



Ecological Appraisal Report:

**Former Bodlondeb Residential Home,
Rhyd y Bont,
Southgate,
Aberystwyth,
SY23 1SR.
September 2023.**

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Summary

I & G Ecological Consulting were commissioned to undertake a preliminary ecological appraisal of an area of land approximately 0.51 hectares, located at the former Bodlondeb Residential Home, Rhyd y Bont, Aberystwyth (Fig.1) to assist with an ongoing planning application.

The majority of the land within the site boundary consists of a road and parking areas, with semi-improved grassland and scattered trees surrounding a large building central to the site, and areas of dense scrub to the southeastern boundary and hedgerow to the west. A small building covered in dense ivy lies in the southwest corner of the site.

No signs of European protected species were observed on site or immediately adjacent to the site boundary.

Japanese honeysuckle and Buddleia were observed to be present on site. No other INNS were observed on site or immediately adjacent to the site boundary.



Figure 1: Location of site, Grid Ref SN 59246 80173

1. INTRODUCTION

I & G Ecological Consulting were commissioned to undertake a preliminary ecological appraisal of an area of land approximately 0.51 hectares, located at the former Bodlondeb Residential Home, Rhyd y Bont, Aberystwyth to assist with an ongoing planning application.

1.1.1 This report presents the findings of both a desk study and a site appraisal undertaken in September of 2023. The report outlines the ecological constraints/ opportunities associated with the site.

1.1.2 The survey was conducted during optimal conditions.

2. METHODOLOGY

2.1.1 Both a desk-based survey and an ecological site survey were undertaken to establish the ecological conditions on site.

2.1.2 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.

2.2 *Badgers*

2.2.1 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.

2.3 *Otters*

2.3.1 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.

2.4 *Dormouse*

2.4.1 The habitats on site, particularly the hedgerows were assessed for their suitability to support dormice.

2.5 *Birds*

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

2.6 *Bats*

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

2.7 *Reptiles*

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

2.8 Amphibians

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

2.9 Water Voles

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

2.10 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*.

2.11 Non-Native Invasive Species

2.11.1 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 the West Wales Biodiversity Information Centre (WWBIC) for the planning application site and surrounding area of up to 2km. The species information was returned to I&G Ecology on the 26th of September 2023. 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 1094 entries of birds which are categorised as priority species within 2km of the site, entries within 500m include starling, red kite, house sparrow, herring gull, song thrush, chough, linnet, redwing, fieldfare, curlew, dunnoek, bullfinch, kingfisher, merlin, black-headed gull, Mediterranean gull, black redstart, and tree sparrow.

Other entries within 2km include lesser redpoll, goshawk, skylark, pintail, white-fronted goose, Greenland white-fronted goose, tree pipit, scaup, bittern, dark-bellied brent goose, goldeneye, Lapland bunting, purple sandpiper, ruff, nightjar, Cetti's warbler, little ringed plover, ringed plover, dotterel, black tern, marsh harrier, hen harrier, long-tailed duck, hawfinch, cuckoo, Dartford warbler, tundra swan, whooper swan, lesser spotted woodpecker, corn bunting, yellowhammer, reed bunting, peregrine, hobby, kestrel, pied flycatcher, brambling, great northern diver, red-throated diver, leach's petrel, little gull, wryneck, bar-tailed godwit, black-tailed godwit, twite, grasshopper warbler, crossbill, velvet scoter, common scoter, yellow wagtail, spotted flycatcher, curlew, whimbrel, golden oriole, osprey, grey partridge, wood warbler, golden plover, Slavonian grebe, willow tit, marsh tit,

Balearic shearwater, firecrest, roseate tern, little tern, turtle dove, greenshank, ring ouzel, barn owl, hoopoe, and lapwing.

