood-vein moth (*Timandra comae*), Sallow moth (*Cirrhia icteritia*), Small Phoenix (*Ecliptopera silaceata*), Cinnabar (*Tyria jacobaeae*), White Ermine (*Spilosoma lubricipeda*), Flounced Chestnut (*Agrochola helvola*) and Streak moth (*Chesias legatella*).
- Butterfly entries include Marsh Fritillary (*Euphydryas aurinia*), Small Pearl-bordered Fritillary (*Boloria selene*), Wall butterfly (*Lasiommata megera*), Small Heath (*Coenonympha pamphilus*), Grayling (*Hipparchia samele*) and Small Blue (*Cupido minimus*).

3.1.6 Plants

The data search returned 31 entries of flowering plants which are categorised as priority species within 2km of the site. 29 entries are for Bluebell (*Hyacinthoides non-scripta*), the closest recorded is 425m from site. Others include Globeflower (*Tollius europaeus*) and Cornflower (*Centaurea cyanus*).

3.1.7 Reptiles

The data search returned 24 entries of reptiles which are categorised as priority species within 2km of the site. 22 entries are for Grass Snake (*Natrix Helvetica*), closest being 633m from site. Others include Adder (*Vipera berus*) and Common Lizard (*Zootoca vivipara*).

3.1.8 Amphibians

The data search returned 16 entries of amphibians which are categorised as priority species within 2km of the site;

- 11 Common Frog (*Rana temporaria*), closest being 858m from site.
- 2 Palmate Newt (*Lissotriton helveticus*), closest being 1731m from site.
- 2 Common Toad (*Bufo bufo*), closest being 1706m from site.
- 1 Smooth Newt (*Lissotriton vulgaris*), 1386m from site.

3.1.9 Bony Fish

The data search returned 10 entries of bony fish which are categorised as priority species within 2km of the site;

- 4 European Eel (*Anguilla Anguilla*), closest being 1149m from site.
- 1 Atlantic Salmon (*Salmo salar*), 1149m from site.
- 5 Brown/Sea Trout (*Salmo trutta*), closest being 1149m from site.

3.1.10 Invasive Non-native species

The data search returned 305 entries for INNS within 2km of the site. 5 entries are for Heath Star Moss (*Campylopus introflexus*), the closest being 425m from site. 266 entries are flowering plants, the closest being Cherry Lorrel (*Prnus laurocerasus*), 425m from site.

Other entries of flowering plant include;

- 19 entries for *Buddleja*, closest being 805m from site.

- 4 entries for Spanish Bluebell (*Hyacinthoides hispanica*), closest being 1008m from site.
- 18 entries for *Cotoneaster*, closest being 808m from site.
- 27 entries for *Rhododendron ponticum*, closest being 586m from site.
- 40 entries for Indian Balsam (*Impatiens glandulifera*), closest being 671m from site.
- 80 entries for Japanese Knotweed (*Fallopia japonica*), closest being 671m from site.

3.1.11 Statutory Designated Sites

The data search showed that there are no Nationally or Internationally important sites (e.g., SSSIs, SACs or SPAs) which lie within the search buffer.

3.1.12 Non- statutory Designated Sites

The data search showed that there are some non-statutory designated sites which lie within the search buffer;

- 9 Wildlife Sites / SINC (Adopted)
 - NPT Watercourses
 - Tennant Canal (1056m)
 - Neath canal (728m)
 - Catwg Wetland (1514m)
 - Sarn Helen (1369m)
 - Ffynnon Dawel (1302m)
 - Cilfrew Meadow (1618m)
 - Neath Estuary (1582m)
 - Gnoll Country Park (430m)
- 1 Regionally Important Geodiversity Site
 - Aberdulais (1154m)
- 1 Wildlife Trust Reserve
 - Coed Gawdir (1929m)

3.1.12 NRW Priority Areas

There are a good number of Priority Areas of habitat surrounding the site and are categorised thus;

- 30 Ancient Semi Natural Woodlands
- 44 Restored Ancient Woodland Sites
- 39 Plantation on Ancient Woodland Sites
- 4 Ancient Woodland Sites of Unknown Categories
- 39 NRW Priority areas (Woodland- PAWS)

3.2 Site Appraisal

On site survey

- 3.2.1 The site survey was undertaken in the afternoon of the 25th February 2022 by a suitably qualified ecologist. Some photos from this visit are included where appropriate. Where possible, the habitats were cross referenced to any important UK priority habitats or local habitats adopted by the Local Biodiversity Action Plan.
- 3.2.2 Wenallt Farm is located at the end of Wenallt road, in the hinterland beyond the village of Tonna, in Neath Port Talbot, South Wales. The area of interest, is an area comprising of three main plots, situated on the western edge of Wenallt Farm. It is accessed via an existing gravel track from Wenallt Road (see Fig. 5). The access road is well drained and leads to a parking area (see Fig. 6) with some stone and other bare ground material.
- 3.2.3 The land within the blue boundary line (see Fig. 4), slopes steeply down from south to north, and comprises of varied habitats, the three plots requiring planning permission consist predominantly of improved grassland. Other areas, which make up the plot boundaries and the land in between them, include dense broadleaved woodland, dense scrub, with some patches of tall ruderal species, herb species, Bramble thickets and Bracken. The only bare areas are access, paths and the parking area. Species indicating a marshy or poorly drained grassland are also present.
- 3.2.4 Plot 1 (see Figs. 7) currently has a small raw-timber recreation shelter, with a floor of chipped bark, and two compost toilets. The majority of the area is flat, consisting of improved grassland, with low species diversity. Its north and east boundary is dense semi-ancient broadleaved-woodland beyond a steep bank, which helps to drain the improved field. It has some patches of ruderal species, and Bramble Thickets.
- 3.2.5 Plot 2 (see Figs. 8) contains two Shepherd Huts on small stilts, a cooking area, and a portaloo which will be replaced with compost toilets. It too, consists mostly of improved grassland. It slopes from south to north, with the north boundary consisting of bracken and ruderal species. Its upslope south boundary is fenced with stock fencing. Beyond this is a raised area of mature broadleaved woodland, diverse scattered scrub and bramble. Its east boundary consists of herb species, ruderal and a fast-flowing stream.
- 3.2.6 Plot 3 (see Figs. 9) is a large fenced field currently being grazed by Ponies. It consists of semi-improved grassland with some marshy species and moss species scatted across the centre of the field, indicating poor drainage. Its boundaries on all sides consist of mature woodland, scrub, Bracken and bramble.
- 3.2.7 The fast-flowing stream (see Fig.10), which is colliery run-off, runs south to north, between plots 2, 1 & 3, as well as a public footpath.



