CARMARTHENSHIRE

REVISED LOCAL DEVELOPMENT PLAN (2018-2033)

EXAMINATION

Hearing Session 8 – Prosperous People and Places – Site Allocations (Cluster 2 – Llanelli)

Wednesday, 6 November 2024 between 10:00 and 17:00

Action Point	Council Response / Proposed MAC	Inspectors' Comments
AP8/1 – Council to confirm the date that additional third-party land was purchased at the site allocation PrC2/h1.	It was the LPA's understanding at the examination that the council had purchased the ransom strip land in late 2020, however contrary to this view the Council has not yet purchased it In further discussions with the land valuers of the Council it is understood that the ransom strip considered at Hearing Session 8 was subject to two owners, with the Council in discussions with one of the landowners in late 2020 regarding its purchase, however Covid restricted those discussions. This landowner owns a significant portion of the western boundary and is the owner of the Cilymaenllwyd estate which is to the north of the site. The second owner of the ransom strip is known and relates to a small parcel of land at the southern edge of the site; however, no discussions have taken place. The requirement to purchase this land is unnecessary for the delivery of the site, however it is the preferred option given its location.	Agreed.

	Nevertheless, the Council Valuers state that the allocation is within the Council portfolio for capital receipt, and they have been in contact with one landowner, and it is their view that the landowner is agreeable in selling a small parcel of the ransom strip along the western boundary in order to provide a sufficient access point to the Council owned land. As stated, the council is committed to the disposal of the site for development in line with their capital receipt programme.	
AP8/2 – Council to clarify the nature and scale of reclamation works required at site allocation PrC2/h4; to confirm that these requirements have been taken into account in the Financial Viability Study and to identify the sources available / secured to fund the reclamation works.	Please see Appendix 1 below which provides a detailed response to the Action Point.	Agreed.
AP8/3 – Council to update the examination on the progress of the S73 application submitted in respect of site allocation PrC/h22, to identify the sources available / secured to fund the reclamation works and provide details of the marketing exercise conducted in relation to the site.	The Variation of Condition application on the land at Cwm y Nant was approved on 7th November 2024 which grants a further 5 years for the submission of Reserved Matters. The Council has not considered any sources available, or secured funding for the reclamation works identified as part of historical mining activity. It should be noted that the site is greenfield in nature with limited areas which may potentially require remediation work associated with any previous mining activity. Any requirement for reclamation work will be factored into the land value associated with the development, and this is reflected within the financial viability work considered by Burrows Hutchinson Ltd.	Agreed.

	The site has not yet been subject to marketing. Reference is drawn to the Council's hearing statement for HS8 which refers to the future sales mechanisms and the decision has been made to appropriate this land to the Housing Revenue Account to fulfil their affordable housing targets. It is the Council's intention to secure a developer partner through a procurement process which will be commenced during the second quarter of 2025. It is anticipated that the pilot scheme currently being undertaken for the Carmarthen West residential site will be rolled out as a future delivery model for this and other Council sites in the future.	
AP8/4 – Council to provide a plan showing the land to be removed from site allocation PrC2/h23.	Reference is drawn to Persimmon Homes' letter following the deliberations at the Hearing Session. The letter is attached in Appendix 2 below.	Agreed.
AP8/5 – Council to update the examination on discussions with the owner of site allocation SeC6/h2.	Further discussions have been undertaken with the Agent/Developer of the site (Mr Ben Davies of Greenway Homes) since the Examination Session and he confirms that they are currently working on the last 2 of the 8 dwellings that have planning permission. He anticipates these will be completed in 2025. Mr Davies further confirms that they are also working on submitting an application for further dwellings on the site and that the LDP trajectory of 6 in 27/28 and 6 in 28/29 would be achievable and is a good estimate of their timeframe.	Agreed.
AP8/6 – Council to provide a copy of the Ecological and Protected Species Assessment and ecological comments in respect of site allocation SeC7/h3.	Golwg Yr Afon Ecological assessment information has been provided by the Housing Division after the Examination Hearing Session and is attached with these Actions – please refer to Appendix 3 below, which includes a Dormouse Survey, Extended Phase 1 Habitat Survey and a Method Statement relating to vegetation clearance. Ecological comments have been provided as part of the Action Point on PPW Chapter 6 work separately.	Agreed.

AP8/7 – Council to provide details of the planning history of the site allocation SeC8/h2 and to review the delivery rate contained in the housing trajectory.	The site has the following site allocation history. **UDP** Allocated under reference T9/c for 60 residential dwellings. The site included a larger parcel of land than the proposed Revised LDP allocation. **LDP (2006-2021)** Allocation under reference T3/4/h6 for62 dwellings. The site included a larger parcel of land than the proposed Revised LDP allocation. **Revised LDP (2018-2033)** Allocation under reference SeC8/h2 for 45 dwellings. **Housing Trajectory** The updated trajectory (to 31st March 2024) identifies a housing trajectory of: 2019/21 – 4 dwellings have been completed 2024/25 – 2 dwellings 2025/26 – 4 dwellings 2026/27 – 5 dwellings 2027/28 – 5 dwellings 2028/29 – 5 dwellings 2029/30 – 5 dwellings 2030/31 – 5 dwellings 2031/32 – 5 dwellings 2032/33 – 5 dwellings The trajectory was considered whilst the planning application for 44 dwellings was pending. This was refused in September 2024 and considered at the Hearing Session. The future iteration of the housing	

	trajectory in April 2025 will reflect the site's planning history in 2024 with the potential to develop the site later in the plan period and within a shorter time period.	

Appendix 1 –

Response to Action Point AP8/2 - Council to clarify the nature and scale of reclamation works required at site allocation PrC2/h4; to confirm that these requirements have been taken into account in the Financial Viability Study and to identify the sources available / secured to fund the reclamation works.

Planning History
Planning application S/38285 - Outline Planning permission granted 02/11/2021

Construction of a residential development of up to 210 units with associated landscaping and infrastructure works.

Planning application S/18032 – Outline planning permission granted 15/04/2008

Redevelopment of land to create a mixed use urban development comprising a range of new homes including apartments and houses (Use Class C3); a hotel (Use Class C1; offices (Use Class B1); commercial uses including small scale retail / local shops

Site Description

The site is located in an industrial area on the coast and the site is bordered by an active railway to the north, other industrial units to the east leading to the Millenium Coastal Park (consisting of coastal grassland and one large open waterbody), residential area to the south and coastal grassland with footpaths used for recreation to the south and west. The site is separated from the designated sites boundary by an approximately 60 m wide area of coastal grassland and footpaths.

The site was subject to a preliminary Ecological Assessment in 2017 and breeding bird and reptile presence/absence surveys in 2019. The surveys recorded that habitats on the northern part of the site consist of hard standing where an industrial building was previously present (former Pontrillas works, now demolished) as well as areas of hard standing with emergent vegetation and stands of the invasive species Japanese knotweed. To the south the site consists of neutral grassland with the closest fit to National Vegetation Community (NVC) MG1 *Arrhenatherum elatius* grassland community. Scattered scrub is present within the grassland and some areas have become dominated by dense scrub and scattered trees. Stands of Japanese knotweed are also present on site which the Council sprays on an annual basis.