3.1.4 Mammals

The data search returned 348 entries of terrestrial mammals which are categorised as priority species within 2km of the site, the closest being Hedgehog (*Erinaceus europaeus*), recorded at 23m from the site. Other entries included: -

- 66 entries for Bats including 18 common pipistrelle, 21 soprano pipistrelle, 1 Long-eared, 5 Brown long-eared, 1 greater horseshoe, and 20 unidentified.
- 28 entries for Water Vole (*Arvicola amphibius*), closest being 280m from site.
- 91 entries for Hedgehog (*Erinaceus europaeus*), closest being 23m from site.
- 8 entries for Brown Hare (*Lepus europaeus*), being 784m from site.
- 40 entries for Otter (*Lutra lutra*), closest being 240m from site.
- 34 entries for Badger (*Meles meles*), closest being 242m from site.
- 2 entries for Stoat (*Mustela erminea*), closest being 923m from site.
- 3 entries for Weasel (*Mustela nivalis*), closest being 848m from site.
- 5 entries for Polecat (*Mustela putorius*), closest being 305m from site.

3.1.5 Invertebrates

The data search returned 445 entries of invertebrates which are categorised as priority species within 2km of the site. Entries included: -

- 375 entries for moth including grey dagger, knot grass, beaded chestnut, green-brindled crescent, ear moth, mouse moth, white-spotted sable, flounced chestnut, brown-spot pinion, dusky brocade, garden tiger, sprawler, centre-barred sallow, minor shoulder-knot, mottled rustic, broom moth, streak, broom-tip, latticed heath, sallow, white-spotted pinion, goat moth, oak lutestring, small square-spot, small phoenix, September thorn, dusky thorn, august thorn, grey mountain carpet, Galium carpet, autumnal rustic, spinach, garden dart, white-line dart, double dart, crescent, ghost moth, rustic, rosy rustic, shoulder-striped wainscot, rosy minor, brindled beauty, v-moth, lackey, dot moth, dark brocade, oblique carpet, powdered quaker, dark spinach, grass rivulet, pale shining brown, large wainscot, mullein wave, shaded broad-bar, white ermine, buff ermine, anomalous, hedge rustic, feathered gothic, blood-vein, cinnabar, oak hook-tip, dark-barred twin-spot carpet, Ashworth's rustic, neglected rustic, and sword-grass.
- 65 entries for butterfly including pearl-bordered fritillary, small pearl-bordered fritillary, small heath, small blue, high brown fritillary, grayling, wall, and brown hairstreak.
- 4 entries for Coleoptera including minutest diving beetle.
- 1 entry for Hymenoptera including brown-banded carder bee.

3.1.6 Plants

The data search returned 11 entries of flowering plants which are categorised as priority species within 2km of the site, including Deptford pink, large-flowered hemp-nettle, and bluebell.

3.1.7 Reptiles

The data search returned 203 entries for reptiles which are categorised as priority species within 2km of the site, the closest being Slow-Worm (*Anguis fragilis*) recorded 131m from site. Other entries included: -

- 92 entries for Slow-Worm (*Anguis fragilis*), closest being 131m from site.
- 2 entries for Grass Snake (*Natrix helvetica*), closest being 856m from site.
- 109 entries for Common Lizard (*Zootoca vivipara*), closest being 321m from site.

3.1.8 Amphibians

The data search returned 127 entries of amphibians which are categorised as priority species within 2km of the site, the closest being Common Frog (*Rana temporaria*) recorded at 93m from site. Other entries included: -

- 59 entries for Common Toad (*Bufo bufo*), being 789m from site.
- 18 entries for Palmate newt (*Lissotriton helveticus*), closest being 553m from site.
- 2 entries for Smooth newt (*Lissotriton vulgaris*), closest being 1877m from site.
- 48 entries for Common Frog (*Rana temporaria*), closest being 93m from site.

3.1.9 Bony Fish

The data search returned 5 entries for bony fish which are categorised as priority species within 2km of the site, including Atlantic salmon, brown trout, Atlantic cod, and European eel.

3.1.10 Invasive Non-native species

The data search returned 471 entries for INNS within 2km of the site, 345 of which were for invasion plant species including pirri-pirri-bur, three-cornered garlic, buddleia, pink purslane, cotoneaster, montbretia, Japanese knotweed, Spanish bluebell, Himalayan balsam, Wilson's honeysuckle, parrot's-feather, cherry laurel, rhododendron ponticum, Japanese rose, white stonecrop, snowberry, and greater periwinkle.

