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ECOLOGICAL IMPACT ASSESSMENT

CWMRHYDDERCH COURT, EBBW VALE

TAI CALON COMMUNITY HOUSING

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Surveyed by:	Julie Player, Chloe Curran, Marie Pugh, Max Dupre and Emma Douglas
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VERSIONING AND QUALITY ASSURANCE

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A	Draft	23/09/2020	Julie Player MCIEEM Senior Ecologist	Alex Wilson MCIEEM Principal Ecologist	Alex Wilson MCIEEM Principal Ecologist
B	Final	25/09/2020	Julie Player MCIEEM Senior Ecologist	Alex Wilson MCIEEM Principal Ecologist	Alex Wilson MCIEEM Principal Ecologist
C	Final	26/10/2021	Jenny O'Neill Assistant Ecologist		

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The evidence which we have prepared and provided is true, and has been prepared and provided in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

SUMMARY

Purpose	<ul style="list-style-type: none"> • Wildwood Ecology was commissioned by Tai Calon Community Housing (the client) to undertake a series of Bat Activity Surveys of Cwmrhydderch Court, Ebbw Vale. • The site is the subject of a demolition order to demolish the derelict building for future development.
Work Undertaken	<ul style="list-style-type: none"> • A preliminary roost assessment (PRA) was undertaken by Wildwood Ecology at Cwmrhydderch Court in September 2019 and was confirmed as a bat roost (a pipistrelle bat was seen roosting under the flat roof of the building during the PRA). Therefore, two roost characterisation surveys were recommended. This report should be read in conjunction with the preliminary roost assessment report (Wildwood Ecology Ltd, October 2019). • A dusk and a dawn bat activity survey were undertaken in June and July 2020 following best practice in line with the Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edn (Collins 2016). • A preliminary ecological appraisal was undertaken consisting of a field survey in August 2020 following the Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal (2013) guidelines and standard Phase 1 Habitat Survey protocol (JNCC, 2010).
Key issues	<ul style="list-style-type: none"> • Two common pipistrelle bats were recorded emerging from the eastern aspect of the building during the dusk emergence bat activity survey. • One pipistrelle bat was recorded roosting on the western aspect of the building during the preliminary roost assessment in September 2019 • The grassland around the site is suitable to support reptiles, foraging hedgehogs and badgers and invertebrates and the trees are suitable to support nesting birds but are negligible to support roosting bats. Jackdaws were observed nesting within the trees during the pre-dawn re-entry survey on the 10th July 2020.

Recommendations	<p>Bats</p> <ul style="list-style-type: none"> • A European Protected Species licence for bats must be obtained in order for the works to be legally undertaken. This will require the implementation of mitigation (timing of works, maintenance of roosts, supervision of high risk works by an ecologist) and compensation (provision of further roosting features (bat boxes on trees) and maintenance of dark flight lines) measures. A lighting plan may be required if new lighting is to be installed. • Bat boxes to be incorporated into the design of any future development. <p>Nesting Birds</p> <ul style="list-style-type: none"> • Any vegetation clearance of trees and scrub and the demolition of the building will take place outside of the bird nesting season. In the event that clearance work has to be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified person. Any active nests identified should be protected until the young have fledged. Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - http://www.jncc.gov.uk/page-3614 is involved, compensation for impacts, e.g., loss of nesting sites, should be devised and implemented. • Bird boxes to be incorporated into the design of any future development. <p>Reptiles and hedgehogs</p> <ul style="list-style-type: none"> • Vegetation clearance will be undertaken in a two staged directional manner (south to north), through the use of hand tools only (e.g. handheld strimmers, brush cutters) and under the supervision of an ecologist. The first cut will be down to approximately 150mm and completed in a north to south direction pushing reptiles into suitable retained habitat immediately north of the site. The arising will be carefully raked off and removed from site. The vegetation can then be cut down to ground level. • To ensure that the habitat within the new development is not fragmented across the site gaps (13cm x13cm) should be left at the bases of all on-site fences/walls including site boundaries to allow passage of hedgehogs across the site. In addition, cautious working is advised to prevent killing or injury to this species. <p>Badger</p> <ul style="list-style-type: none"> • During construction all excavations must be covered over during the night. If this is not possible a ramp must be placed into the excavation to ensure that animals do not get trapped within it and are able to escape. All chemicals must be stored away in a locked safe location. <p>In the unlikely event that any protected species are encountered during the works all works must stop and an experienced ecologist must be contacted for advice.</p>
Conclusions	<ul style="list-style-type: none"> • Providing that the recommendations outlined within this report are successfully implemented, it should be possible for the proposed development to proceed and for there to be no long-term impacts upon the key protected species present at the site. • This ecological report will remain valid for a period of 18 months from the date of the last survey – i.e. until February 2022.

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1 INTRODUCTION

- 1.1 Wildwood Ecology was commissioned by Tai Calon Community Housing (the client) to undertake Bat Activity Surveys and a Preliminary Ecological Appraisal at Cwmrhydderch Court, Ebbw Vale (the site) centred at grid reference SO 18445 05537.
- 1.2 A Preliminary Roost Assessment (PRA) for bats and nesting birds was undertaken at the site on the 17/09/2019. This identified the building as a bat roost for an individual pipistrelle bat. Further bat roost characterisation surveys (x2) were therefore recommended. The surveys (dusk emergence and pre-dawn re-entry) were undertaken on the 19/06/2019 and 10/07/2020. This report should be read in conjunction with the preliminary roost assessment report (Wildwood Ecology Ltd, October 2019).
- 1.3 A preliminary ecological appraisal was undertaken at the properties on the 12/08/2020.