None of the habitats on site are habitat types present within the Natura 2000 and Ramsar sites and they do not provide a supporting function to these.

Outline Planning permission S/38285

The Council refers the Inspectors to two pertinent documents relating to the action point above and are considered within the outline planning permission S/38285.

1. Firstly, the outline planning application on the site was accompanied by a Phase 1 Desk Study Report undertaken by WSP which provided a preliminary assessment of the ground conditions underlying the site. This considered any geotechnical properties and any associated potential constraints. This document is attached to the Council's response.

NRW noted as part of their response to the planning application that the Phase 1 report recommended further investigation which would result in the submission of further supplementary information. In this respect NRW were satisfied that any issues in terms of contamination from an environmental protection perspective could be addressed through the imposition of conditions on any planning permission granted.

These conditions included the standard approach to dealing with contaminated land which requires the submission of a Preliminary Risk Assessment, which in turn would inform an options appraisal and remediation strategy if needed. NRW also requested conditions in relation to piling and a method statement detailing all necessary pollution prevention measures.

In a similar manner and to ensure that the proposed development fully considered the implications of the former land uses upon the proposed residential end use from a human health perspective, the Authority's Public Health division also recommended the imposition of the standard contaminated land condition.

2. The second document also undertaken by WSP considered a Habitat Regulation Screening Assessment in addition to Information to Inform Appropriate Assessment. This is attached for information.

The Project entailed ground investigation works to assess ground conditions at the former Pontrilas factory site on the site. The scope of the document was to present a screening assessment required as part of Stage 1 of the HRA process to establish whether or not the Project would have a likely significant effect upon Natura 2000 and Ramsar sites. This document then provides information to inform Stage 2 (Appropriate Assessment) of the HRA process.

The Appropriate Assessment was considered as part of the outline planning permission and the conclusion of the report identified that the resulting impact of pollution or contaminant incident is not likely to adversely affect the integrity of the designated sites. This was accepted by NRW.

Given the responses to the planning application there were no significant contaminated land issues highlighted as part of any initial assessments.

Financial Viability Study

In considering the requirements of the action point relating to evidence of the site's viability, reference is drawn to work undertaken by Burrows Hutchinson Ltd on North Dock, in addition to evidence prepared by Alder King Property consultants (June 2023) which considers viability and land value on Joint Venture (JV) Assets along the Llanelli Coast. This evidence was published for Carmarthenshire County Council, and Welsh Government as part of the JV, which has subsequently been dissolved

Both documents acknowledge the site's ground conditions and possible contamination, and the evidence identified through the various assessments are factored into the viability appraisals. Both appraisals account for an abnormal cost of £1.5m with slight variances in other physical infrastructure and site preparation works. In summary, there are direct overlaps and agreed values within each appraisal to indicate that the development at North Dock is viable for residential development.

Action Point

The Economic Development section of the Council have not identified / secured any monies to fund the reclamation works. They consider that any site remediation / preparation works will be factored into the land value when marketing the site for development.

Appendix 2 –

Action Point AP8/4 – Persimmon Homes' response to site PrC2/h23

Persimmon Plc

Persimmon Homes West Wales
Dragon House
Parc Y Ddraig
Penllergaer Business Park
Swansea
SA4 9HJ
Tel: 01792 229 800

Sent Via Email

Date: 20.11.2024

Dear Simon,

RE: PrC2/h23 Dafen East Gateway

Following the hearing on the above site as part of the LDP Examination, I understand that further information is required to inform the allocation within the revised Local Development Plan.

Persimmon Homes West Wales are currently working on progressing the amended proposals and will be aiming to re-submit prior to the deadline for the 'free go' submission following the refusal of planning application PL/04082 on the 13th February 2024.

As you are aware the primary reason for refusal (reason 1) was in regard to the Environmental Health objection on Noise. Noise impact assessments for the road and industrial noise were submitted as part of the planning application and can be viewed on the planning portal however the results of these were disputed by Environment Health.

The refusal refers to 62 dwellings which fall within Noise Exposure Category C of TAN 11, however the scheme proposes a range of noise mitigation measures which would bring a considerable number of the proposed dwellings into an acceptable range. Following consideration of the refusal, our Noise Consultants (Hunter Acoustics) have advised that to comply with Carmarthenshire's comments we may need to lose the following plots off the submitted layout – 29, 30, 39-49 and possibly 71 and 72. This would crudely remove the below from the net developable area.

Persimmon Homes West Wales
Dragon House
Parc Y Ddraig
Penllergaer Business Park
Swansea
SA4 9HJ
Tel: 01792 229 800

We will therefore be working on an amended layout to maximise density and unit numbers with the removal of the highlighted section from the developable area. We will strive to achieve similar unit numbers to those achieved in the refused application.

Following our layout updates and subsequent noise modelling assessment we hope to have pre-app discussions with Environment Health on the proposals prior to or in line with submission of the planning application.

In regard to Reason 2, a Tree Bat Survey was undertaken prior to the refusal however, was not submitted in time to be considered through the refusal. Therefore, we do not consider this to cause any issues through the submission of a new planning application.

In regard to Reason 3, the section 106 agreement will be pursued and entered into as part of the planning application process and therefore we do not consider this reason to cause any issues through the submission and consideration of a new planning application.

If you require any further information or clarification please do not hesitate to contact me.

Yours sincerely,

Persimmon Plc

Persimmon Homes West Wales
Dragon House
Parc Y Ddraig
Penllergaer Business Park
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SA4 9HJ
Tel: 01792 229 800

Kate Harrison
Strategic Planning Manager

Persimmon Homes West Wales
Dragon House
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Penllergaer
Swansea
SA4 9HJ

Tel No: 01792 229800 Email: kate.harrison@persimmonhomes.com

Appendix 3

Action Point AP8/6. Golwg Yr Afon, Llangennech

Documents include:

- Dormouse Survey,
- Extended Phase 1 Habitat Survey
- Method Statement relating to vegetation clearance

DORMOUSE NEST TUBE SURVEY

(ADDENDUM TO PRELIMINARY ECOLOGICAL APPRAISAL, AUGUST 2015)

at

HEOL PLAS ISAF, LLANGENNECH.

Prepared by:

Fiona Lanc MSc, MCIEEM, AIEMA

Habitat Matters Ltd

Llyn-y-Gors

Tenby Rd

St Clears

Carms SA33 4JP

October 2016

Habitat Matters Ltd

BACKGROUND

The Preliminary Ecological Appraisal, carried out in August 2015, determined there was a low potential for dormice to be present on the site. However, due to this species having been recorded within 2km of the site and the relatively good habitat connectivity, it was recommended that follow-up survey work would be required to determine whether dormice are present on the site.

METHODOLOGY

The survey was carried out from April to the end of September 2016, following the best practice guidelines given in the Dormouse Survey Handbook, 2nd Edition (English Nature).