Other entries for INNS included: -

- 10 entries for Mandarin Duck, closest being 322m from site.
- 3 entries for Wood Duck, closest being 1462m from site.
- 1 entry for emperor goose, 1979m from site.
- 1 entry for bar-headed goose, 1979m from site.
- 12 entries for Canada goose, closest being 413m from site.
- 1 entry for Black Swan, 1522m from site.
- 1 entry for goldfish, 276m from site.
- 1 entry for pumpkinseed (*Lepomis gibbosus*), 1817m from site.
- 2 entries for wireweed, closest being 1459m from site.
- 2 entries for Austrominius modestus, closest being 1395m from site.
- 72 entries for Harlequin ladybird, closest being 41m from site.
- 1 entry for western conifer seed bug, 1391m from site.
- 4 entries for heath star moss, closest being 800m from site.
- 9 entries for American Mink, closest being 648m from site.
- 14 entries for grey squirrel, closest being 413m from site.

3.1.11 Statutory Designated Sites

The data search showed that there are 7 Nationally or Internationally important site (e.g., SSSIs, SACs or SPAs) which lie within the search buffer, including:

SSSI:

- Allt Wen a Traeth Tanybwllch, 1154m from site.
- Gweunydd Pendinad, 690m from site.
- Rheidol Shingles and Backwaters, 923m from site.

SAC:

- West Wales Marine, 1315m from site.

SPA:

- Northern Cardigan Bay, 1315m from site.

Local Nature Reserve:

- Penglais, 1743m from site.
- Pendinas, 480m from site.

3.1.12 Non-statutory Designated Sites

The data search showed that the site lies within a B-line. Non-statutory designated sites within the search buffer include:

Road Verge Nature Reserve:

- Rhydyfelin, 1164m from site.
- Heol y Bont Llanbadarn Fawr, 283m from site.
- Ffos Blaendolau Llanbadarn Fawr ditch, 439m from site.

Regionally Important Geodiversity Site:

- Moriah Quarry, 1972m from site.

3.1.13 NRW Priority Areas

There are a number of Priority Areas of habitat within the search buffer but none within or immediately adjacent to the site boundary (Fig. 12).

3.2 Site Appraisal

On site survey

- 3.2.1 The site survey was undertaken on the 22nd of September 2023 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 The majority of the land within the site boundary (Fig.2) consists of a road and parking areas, with semi-improved grassland and scattered trees surrounding a large building central to the site, and areas of dense scrub to the southeastern boundary and hedgerow to the west. A small building covered in dense ivy lies in the southwest corner of the site.



Figure 2. Aerial image of the site surveyed (outlined in red), approximately 0.51 hectare in size.

Habitats recorded within red line boundary were as follows:

3.3 Semi-Improved Grassland

- 3.3.1 The grassland on site consists of areas of short and long grasses with a dense sward holding a good diversity of species at 13 species/m². Grass species include abundant in cock's-foot, false-oat grass, and Yorkshire fog, with frequent red fescue with a small number of scattered trees. Forbes species include abundant broad dock, ribwort plantain, and white clover, frequent ragwort, common buttercup, dandelion, yarrow, and meadow pea. Occasional species include common groundsel, red clover, lesser knapweed, woodland strawberry, and perennial pea. (TN1; Fig.3)



Figure 3. Grassland

3.4 Dense Scrub

- 3.4.1 An area of dense scrub can be found in the southeastern corner of the site including a number of tree species amongst the scrub. Species include dog rose, ash, basket willow, holly, New Zealand broadleaf, silver birch, and willow. The undergrowth is dense with brambles, Japanese honeysuckle, white hebe, Japanese Peiris, woodland strawberry, cock's foot, ivy, winter creeper, cotoneaster, shrubby cinquefoil, common columbine, buttercup, and red claw. (TN2; Fig.4)