Figure 4. Aerial image of the area surveyed (outlined in blue), area of land approximately 1.69 hectare in size.

Ecological Walkover Habitats recorded within blue line boundary were as follows: -

Latin names are excluded from plant species names in the following sections and only the common names incorporated within this report, which it is felt will make the sections more concise. A botanical list of species can be found on Page 26.

3.3 Improved Grassland

As previously mentioned, plots 1 & 2 consist predominantly of improved grassland. It has a bright green, lush and even sward over the whole area, of around 10cm. It is of low species diversity, with species such as Perennial ryegrass, Common daisy, Common sorrel, White clover and Common dandelion being dominant. Due to the time of year, most species are not in flower.

3.4 Semi-improved Grassland and Marshy Grassland

Much of the highland area (Plot 3), is more consistent with semi-improved and marshy grassland. It is a sloped upland area with high rainfall, poor drainage and occasional grazing is allowing the encroachment of Common/Soft rush. It has a low herbaceous diversity, with some occasional Willowherb sp., frequent Common rush, and mosses.

3.5 Boundary features

All boundaries of the three plots are similar. They, and the land between consist of dense broadleaved woodland, dense scrub. Scrub is all locally native, they include; bramble, Hazel, Holly, with some Hawthorn and occasional Gorse. Other areas are identified as species-rich sedges, or comprise of dense bracken, tall ruderal herb and non-ruderal ferns.

Between plot 1 & 3 (see Figs. 11), is a newly constructed path which is currently bare ground, connecting the two plots to an area where plans are to build some eco-toilets and eco-showers. This area is of non-dense woodland and ruderal species.



Figures 5. Shows site access with mineral rich run off from site draining beneath.



Figure 6. Parking area between plot 1 & 2.



Figures 7. Showing plot 1.



Figures 8. Showing Plot 2



Figures 9. Showing Plot 3.



Figure 10. Colliery run-off running south-north between plots 2, 1 & 3



Figures 11. Newly constructed path and area of proposed eco-toilets and eco-showers.

3.8 Protected Species

3.8.1 Badgers

The survey area is suitable for Badger foraging. There is some suitable habitat for setts along the boundaries of the survey area, however, no obvious evidence of badger activity was found within the site.

3.8.2 Bats

There are many features on site that would provide bat roosting opportunities, the larger trees with features of veteran trees have some cracks and holes suitable for bats. Buildings also provide bat roosting opportunities. The scrub and tree-lines are likely to provide flight lines and foraging opportunities for generalist species such as pipistrelle. *Nyctalus* species such as Noctule may utilise the pastures for foraging.

3.8.3 Otters

Although Otters are known to travel up the water shed, it is unlikely this habitat will be used for otter activity, unless for possible small-scale migration.

3.8.4 Reptiles

Area surveyed is large and diverse with tall herbs, scrub and mixed height grassland. This, along with the bare rock, the running water and the shelters/huts built, will offer foraging and habitat refuge.

3.8.5 Amphibians

There are waterbodies on or adjacent to the site which are suitable. The scrub, stone and hard-standing may offer refuge/hibernation opportunities for terrestrial phase amphibians.

3.8.6 Hazel Dormouse

The scrub was assessed for their suitability to support dormice, they support enough diversity of species to provide suitable habitat and the canopies are continuous. The habitat on site would provide elements of requirements for Dormouse.

3.8.7 Water Voles

There is some suitable habitat adjacent to site which is considered to be suitable to support water voles, however, the stream flowing through site will be too fast-flowing.

3.8.8 Birds

The grassland, Blackberry, ruderal, scrub and trees will provide good forage for a wide variety of bird species. The scrub and trees also will provide nesting and refuge for a large variety of species.

3.8.9 Marsh Fritillary

The bulk of the site consisted of improved grassland, broadleaved woodland, dense scrub and bramble, which is not preferred by Marsh Fritillary butterflies. The preferred food plant for this species was not present on site.

3.9 Invasive Non-native species (INNS)

No invasive non-native species (INNS) were observed on site.