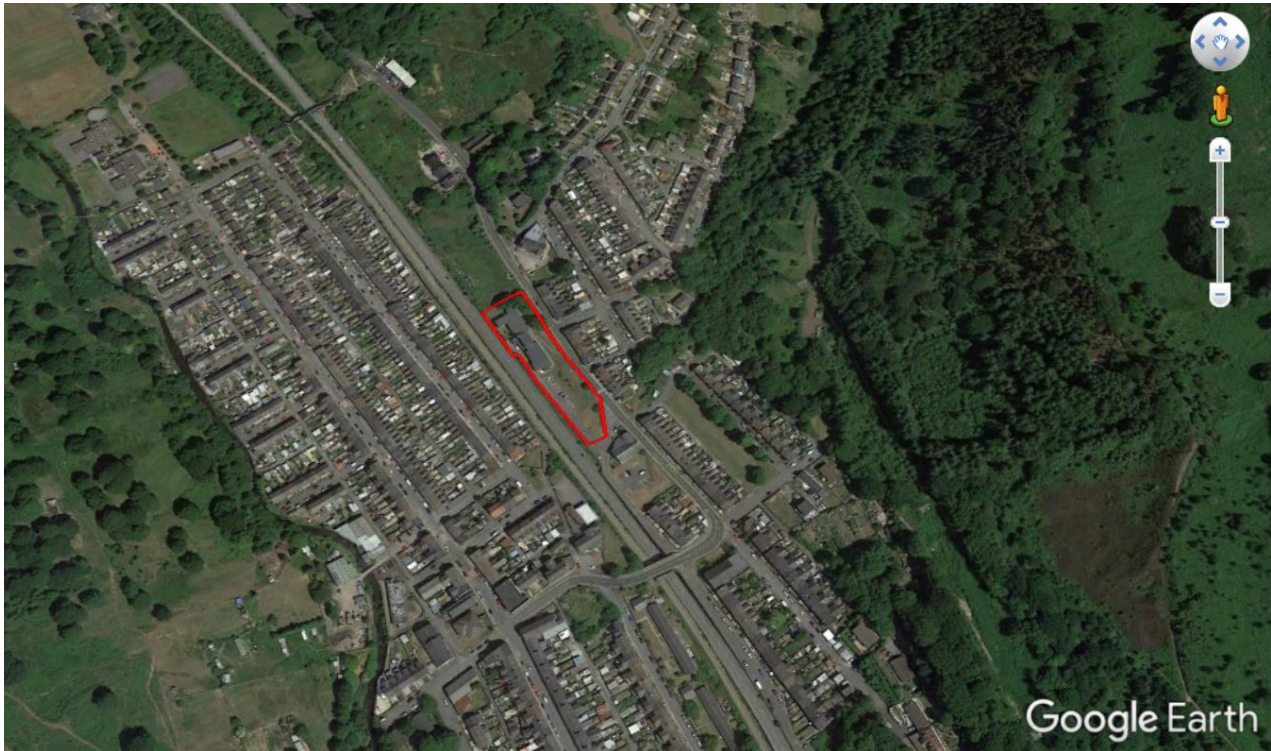
Site description

- 1.4 The aerial image of the site (Figure 1) shows the site to consist of a large two storey flat roof building, amenity grassland, scattered broadleaved trees and associated parking.



Figure 1 – Aerial image of the site (red line shows the site boundary). Image used under licence (©2020 Google). Imagery date 25/06/2018.

1.5 The wider site (Figure 2) consists of the A4046, a railway line and residential housing to the south, southwest and north west with the Ebbw river located 250m west from the site. Lines of scattered trees link the site to areas of grassland (north and north-west) and blocks of woodland (north-east and east). Residential housing estates, associated roads and green areas are also located east of the site.



Proposed development

The site is the subject of a demolition order to demolish the derelict building for future development.

Purpose of this report

- 1.6 This report aims where possible to provide sufficient information for the local planning authority to fully assess the potential ecological impacts of the proposed development, or alternatively, to identify what further information is required to fully inform the scheme.
- 1.7 The results of the bat activity surveys have been used to establish the need for, and extent of, any mitigation or compensation measures required as part of the proposed development.

2 METHODOLOGY

Desk study

2.1 A biodiversity desk study was undertaken in relation to the site in September 2019. The sources consulted and the type of information obtained are summarised in Table 1.

Table 1 - Sources of biodiversity and ecological records.

Source	Information requested (search buffer from site centre/boundary)
South East Wales Biodiversity Records Centre (SEWBRcC)	<ul style="list-style-type: none"> • Bats and roof-nesting birds only: <ul style="list-style-type: none"> ○ Bats (2km) ○ Roof nesting birds (0.15km)
Multi-Agency Geographic Information for the Countryside (MAGIC) ¹	<ul style="list-style-type: none"> • International statutory designations(5km) • National statutory designations (2km)

2.2 The search buffers are considered to be sufficient to cover the potential zone of influence (Zol²) of the proposed development.

2.3 The impact of the proposed development on the biological integrity of any nearby designated protected sites has been fully considered.

2.4 Data for bats and birds only was obtained from South East Wales Biodiversity Records Centre (SEWBRcC) as the proposals will only impact on the building, hence data for other species would be irrelevant.