Figure 4. Dense Scrub

- 3.4.2 Dense scrub dominant with bramble lines the northern boundary following the road. Red fescue, cock's foot, and yorkshire fog can be found along the verge with buddleia and japanese honeysuckle found amongst the bramble along with a number of scattered trees (TN3; Fig. 5)

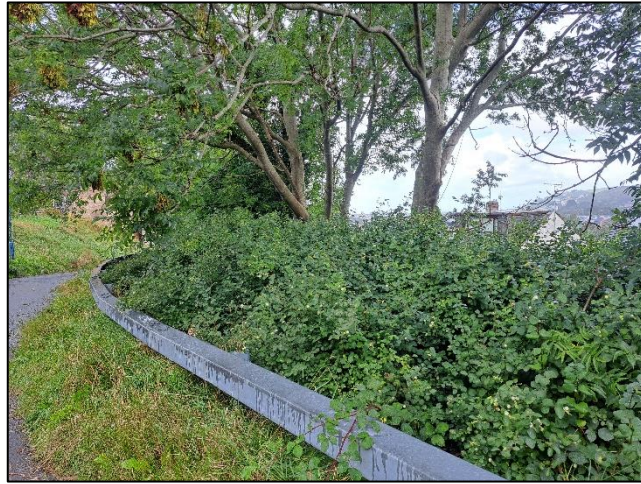


Figure 5. Bramble Scrub

3.5 Buildings and Roads

- 3.5.1 The majority of the land onsite consists of various roads and parking areas with a large building central to the site (TN5; Fig.8), and a small building dense with ivy cover in the southwestern corner of the site (TN4; Fig.9)



Figure 6. Main Building and Road



Figure 7. Southwest Building

3.6 Scattered Trees

- 3.6.1 A number of scattered trees can be found amongst the grassland and scrub on site with species including oak, hazel, Japanese flowering cherry, and silver birch (Fig.8). In the scrub to the southeast of the site a small number of large cypress trees can be found lining the south border supporting dense ivy cover (Fig.9).



Figure 8. Broadleaf Scattered Trees



Figure 9. Coniferous Scattered Trees

3.7 Protected Species

3.7.1 Badgers

The majority of the site has little to no habitat considered suitable for badger, however, the grassland may provide sub-optimal foraging opportunities. No evidence of badger was found within the wider survey area. The closest record belonging to Badger (*Meles meles*) is located 0.24km from site.

3.7.2 Bats

The habitats on site offer plenty of foraging opportunities within the woodland and scrub with numerous trees within the scrub to the southeast of the site holding moderate to high Bat Roost Potential (BRP). The building to the southwest is dense in Ivy cover and the main building on site has multiple entrance spots and would provide ample cover for roosting bats.

3.7.3 Otters

The land on site provides no optimal habitat for otter. The closest record belonging to Otter (*Lutra lutra*) is located 0.24km from site.

3.7.4 Reptiles

The site offers optimal habitat for a range of reptile species, with numerous locations for thermoregulation in the built-up areas with refugia and foraging opportunities amongst the grassland and scrub. The closest record of reptile returned in the desk study belonged to slow worm, located 0.13km from the site.

3.7.5 **Amphibians**

There is no standing water within the wider survey area, as such breeding amphibians are considered absent. However, the dense scrub on site may offer refugia for terrestrial phase amphibians. No evidence of amphibian was found within the site. The closest record of amphibian returned in the desk study belonged to common frog, located 0.09km from the site.

3.7.6 **Hazel Dormouse**

The scrub and scattered trees on site offer little arboreal connectivity with occasional hazel, providing sub-optimal habitat for dormouse. There are no records belonging to Dormouse (*Muscardinus avellanarius*) within 2km of the site.

3.7.7 **Water Voles**

There is little to no habitat considered suitable for water vole within the wider survey area. The closest record for Water Vole (*Arvicola amphibius*) is located 0.28km from the site.

3.7.8 **Birds**

The scattered trees and dense scrub on site offer potential foraging and nesting opportunities for a range of breeding bird species. There are copious records of Nesting Birds within 2km of the site.

3.7.9 **Marsh Fritillary**

There is no habitat considered suitable for Marsh Fritillary within the wider survey area. There are no records of Marsh Fritillary within 2km of the site.