ECOLOGICAL ASSESSMENTS

The following values have been provided to assess the importance of an ecological feature value within a geographical context, as recommended within the CIEEM Guidelines for Ecological Impact Assessment (2016) and the CIEEM Guidelines for Ecological Report Writing (Dec.2015). See Table 1 below:

4.1.1 **Table 1: Ecological Value Assessments**

Importance	Examples of features
International & European	European designated or proposed sites such as Ramsar Sites, Special Protection Areas, Special Areas of Conservation, World Heritage sites or Biosphere Reserves; or otherwise meeting criteria for European or International designation. Sites supporting populations of European important species. Species listed within the Annex's of The Conservation of Habitats & Species Regulations 2010
National	Nationally designated sites such as Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), areas of key habitats and species within the UK Biodiversity Action Plan. Sites supporting viable breeding populations of Red Data Book (RDB) species (excluding scarce species), or supplying critical elements of their habitat requirements. Species listed within the schedules of the Wildlife & Countryside Act 1981.
Regional	Sites containing viable areas of threatened habitats and species listed in a regional Biodiversity Action Plan, sites exceeding Site of Importance for Nature Conservation (SINC) criteria. Sites supporting viable populations of Nationally Scarce species or those included in the Regional Biodiversity Action Plan on account of their rarity, or supplying critical elements of their habitat requirements.
High Local	Sites meeting the criteria for a county, vice county or metropolitan area designation (such as SINC), which may include amenity and educational criteria in urban areas. Ancient semi-natural woodland. Designated Local Nature Reserves. Sites containing viable areas of any key habitat type or species identified in the Local Biodiversity Action Plan (LBAP). Sites supporting viable breeding populations of species known to be county/metropolitan rarities e.g., featuring in county 'red data book' or LBAP, or supplying critical elements of their habitat requirements.
Moderate Local	Undesignated sites or features considered appreciably to enrich the habitat resource within the context of the Borough or District, or included in the Borough or District LBAP. Amenity and educational functions will be recognised in urban areas. Sites with viable breeding populations of species listed as rare in the District or Borough LBAP or supplying critical elements of their habitat requirements.
Low Local	Undesignated sites or features considered appreciably enriching the habitat resource within the context of the Parish or neighbourhood.
Negligible	Low-grade and widespread habitats.

4.1.2 Table 2: Impact level Criteria

Severe	Permanent impacts
Major	Loss of feature and/or quality and integrity of feature; severe damage to key characteristics, features or elements.
Moderate	Loss of feature, but not adversely affecting the integrity; partial loss of/damage to key characteristics, features or elements.
Minor	Some measurable change in attributes, quality or vulnerability; minor loss of, or alteration to, one (maybe more) key characteristics, features or elements
Negligible	Very minor loss or detrimental alteration to one or more characteristics, features or elements
Neutral	No impacts

4.2 Priority Habitats and Species

- 4.2.1 UK BAP priority habitats and species were those that were identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). As a result of devolution, conservation action is now focused at a country-level rather than a UK-level, and the UK BAP was succeeded by the UK Post-2010 Biodiversity Framework in July 2012. The UK list of priority species, however, remains an important reference source and has been used to help draw up statutory lists of priority species and habitats in the four countries of the UK.
- 4.2.2 The Environment Wales Act (2016) (EWA) Section 6 places a duty on public authorities to ‘seek to maintain and enhance biodiversity’ and seek to ‘promote the resilience of ecosystems’. The duty replaces the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty. Section 7 lists both Priority Species and Habitats of Principle Importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.
- 4.2.3 The Neath Port Talbot Local Biodiversity Action Plan (LBAP) aims to maintain and enhance biodiversity which covers a range of selected habitats and species which reflect both national and local priorities; develop effective local partnerships; monitor progress in achieving local biodiversity targets.
- 4.2.4 The Neath Port Talbot Council (NPTC) has a duty to maintain and enhance biodiversity, and in so doing, promote the resilience of ecosystems under the Environment Wales Act (2016). NPTC’s Biodiversity Duty Plan (BDP) (2020-2023), aims to help halt the decline of biodiversity, by integrating nature based solutions into the way it works.

4.3 Assessments on the Habitats & Species Identified During the Survey

Habitats

4.3.1 Improved Grassland

The improved grassland shows little species diversity, the habitat value has been assessed as: **Negligible**. Loss of this habitat, without mitigation, is considered to be **Negligible**.

4.3.2 Semi-Improved and Marshy Grassland

The semi-improved and marshy Grassland shows low-moderate species diversity. It does however contain some areas abundant with mosses. The habitat value has been assessed as: **Low Local**. Loss of this habitat, without mitigation, is considered **Minor**.

4.3.3 Boundary Features

The ancient and mature woodland, ruderals, non-ruderals and scrub species will have value as habitat cover, as well as food sources for a range of birds, mammals and invertebrate species. This habitat will also be of value to commuting bats and other species. The boundary habitats value has been assessed as: **Moderate Local**. Loss or damage to the scrub, ruderals, non-ruderals and trees would be **Major** without mitigation.

4.4 Species

4.4.1 The field survey identified the on-site habitats as having the potential to support the following species which are also listed under Neath Port Talbot LBAP and UK BAP: Mammals, Dormouse, Breeding Birds, Bats, and Reptiles.

4.4.2 During the field survey, no bird species, which are listed under the LBAP and UK BAP as being associated with the on-site habitats, were recorded. The survey concluded that the site consisted of suitable habitat which could support some priority species.

4.5 Ecosystem Resilience

Area loss can cause populations of organisms to decline due to a decrease in habitat size. The area to be developed consists of six main habitat types: Semi-improved Grassland, Marshy Grassland, Improved Grassland, Ruderal, Non-ruderal and Woodland. If the site is cleared without any mitigation for development, excluding boundary features, the impact is expected to be **Minor**.