Field survey – Preliminary Ecological Appraisal

2.5 A field survey was undertaken on 12 August 2020.

2.6 All habitats present within the site with the potential to support rare, protected, or otherwise notable species of flora or fauna (together with any direct signs) were noted.

2.7 In the context of this report, rare, protected, or otherwise notable species of flora or fauna were those considered to meet any of the following criteria:

- Species protected by UK or European legislation (see Appendix V);
- UK Post 2010 UK Biodiversity Framework priority species or Local Biodiversity Action Plan (LBAP) species;
- Nationally rare or nationally scarce species;
- Species of Conservation Concern (e.g. JNCC Red List, RSPB/BTO Red or Amber Lists).

2.8 A PEA habitat map was drawn up incorporating target notes used to highlight features of particular ecological interest (see Appendix I).

2.9 The Wildlife and Countryside Act (1981) as amended, makes it an offence to release or allow to escape into the wild any animal, plant, or micro-organism not ordinarily

¹ <http://magic.defra.gov.uk/MagicMap.aspx>

² Zol definition – ‘the areas/resources that may be affected by the biophysical changes caused by activities associated with a project’ (CIEEM, 2016).

resident in the UK (as listed in Schedule 9 of the Act). Plant species listed in Schedule 9 were searched for during the survey. Examples include species such as Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*).

Bat activity surveys (dusk emergence / pre-dawn re-entry)

- 2.10 Two bat activity surveys (dusk emergence survey and pre-dawn re-entry) were undertaken at the onsite buildings.
- 2.11 The dusk emergence surveys commenced approximately 15 minutes before the time of local sunset (source www.sunrisesunsetmap.com) and continued for approximately 1.5 hours after sunset.
- 2.12 The pre-dawn re-entry surveys commenced approximately 1.5 hours before the time of local sunrise (source www.sunrisesunsetmap.com) and continued for 15 minutes after.
- 2.13 Surveyors were equipped with broadband bat detectors (Elekon BatScanner Stereo). Elekon Batloggers was also deployed to record bat activity across the site.
- 2.14 Note was made of all bat activity recorded including (where appropriate) roost access points, species, time of re-entry, direction of flight, behaviour (foraging or commuting) and use of landscape features. Minimal lighting was used during the surveys as this can alter the behaviour of the bats emerging from or entering a roost or foraging or commuting over a site.

Surveyor information

- 2.15 The activity surveys were led by Julie Player and Marie Pugh and assisted by Chloe Curran, Emma Douglas, and Max Dupe. See Table 2 for further information.

Table 2 – Surveyor information

Surveyor	Licences	Ecological experience
Julie Player B.Sc. (Hons) MCIEEM Senior Ecologist	Bat Dormouse GCN	Holds a first-class honours degree in International Wildlife Biology. Experience in working for ecological consultancies since 2012. Experienced in undertaking bat, dormouse, reptile, and great crested newt surveys. Is a licensed bat, dormouse and great crested newt surveyor in England and Wales.
Field Surveyors Marie Pugh Emma Douglas	-	Experienced field surveyors with multiple seasons of bat surveys undertaken commercially; able to lead a bat survey as appropriate.
Survey assistants Max Dupe Chloe Curran	-	All survey assistants received training in use of bat detectors and survey methodologies. Deemed competent and confident to use bat detectors to observe bats in flight and conduct an emergence/re-entry survey in conjunction with a licenced ecologist. Assistants backed up by experienced surveyors and/or recording detectors where possible.

Limitations and assumptions

- 2.16 No limitations were encountered, or assumptions made, and it is considered that, with the access gained and recording undertaken, an accurate assessment of the site's ecological value in relation to bats has been made.

3 RESULTS

Preliminary Ecological Appraisal

Desk study

Designated sites (statutory)

- 3.1 There were no international statutory designations within 5km of the site and one national statutory designation within 2km (see Table 3).
- 3.2 There are no protected areas (SAC) designated for its bat populations within 10km of the site.

Designated sites (non-statutory)

- 3.3 There were two non-statutory designations within 1km of the site (see Table 3).

Table 3 - Summary of designated sites in range of the site.

Site name	Designation	Description / key reason for designation	Distance & direction
Ebbw River South Section	SINC	The River Ebbw (Fawr) flows 20 miles from its source at Mynydd Llangynidr, via Carno reservoir and links with the Ebbw Fach at Aberbeeg forming the main Ebbw River before joining the Severn Estuary at the mouth of the River Usk.	250m west of the site
Mynydd Carn-Y-Cefn and Cefn-Yr-Arail	SINC	Is designated for its landscape qualities and features such as early opencast workings of historical value, and mosaic of habitats such as heathland, acid grassland, mire and oak woodland, purple moor grass and rush pasture, upland oak woodland, beech and yew woodland, dwarf shrub heath and blanket bog.	450m east from the site
Cwm Merddog Woodlands	SSSI	The Cwm Merddog Woodlands comprise an extensive area of beech <i>Fagus sylvatica</i> woodland near the westerly limit of its geographical range and part of the site is also the highest known station for beech in Britain. Cwm Merddog Woods also has interesting transition zones between beech and alder <i>Alnus glutinosa</i> dominated communities in areas of impeded drainage.	600m north east of the site

Protected species

3.4 Table 4 summarises the priority and protected species records found within the local area within the last 10 years.

Table 4 - Bat and roof-nesting bird species records found in the vicinity of the site within the last 10 years

Protected & priority		# of records (# species)			Further information (closest records to the site)
Groups	Species	Onsite	<500m	>500m	
Bats	Common pipistrelle	-	2	4	227m N flight record
	Soprano pipistrelle	-	-	1	2km S day roost
	Pipistrelle bat	-	-	2	1.5km N roost
	Myotis	-	-	2	1.6km N flight record
	Unidentified bat	-	1	3	95m W flight record
	<i>TOTALS</i>	-	<i>3(2)</i>	<i>12(5)</i>	
Birds (non-Schedule 1)		-	6(6)	-	No schedule 1 birds were recorded. Species recorded were wren, redstart, swift, jackdaw, spotted flycatcher, and great tit. All records were located 50m W.