A total of 50 purpose-made nest tubes were installed across the site, at a 20m spacing, on April 11th by Jacqueline and Paul Hartley and Fiona Lanc. These were located on suitable vegetation, including on hazel and bramble growth and on other overhanging branches that had close connectivity to the adjacent undergrowth on the site. Each tube was secured with two cable ties and the location marked by discreet placing of coloured tape, far enough away from the tube to avoid unwanted attention but close enough to assist with finding the tube once vegetation had grown up over the summer months.

The tubes were checked monthly between April and the end of September by Fiona Lanc. She has been trained in handling and surveying for dormice and is experienced at monitoring dormouse nest boxes. Although not licenced, she understands the requirements of working with a protected species, such as dormice, and carries out work on different sites under somebody else's licence. If a dormouse was found, she would immediately stop the survey and notify the licence holder.

A nut search was also carried out at the end of September 2016 and hazel nuts collected from the site to determine whether any were opened by dormice.

CONSTRAINTS

The site is in a popular area, crossed by several informal paths and one main footpath, well-used by dog walkers and cyclists. It is overlooked by houses along several boundaries. There is one "den" on site where the trampled ground indicates it to be well-used by local children.

The site is small and a difficult shape. Therefore, in order to install the appropriate number of nest tubes at the required spacing, as recommended by the best practice guidelines, several tubes had to be concealed in vegetation near the paths. These also coincided with the main areas of hazel.

As a safeguard, installation of the nest tubes was delayed until the second week of April to avoid the Easter holidays, when there were likely to be children playing on the site and watching what was happening.

Nest tubes 43, 44, 45, 46 and 47 were interfered with soon after installation. These were either removed completely or else the wooden insert removed, making them useless. Following discussion with the CCC Ecologist, it was decided that there was little point in replacing the tubes as there was a high probability that they would be disturbed again and there were no other areas of the site that could be suitably used as an alternative location. As a result, a nut search would be an important aspect of the survey. Squirrel damage later in the summer led to two more tubes being lost.

RESULTS

The results are tabulated in Appendix 1. No dormice or nesting material was found in any of the nest tubes.

Approximately 200 nuts were collected from the site. However, none of these were identified as having been opened by dormice. The gnawed nuts were from bank vole, wood mouse and squirrel.

ASSESSMENT and RECOMMENDATIONS

Based on the survey results, it is unlikely that dormice are present. However, it is virtually impossible to prove that dormice are absent from an area if it is within their natural range. Therefore, site clearance works should be precautionary. The majority of the hazel is growing on the eastern edge of the site and as this is covered by a TPO, it will be retained and will provide habitat continuity. Vegetation elsewhere should be cleared during the winter months (late October to November).

In the unlikely event of finding a dormouse in hibernation on site, clearance work should stop immediately. The animal should be quickly wrapped back into its nest and covered lightly with leaves and moss, the location marked and the ecologist should be notified.

APPENDIX 1: RESULTS OF NEST TUBE SURVEY

X = no dormouse

TUBE ID		DATE							COMMENTS	
	April 11th	April 29th	May 26th	July 6th	August 2nd	Sept 2nd	Sept 28th	Sept 28th	LOCATION	OTHER
1	NEST TUBES INSTALLED	X	X	X	X	X	X	NUT SEARCH CARRIED OUT	Bramble edge	
2		X	X	X	X	X	X		Bramble edge	
3		X	X	X	X	X	X		Bramble edge	
4		X	X	X	X	X	X		Bramble edge	
5		X	X	X	X	X	X		Willow edge	
6		X	X	X	X	X	X		Elder in clearing	
7		X	X	X	X	X	X		Elder on N edge near garden fence	
8		X	X	X	X	X	X		Holly c5m from fence	
9		X	X	X	X	X	X		Bramble next to young ash c 5m from fence towards laurel	
10		X	X	X	X	X	X		Hawthorn nr fence	
11		X	X	X	X	X	X		Small holly halfway between “ditch” & PROW	
12		X	X	X	X	X	X		Yew, edge of ditch	
13		X	X	X	X	X	X		Rose, S edge of clearing nr ditch	
14		X	X	X	X	X	X		Young oak with honeysuckle, W of ditch	
15		X	X	X	X	X	X		Bramble E of ditch	
16		X	X	X	X	X	X		Oak, W edge of ditch nr “den”	
17		X	X	X	X	X	X		Bramble W of ditch nr 2 large willow	
18		X	X	X	X	X	X		Hazel with long branch, edge of	

									bramble W of "den"	
19		X	X	X	X	X	X		Hazel nr PROW overhanging ditch	
20		X	X	X	X	X	X		Mature hazel with ivy, W of ditch nr JKW	
21		X	X	X	X	X	X		Hazel, 2' above ground level, immediately N of JKW	
22									Interference - insert removed	
23		X	X	X	X	X	X		Bramble to N of sewage pipe clearing	
24		X	X	X	X	X	X		Bramble to N edge of sewage pipe clearing	
25		X	X	X	X	X	X		Willow, middle of sewage pipe clearing	
26		X	X	X	X	X	X		Bramble SW end of sewage pipe clearing, N edge	
27		X	X	X	X	X	X		N edge of bramble close to ground, far sewage pipe clearing	
28		X	X	X	X	X	X		Gorse, W end of sewage pipe clearing	
29		X	X	X	X	X	X		Hazel under Scots pine, inside wood near S path	Squirrel damage to cable tie – one bitten through (August) but tube remains horizontal.
30		X	X	X	X	X	X		Overhanging oak branch c 2' above ground	
31		X	X	X	X	X	X		Willow, N edge	

32		X	X	X	X	X	X		Young oak, far end of clearing	Squirrel damage to cable tie – one bitten through (August) but tube remains horizontal.
33		X	X	X	X	X	X		Bramble & willow. S end near pine	
34		X	X	X	X	X	X		Willow, SW side of SW clearing	
35		X	X	X	X	X	X		Willow, head height, E edge of SW clearing	
36		X	X	X	X	X	X		Willow, N edge of SW clearing	
37		X	X						Bramble 3m immediately E of garden fence	Missing
38		X	X	X	X	X	X		Willow by parking area	
39		X	X	X	X	X	X		Large “bat” tree near JKW	
40		X	X	X	X	X	X		Hazel S of “bat” tree	
41		X	X	X					Willow nr “bat” tree	Damaged by squirrels
42		X	X	X	X	X	X		Overhanging mature hazel	
43									Interference - All tubes and/or inserts removed soon after installing	
44										
45										
46										
47										
48		X	X	X	X	X	X		Holly overhanging ditch E of JKW track	
49		X	X	X	X	X	X		Near long ash limb overhanging footpath	
50		X	X	X	X	X	X		Ivy covered dead thorn S of den	

INDEX OF PROBABILITY OF FINDING DORMICE IN GIVEN MONTH (Dormouse Handbook)	1	4	2	5	7	7	TOTAL SCORE: 26	

Extended Phase 1 Habitat Survey

on

Land at Heol Plas Isaf, Llangennech

Report prepared by:

Fiona Lanc MSc, MCIEEM, AIEMA

Habitat Matters Ltd

Llyn-y-Gors

Tenby Rd

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Carms SA33 4JP

August 2015

Habitat Matters Ltd

CONTENTS

EXECUTIVE SUMMARY

Site Location	Habitat Matters Ltd was commissioned by Carmarthenshire County Council, to provide an ecological assessment in relation to a site adjoining Heol Plas Isaf, Llangennech, Carmarthenshire.
Development Proposals	The proposal is to clear the land prior to offering for development, probably for housing
Statutory and non-statutory nature designations	An assessment of the site in relation to Statutory and Non-Statutory Designated sites has been undertaken using information provided by the West Wales Biodiversity Information Centre.
Impacts on habitats of value	It is considered that the proposed development will have a low impact on the habitat value of the site. It is recommended that a further tree assessment is carried out once vegetation clearance is underway and access to all the trees is possible.
Invasive Species	Japanese Knotweed established in 3 areas within the site. Control of this invasive non-native species is essential before the site is fully cleared and development commences
Impacts on Badgers	No badger activity identified.
Impacts on Birds	Small loss of potential nesting habitat. Mitigation measures will be put in place to avoid vegetation clearance during bird nesting season and to include sensitive lighting plan during and after construction
Impacts on Bats	Two potential roost trees identified. Eastern boundary is a potential commuting and foraging area. These features are recommended to be retained as part of the development. A sensitive lighting plan is recommended for construction and operational phases.
Impact on Dormice	The site is considered low risk for dormice BUT is connected to known dormouse habitat and dormice populations are known to be within 2km of the site. It is recommended that a dormouse survey is carried out between April and September to determine whether this species is present.
Impacts on other notable species eg: Reptiles	None identified

1 INTRODUCTION

Habitat Matters Ltd was commissioned by Carmarthenshire County Council, to provide an ecological assessment in relation to proposals for an area of land owned by the Council, adjacent to Heol Plas Isaf, Llangennech. This is to be cleared prior to selling it off for development. The design brief was to:

Carry out a Phase 1 Habitat survey assessment at the Heol Plas Isaf site. Works to include, as a minimum: -
1. Assess and describe the valuable ecological components of the proposed development site and all land within 250metres.
2. Assess the likely ecological impacts of a development.
3. Identify further survey and mitigation requirements.
4. Provide guidance as to ecological enhancement of the site.
5. Tree survey and report, assessing the likely impacts of a development
6. Method Statement for the clearance of the site

The field survey was carried out on the 30th & 31st July 2015. This identified the habitats present within the development site and allowed an assessment to be made with respect to the potential impact on biodiversity.

1.2 SITE DESCRIPTION & ECOLOGICAL CONTEXT

(*Photos of the site are included at Appendix 2*)

The site comprises approximately 2.2ha of woodland and scrub lying in a narrow strip between Heol Plas Isaf (the main access route into a residential development thought to have been built within the past 20 years) to the east and a popular, local public footpath following the route of a disused mineral railway, to the west. A second, shorter section of footpath runs along the southern boundary between the main footpath and Aber Llwchwr. Both Heol Plas Isaf and a second road through the estate, Golywg-yr-Afon, lead towards the site but are truncated at the boundary.

The woodland and scrub form part of a continuous parcel of woodland and scrub habitat outside the site boundary and extending to approximately 6ha in total, as far as the main railway line on the eastern boundary. Beyond this, approximately 0.3km from the proposed development site, is a large area of saltmarsh, part of the Burry Inlet and Loughor Estuary SSSI and SAC. At the northern end of the woodland, immediately adjacent to the footpath, are several small scale industrial units. To the south of the site there is a newer residential area built within the last 10 years.

The survey site lies upon generally flat to gently sloping land with an easterly aspect and is, effectively, divided into two triangular shaped areas, each approximately 90m across on the east-west axis and both around the same size. The northern triangle is, overall, more freely draining and has a greater proportion of woodland. The southern triangle is lower lying and wetter, particularly towards the south-eastern corner, and has a greater proportion of scrub species, including immature Grey Willow (*Salix cinerea*). A notable feature of the site is the large number of mature trees (species

including Pedunculate Oak (*Quercus robur*), Ash (*Fraxinus excelsior*), Sycamore (*Acer pseudoplatanus*), Pine (*Pinus*), Hawthorn (*Crataegus monogyna*) and Hazel (*Corylus avellana*)) established along the whole length of the eastern and southern boundaries which are protected by a Tree Preservation Order (Llanelli Borough Council (Plas Isaf, Clos Cae Fainc and Morlais Road, Llangennech) Tree Preservation order 1993). As a result, a relatively wide strip of land, when tree crown and root protection zone are taken into account, is protected along these boundaries and provides a valuable screening and conservation function. A further group of 15 trees (comprising Ash, Sycamore, Beech (*Fagus sylvatica*) and Oak) in the northern corner of the site are also protected under the same TPO. (Other trees, outside the site but within adjacent gardens are also covered by the TPO). One area of the woodland, immediately adjacent to one of the industrial units, has recently been cleared. This is not protected by a TPO and lies partly below an over-head cable.

A sewer runs across the area from the western end of Heol Plas Isaf (by a children's playground); a second pipe meets this on the eastern edge of the site, crossing from the end of Golywg-yr-Afon and picks up a third pipe from running from the south-eastern corner. There are no buildings on the site.

There are signs of human activity and encroachment in many areas of the site. These include a well-used pathway giving regular access from Heol Plas Isaf to the footpath; several informal paths and a "den" in the northern part of the woodland, no doubt associated with local children playing in the area; an area of "garden" planted up with ornamental species, including Hydrangea and Crocosmia (*Montbretia*), around a large Oak tree behind no. 19 Heol Plas Isaf; a cleared, linear area of "garden" behind no 6 and areas of grass clippings being tipped over various fences onto the site. In addition, the western periphery of the site includes several ornamental garden-escapees species such as Mallow (*Malva*), Crocosmia, Geranium, Yellow Loosestrife (*Lysimachia vulgaris*) and perennial Sweet Peas (*Lathyrus latifolius*). A young Spotted Laurel (*Aucuba japonica*) was noted growing strongly within the northern area of woodland.

The western boundary of the site comprises either walls or fences belonging to the various properties on the neighbouring estate. The eastern and southern edges, along the footpath, are unfenced but in places, a low earth bank (possibly part of the disused railway) can be seen. There is a low stone wall (again dating from the former railway?) on the edge of the site at the northern end of the footpath.

Several areas of Japanese Knotweed (*Fallopia japonica*) are well-established around the site, mainly alongside the footpaths and a smaller area close to the north-western boundary. (See Appendix 1, Site Plan).

2. METHODOLOGY

The survey, assessment and reporting was carried out in-line with the Preliminary Ecological Appraisal (2012) guidelines produced by the Chartered Institute of Ecology & Environmental Management (CIEEM), the Phase 1 Habitat Survey methodology (JNCC 2010), the British Standards for Biodiversity: Code of Practice for Planning and Development (BS42020:2013) and other relevant species best practice guidelines.

Following an initial desk study, a walk-over survey of the site was carried out to assess the habitat, the potential value for various species and any potential constraints for the development.