5. CONCLUSIONS AND RECOMMENDATIONS FOR FURTHER SURVEY

The combination of desk and field surveys undertaken at the proposed development site identified that the majority of the area within the planning site boundary has Minor ecological value, however the boundaries and surrounding features, although a widespread habitat, does have the potential to provide nesting opportunities for birds, refuge for mammals and invertebrates, and foraging opportunities for bats and mammals as well as some stable refuge and basking for reptiles.

The proposed development is for mainly temporary structures and for use mainly during the summer months. There are no plans to disturb any of the surrounding woodland etc. The main attraction of the site is that it is such an undisturbed area full of wildlife, the owners wish to protect the unspoilt nature of the site and are happy to enhance the area further with wildlife friendly features such as nest boxes, reptile refugia, bat boxes etc. I&G Ecological Consulting LTD recommend that a Method Statement and Management Plan are produced for the composting toilets and shower facilities to avoid any spillages or pollution incidents.

5.2 Boundary Features

- 5.2.1 Retention and protection of woodland and associated features to be managed, and scrub areas as a landscape feature is recommended.
- 5.2.2 Any loss of ruderal habitat and tall scrub should be mitigated for by suitable new planting, with trees and scrubs of local provenance and should seek to replicate the species mix present in the existing scrub. Landscaping should include berry bearing species such as guelder rose, rowan and purging/alder buckthorn, which will also attract brimstone butterfly. There are no plans to disturb any of these features.

5.4 Grasslands

Mitigation for loss of habitat may, in part, take the form of improved management for biodiversity on the remaining areas of land within ownership. As proposals are to keep these areas, and just to add low-impact wooden structures and tent pitches, in keeping with its surrounding environment, loss will be minor. These remaining open pastures of grassland will still provide good foraging areas for species such as bats. Some of the structures will only be in place for approximately 6 month meaning the site will be undisturbed for the remaining 6 months.

5.5 Birds

- 5.5.1 All nesting birds are protected under Section 1 of the Wildlife and Countryside Act of 1981. Therefore, vegetation clearance should be planned outside the nesting bird season.
- 5.5.2 Loss of bird habitat must be mitigated for by way of suitable provision on site. This may partly be encompassed in the Landscaping Plan, with the inclusion of new trees, fruit/seed bearing planting.

5.6 Bats

The scrub/tree-lines will act as flight lines for bats and any dark corridors should be maintained as such. An appropriate lighting plan in relation to bats will take such habitat features into consideration.

5.7 Dormice

The Hazel is considered suitable habitat for Dormice, however if such habitats will remain intact, then Root Protection zones will ensure the habitat and aerial connectivity remain un-damaged.

5.8 Reptiles

The habitat on site is suitable for reptiles, especially Slow worm, Grass snake and Common lizard. Populations are likely to be high, it is recommended that a Reptile Mitigation Method Statement is produced for the site, the site owners are happy to enhance the site for both Reptiles and Amphibians.

5.11 Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty)

5.11.1 The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty) applicable to Local Authorities. This duty filters through to all those participating in the Planning process.

5.11.2 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.

5.11.3 It is therefore recommended, that in order to mitigate for loss of grassland habitat, as a minimum, a small area of grassland (semi/unimproved in poor condition) which is under the control of the site owner should be brought into favourable condition for biodiversity, and managed and monitored for a period to be agreed with the Local Authority.

5.11.4 However, in order to *enhance* the site for biodiversity, additional planting can provide improved habitat; e.g., hedgerow could be planted, and/or existing hedgerows/treelines be gapped up to re-connect to adjacent hedgerows and trees/scrub areas.

5.11.5 New structures should include artificial habitats such as bat bricks/boxes, bird boxes/bricks or Swift/Swallow cups; the details of which should be agreed with the LA ecologist.

5.11.6 A variety of bird nesting boxes and bat boxes should be erected within the woodland to provide additional nesting / roosting options. Although there are no records for Dormice in the area boxes could be erected on site to provide nesting opportunities.

6. LEGISLATION

6.1 Otters and the Law.

- 6.1.1 The otter is a European Protected Species (EPS). It is against the law to damage or destroy an otter breeding site or resting place, or deliberately to capture, kill, injure or disturb an otter.
- 6.1.2 Otters are fully protected by the following pieces of legislation:
- The Conservation of Habitats and Species Regulations 2017 (regulation 42) fully protects otters, making it **an offence to:** -
 - *Intentionally or deliberately capture, injure or kill an Otter.*
 - *Damage or destroy a breeding or resting place of an Otter, or intentionally or recklessly damage or destroy any structure or place used for shelter or protection*
 - *Intentionally or recklessly disturb an Otter in a place used for shelter or protection, or deliberately disturb Otters in such a way as to be likely significantly to affect (i) the ability of any significant group of Otters to survive, breed, rear or nurture their young, or (ii) the local distribution or abundance.*
 - *Intentionally or recklessly obstruct access to a place used for shelter or protection.*
 - *Possess an Otter (alive or dead), or any part of an Otter*
 - Schedule 5 of the Wildlife and Countryside Act 1981 (as amended by the CROW [Countryside Rights of Way] Act 2000) fully protects otters, making it **an offence to:** -
 - *Intentionally or recklessly disturb any otter while it is occupying a structure or place which it uses for shelter or protection*
 - *Intentionally or recklessly obstructs access to any structure or place used by an otter for shelter or protection*
 - *Sell, offer or expose for sale any otter*
- 6.1.3 For any disturbance to occur a derogation or **EPS licence** must be gained from Natural Resources Wales. To gain an EPS Licence from Natural Resources Wales (NRW), NRW must be satisfied that;
- i. granting the licence would not be detrimental to the Favourable Conservation Status (fcs) of the populations of species concerned within its natural range.
 - ii. the derogation (licence) is in the public interest of Health and Safety or for other reasons of over-riding public interest, including those of a socio-economic nature or will have a benefit of primary importance to the environment.
 - iii. there is no satisfactory alternative to the derogation which would allow the described development to proceed but which would avoid or reduce the need for any adverse impact to the species.