3.8 **Invasive Non-native species (INNS)**

Buddleia was observed within the grassland and scrub, with Japanese honeysuckle observed along the northern boundary.

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 Ceredigion County Council 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.

4.3 Assessments on the Habitats & Species Identified During the Survey

Habitats

4.3.1 **Semi-Improved Grassland**

The grassland onsite is non-uniform and dense with a high species diversity and would provide optimal habitat for a range of bird, reptile, small mammals, and invertebrate species. The habitat value has been assessed as: **Moderate Local**. Loss of this habitat, without mitigation, is considered to be **Moderate**.

4.3.2 **Dense Scrub**

The scrub on site is dense and contains several fruiting species providing foraging and nesting opportunities for a range of bird species and refugia opportunities for a range of reptile and amphibian species. The habitat value has been assessed as: **Low Local**. Loss of this habitat, without mitigation, is considered to be **Minor**.

4.3.3 **Scattered Trees**

The scattered trees on site provide numerous nesting and roosting opportunities for a range of bird and bat species. The habitat value has been assessed as: **Moderate Local**. Loss of this habitat, without mitigation, is considered to be **Moderate**.

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 UK BAP: Reptiles and Amphibians, Breeding Birds and Bats.
- 4.4.2 During the field survey a number of bird species, which are listed under the 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 a number of priority species.

4.5 Ecosystem Resilience

Area loss can cause populations of organisms to decline due to a decrease in habitat size. The area consists of five distinct habitat types: Semi-improved grassland, broadleaved scattered trees, coniferous scattered trees, bare ground, and dense scrub. If the site is cleared without any mitigation for development the impact is expected to be **Moderate**.

5.1 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 **Moderate Local** ecological value. With the non-uniform grassland and dense scrub providing ample structural diversity for a range of different species.

5.2 Semi-Improved Grassland

- 5.2.1 The grassland onsite holds a species diversity of 13 species/m² and as such may fulfil criteria for a priority habitat, it is recommended a National Vegetation Classification Phase 2 Survey be undertaken to produce a comprehensive description of the grassland community.

5.3 Scattered Trees

- 5.3.1 The retention and protection of the on-site trees and associated features to be managed as a landscape feature is advised. Any loss of habitat should be mitigated against with new planting of trees of local provenance and the inclusion of artificial habitats into new structures as detailed below.

5.4 Bats

- 5.4.1 A number of locations would provide ample habitat for roosting bats, including the coniferous scattered trees and the two buildings on site.
- 5.4.2 A bat survey of the building has been undertaken and will be provided alongside this report.
- 5.4.3 Habitat loss should be mitigated with the inclusion of artificial roosts alongside an appropriate lighting plan.

5.5 Birds

- 5.5.1 All nesting birds are protected under Section 1 of the Wildlife and Countryside Act of 1981.
- 5.5.2 Therefore, Management of habitats, such as vegetation clearance, should be sympathetic towards the local environment taking place outside of the bird nesting season.
- 5.5.3 If works to clear scrub, hedgerows and trees are to be undertaken during the nesting season, checks for nesting birds should be carried out by an ecologist just prior to the start of clearance works and appropriate steps taken to avoid disturbance if nesting birds are found.
- 5.5.4 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 hedging, trees, fruit/seed bearing planting.

5.6 Reptiles and Amphibians

- 5.6.1 The habitat on-site presents common species of reptile (slow-worm and common lizard) with suitable habitat and foraging opportunities. A Reptile and Amphibian Mitigation Method Statement will be required prior to any development in order to protect animals during site clearance and construction, which will likely detail a phased approach to vegetation clearance, as well as the careful removal of any refugia within the site by hand. Following such guidelines will also help safeguard small mammals that may be present on site.

5.7 Invasive Non-native species

- 5.7.1 The removal of invasive species such as Japanese honeysuckle and buddleia is recommended to prevent the spread of these species into the wider area.
- 5.7.1 Materials brought into the site should be clean and free from INNS.