2.1. Desk Study

A desk-study was carried out prior to the field survey. This included:

- Reference to OS Maps and aerial photographs in order to identify potential areas of habitat interest that may be impacted by the proposals or may support species that could be affected.
- Reference to data obtained from West Wales Biodiversity Information Centre (WWBIC) on Protected Habitats and Species within a 1km buffer of the site.
- Reference to BS:42020 and best practise guidelines (see Section 7.1: References)
- Reference to relevant legislation (see Section 7.2: Legislation)

Landscape Context

The site and wider landscape was assessed using Google Earth aerial images, Ordnance Survey maps and WWBIC habitat/protected sites maps. This enabled an assessment to be made of off-site features and habitats, and therefore the potential impact of the development on the local biodiversity. The proximity of different habitats and the connectivity of linear features between areas of habitat outside the site boundary and the site itself were included within this assessment.

2.2 Phase 1 Habitat Survey

A walk-over field survey of the proposed site and the immediate area, where accessible, was carried out by Fiona Lanc MCIEEM, on the 30th & 31st July 2015. Conditions were hot, dry and clear. The suitability of the recorded habitats for supporting different animal species, including signs and incidental sightings, was also considered during the survey.

The survey provided an assessment of the habitat types and the likelihood of the development having an impact on protected fauna. It included:

- A survey for non-native invasive species, including Japanese Knotweed.
- A search for signs of badger activity on the site

- An assessment of the potential for impact on birds, including suitable nest sites within the area.
- An assessment of the potential impact of the development on bats
- An assessment of the potential for impact on dormouse
- An assessment of the likely impact on other notable species, such as reptiles.

3.0 EVALUATION OF ECOLOGICAL FEATURES & IDENTIFICATION OF POTENTIAL IMPACTS

3.1 HABITATS

3.1.1 Protected Sites

There are no areas with statutory protection within the site boundary. The Burry Inlet and Loughor Estuary SSSI and SAC (Special Area of Conservation) is located to the east of the site, the closest point being approximately 130m from the south-eastern corner, on the far side of the main railway line. This is an extensive area of salt marsh, mud-flat and inter-tidal habitat which lies within the Carmarthen Bay and Estuaries SAC, Burry Inlet Special Area of Protection (SPA) and Burry Inlet Ramsar.

Surface run-off from the new development will no doubt drain towards the estuary. However, given the size of the new development relative to the extent of the residential areas and industrial land-use in the locality, it is anticipated that the volume and quality of the run-off will not be significantly different to that already occurring and is unlikely to have a major impact on the SAC.

The WWBIC data did not return any local sites of wildlife interest within 1km of the survey area.

3.1.2 Habitat Survey

A number of habitat types were identified on the site and within the 250m assessment zone. The majority of the adjacent area is unclassified on the historic Phase 1 Habitat Survey (Nature Conservancy Council 1993-96) map obtained from WWBIC, indicating it was either improved grassland (including agricultural grassland, playing fields and cemetery) or urban residential / industrial areas at the time of survey; this was verified from the study of recent aerial photographs. However, it identified several areas of habitat interest including within the site itself; this was classified as predominantly semi-improved grassland with a small area of scrub, giving way to semi-natural ancient woodland in a linear strip to the north.

Reference to aerial photographs between 1999 and the present day, shows how the site has changed over the years. The earlier photos show the area to be predominantly large areas of more open vegetation (possibly semi-improved grassland, based on the Phase 1 historic information) with pockets of scattered scrub and occasional trees together with trees and woodland on the eastern

and southern boundaries. Over time, the extent of scrub encroachment can clearly be seen until finally, the present day images, when much of the site, particularly the southern triangle and along

parts of the southern and western sides, is overgrown with dense Willow and Bramble (*Rubus fruticosus*).

A large proportion of the site, particularly in the southern triangle, was inaccessible during the survey due to strong bramble growth. However, it has been possible to identify the main habitat types as follows:

Broadleaved Woodland

The main area of broadleaved woodland is located within the northern triangle and extends to the south-east outside the boundary of the site, towards the main railway line; the line of mature trees, protected by the TPO, are effectively part of a wider area of woodland, the only physical boundary being the disused railway, now public footpath. The woodland on the site comprises mature and semi-mature trees of mixed species including Oak, Ash, Sycamore, Cherry (*Prunus avium*), Willow, Yew (*Taxus baccata*), Elm (*Ulmus*) and Holly (*Ilex aquifolium*). Many of the trees are protected by the TPO. The woodland structure is poor but includes a limited amount of understorey, with species including poorly-developed Hazel, Holly and Hawthorn together with a large proportion of suppressed young sycamore. A limited amount of natural regeneration was noted, including locally-abundant seedling Sycamore plus seedling Yew, Ash, Elm and Hawthorn. In addition, garden escapees Box Honeysuckle (*Lonicera nitida*) and Spotted Laurel were found growing here. Due to the dense canopy creating shade, the ground layer is dominated by Ivy (*Hedera Helix*); in the coppiced clearing adjacent to the footpath / industrial unit in the north-east of the site, the ground flora includes a greater number of species, including occasional Lords-and-Ladies (*Arum maculatum*), Herb Robert (*Geranium robertianum*), Enchanter's Nightshade (*Circaea lutetiana*), Dog's Mercury (*Mercurialis perennis*), Hart's Tongue Fern (*Asplenium scolopendrium*) and Male Fern (*Dryopteris filix-mas*). A more open clearing in the western-central area was dominated by Bramble, Common Nettle (*Urtica dioica*) and Rosebay Willowherb (*Chamerion angustifolium)* together with encroaching Willow.

Where accessible, an assessment was made of the trees within the woodland that are not protected by the TPO. The TPO trees were not assessed on the basis that these are protected and will thus be retained. The assessment took into consideration the Bat Survey Protocol for Assessing Trees Affected by Arboricultural Work, Good Practice Guidelines, BCT (see Appendix 3).

Other trees were inaccessible due to dense brambles but included a semi-mature Cherry and Oak within a clearing to the central-western part of the northern triangle. These trees should be reviewed once site vegetation has died down or has been cleared.

Tree Location	Description	Evidence of Bats	Potential for Bats	Retain (✓)or Remove (x)
T1	Mature Oak on corner of no 19. DBH 2.3m. Includes holes, crevices, loose bark and broken branches.	None	High	✓
T2	Semi-mature Oak, leaning. DBH 1.0m.Ivy clad.	None	Low	X
T3	Young Oak, suppressed. DBH 0.6m.	None	Low	X
T4	Coppiced Oak. 1.2m DBH. Multi-stemmed from approx. 2m. Some die-back.	None	Moderate	✓ (Review later)
T5	Young oak. Suppressed. DBH 1.0m	None	Low	X
T6	Young Ash, leaning. DBH 0.9m	None	Low	X
T7	Group of 4 Willow, multi-stemmed with many dead branches.	None	Low	X
T8	Large, mature oak with holes, broken branches & loose bark. Thought to be under TPO.	None	High	✓

Scrub

The southern triangle is predominantly dense Willow and Bramble scrub that has spread across the site particularly in the last 10 years with mature trees, protected by the TPO, along the eastern and southern boundaries. Hazel and Blackthorn (*Prunus spinose*)are established along the eastern boundary. Clearings in the scrub could be seen but not readily accessed due to the dense Bramble; however, these appeared to be dominated by Rosebay Willowherb, the aforementioned Bramble and young Willow. An area of Gorse (*Ulex europeaus*) has established in the south-eastern corner.