Field survey - PEA

3.5 Prevailing weather conditions during the field survey are summarised within Table 5.

Table 5 - Summary of weather conditions during the PRA.

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Rain
12/08/2020	28	1	1	Nil

3.6 The distribution and extent of habitats observed within the site is illustrated in the PEA plan (see Appendix I). An accompanying species list (including scientific names) can be found in Appendix IV.

3.7 The habitats present onsite are described in detail in Table 6 using the standard Phase 1 survey habitat classification hierarchical alphanumeric reference codes (JNCC, 2010).

3.8 Please also refer to Table 6 for a list and description of the onsite target notes. The positions for these target notes are highlighted in the PEA plan in Appendix I.

3.9 The site was classified according to the following habitat types: amenity grassland, scrub, hardstanding, building and scattered trees.

Table 6 -- Summary of habitats recorded within the survey boundary

Habitat type / Linear feature	Species present	Other observations
<p><i>J1.2 Amenity grassland</i></p> <p>Is located around the eastern and northern boundary of the site. The sward height was >60cm tall during the survey.</p>	<p>Cock's-foot, Yorkshire fog, creeping thistle, yarrow, dandelion, creeping buttercup, ribwort plantain, timothy grass, sweet vernal grass, common knapweed, common bird's-foot trefoil, common sorrel, and ragwort.</p>	<ul style="list-style-type: none"> Suitable to support reptiles, foraging hedgehogs, and badger
<p><i>A2.1 Scrub (dense/continuous)</i></p> <p>A small area of scrub is located within the northeastern area of the site between scattered trees.</p>	<p>Bramble and blackthorn</p>	<ul style="list-style-type: none"> Suitable for nesting birds (small, common garden species) and provides suitable cover for nesting hedgehogs.
<p><i>J5 Other habitat – Hardstanding</i></p> <p>Areas of hardstanding in the form of footpaths and parking is located around the building and along the southwestern boundary of the site.</p>		
<p><i>J3.6 Buildings</i></p> <p>A two and three storey brick building with PVC facia and gutting, metal double glazing with a flat felt and pitched roof located within the centre of the site.</p>		<ul style="list-style-type: none"> Moderate potential for roosting bats Suitable for small nesting birds
<p><i>A3.1 Broad-leaved Parkland and Scattered Trees</i></p> <p>Located within the north-eastern corner and eastern boundary of the site.</p>	<p>Ash, oak</p>	<ul style="list-style-type: none"> Negligible for roosting bats Suitable for nesting birds.

Invasive species

3.10 No invasive species were recorded within the survey boundary

Onsite fauna

3.11 The presence of the following species was observed or detected around the site during the survey: Blackbirds and jackdaws (jackdaws nesting in tree).

Bat activity surveys (dusk emergence and pre-dawn re-entry)

Timing and conditions

3.12 The survey timings and weather conditions during the activity surveys can be seen in Table 7.

Table 7 - Summary of survey timing and conditions during activity surveys.

Date	Type	Survey Timing			Conditions			
		Start	End	Sunset / Sunrise	Temp [°C]	Cloud Cover [Oktas]	Wind Speed [Beaufort]	Rain
19/06/2020	Dusk emergence	21.20	23.05	21.35	Start: 13 End: 13	Start: 6 End: 8	Start: 2 End: 1	Nil
10/07/2020	Pre-dawn re-entry	3.37	5.22	5.07	Start: 12 End: 10	Start: 7 End: 6	Start: 2 End: 1	Nil

3.13 The results of the bat activity surveys (dusk emergence and pre-dawn re-entry) are summarised in Table 8.

Table 8 - Bat activity survey results. SS±xx refers to the time in minutes before/after sunset and SR±xx refers to the time in minutes before/after sunrise.

Survey type and date	Roosts / points of particular interest	General observations
Dusk emergence 19/06/2020	<ul style="list-style-type: none"> First bat heard at 21.57 (SS+22) common pipistrelle (x1) emerged from south-eastern aspect of the third storey flat roof. 2 common pipistrelle bats (in total) emerged from under the flat roof on the eastern aspect of the school at 22.02 (SS+27) and 22.12 (SS+37). 	<ul style="list-style-type: none"> Common pipistrelle bats observed foraging around trees immediately north and east of the building. A common pipistrelle bat was observed commuting over the building in a west to east direction to the foraging over the trees adjacent to the building. A noctule bat was heard at 22.54 (SS+84) but not seen.
Pre-dawn emergence 10/07/2020	<ul style="list-style-type: none"> First bat heard at 03.49 (SR-78) common pipistrelle bat commuting, was heard but not seen. No bat roosts were recorded during this survey. 	<ul style="list-style-type: none"> Just common pipistrelle and soprano pipistrelle bats were recorded during this survey. Bats were recorded foraging around the tree on the north eastern corner of the site and commuting in a north-south, south-north, and west-east directions around the building.