6.1.4 Otters are also protected by;

- Natural Environment and Rural Communities Act 2006 and now the Environment (Wales) Act 2016.
- Annex II Habitats Directive (protection through Special Areas of Conservation)
- UK Biodiversity Action Plan Priority Species and Species of Principal Importance in Wales

6.2 Bats and the Law

6.2.1 Bats are protected by the following pieces of legislation:

- Schedule 5 and 6 of the Wildlife and Countryside Act 1981 (as amended by the CROW [Countryside Rights of Way] Act 2000)
- The Environmental Damage (Prevention & Remediation) Regulations 2009 – A protected species and its habitat is protected under this legislation as well as others.
- The Conservation of Habitats and Species Regulations 2017 (regulation 42) fully protects all bats and their roosts, making it **an offence** *to deliberately kill, injure or capture* (take) bats; *to deliberately disturb bats; damage or destroy bat roosts or resting places* (this is considered an “Absolute Offence” as damage and destruction may detrimentally effect the Continuous Ecological Functionality of that roost / resting place); possess or transport a bat or any part of a bat; sell (or offer for sale) or exchange bats or parts of bats.
- For any disturbance to occur a derogation or **EPS licence** must be gained from Natural Resources Wales. To gain an EPS Licence from Natural Resources Wales (NRW), NRW must be satisfied that;
 - i. the licence would not be detrimental to the Favourable Conservation Status (fcs) of the populations of species concerned within its natural range.
 - ii. the derogation (licence) is in the public interest of Health and Safety or for other reasons of over-riding public interest, including those of a socio-economic nature or will have a benefit of primary importance to the environment.
 - iii. there is no satisfactory alternative to the derogation which would allow the described development to proceed but which would avoid or reduce the need for any adverse impact to the species.

6.2.2 Bats are also protected by;

- Appendix III of the Bern Convention
- Appendix II of the Bonn Convention (including the Convention's Agreement on the conservation of Bats in Europe)
- Natural Environment and Rural Communities Act 2006 and now the Environment (Wales) Act 2016.
- All bats are listed in Annex IV of the EC Habitats Directive and the British species listed in Schedule 2 of the Habitats Regulations 1994 (as amended) and are therefore designated as *European Protected Species*. These *protected* species are afforded

enhanced protection and more stringent licensing provisions than those protected by the Wildlife and Countryside Act (WACA) alone.

6.3 The Hazel Dormouse and the Law

6.3.1 The hazel dormouse is a European Protected Species (EPS). It is against the law to damage or destroy a dormouse breeding site or resting place (summer or hibernation nest), or deliberately to capture, kill, injure or disturb a dormouse.

6.3.2 Dormice are fully protected by the following pieces of legislation:

- The Conservation of Habitats and Species Regulations 2017 (regulation 42) fully protects dormice, making it **an offence to**: -
 - *Intentionally or deliberately capture, injure or kill a dormouse.*
 - *Damage or destroy a breeding or resting place of a dormouse, or intentionally or recklessly damage or destroy any structure or place used for shelter or protection*
 - *Intentionally or recklessly disturb a dormouse in a place used for shelter or protection, or deliberately disturb dormouse in such a way as to be likely significantly to affect (i) the ability to survive, breed, rear or nurture their young, and includes in the case of animals of a hibernating or migratory species, to hibernate or migrate or (ii) the local distribution or abundance.*
 - *Intentionally or recklessly obstruct access to a place used for shelter or protection.*
 - *Possess a dormouse (alive or dead), or any part of a dormouse*
- Schedule 5 of the Wildlife and Countryside Act 1981 (as amended by the CROW [Countryside Rights of Way] Act 2000) fully protects dormice, making it **an offence to**: -
 - *Intentionally or recklessly disturb any dormouse while it is occupying a structure or place which it uses for shelter or protection*
 - *Intentionally or recklessly obstructs access to any structure or place used by a dormouse for shelter or protection*
 - *Sell, offer or expose for sale any dormouse*

6.3.3 For any disturbance to occur a derogation or **EPS licence** must be gained from Natural Resources Wales. To gain an EPS Licence from Natural Resources Wales (NRW), NRW must be satisfied that;

- i. granting the licence would not be detrimental to the Favourable Conservation Status (fcs) of the populations of species concerned within its natural range.
- ii. the derogation (licence) is in the public interest of Health and Safety or for other reasons of over-riding public interest, including those of a socio-economic nature or will have a benefit of primary importance to the environment.
- iii. there is no satisfactory alternative to the derogation which would allow the described development to proceed but which would avoid or reduce the need for any adverse impact to the species.

