

03 August 2022

Our Ref: **L/edp7017/ED/cl**

By Email: I.palmer@npt.gov.uk

Laura Palmer
Neath Port Talbot CBC
Civic Centre
Port Talbot
SA13 1PJ

Dear Laura

**Land at Baglan Way, Port Talbot
(Planning Application Reference: P2022/0470)**

I am writing on behalf of my client, Glass Systems Ltd, in relation to the biodiversity consultation response dated 19 July 2022, in which you have raised an objection in relation to the full planning application submitted for the land at Baglan Way, Port Talbot (Planning Application Reference: P2022/0470).

Thank you for providing your comments and recommendations. I have provided below our response to the salient points and would welcome your response to these comments by return such that we can ensure the information submitted alongside this planning application is sufficient.

At the time of your review, we were yet to submit a copy of the Biodiversity Management Plan (BMP) (report reference: edp7017_r008). This response is to be submitted in conjunction with this report which we feel may provide adequate justification in support of several of the points discussed below. We would therefore ask that your review of our responses is considered alongside this report.

Bat Surveys

[Laura Palmer comment] *"While we are satisfied that the bat activity level at the site is low and confined to certain common species justification is needed as to why there was no spring survey undertaken, in line with the guidelines. We also require justification of why the static detector locations were chosen and not placed in the areas where the treeline will be severed for the entrance/exit roads."*

CHELTENHAM
Second Floor
Darwin House
67 Rodney Road
Cheltenham
GL50 1HX
01242 903110

CARDIFF
02921 671900

CIRENCESTER
01285 740427

info@edp-uk.co.uk
www.edp-uk.co.uk

The Environmental Dimension
Partnership Ltd. Registered as a
Limited Company in England and
Wales. Company No. 09102431.
Registered Office: Tithe Barn,
Barnsley Park Estate, Barnsley,
Cirencester, Gloucestershire
GL7 5EG



**URBAN
DESIGN
GROUP** REGISTERED
PRACTICE

ITEMA Transforming the world
to sustainability

**Landscape
Institute**
Registered practice

Owing to the timing of the instruction on the project, the spring 2021 survey window (April or May) was missed. As a result, an additional survey was undertaken within the summer survey period (June to August inclusive) to ensure that three surveys were undertaken of the site, to provide a comprehensive assessment of the diversity and abundance of bat species utilising the site. Although this deviates from the standard survey protocol for 'low' suitability habitat within the Bat Survey Guidelines (BCT, 2016), it is not considered to form a significant constraint to the survey results and further survey would not yield an increased species assemblage that would alter any conclusions already drawn or the mitigation approach. This is due to the low levels of bat activity recorded across the site, of a small number of largely common bat species, which is considered typical for an urbanised area of Port Talbot which has limited connectivity to the wider landscape due to significant amounts of industrial and residential development, as well as the M4 motorway.

In regard to the locations of the automated detector deployment, a detector was not deployed at the location of the entrance/exit road, as the proposed entrance to the site is aligned with the existing site access which is devoid of trees. There will be minimal losses to a group of trees to facilitate the widening of the existing access, however this group of trees is isolated from the existing linear boundary vegetation along the western boundary of the site. To ensure full coverage of the linear boundary features likely to be utilised by foraging and commuting bats, the automated detectors were deployed slightly to the north of the proposed access, and along the linear feature to the south of the proposed access, to provide a complete assessment of bat assemblage utilising this feature.

Reptiles

[Laura Palmer comment] *"While the reptile surveys were done in line with the Froglife advice sheet 10 we would have preferred that the (withdrawn) Natural England Technical Information Note TIN102 were used. In our experience in NPT developments almost always underestimate the number of reptiles present on site, which leads to complications down the line. Therefore, we require a full reptile translocation method statement and details of enhancement of the retained area."*

Many thanks for confirming which guidance you would prefer us to use for future reptile survey works in Wales. With reference to the Ecological Appraisal (report reference: edp7017_r006) produced by EDP, a total of ten reptile survey visits were undertaken, with two visits in August, seven visits in September and a single visit in October, during which a low population of slow worm was recorded.

With reference to the (withdrawn) Natural England Technical Information Note TIN102, for slow worm, the minimum standard survey effort can be worked out as follows:

25 (minimum standard survey effort) / 4 (monthly survey effort weighting for September = 6.25 rounded up to 7 surveys

Therefore, although reference to this guidance wasn't made within the Ecological Appraisal report, we have exceeded the minimum standard survey effort for this species by undertaking a total of ten survey visits.

However, our client agrees to undertake a reptile translocation in line with the withdrawn Natural England Technical Information Note TIN102, which requires a minimum of 15 capture days, as follows:

15 (species score) x (0.8 (Site size >10ha) + 0.2 (Population size class/ Habitat Suitability Assessment for small/poor)) = 15 minimum capture days

Our client agrees to produce a reptile translocation method statement, including details of enhancement of the retained area, which can be secured by an appropriately worded planning condition.