3.14 Bat flight lines in and around the site can be seen in Appendix III.

3.15 Bat roosts were identified during the activity surveys and are summarised in Table 9.

Table 9 - Details of bat roosts identified.

Date	Species (number)	Roost type (number)	Roost location	Access points
17/09/2019	Pipistrelle	Day roost individual bat	Under the lip of the flat roof on the western aspect of the building	Under the lip of the flat roof
19/06/2020	Common Pipistrelle	Day roost small numbers of individuals	Under the lip of the flat roof on the eastern and southern aspect of the building	Under the lip of the flat roof

4 INTERPRETATION AND ASSESSMENT

- 4.1 The proposed development will require displacement of onsite habitats and disturbance to their associated features. This section concerns an assessment of ecological impacts resulting from the proposed development.
- 4.2 The following interpretation and assessment is provided to ensure full compliance with both UK and European legislation and both local and national planning policy (see Appendix V).

Designated sites

- 4.3 There was one statutory and two non-statutory designated sites identified within the vicinity of the site (see Table 3). The closest statutory site was Cwm Merddog Woodlands, a SSSI located 600m northeast of the site and is designated for its beech woodland habitat. The closest non-statutory site was the Ebbw River South Section, a SINC located 250m west of the site which is designated for its varied habitats and the species that it supports.
- 4.4 Given the scale and localised nature of the of the proposed works, and the lack of likely impacts beyond the site boundary, the nearby designated sites are sufficiently well separated so that no impacts on their designated features are anticipated as a result of the works.

Priority and protected habitats

- 4.5 No priority habitats were recorded onsite.

Priority and protected species

The following priority species (as listed in Section 7 of the Environment (Wales) Act 2016) were present or likely to be present onsite: bats, nesting birds, reptiles, and hedgehogs.

Bats

- 4.6 The local records search returned a number of records for bats in the vicinity of the (Wildwood Ecology, 2019), the species recorded were predominately common pipistrelle bats but also included soprano pipistrelle, pipistrelle sp, myotis and an unidentified bat species.
- 4.7 Bat roosts for a small number of individual common pipistrelle bats were confirmed within the onsite building during the bat activity surveys and a single pipistrelle sp bat was recorded roosting during the preliminary roost assessment in September 2019.
- 4.8 Bats were recorded foraging around the trees located on the northeastern corner of the site and commuting predominately along the western and eastern boundaries of the site.
- 4.9 The site did have some light spill from streetlights located on the streets and roads immediately adjacent to the building, this could indicate why there were no light sensitive bat species recorded such as long-eared, myotis and horseshoe species during the activity survey. There were no suitable access points within the building suitable to support horseshoe bats (e.g. large enough access features for horseshoes to fly directly into the building/roof voids).

- 4.10 A small number of individual pipistrelle sp (x1) and common pipistrelle (x2) bats were recorded roosting during two out of the three surveys undertaken at the site (PRA and x2 bat activity surveys). Due to the small number of bats recorded roosting it is likely that the building is used by a small number of individual bats throughout the year. The building had suitability to support bats during the summer and had suitable bat roosting features to support crevice dwelling bats during hibernation (e.g crack/crevices). There was no evidence that the building was used as a maternity roost by bats.
- 4.11 In the absence of mitigation, there will be a negative impact on bat species as a result of the proposed development of the site.
- 4.12 An assessment was made of the value of all bat roosts identified onsite (plus the value of the site for commuting and foraging) using the framework suggested by Wray et al (2010) – see Table 10.
- 4.13 Bat flight lines in and around the site can be seen in Appendix III.

Table 10 -- Value of the site for bats (from Wray et al 2010)

Site location	Wales					
Type & complexity of linear features	Walls, gappy or flailed hedgerows, isolated well-grown hedgerows, and moderate field sizes					
Foraging habitat characteristics	Isolated woodland patches, less intensive arable and/or small towns/villages					
Species on site	Roost type	# of bats	Roosts/potential roosts nearby	Geographic frame of reference [score]		
				Roost	Commuting	Foraging
Common pipistrelle	Small numbers of non-breeding bats	Small	Moderate/unknown	Local	Local [19]	Local [19]

Nesting birds

- 4.14 The local records search returned six records for nesting bird species in the vicinity of the site (see Table 5) species recorded include wren, redstart, swift, jackdaw, spotted flycatcher, and great tit. No schedule one birds were recorded as part of the data search or during any of the surveys undertaken in 2019 and 2020.
- 4.15 Blackbirds and jackdaws were recorded during the PEA and pre-dawn re-entry bat survey. Jackdaws were recorded nesting within a tree located on the north-eastern corner of the site.
- 4.16 The onsite building, trees and scrub had suitability for nesting birds.
- 4.17 There may be a negative impact on nesting birds as a result of the proposed works.

Reptiles

- 4.18 Amenity grassland and scrub habitat located on site are suitable to support foraging and basking reptiles, namely slow worms, and common lizards.

- 4.19 The habitat located immediately northwest of the site is predominately unmanaged and supports a variety of grassland, tall ruderal and ephemeral short perennial habitat which is optimal to support reptiles. Reptiles may venture onto the site from the northwest occasionally.
- 4.20 There will be a negative impact on reptiles as a result of the proposed works if a precautionary approach to vegetation clearance is not followed.