Semi-improved grassland

Small areas of semi-improved grassland were recorded on the western edge of the site close to Heol Plas Isaf, Golwg-yr-Afon and Aber Llwchwr and in a linear strip inside the eastern boundary, where the more open areas appear to be associated with the line of the sewage pipe. From the aerial photographs, it would appear that this type of habitat extends along much of the western edge of the southern triangle but, due to dense**,** albeit low, Bramble, could not be fully investigated.

These areas are fairly rank in nature and affected by scrub encroachment (Willow and Bramble), Bracken (*Pteridium aquilinum*) and garden escapees. Species noted included grasses such as Cock's-foot (*Dactylis glomerata*), Yorkshire fog (*Holcus lanatus*), Fescue sp *(Festuca sp*) and Sweet Vernal (*Anthoxanthum odoratum*). Forbs include Silverweed (*Potentilla anserina*), Common Fleabane

(*Pulicaria dysenterica*) Ragwort (*Senecio jacobaea*), Cleavers (*Galium aparine*), Creeping Cinquefoil (*Potentilla reptans*), Creeping Thistle (*Cirsium arvense*), Common Knapweed (*Centaurea nigra),*

Hedge Bindweed *(Calystegia sepium),* Ribwort Plantain (*Plantago lanceolata*), Greater Willowherb (*Epilobium hirsutum*), White Clover (*Trifolium repens*), Yarrow (*Achillea millefolium*), Rosebay Willowherb, Common Vetch (*Vicia sativa*), Meadow Vetchling (*Lathyrus pratensis*), Fox & Cubs (*Pilosella Aurantiaca*), Black Medick (*Medicago lupulina*) and Selfheal (*Prunella vulgaris*). The damper areas to the east (along the route of the sewage pipe) include Water Mint (*Mentha aquatic*), Hemp Agrimony *(Eupatorium cannabinum),* Marsh Horsetail (*Equisetum palustre*) and Purple Loosestrife (*Lythrum salicaria*), with a small area of Reed (*Phragmites*) in the lower south-east corner.

3.1.3 Invasive Non-Native Species

Japanese Knotweed (*Fallopia japonica*) was recorded on the site in several areas. These are well-established stands and are mainly located along the southern and central parts of the site, probably associated with easy access from the footpaths. A smaller area was noted in the north-west area of the site.

While there is no statutory requirement to control or eradicate this invasive weed, it is the responsibility of the landowner to manage it within the site. Japanese Knotweed is listed under Schedule 9, Part 11 of the Wildlife and Countryside Act 1981, making it an offence to plant or otherwise cause it to grow in the wild.

It is considered that any development work, including site clearance, is likely to result in the spread of Japanese Knotweed unless this is carefully managed and controlled beforehand.

3.2 SPECIES

An assessment was carried out into the suitability of the site and adjacent areas for a number of animal species including those listed under the Conservation of Habitats and Species Regulations 2010 (as amended); the Wildlife and Countryside Act 1981 (as amended); the Natural Environment and Rural Communities (NERC) Act 2006 Section 42 Habitats or Species of Principle Importance for Conservation of Biological Diversity in Wales; UK Biodiversity Action Plan (UK BAP) priority species or Local BAP (LBAP) priority species; Nationally rare or nationally scarce species; and Species of Conservation Concern (e.g. JNCC Red List, RSPB/BTO Red or Amber Lists).

The information from WWBIC returned no published records of protected species close to the site apart from historic records (from 1988 and 2006) of a Pipistrelle bat flying approximately 200m away and records for Otter on the Loughor.

Badgers

There was no record of badgers on or close to the site in the WWBIC data trawl. The field survey identified no sign of badger activity (digging, latrine pits, snuffle holes, scratching or tracks) within the site.

It is therefore considered that there is unlikely to be a detrimental impact on the local badger population but, since badgers are fairly mobile and tend to move around an area, it is recommended that a follow-up inspection is made prior to developing the site and, if badgers are found to have moved in to the area, an appropriate mitigation strategy is produced under licence.

Birds

There is valuable habitat for nesting songbirds throughout the site in the scrub and trees.

No record data was returned by WWBIC but during the field survey a number of common birds were noted. These included Blackbird (*Turdus merula*), Blue Tit (*Cyanistes caeruleus*), Great Tit (*Parus major*), Robin (*Erithacus rubecula*), Wren (*Troglodytes troglodytes*) and Chaffinch (*Fringilla coelebs*).

Bats

The WWBIC data trawl included a record for a Brown Long-eared bat (*Plecotus auritus*) roost approximately 500m south west of the site in 2009.

Although there are no records for bats on-site, there are excellent foraging and commuting habitat within the woodland (including the adjacent woodland habitat running towards the main railway), particularly along the footpath which is a good linear corridor. In the wider landscape, this woodland is linked to large areas of woodland and mature hedges to the north-west of the site, outside the Llangennech residential area, which continue for several kilometres along the Afon Morlais where there are large areas (such as Troserch Woods) and good connectivity. This therefore considerably extends the area of suitable habitat for bat activity.

An assessment for bat potential was made of trees within the site that are not protected by the TPO (see Section 3.1.2, Habitat Survey – Broadleaved Woodland). Within the site itself, there are at least two mature trees (T1 & T8) with potential for bat roosts; both are oak with signs of decay, broken branches, loose bark, crevices and ivy. One of these trees is likely to be included within the TPO. A full bat survey was not carried out as it was beyond the scope of this study.

Dormouse

There were no published records of dormouse in the WWBIC data trawl. However, there is a known population of dormouse in Troserch Woods, approximately 2km to the north with relatively good ecological connectivity between the sites. Dormouse is a species known to be present in a triangle between Carmarthen, Llandeilo and Llanelli and can be found in various habitats.

The field survey identified that while there is potentially suitable habitat, much of the site is unlikely to support dormouse. The northern woodland includes a large proportion of Sycamore; this is a good food source for this species, due to attracting aphids, but the canopy creates a dense shade on the woodland floor. As a result, the understorey is suppressed; there is no continuous shrub layer for moving through the site and there is reduced food availability.

There are no large-canopy trees within the Willow scrub in the southern triangle apart from along the eastern footpath and in the off-site woodland running towards the railway line. This area includes several mature Hazel coppice stools. The Willow scrub across the main part of this area is immature, reducing the suitability for hibernation as there are few large coppice stumps or stools for hibernation and parts appear to be seasonally water-logged. The scrub area, however, has a large proportion of Bramble, which is a favoured food source for Dormouse.

The most suitable habitat is considered to be the wooded edge along the eastern and southern perimeters, where the majority of the trees are protected with a TPO. This area provides good connectivity with the remaining 4ha or so of woodland outside the site boundary. These trees, including a wide strip of approximately 7 metres will not be removed and, as a result, connectivity through the area will be maintained.

It is therefore considered that the area may have a low potential for dormice but further survey work would be necessary to determine whether this species is present.