- 6.3.4 Dormice are also protected by;
- Natural Environment and Rural Communities Act 2006 (England) and the Environment (Wales) Act 2016.
 - Annex II Habitats Directive (protection through Special Areas of Conservation)
 - UK Biodiversity Action Plan Priority Species and Species of Principal Importance in Wales

6.4 Reptiles and the Law

- 6.4.1 All of the UK native reptiles are protected by law. The common species of reptiles found in this locality are common lizard, slow-worm, adder and grass snake. It is illegal to intentionally kill or injure these species under Section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).
- 6.4.2 All native UK reptiles are considered of 'principle importance' under Section 7 of the Environment (Wales) Act 2016. This places a duty on every public authority, in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.
- 6.4.3 Under the National Planning Policy Framework (NPPF April 2012), the presence of any Protected Species (which includes all reptiles species) are a material planning consideration. The ODPM 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System, provide additional advice and support the NPPF.

6.5 Amphibians and the Law

- 6.5.1 All of the UK native amphibians are protected by law. The common species of amphibians in this locality are common frog, common toad, smooth newt and palmate newt. It is illegal to intentionally kill or injure these species under Section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).
- 6.5.2 The common toad is considered of 'principle importance' under Section 7 of the Environment (Wales) Act 2016. This places a duty on every public authority, in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.
- 6.5.3 Under the National Planning Policy Framework (NPPF April 2012), the presence of any Protected Species (which includes the Common Toad) are a material planning consideration. The ODPM 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System, provide additional advice and support the NPPF.

6.6 Birds and the Law

6.6.1 All species of bird are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). Protection was extended by the Countryside and Rights of Way (CROW) Act 2000. Under the above legislation it is an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

6.6.2 Certain species are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and receive protection under Sections 1(4) and 1(5). The protection was extended by the Countryside and Rights of Way (CROW) Act 2000. There are special penalties where the offences listed above are committed for any Schedule 1 species and it is also an offence to intentionally or recklessly:

- disturb any such bird when it is building its nest or while it is in or near a nest containing dependant young; or
- disturb the dependant young of any such bird.

6.7 Badgers and the Law

6.7.1 The protection of Badgers Act 1992 makes it illegal to kill, injure or take a badger, or interfere with a sett. In addition, they are listed on Schedule 6 of the Wildlife & Countryside Act 1981, which prohibits certain methods of killing and capture.

6.8 Water Voles and the Law

6.8.1 Water voles are listed under Schedule 5 of the Wildlife & Countryside Act 1981, receiving full protection since 2008. The Wildlife & Countryside Act 1981 (as amended), lists the following offences: -

- Intentionally kill, injure or take water voles (Section 9 (1)).
- Possess or control live or dead water voles or derivatives (Section 9 (2)).
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection (Section 9 (4) (a & c)).
- Intentionally or recklessly disturb water voles whilst occupying a structure or place used for that purpose (Section 9 (4) (b)).
- Sell water voles or offer or expose for sale or transport for sale (Section 9 (5)).
- Publish or cause to be published any advertisement which conveys the buying or selling of water voles (Section 9 (5)).

6.9 Environment Act (Wales) 2016

6.9.1 This act has replaced the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty. It came into force in May 2016.

6.9.2 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'. Under

Section 6 public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience.

- 6.9.3 Section 7 of the Act places a duty on public authorities to take steps to maintain and enhance biodiversity. This section replaces the duty in section 42 of the NERC Act 2006. The Section 7 Priority Species under this act is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. The Section 7 Priority Habitats is a list of the habitats of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

7. REFERENCES

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We confirm that in preparing this Report we have exercised reasonable skill and care, taking into account the project objectives, the agreed scope of the work and prevailing site conditions.

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The findings and advice given during the course of this survey is provided by employees of I&G Ecological Consulting acting only on behalf of I&G Ecological Consulting.

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Representative Species List

Scrub and Trees

Species	Frequency
Common blackberry – <i>Rubus fruticosus</i>	A
Ash - <i>Fraxinus</i>	F
Hazel – <i>Corylus avellana</i>	A
Oak – <i>Quercus</i>	F
Sycamore maple – <i>Acer pseudoplatanus</i>	F
Honeysuckle – <i>Lonicera ligustrina</i>	F
Willow species – <i>Salix</i>	R
Holly - <i>Ilex</i>	F

Ruderal, Non-ruderal and Grassland

Species	Frequency
Broad-leaved dock – <i>Rumex obtusifolius</i>	A
Bulbous buttercup – <i>Ranunculus bulbosus</i>	A
Common daisy – <i>Bellis perennis</i>	A
Common ragwort – <i>Jacobaea vulgaris</i>	O
Common rush – <i>Juncus effusus</i>	A
Dandelion – <i>Taraxacum</i>	A
Field mustard – <i>Brassica rapa</i>	A
Knapweed – <i>Centaurea</i>	O
Meadow buttercup – <i>Ranunculus acris</i>	A
Common nettle – <i>Urtica dioica</i>	A
Rye – <i>Lolium</i>	A
Sheep's sorrel – <i>Rumex acetosella</i>	F
Silverweed – <i>Potentilla anserina</i>	F
Sweet vernal – <i>Anthoxanthum odoratum</i>	O
White clover – <i>Trifolium repens</i>	A
Willowherb sp. - <i>Epilobium</i>	A
Wood fern - <i>Druopteris</i>	A
Lady fern – <i>Athurium filix-femina</i>	F
Bracken - <i>Pteridium</i>	A
Mosses	A