Badger

- 4.21 The grassland on site is suitable to support foraging badger and the site is connected to woodland to the northeast, however the site is located within a densely populated area and would likely be regularly disturbed if onsite, badgers are therefore unlikely to be a regular visitor to the site.
- 4.22 There is unlikely to be a negative impact on badgers as long as precautionary measures are followed during construction.

Hedgehogs

- 4.23 The grassland habitat and small area of scrub on site are suitable to support foraging and nesting hedgehogs.
- 4.24 Areas of grassland are to be lost as part of the new proposed development and divided into amenity grassland gardens in the new residential dwellings.
- 4.25 There will be a negative impact on hedgehogs as part of the proposed development if the habitat (grassland) is fragmented post works, during vegetation clearance and construction if a precautionary approach is not followed.

Other Species

- 4.26 The habitats located onsite are not suitable to support otters, dormouse, or amphibians.
- 4.27 There were some herbaceous species and suitable plants located within the grassland and scrub habitat suitable to support invertebrates. There will not be a long-term negative impact on invertebrates as other residential gardens immediately adjacent to the site are to be retained and amenity grassland habitat is to be included within any new development.

5 CONCLUSIONS AND RECOMMENDATIONS

5.1 Wildwood Ecology was commissioned by Tai Calon Community Housing (the client) to undertake Bat Activity Surveys (dusk emergence / pre-dawn re-entry) for bats at Cwmrhydderch Court, Ebbw Vale.

The site is the subject of a demolition order to demolish the derelict building for future development.

Bats

5.2 Bat roosts for a small number of individual common pipistrelle bats were confirmed within the onsite building.

5.3 In the absence of mitigation, there will be a negative impact on bat species as a result of the proposed development of the site.

5.4 A European Protected Species licence (EPSL) for all species of bats roosting onsite will be obtained in order for the works to the building(s) to be legally undertaken. The EPSL will require a detailed mitigation and compensation strategy to be devised in the form of a method statement. This will aim to ensure that the maintenance of the roosts and local bat populations are maintained at a favourable conservation status.

5.5 The method statement will include mitigation recommendations as follows:

- A toolbox talk will be provided by an ecologist to all demolition contractors prior to any works commencing.
- All bat sensitive works (e.g roof stripping, removal of fascia boards and soffit boxes) will be undertaken under the supervision of a bat licenced ecologist and completed using hand tools only from a MEWP.
- Works will only be undertaken in appropriate weather conditions: temperature must be higher than 5C on three or more consecutive nights; no high winds, no heavy rain.
- The features where bats were recorded roosting will be checked by an ecologist immediately prior to works progressing in these areas. An ecologist will remain onsite until they are happy that all potential bat features have been checked.
- Two bat boxes (2F Schwegler Bat Box (General Purpose)) will be installed on the retained trees onsite prior to any works commencing and will be kept onsite post works as an enhancement measure. Bat boxes will also be incorporated into the design of the buildings onsite.

5.6 Although bats may be using the building year-round, only small numbers of bats were recorded, and there was no evidence that the building was used as a maternity roost. Therefore, there are no timing constraints for the scheduled works (supervision of the bat sensitive works will be undertaken by a bat licenced ecologist).

5.7 Only BS747 Type 1F bitumen roofing felt or wooden sarking will be used to line the new roofs. Breathable membranes will not be used as they are detrimental to the

welfare of bats and when used in bat roosts are known to lose their functionality over time.

- 5.8 In order to prevent an impact on local bat populations, foraging and commuting routes (eastern and western boundary of the site) must remain un-fragmented. Fragmentation can occur by physical removal of the woodland habitat, but also by artificial light spilling onto them.
- 5.9 All UK bats are nocturnal species and light averse (horseshoe bats particularly so). Artificial lighting of foraging and commuting routes is known to act as a barrier to bats and fragment otherwise suitable habitats, causing a negative impact on their local populations.
- 5.10 Therefore, if there is to be lighting, there will need to be a lighting plan demonstrating consideration for bats with dark flight lines maintained (see Appendix I). The external works for the proposed development should be undertaken during daylight hours and a lighting plan should be produced to demonstrate that any 'exterior' lighting proposed post-development would not have a detrimental effect on bats commuting along nearby habitat.
- 5.11 Suggestions for achieving this and for mitigating the light impact on bats are outlined in Guidance Note 08/18 - 'Bats and artificial lighting in the UK; Bats and the built environment series' (The Bat Conservation Trust, BCT, and the Institution of Lighting Professionals, ILP). These include:
- All luminaires should lack UV elements when manufactured. Metal halide, fluorescent sources should not be used.
 - LED luminaires should be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
 - A warm white spectrum (ideally <2700Kelvin) should be adopted to reduce blue light component.
 - Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats (Stone, 2012).
 - Internal luminaires can be recessed (rather than choosing a pendant fitting) where installed in proximity to windows to reduce glare and light spill.
 - The use of specialist bollard or low-level downward directional luminaires to retain darkness above can be considered. However, this often comes at a cost of unacceptable glare, poor illumination efficiency, a high upward light component and poor facial recognition, and their use should only be as directed by a lighting professional.
 - Column heights should be carefully considered to minimise light spill.
 - Only luminaires with an upward light ratio of 0% and with good optical control should be used – See ILP Guidance for the Reduction of Obtrusive Light.
 - Luminaires should always be mounted on the horizontal, i.e., no upward tilt.
 - Any external security lighting should be set on motion-sensors and short (1min) timers.
 - As a last resort, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed.