Herptiles (Reptiles & Amphibians)

No records for herptiles were returned in the WWBIC data search. Although the damp grassland potentially offers foraging and refuge habitat for common herptiles such as the Common Toad and Common Frog, and Slow Worm are a species commonly associated with gardens, there are no ponds or water-bodies within the sites and much of the area has become too rank and overgrown to be good habitat suitable of supporting a large reptile population. It is therefore unlikely that the development will have a detrimental impact on these species. Nevertheless, care should be taken to protect any individuals if found during the development work.

Other Notable Species

The presence of species such as Otter and Water Vole was considered in the survey. However, there is no evidence that these species are present on this site, nor is there suitable habitat to support them. It is therefore unlikely that there will be a detrimental impact on these species.

4.0 DISCUSSION and RECOMMENDATIONS

The proposed development is effectively in two stages with the initial site clearance followed by the eventual construction of houses across the site. There are a large number of trees protected by a Tree Preservation Order; these will be retained and will provide a degree of screening, ecological connectivity and habitat interest on the site. However, consideration should also be given to retaining other trees and shrubs, particularly in the north-eastern corner where there is no TPO. This will help to screen the site from outward views to the industrial area and inward views into the development. In addition, retaining a wide (7-10m) strip of wooded natural vegetation along the eastern periphery of the site will provide and reduce the impact of the development on the local landscape.

It is understood that the landowner wishes to clear the site in early autumn 2015. However, there are a number of constraints that will need to be considered before this can take place:

- Japanese Knotweed is well established in several areas of the site and will need controlling to avoid the risk of spreading it across and outside the site. Strict biosecurity measures should be put in place, including fencing off and signing the infested areas to prevent access. (CCC will need to consider the best way to manage the stand of knotweed growing on either side of the short-cut access path between Heol Plas Isaf and the official footpath on the disused railway).

  Chemical treatment normally requires at least 3 years to control the growth but, if the plant crown is then disturbed (perhaps through excavation on a construction site) it may be stimulated into re-growth. Excavation and disposal to a specialist licensed waste facility is expensive and, if following this disposal method, it is essential to remove all pieces of root as the plant can re-grow from very small fragments (the size of a fingernail).

- There is a potential (albeit low) for dormouse to be present and, if so, site clearance will need to be carried out under licence. Surveys should take place between April and September when dormice are active.

- It is recommended that clearance, once underway, is carried out in stages and initially restricted to the smaller trees (under 1.0m DBH) and to scrub willow and bramble. Larger trees and others considered to have potential for bats, should be retained and reviewed once the site is easily accessible.

5.0 RECOMMENDATIONS FOR FURTHER SURVEY WORK

5.1 If there is a requirement to remove trees T1 & T8 (or others identified at a later date) or to carry out any arboricultural work, in accordance with the BCT Bat Survey Protocol for Trees Affected by Arboriculture Work (See Appendix 3), two dusk emergence or pre-dawn re-entry survey should be undertaken for each affected tree between May to August (inclusive). If the tree is confirmed as being a bat roost, a Habitats Regulations licence will be required from Natural Resources Wales and the tree felled under the conditions stated within the licence. Similarly, if any of the trees protected by the TPO are likely to be felled or cut back, an assessment of the bat potential should be carried out together with further survey work where applicable.

5.2 Further survey for dormouse is recommended to establish the presence or absence of dormouse on site and adjoining habitats. However, clarification should be sought from Lindsey Rendle, the Carmarthen County Council Planning Ecologist*, to determine whether the Authority would require this in view of the low potential for dormouse to be present within the site, particularly during December to March when vegetation clearance would be underway.

If a survey is required, it would be carried out using the methodology outlined in *The Dormouse Conservation Handbook 2nd Edition.* Artificial nest tubes will be positioned on site, including the vegetation on the eastern boundary, as well as adjoining suitable woodland and scrub habitat. The nest tubes will then be monitored over the course of the survey season (April-November) to determine dormouse presence/ absence.

* Clarification received by email from CCC Planning Ecologist on 24/9/15 confirmed the need for a dormouse survey to be carried out before the planning application is submitted. The email is copied as follows:

"*On the basis of your findings it is considered that there is low potential for Dormice to be present on the site. There are records of dormice within 2km of the site. Habitat connectivity to this site is relatively good. As you are aware the presence of a protected species is a material consideration when a local planning authority is considering a development proposal that, if carried out, would be likely to result in disturbance or harm to the species or its habitat. It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval.*

TAN 5 states that bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present. But, the level of likelihood that should trigger a requirement for developers to undertake surveys should be low where there is a possibility that European protected species might

be present. Therefore considering your findings, I consider that the site should be subject to Dormice Survey".

5.3 Once the Japanese Knotweed is removed, the site should continue to be monitored for regrowth and treated accordingly if the plant is found.

6.0 MITIGATION AND ENHANCEMENT

6.1 Mitigation

Lighting – light pollution from the new development during construction and once the houses have been built could potentially have a detrimental impact on the local ecology, particularly foraging or commuting bats, nesting songbirds and dormice in the adjacent woodland. Increased nocturnal light levels will encourage earlier dawn chorus or even trigger birds, such as Robins, to sing during the night. These changes in natural behaviour can impact on bird reproduction. In addition, increased nocturnal light levels can make roosting birds more visible to predators. Unmitigated development could potentially have a detrimental mitigation on the local songbird population.

A lighting plan should be included to ensure that any site-lighting (eg: security lights) is pointing into the site and is hooded to prevent unnecessary light spill into the adjacent woodland. As far as possible, there should be no overnight lighting. Once the houses are built, consideration should be given to avoiding external lighting on the eastern side of the buildings. This will ensure that the woodland remains a dark area for nocturnal species such as bats and dormouse and there will be no incentive for songbirds to change their normal behaviour.

6.2 Enhancement Measures

Wherever possible, new developments should enhance biodiversity and the natural environment by identifying opportunities to conserve important local habitats and species (Planning Policy Wales, Welsh Government, July 2014). This policy states that development should, where possible, retain, and where practicable, enhance features of conservation importance.

It would be possible to include a number of enhancement measures within the site design (including both for landscaping and built-environment) that will enhance the ecological interest of the development:

Pollinating Insects

The loss of habitat is identified as a factor in the decline of the pollinator populations (Action Plan for Pollinators, Welsh Government, 2013) and, where possible, the creation or enhancement of suitable areas (however small) is being encouraged. The landscaping proposals for the site should, wherever possible, include planting of areas using native species of shrubs and trees, including suitable flowering species for pollinating insects. This planting will also maintain connectivity and create new wildlife corridors across the site.

Reptiles and Amphibians

Creation of log piles / hibernacula for reptiles and amphibians on the eastern edge of the site using logs and stones and covered with turf removed from the main site, will provide sheltered, dry refuges with crevices for these animals to hibernate.

The lower south-east corner is damp and, based on the vegetation present, including Reed, is possibly waterlogged for much of the year. This area may potentially be suitable for the creation of a small, shallow pond or scrape to provide habitat for reptiles and amphibians and to add additional biodiversity interest to the site and surrounds.