10. Aderyn Data Search

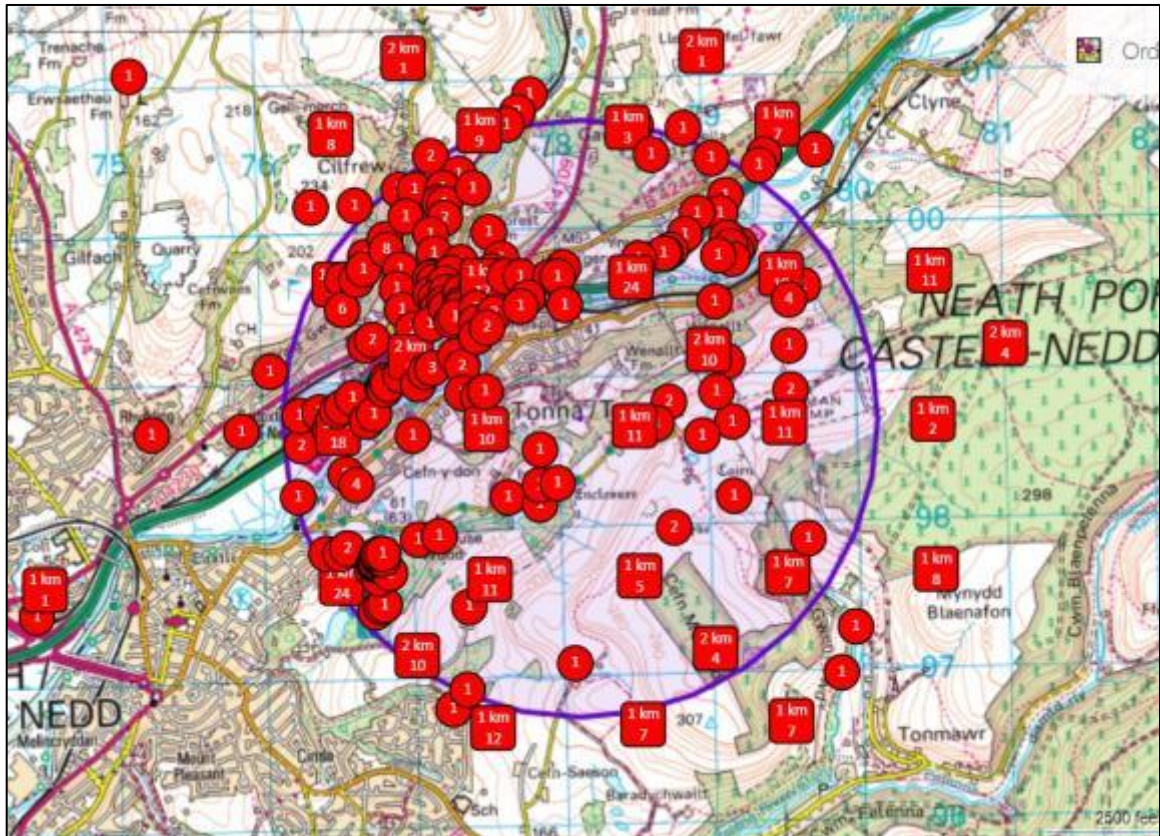


Figure 10. Aderyn Protected Species Data Search February 24th 2022

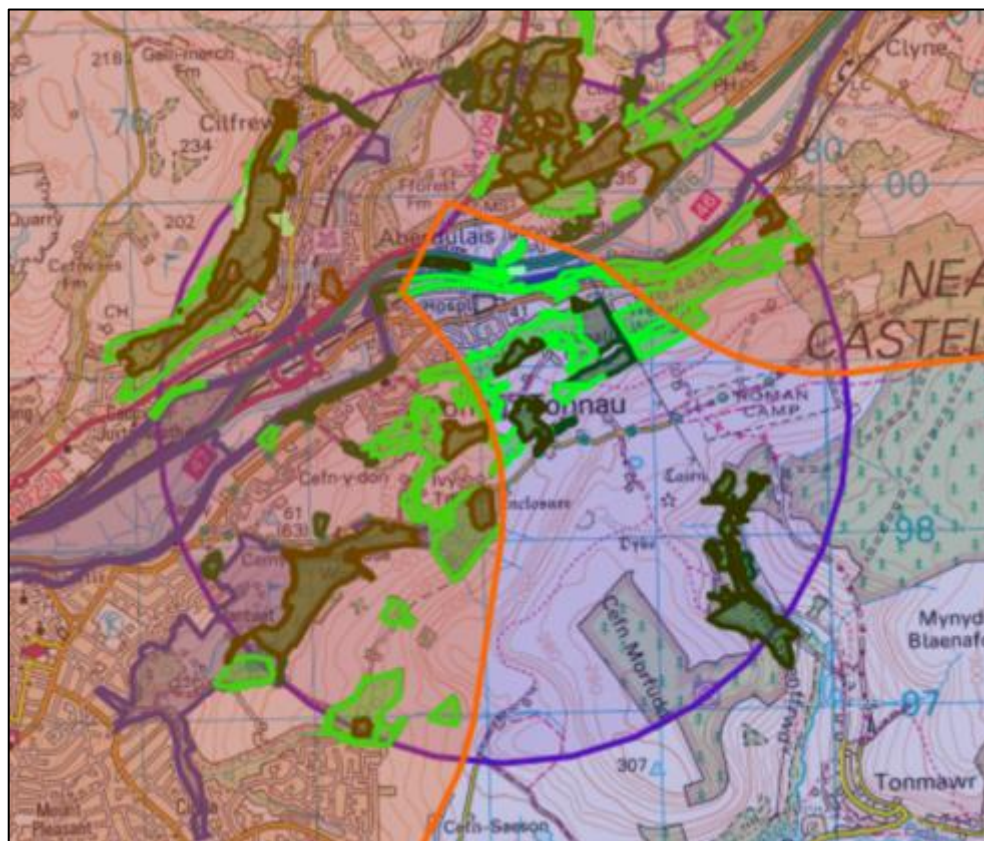
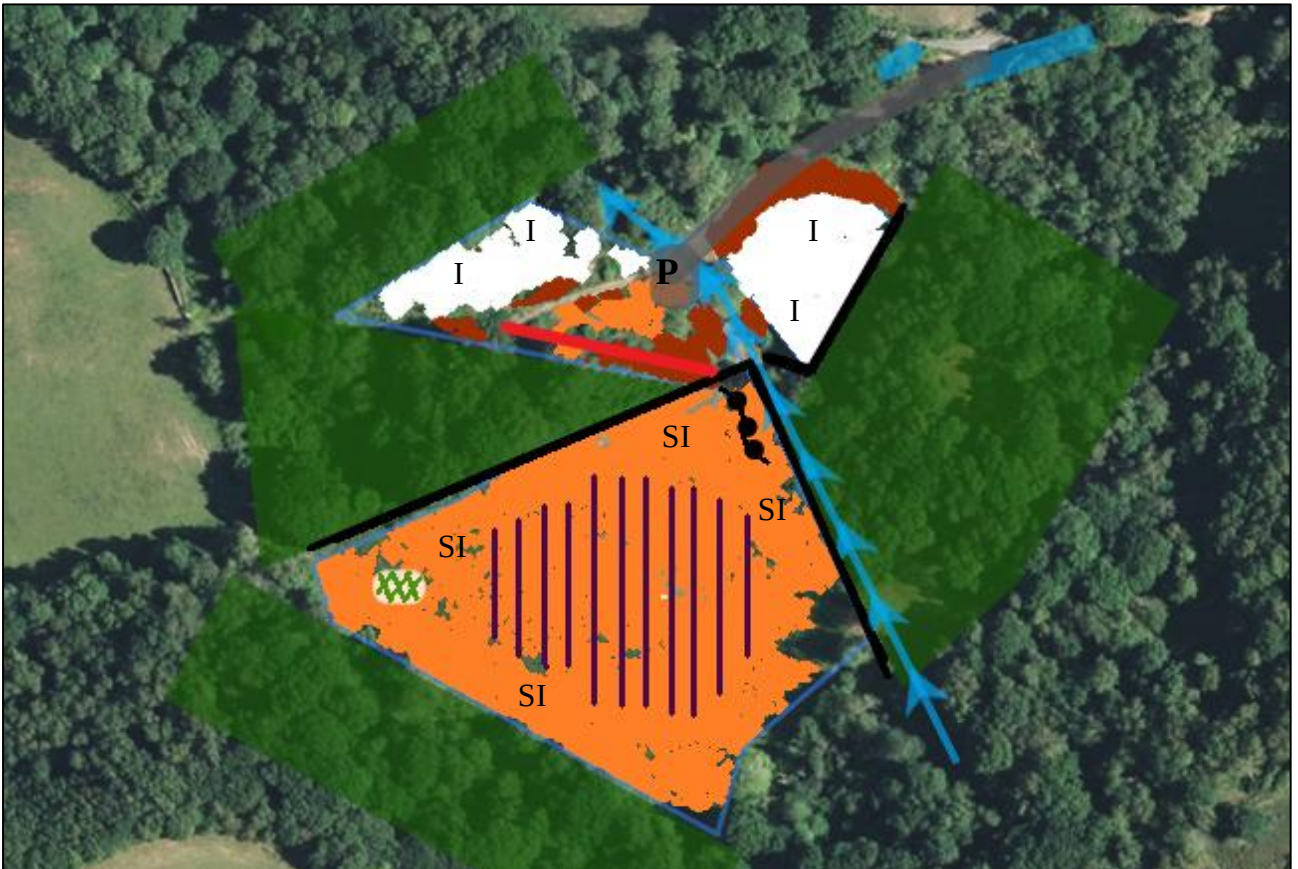


Figure 11. Aderyn Protected Sites Data Search February 24th 2022

Site Type	Key	Number of sites	Category	Intersection Area	Percentage of search area
Wildlife Site / SINC (Adopted)		9	Local - Non-statutory	13,416,739 m ²	107.37%
Regionally Important Geodiversity Site		1	Local - Non-statutory	13,980 m ²	0.11%
Wildlife Trust Reserve		1	Local - Non-statutory	4,157 m ²	< 0.01%
Ancient Semi Natural Woodland		30	Priority Area	298,280 m ²	2.39%
Restored Ancient Woodland Site		44	Priority Area	1,143,293 m ²	9.15%
Plantation on Ancient Woodland Site		39	Priority Area	910,064 m ²	7.28%
Ancient Woodland Site of Unknown Category		4	Priority Area	24,115 m ²	0.19%
NRW Priority Area (Woodland - PAWS)		39	Priority Area	910,064 m ²	7.28%
B-Lines		1	Local - Non-statutory	7,585,347 m ²	60.70%

Phase 1 Habitat Plan



Phase 1 Habitat Code Key

Colour	Code	Description
	A1.1.1	Semi-natural Broadleaved Woodland and Scrub
XXXXX	A2.1	Dense Scrub
	B5	Marshy Grassland
	B6	Semi-improved Grassland
	B4	Improved Grassland
	C1.1	Bracken
	G1	Standing water
	G2	Running water
	J4	Bare Ground- Parking
	J4	Bare ground path
	J2.3.4	Fence line
	J3.5.1	Access road
	J3.5.2	Survey Boundary