Nesting Birds

- 5.12 Birds were recorded nesting within a tree located on the northeastern corner of the site during the bat activity surveys.
- 5.13 The building, scattered trees and scrub habitat located within the site boundary are all suitable to support nesting birds.
- 5.14 In the absence of mitigation there will be a negative impact on nesting birds as a result of demolition and vegetation clearance (if required).
- 5.15 Any demolition works and vegetation clearance will take place outside of the bird nesting season. In the event that work has to be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified person. Any active nests identified should be protected until the young have fledged.
- 5.16 Bird boxes will be incorporated into the design of any new buildings as an enhancement measure.

Reptiles

- 5.17 The grassland and scrub habitat onsite are suitable to support reptiles. Without a precautionary approach undertaken during vegetation clearance reptiles may be killed or injured.
- 5.18 A precautionary approach to vegetation clearance is required. A two stage directional (south to north) strip of grassland and scrub habitat is required during the summer, this will force reptiles out of the area into suitable retained habitat located to the north west.
- 5.19 Vegetation clearance should be undertaken using hand tools only, (e.g. brushcutters, trimmers) under the supervision of an ecologist.
- 5.20 First stage - vegetation should be taken down to approximately 150mm, the arisings slowly raked off and taken off site. This will ensure reptiles are disturbed and can move out of the way without being injured.
- 5.21 Second phase – vegetation can be taken down to ground level, the arisings slowly raked and taken off site. The vegetation should remain short to ensure that the habitat remains unsuitable for reptiles whilst the works are being undertaken.
- 5.22 If reptiles are found during the clearance, they will be health checked and released to the north of the site within suitable habitat.

Badger

- 5.23 As the habitat onsite is suitable to support foraging badger and the site is connected to woodland to the northeast of the site that is optimal habitat for badgers, they may occasionally venture onto the site.
- 5.24 During construction, all excavations must be covered over during the night. If this is not possible a ramp must be placed into the excavation to ensure that animals

do not get trapped within it and are able to escape. All chemicals must be stored away in a locked safe location.

Hedgehogs

- 5.25 To ensure that hedgehogs are not killed or injured during vegetation clearance a two staged strim will be required (see reptiles)
- 5.26 To ensure that the habitat within the new development is not fragmented across the site gaps (13cm x13cm) should be left at the bases of all on-site fences/walls including site boundaries to allow passage of hedgehogs across the site. In addition, cautious working is advised to prevent killing or injury to this species.

Other Species

- 5.27 No further surveys for reptiles, otters, great crested newts (or other amphibians), badger, common dormouse, European hedgehog, invertebrates, or bats are required.
- 5.28 In the unlikely event that any protected species are encountered during the works all works must stop and an experienced ecologist must be contacted for advice.

Biodiversity enhancement

- 5.29 Local Authorities have a duty (known as the 'Biodiversity and resilience of ecosystems duty') under the Environment (Wales) Act 2016 to seek to maintain **and enhance** biodiversity in the exercise of their functions.
- 5.30 Where possible the existing onsite habitat will be retained to ensure that species are not adversely affected by the development. Native species of local provenance will be used for any new planting on the site to support The Action Plan for Pollinators in Wales, 2013 (<http://gov.wales/docs/desh/publications/130723pollinator-action-plan-en.pdf>).
- 5.31 An area of grassland within the northeastern corner of the site is to be retained post development. This should be managed as a wildflower garden to enhance the new site for invertebrates (see enhancement plan). This will be achieved by an autumn scarification followed by sowing of yellow rattle which will gradually support more slower growing grass species and a richer more biodiverse sward. Over-seeding with wildflower seed mix (e.g. a neutral grassland meadow mix), or plug planting with a mix of native meadow species such as oxeye daisy, common knapweed, bird's foot trefoil, kidney vetch, field scabious, great burnet, red clover and yarrow, should be done after a scarification in autumn or spring.
- 5.32 Bird nesting boxes and bat roosting boxes (over and above that required for mitigation on this site) should be incorporated within any newly constructed buildings and boundary features. A range of types should be used in order to cover a variety of species. Many designs are available, and we would initially recommend the following for this site:
- Bats integrated Istock Enclosed Bat Box 'C' - <https://www.nhbs.com/ibstock-enclosed-bat-box-c?bkfno=208936>
 - House Sparrow Terrace- <https://www.greenwoodsecohabitats.co.uk/shop>

- General open fronted Small and large (32mm hole and 45mm hole)-
<https://www.greenwoodsecohabitats.co.uk/shop>

Overall conclusion

5.33 Providing that the recommendations outlined within this report are successfully implemented, it should be possible for the proposed development to proceed and for there to be no long-term impacts upon the key protected species present at the site.

This ecological report will remain valid for a period of 18 months from the date of the last survey – i.e. until February 2022. Further surveys may be required to update the site information if planning is not obtained or works do not commence within that time period.

6 REFERENCES

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- Joint Nature Conservation Committee (2010). Handbook for Phase 1 habitat survey; A technique for environmental audit. Reprinted by JNCC, Peterborough.
- Mitchell-Jones, A.J., & McLeish, A.P. Ed., (2004) 3rd Edition Bat Workers' Manual. Joint Nature Conservation Committee, Peterborough.
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- Wildwood Ecology Ltd (2019) Preliminary Roost Assessment, 13 Properties in Blaenau Gwent.
- Wray, S., Wells, D., Long, E. & Mitchell-Jones, T. (2010) Valuing bats in ecological impact assessment. In Practice, No 70, Institute of Ecology and Environmental Management.

