

Reptile Mitigation Strategy and Wider Ecological Enhancements

PROJECT TITLE: Development for Commercial Purposes of Unit 6
Tafarnaubach Industrial Estate, Tredegar

SITE ADDRESS: Unit 6 Tafarnaubach Industrial Estate, Tredegar, Blaenau
Gwent, NP22 3AA.

DATE: 26th November 2024

The applicant is seeking planning consent to improve the site entrance junction to accommodate car transporter vehicles, install 10 x staff car parking bays, install 10 x car transporter parking bays, install 306 x vehicle storage bays for car sales and install a Indicative transporter vehicle facility (to accommodate servicing and maintenance of transporter vehicles) at Unit 6 Tafarnaubach Industrial Estate, Tredegar, Blaenau Gwent, NP22 3AA. A proposed site plan is provided in Appendix 1 at the end of this report.

The development site is accessed northwards via a factory estate road at Tafarnaubach Industrial Estate and is centred at approximately NGR SO 12241 10472. The site is currently a disused industrial unit, located to the north of the A465 Heads of the Valleys Road. Access to the local road network is via Merthyr Road which runs parallel to the A465, running to south of the A465 in the immediate vicinity of the site and to the north of the A465 to the west of the proposed development site. An aerial image showing the development site within the context of the wider landscape is provided in Appendix 2 at the end of this report.

Ecological survey work has been completed during 2023 and 2024 within the site boundary to inform a previous planning application for the development site. The previous survey work is considered to be relevant to the current proposed plans and still within a suitable timeframe to be considered current and is therefore used to inform the current planning application.

A bat scoping survey of the industrial building within the development site boundary has been undertaken by Ecological Services Ltd. An internal and external assessment of the building was undertaken on the 29th October 2024. No evidence of the presence of bats was found within the structure and the building is considered to have negligible potential for use by roosting bats. No further survey recommendations are made for bats within the building.

Planning History

Full planning consent has been previously been granted (reference number C/2023/0180) for land re-profiling works through the importation of inert materials and the change of use from B2 (General Industrial) to Class B8 (Storage) at Unit 6 Tafarnaubach Industrial Estate, Tredegar. A number of conditions were added to the decision notice - Conditions 3 and 4 of the planning consent related to ecology and stated:

Condition 3: *'Within four months of the date of this permission, details of a reptile mitigation strategy and wider ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details and shall be maintained as such thereafter.'*

Condition 4: *'The development shall only proceed in accordance with the conclusions and recommendations of the Site Assessment Survey carried out by Ecological Services Ltd dated 19th April 2023. Details identifying compliance with the report shall be submitted to and approved in writing by the Local Planning Authority.'*

To inform the planning application a site assessment survey of the development site was undertaken in 2023. A reptile survey was also undertaken within the site in 2024. A Reptile Mitigation Strategy and Wider Ecological Enhancements report was produced by Ecological Services in April 2024 '2024-04-08 Reptile Mitigation Strategy - Unit 6 Tafarnaubach Industrial Estate' to satisfy Condition 3. The Reptile Mitigation Strategy and Wider Ecological Enhancements report dated 8th April 2024 (V1) was informed by the survey work completed within the site boundary.

The Reptile Mitigation Strategy and Wider Ecological Enhancements report completed by Ecological Services Ltd recommended species deterrent measures for reptiles and nesting birds during any site clearance works. The report also proposed the following enhancement and compensation measures to be implemented as part of planning consent C/2023/0180:

- Mammal passes within any fencing used,
- 2 x Schwegler 1B Bird Nest Boxes to be erected as close to eaves level as possible on a north facing aspect of the existing Industrial unit,
- 2 x Schwegler 2F Bat Boxes to be erected as close to eaves level as possible on a south facing aspect of the existing Industrial unit,
- The provision of at least 5 native trees within the development site boundary,
- Wildlife friendly lighting to be used within the site

Previous Ecological Survey Work

A Site Assessment Survey of the land within the site boundary was undertaken by Ecological Services Ltd on the 29th March 2023. The survey results and relevant recommendations were provided within the report '2023-04-19 Site Assessment - 6 Tafarnaubach Industrial Estate' dated April 2023. The land within the proposed development site boundary comprises of the following habitats; semi-improved grassland, tall ruderal vegetation, scrub vegetation, broad-leaved woodland, mixed woodland plantation, marshy grassland, short perennial vegetation, industrial building, reinforced concrete rubble pile, hardcore rubble mounds, concrete hardstanding and standing water.