Birds

[Laura Palmer comment] *“The loss of half of the functioning habitat for birds (nesting, roosting and foraging) has not adequately been mitigated. Under the Habitat Regulations 2017 (as amended) all bird habitat must be protected, not just nesting sites.”*

The site's suitability to support nesting, roosting and foraging birds is limited due to the regular unauthorised access and resulting disturbance which occurs at the site. By fencing off the portion of the site, which is due to be retained to prevent unauthorised public access, the site's potential to support a range of bird species will be significantly increased. In addition to this, within the BMP, measures have been included to enhance and manage the site specifically for birds, with the aim of increasing the diversity and abundance of species utilising the site for nesting, roosting and foraging. The landscape design includes a range of habitat provisions such as hedgerow, scrub and tree planting, wildflower meadow creation and attenuation features which will provide an increased foraging provision for birds either directly through seeds and fruit, or indirectly through increasing the suitability of the site for invertebrates. These landscape features will also provide increased roosting and nesting opportunities for birds, particularly when considered in conjunction with the bird boxes described within the BMP. It is therefore felt that the proposed development adequately mitigates for the loss of bird habitat, through the enhanced habitat provisions detailed within the BMP. The client is also intending to enter the site into long-term management without which succession to scrub will occur and the diverse range of habitats, able to support a varied bird assemblage, will be lost.

Proposed Green Roof

[Laura Palmer comment] *“The proposed green roof cannot be counted as mitigation for the loss of SINC habitat. It is very small in size and too far from the invertebrate populations for them to reach it, therefore, unlikely to be able to act as functioning habitat within the site. Furthermore, the drainage strategy states that this roof is to be used to harvest grey water which is incompatible with a green roof. There is no mention of a green roof in the drainage strategy.”*

The location of the green roof has been chosen as a result of lengthy discussions with the drainage engineers and clients. Its position on the offices has been chosen to allow the green roof to act as a

SuDS asset. The following comments have been provided by Faye Tomalin, Principal Analyst at JBA Consulting, in regards to the drainage comments:

“The proposed SuDS strategy incorporates both a green roof and rainwater harvesting for the office block area of the proposals. A green roof generally provides negligible storage volumes and has therefore not been accounted for in the volume calculations for the attenuation of the 1 in 100 year rainfall event plus climate change. The rainwater harvesting tank has been designed to cater for the average annual rainfall event, and upsized to attenuate the 1 in 100 year rainfall event plus climate change. The green roof shall provide water quality benefits and interception of the first 5mm of rainfall for any water landing on the office block during a rainfall event. Rainwater shall percolate through the soils of the green roof into a piped drainage system. The piped drainage system shall also act as an overflow system on the surface of the green roof. This piped system shall feed the rainwater harvesting system for this area of the development site.

The proposed SuDS system has been submitted to the SAB for pre-application consultation. No concerns with the proposed scheme with regard to the rainwater harvesting system and green roof have been raised by the SAB.”

In addition, the location of the green roof in the east of the site is within close proximity to the attenuation ponds and meadow grassland planting surrounding them, as well as the woodland. These habitats will be utilised by winged/highly mobile invertebrates, which are likely to benefit from the green roof which will provide additional habitat for these species. It is therefore considered unlikely that invertebrates would not reach the area of green roof.

In regard to the size of the green roof being proposed, this area was agreed upon as this area of the building is considered most suitable to structurally support a green roof. The provision of the green roof should be looked at in conjunction with all the biodiversity measures provided within the BMP, which, over the next 50 years, will enhance and maintain the biodiversity value of the site. Without this intervention, the site will quickly become dominated scrub and result in the loss of the valuable habitats currently present.

It is therefore EDP's opinion that the benefits to the Site of Importance for Nature Conservation (SINC) from the proposed enhancement and long-term management of the existing habitats present in the west, which are currently under no management and have become in unfavourable condition, together with the introduction of new habitats of biodiversity value, will outweigh the harm to the SINC resulting from habitat loss for the proposed development. Thus, it is considered that the overall package of measures provides adequate mitigation and compensation for the impacts on the SINC in accordance with NPTCBC LDP Policy NE6.

Native Plant Species

[Laura Palmer comment] *“Different documents state different things. All landscaping should be done with native species, preferably mirroring the existing habitat on site. This includes the rain gardens which are currently mostly non-native.”*

Further details on the non-native planting included within the rain gardens is discussed within the BMP. The rain gardens comprise a range of native and non-native varieties which are tolerant to being periodically inundated with rainwater and designed to increase aesthetics near to the new building. The selection of non-native plant species has included species which are of value to pollinators, to ensure that they are of biodiversity value. The planting along the southern edge of the building and the rain gardens, within the detailed landscape design, will be reviewed and the inclusion of native species will be provided where suitable, although a balance should be deemed acceptable, providing the non-native varieties are known pollinators/wildlife friendly.

Biosolar Roof

[Laura Palmer comment] *“It is noted that the roof is to house Solar Photovoltaics on the roof. If this were converted to a Biosolar roof this would cover the mitigation for the loss of the SINC and make the Photovoltaics more efficient (A green roof solar boost - and a boost for nature too (livingroofs.org)). Specialist advice should be sought to inform if this is possible on the proposed building. This would also cover the mitigation for the loss of bird habitat.”*

Upon further discussion, it is not yet confirmed whether the provision of Solar Photovoltaics will come forward within the scheme, and our client is therefore hesitant to agree to the Biosolar roof suggestion as this may not come forward.

In addition to this, the nature of the development is to provide an open factory space with limited central columns to keep the internal space as open as possible. As a result, the roof of the building is unlikely to be structurally suitable for the amount of loading required to facilitate a Biosolar roof and therefore this option is not considered suitable.

In regard to the mitigation for loss of the SINC habitat, this has been discussed above on the ‘Proposed Green Roof’ comment.

I trust that upon review of the above and the submitted BMP, you are able to withdraw your objection to the planning application and I would be grateful if you are able confirm this in writing. However, please do get in touch should have any further queries or concerns.

Yours sincerely

A handwritten signature in black ink, appearing to read 'E Delaney'.

Eleanor Delaney (ACIEEM)
Senior Ecologist
Mobile: 07468691250
Email: eleanord@edp-uk.co.uk