APPENDIX I: SITE PLAN



Figure 2 - Site plan including the locations of potential access point for bats

APPENDIX II: PRELIMINARY ECOLOGICAL APPRIASAL PLAN




Key


Scattered trees

 Broad-leaved scattered tree

Habitats

 A.2.1 Scrub, dense/continuous

 J.1.2 Amenity grassland

 J.3.6 Buildings

 Hard standing

 Cwmrhydderch Court Boundary

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APPENDIX III: BAT ACTIVITY SURVEY PLAN



Key

- Bat Surveyor Locations
- Cwmrhydderch Court Bat Flightlines
- Cwmrhydderch Court Bat Roosts
- Common pipistrelle
- Common pipistrelle

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APPENDIX IV: PROPOSED DEVELOPMENT PLAN

NO FINALISED DEVELOPMENT PLANS AT PRESENT

APPENDIX V: SURVEY IMAGES



Figure 3 - Amenity Grassland (eastern aspect of site)



Figure 4 - Amenity Grassland (south eastern aspect of site)



Figure 5 - Scattered tree on eastern boundary



Figure 6 - Building, hardstanding, amenity grassland and scattered trees on eastern boundary of building



Figure 7 - Dense scrub on north eastern boundary of the site between scattered broadleaved trees



Figure 8 - Western aspect of the building

APPENDIX VI: SPECIES LIST

To be submitted to the appropriate Local Records Centre

Site Name: Cwmrhydderch Court, Ebbw Vale **Provided by:** Wildwood Ecology

Grid ref: SO 18445 05537 **Verified by:** Julie Player

Common name	Scientific Name (if known)	Number	Comment	Survey Date
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	3	Roosting in building	19/06/2020
Cock's-foot	<i>Dactylis glomerata</i>			
Yorkshire fog	<i>Holcus lanatus</i>			
Sweet vernal-grass	<i>Anthoxanthum odoratum</i>			
Dandelion	<i>Taraxacum officinale</i> agg.			
Creeping buttercup	<i>Ranunculus repens</i>			
Ribwort plantain	<i>Plantago lanceolata</i>			
Ragwort	<i>Senecio jacobaea</i>			
Bramble	<i>Rubus fruticosus</i> agg.			
Blackbird	<i>Turdus merula</i>			
Jackdaw	<i>Corvus monedula</i>			
Ash	<i>Fraxinus excelsior</i>			
Creeping thistle	<i>Cirsium arvense</i>			
Yarrow	<i>Achillea millefolium</i>			
Timothy-grass	<i>Phleum pratense</i>			
Common knapweed	<i>Centaurea nigra</i>			
Common bird's-foot trefoil	<i>Lotus corniculatus</i>			
Common sorrel	<i>Rumex acetosa</i> subsp. <i>acetosa</i>			
Blackthorn	<i>Prunus spinosa</i>			
Oak	<i>Quercus</i> spp.			

APPENDIX VII: PLANNING POLICY AND LEGISLATION

The following local and national planning policy and both primary and European legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

Planning Policy Wales (2018) and Technical Advice Note 5 (2009)

Planning Policy Wales (Edition 10, November 2018) sets out the land use planning policies of the Welsh Government, integrating the Environment (Wales) Act (2016) requirements. The advice contained within Planning Policy Wales (PPW) is supplemented for some subjects by Technical Advice Notes (TANs).

TAN 5 (Welsh Government, 2009) specifically provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. The TAN provides advice for local planning authorities on the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and development affecting protected and priority habitats and species.

Under Section 2.4 within the TAN 5, 'when deciding planning applications that may affect nature conservation local planning authorities should':

- Pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective;
- Contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment;
- Promote the conservation and enhancement of statutorily designated areas and undeveloped coast;
- Ensure that appropriate weight is attached to designated sites of international, national and local importance;
- Protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;
- Ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation;
- Ensure that the range and population of protected species is sustained;
- Adopt a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation

measures and look for new opportunities to enhance nature conservation; where there may be significant harmful effects local planning authorities will need to be satisfied that any reasonable alternative sites that would result in less or no harm have been fully considered

Legislation and biodiversity

Certain species of animals and plants found in the wild in the UK are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in the Conservation of Habitats and Species Regulations 2017 (as amended). These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

Other relevant legislation and policy documents that have been consulted include – The Environment (Wales) Act 2016; The Countryside and Rights of Way Act 2000; The Hedgerow Regulations 1997; Biodiversity Action Plans, both UK-wide (UKBAP) and Local plans (LBAPs), and The National Planning Policy Framework (NPPF).

There is also legislation that legally protects certain animals - for example, the Protection of Badgers Act (1992) protects badgers and their setts, and the Deer Act (1991) places restrictions on actions that can be taken against deer species.

Environment (Wales) Act 2016

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'. 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.

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

Section 7 replaces the duty in section 42 of the NERC Act 2006. The Welsh Ministers will publish, review and revise lists of living organisms and types of habitat in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales.

The Welsh Ministers must also 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.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and *Rhododendron ponticum*) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) (which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which any bat uses for shelter or protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural Resources Wales, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended). All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built;
or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species. Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act