The survey report highlights the habitats within the site and the immediate vicinity are considered suitable for use by; reptiles, amphibians, nesting birds, invertebrates and bats. The report stated that *'The site is considered suitable for a small number of common reptile species to be present throughout the year. The imported hardcore may have affected habitat suitable for common reptile species. Any future works within the site boundary should be informed by a reptile survey. A reptile refugia survey will establish the presence or likely absence of reptiles within the site boundary. Should reptiles be*

found within the site boundary a reptile mitigation strategy, which is agreed with the LPA ecologist, will be required to support the proposed development.'

A Reptile Survey of the land within the site boundary was undertaken by Ecological Services Ltd between April and May 2024. The survey results and relevant recommendations were provided within the report '*2023-05-07 Reptile Survey Report - 6 Tafarnaubach Industrial Estate*' dated April 2023.

No evidence of reptile presence was found during the reptile survey work. However the semi-improved grassland, marshy grassland, short perennial vegetation, tall ruderal vegetation, scrub vegetation and concrete rubble pile are suitable for reptile use. Although the habitats within the site boundary are suitable for reptile use, given the negative survey results from this 2024 survey it is considered that a low density population of reptiles may be present.

The report stated that '*Whilst no evidence of the presence of reptiles was found during the reptile survey completed, a precautionary approach to site clearance will be adopted. Full details of site clearance methodology that is sensitive to reptiles can be found in the Reptile Mitigation strategy and Wider Ecological Enhancements report by Ecological Services Ltd.*'

Legislation

Reptiles such as Slow Worm (*Anguis fragilis*), Common Lizard (*Zootoca vivipara*), Adder (*Vipera berus*) and Grass Snake (*Natrix natrix*) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing injury and sale. All four common reptiles are also listed as 'Section 7' species in Wales. In Wales Sand Lizard (*Lacerta agilis*), Smooth Snake (*Coronella austriaca*), Adder, Grass Snake, Slow Worm and Common Lizard are listed in section 7 of the Environment (Wales) Act 2016 which makes them a key species to sustain and improve biodiversity.

All **wild birds**, their nests and eggs are protected by law. There are certain exceptions but it is generally considered an offence to:

- Intentionally kill, injure or take any wild bird,

- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built,
- Intentionally take or destroy the egg of any wild bird,
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or a nest containing eggs or young, or disturb the dependent young of such a bird.

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

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

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

Schedule 5 of The Wildlife and Countryside Act (1981) also protects all species of British bat and their roosting locations. British bats are protected from intentional or reckless disturbance and or obstruction of their roosting places. Barbastelle Bat (*Barbastella barbastellus*), Bechstein Bat (*Myotis bechsteinii*), Noctule Bat (*Nyctalus noctula*), Brown Long-eared Bat (*Plecotus auritus*), Common Pipistrelle (*Pipistrellus pipistrellus*), Soprano Pipistrelle (*Pipistrellus pygmaeus*), Greater Horseshoe Bat (*Rhinolophus ferrumequinum*) and Lesser Horseshoe Bats (*Rhinolophus hipposideros*) are also listed in section 7 of the Environment (Wales) Act 2016 which makes them a key species to sustain and improve biodiversity.

Construction Mitigation Measures

The proposed works have the potential to impact on reptiles and nesting birds. The below mitigation measures will be implemented during any on site works to prevent any negative impacts:

- Should the work require any impact to scrub, mature trees or building within the site nesting birds must be considered. Vegetation removal and building must be completed outside of the bird nesting season of March to August inclusive. If this is not achievable an ecologist must inspect any trees, ground vegetation or building with the potential for birds to be present with active birds' nests prior to works beginning. If an active nest is identified a buffer zone of at least 5m around the nest must be observed until the chicks have fledged. Only then can the vegetation or building be removed. Greater buffer zones around nests may be required depending on the species and habitat the nest is within.
- All excavations within the site will be securely covered over if left unattended. Any excavations that have a depth in excess of 0.5m and that are left open overnight will have a means of escape left for any mammals (e.g. hedgehog) that may fall into them. A wooden board or equivalent will be left from the bottom to the top of the hole at an angle no steeper than 45°. This will allow any mammal to escape and avoid increased stress from being trapped.
- A suitable Root Protection Zone (RPZ) will be implemented around any retained trees to prevent impacts during any earth works. Information on RPZs can be found in the Arboricultural Report by ArbTS.
- All machinery and development materials will be stored on areas of hardstanding only.