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

- 5.8.1 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.
- 5.8.2 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.
- 5.9.3 It is therefore recommended, that in order to provide a net enhancement for the development new native planting should be incorporated into the development using species of local provenance.

- 5.9.4 In order to provide a net benefit for biodiversity it is recommended new dwellings 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.

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.

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9. Representative Species List

| | Target note | | | | | | |
|---------------------------|-------------|-----|-----|-----|--|--|--|
| | TN1 | TN2 | TN3 | TN4 | | | |
| Cock's-foot | A | F | F | | | | |
| Ribwort plantain | A | F | F | | | | |
| False-oat grass | A | | | | | | |
| Yorkshire fog | A | F | F | | | | |
| Ragwort | F | | | | | | |
| Common groundsel | O | | | | | | |
| Common buttercup | F | F | | | | | |
| Dandelion | F | | | | | | |
| Common yarrow | F | | | | | | |
| Meadow pea | F | | | | | | |
| Curly dock | O | | R | | | | |
| Broad dock | A | | O | | | | |
| White clover | A | | | | | | |
| Red clover | O | | | | | | |
| Bramble | R | F | A | | | | |
| Woodland strawberry | O | O | | | | | |
| Perennial pea | O | | | | | | |
| Lesser knapweed | O | | | | | | |
| Red fescue | F | O | | | | | |
| Silver Birch | O | O | | | | | |
| Oak | R | | | | | | |
| Japanese flowering Cherry | R | | | | | | |
| Dog rose | R | F | | | | | |
| Ash | | O | | | | | |
| Japanese honeysuckle | | O | O | | | | |
| White hebe | | O | | | | | |
| Japanese Peiris | | F | | | | | |
| Basket willow | | O | | | | | |
| Winter creeper | | F | | | | | |
| Ivy | | A | F | D | | | |
| Holly | R | F | | | | | |
| Cotoneaster | | O | | | | | |
| Shrubby cinquefoil | | O | | | | | |
| New Zealand broadleaf | | O | | | | | |
| Cypress sp. | | F | | | | | |
| Common columbine | | O | | | | | |
| Red claw | | O | | | | | |
| Buddleia | R | | O | | | | |