Grassland / Tall Ruderal Vegetation Clearance

- Vegetation clearance must be undertaken in two stages as below and during the summer months of April to September inclusive to ensure reptiles are active. The vegetation cut will aim to push any reptiles on site into adjacent retained vegetation.
- The machinery to be used for cutting vegetation depends on the ground conditions and contractors. Owing to the small scale of the site ideally hand held trimmers and or brush cutters may be suitable and the tailings hand raked and removed from site.

- **First Stage Cut** - All vegetation including grasses and flowers are to be cut no shorter than 150mm. Strimming will start at the eastern boundary of the site and will proceed westwards towards the retained habitat areas. The cut material will be raked and removed to an undisturbed area of the site. Once the cuttings have been collected and removed from site, the site must then be left for 24hrs.

- Any reptiles present should naturally move away of their own accord due to the disturbance from cutting. However if any reptiles or other fauna are encountered during this operation they will either be carefully collected and moved away onto the undisturbed areas of the site or allowed to do so of its own accord.

- **Second Stage Cut** - After 24 hours the grass should be cut to ground level to a maximum height of 50mm. Cutting will look to push any resident reptiles into adjacent habitats beyond the site boundary to the south east and the arisings raked and removed to an undisturbed area of the site. Any reptiles or other fauna found will be treated as above.

- Any suitable refugia such as large fallen branches or building materials will be carefully lifted, inspected and removed under ecological supervision, for the presence of reptiles on or around this feature. Any which are found should be allowed to exit and disperse away from the site voluntarily, or should be carefully gathered up using gloved hands and taken for release in suitable habitat off the site.

- Once all vegetation has been cleared from within the site boundary, the construction site footprint must remain in a vegetation free state. This will help to reduce the likelihood of reptiles using the site while construction works are underway.

Post Construction Mitigation Measures

The Environment Act (Wales) 2016 places a duty on competent authorities such as Blaenau Gwent County Borough Council to conserve and enhance biodiversity. Planning

Policy Wales (12th Ed) also places weight on the need for Green Infrastructure to be included within any development plans. The below measures will be implemented to demonstrate an overall biodiversity gain for the development.

- Any fencing used within the site boundary will allow the passage of small animals such as reptiles through the development site. This will allow reptiles to naturally recolonise areas of suitable habitat within the site boundary once development works are complete. Fencing will either be raised 13cm from the ground or will have 13cm by 13cm gaps cut into it every 3m.
- Prior to construction works commencing 5 x tree mounted bat boxes will be fitted to retained trees in the grounds of the overall site. The bat boxes will be installed at least 3m from ground level around the circumference of two mature trees which are large enough to support the boxes. The base of each box must be at least 30cm away from any tree limb or features which may cause an obstruction to the bat access hole. Photographs of the correctly mounted boxes will be sent to Blaenau Gwent Planning Department. Boxes to be provided are:
 - 4 x Large Bat Bark Box (or similar design)
 - 1 x 1FF Schwegler Bat Box (or similar design)
- Prior to construction works commencing 5 x tree mounted bird boxes will be fitted to retained trees in the grounds of the overall site. The bird boxes will be installed at least 2m from ground level on three separate mature trees which are large enough to support the boxes. Photographs of the correctly mounted boxes will be sent to Blaenau Gwent Planning Department. Boxes to be provided are:
 - 2 x Blackbird FSC Nest Box (or similar design)
 - 3 x Vivara Pro Seville 28mm WoodStone Nest Box (similar design)
- No night time working will be permitted to prevent incidental light spillage onto retained vegetation and habitats where nocturnal species such as foraging/commuting bats and invertebrates may use at night. No work between the hours of 7pm and 7am which requires the use of artificial lighting will be allowed.
- All lighting must meet recommendations in the BCT Guidance Note 08/23 Bats and

Artificial Lighting at Night <https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released> . It will be important to prevent light spill along the periphery of the site, in particular the broad-leaved woodland and scrub to the west and north of the site boundary.

Examples of suitable Bird and Bat boxes is provided in Appendix 3 at the end of this report.

Best Wishes

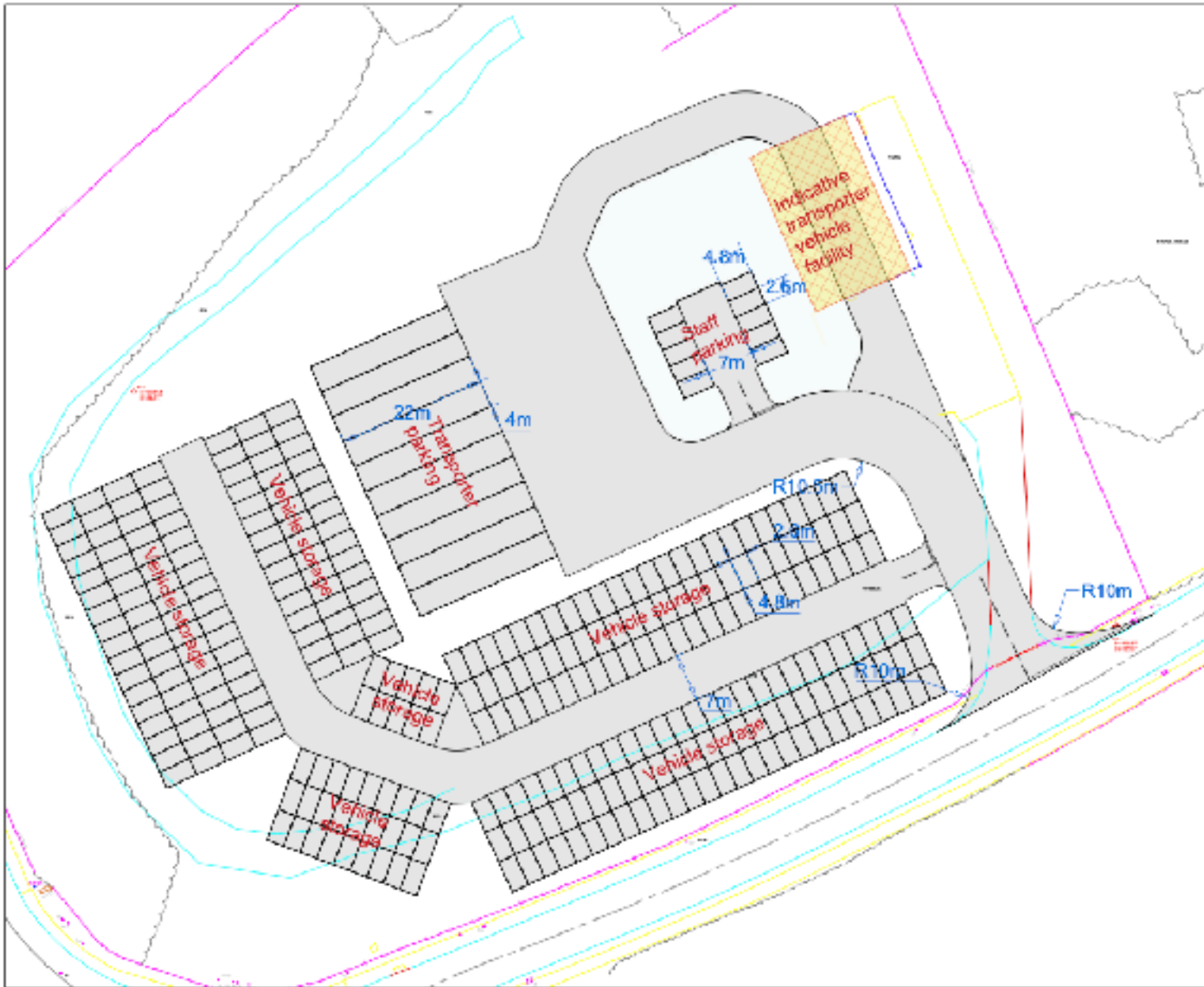
Lee Gregory

Ecologist

Ecological Services Ltd

Signed: Lee Gregory Date: November 2024

Appendix 1 - Proposed Development Plan



Appendix 2 - Site Location Plan



Appendix 3 - Examples of Bat and Bird Boxes



Blackbird FSC Nest Box



Vivara Pro Seville 28mm WoodStone Nest Box



1FF Schwegler Bat Box



Large Bat Bark Box