10. WWBIC Data Search

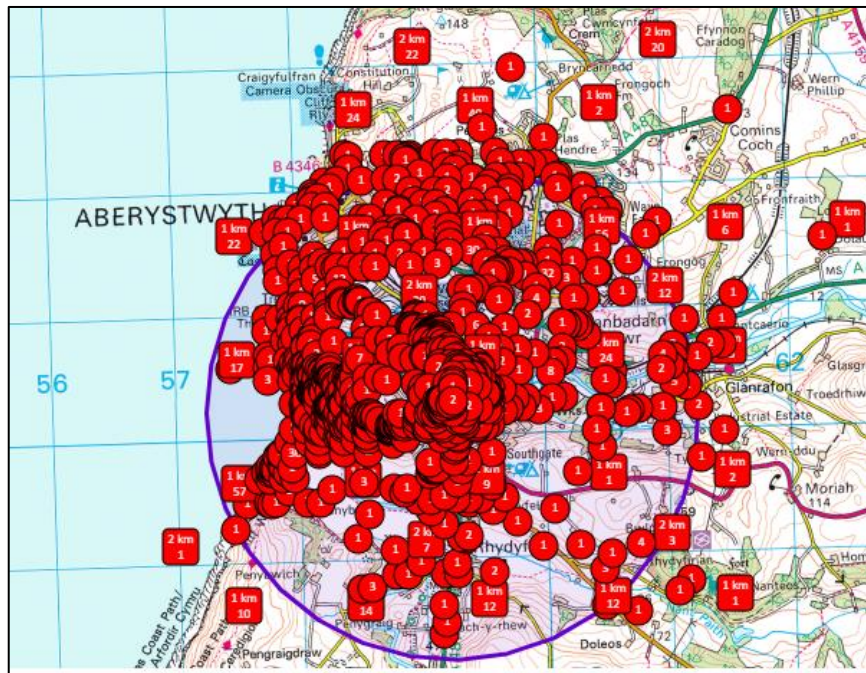


Figure 10. WWBIC Protected Species Data Search

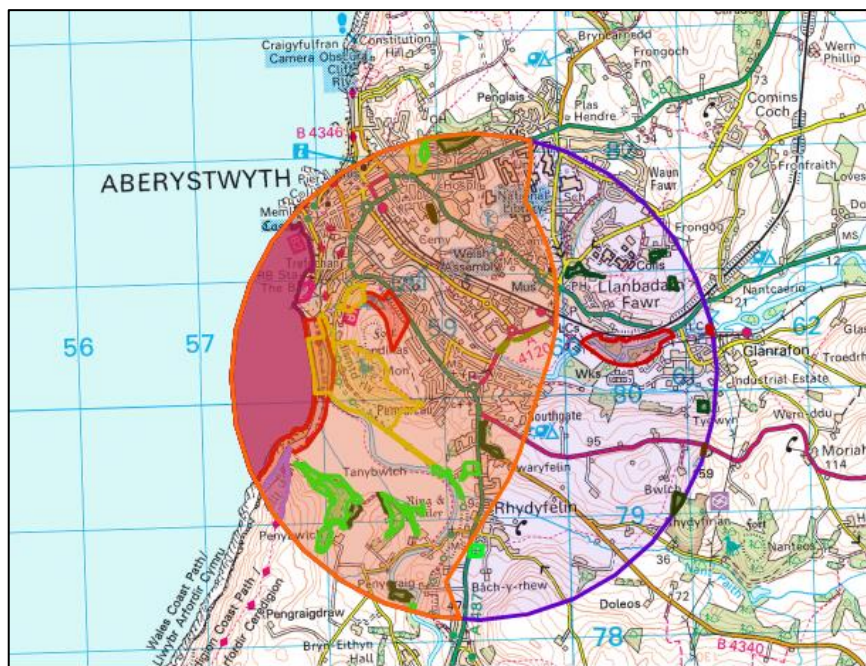


Figure 11. WWBIC Protected Sites Data Search














| Site Type | Key | Number of sites | Category | Intersection Area | Percentage of search area |
|---|---|-----------------|---------------------------|--------------------------|---------------------------|
| Special Area of Conservation |  | 1 | International - Statutory | 979,131 m ² | 7.84% |
| Special Area of Conservation (Candidate) |  | 1 | International - Statutory | 979,131 m ² | 7.84% |
| Special Protection Area |  | 1 | International - Statutory | 964,699 m ² | 7.72% |
| Site of Special Scientific Interest |  | 3 | National - Statutory | 454,957 m ² | 3.64% |
| Local Nature Reserve |  | 2 | Local - Statutory | 464,202 m ² | 3.72% |
| Regionally Important Geodiversity Site |  | 1 | Local - Non-statutory | 1,539 m ² | < 0.01% |
| Road Verge Nature Reserve |  | 3 | Local - Non-statutory | 5,639 m ² | < 0.01% |
| Ancient Semi Natural Woodland |  | 11 | Priority Area | 94,305 m ² | 0.75% |
| Restored Ancient Woodland Site |  | 14 | Priority Area | 191,175 m ² | 1.53% |
| Plantation on Ancient Woodland Site |  | 2 | Priority Area | 12,805 m ² | 0.10% |
| NRW Priority Area (Woodland - PAWS) |  | 2 | Priority Area | 12,805 m ² | 0.10% |
| NRW Priority Area (Heathland and Grassland) |  | 2 | Priority Area | 127,379 m ² | 1.02% |
| B-Lines |  | 1 | Local - Non-statutory | 7,718,003 m ² | 61.78% |




Figure 12. WWBIC Protected Sites Key

11. Phase 1 Habitat Plan



Figure 13. Phase 1 Habitat Plan

Phase 1 Habitat Code Key

| Colour | Code | Description |
|---|------|-----------------------------|
| SI | B6 | Semi-Improved Grassland |
|  | A2.1 | Dense Scrub |
|  | A3.1 | Broadleaved Scattered Trees |
|  | A3.2 | Coniferous Scattered Trees |