Grass clippings from amenity areas within the site could be left in a specific area (ideally near the pond if this is included) to create habitat for Grass Snake.

Bats and Birds

Incorporating bat and bird boxes on trees and buildings within the site and leaving small cavities in the new houses, will provide new opportunities for nest and roost sites.

Dormice

Placing dormouse nest boxes in the adjacent area of woodland (where they are more likely to be secluded from inquisitive eyes) would provide additional nesting opportunities for this species. It is assumed that Carmarthenshire County Council owns this woodland but, if not, agreement would need to be reached with the landowner.

7.0 REFERENCES AND LEGISLATION

7.1 References:

Carmarthenshire LBAP Species & Action Plans

The Dormouse Conservation Handbook, 2nd Ed – P Bright, P Morris & T Mitchell-Jones.

Welsh Government Action Plan for Pollinators

Bat Surveys – Good Practice Guidelines. 2nd edition. Bat Conservation Trust (2012)

Bat Tree Habitat Key - AEcol, Bridgewater - H.Andrews H (2013).

BS 42020: Biodiversity – Code of Practice for Planning & Development

List of Species & Habitats of Principle Importance for Conservation of Biological Diversity in Wales. Wales Biodiversity Partnership/Welsh Assembly Government.

7.2. Legislation

Badgers

Badgers and badger setts are protected under The Protection of Badgers Act 1992, which makes it illegal to kill, injure or take a badger, or to interfere with a sett. A sett is defined as "any structure or place which displays signs indicating current use by a badger".

Birds

The Wildlife and Countryside Act 1981 (as amended) makes it an offence (with certain limited exceptions) to intentionally kill, injure or take any wild bird, or to damage, take or destroy the nest of any wild bird whilst that nest is being built or in use, or to take or destroy its eggs. Furthermore, the Act affords additional protection to specific species of birds listed in Schedule 1 of the Act. In respect of these species it is unlawful intentionally or recklessly to disturb such a bird whilst it is nest-building or is in, on or near a nest containing eggs or young; or to disturb their dependent young. Following recent revisions, fifty-nine species are listed on the UKBAP.

Bats

All species of bats and their roosting sites are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats etc.) Regulations 1994, updated and consolidated by the Conservation of Habitats and Species Regulations 2012. All species of UK bats are designated as 'European Protected Species' and are covered by a Species Action Plan within Carmarthenshire LBAP.

Dormouse

Dormouse is a 'European Protected Species' with full protection under both UK and European legislation. It is a priority species and subject to its own Biodiversity Action Plan and is included in Carmarthenshire Local Biodiversity Action Plan.

Invasive Species

Japanese Knotweed is listed under Schedule 9, Part 11 of the Wildlife and Countryside Act 1981, making it an offence to plant or otherwise cause it to grow in the wild. Care should be taken to avoid bringing in material contaminated with Japanese Knotweed during the site development.

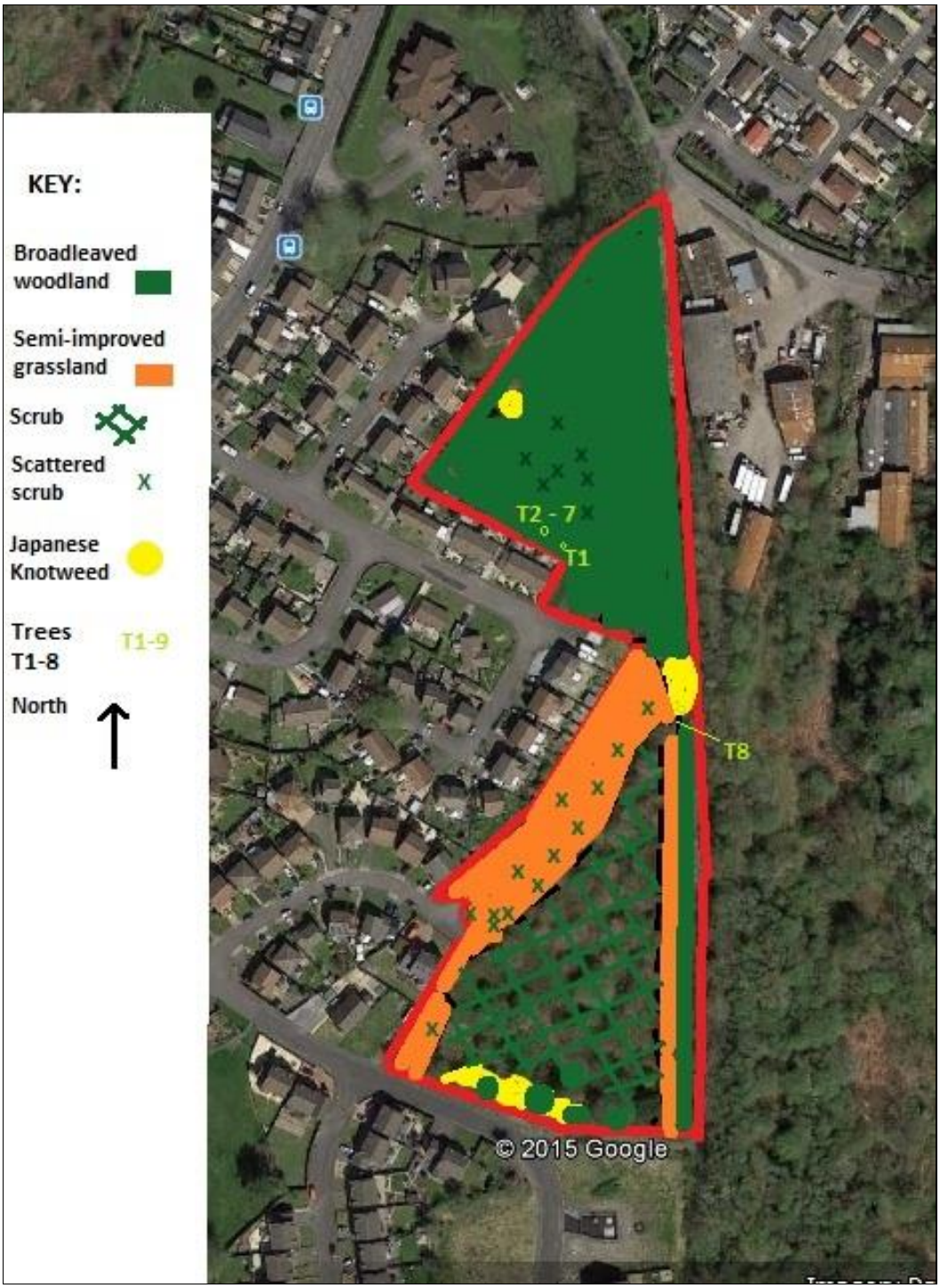
Reptiles

There are four widespread species of British reptile, comprising grass snake (*Natrix natrix*), slow-worm (*Anguis fragilis*), adder (*Vipera berus*) and common lizard (*Zootoca vivipara*). These animals are protected under the Wildlife and Countryside Act 1981 (as amended). They are given so called 'partial protection', which prohibits the deliberate killing or injury of individuals. The habitats of common reptiles are not specifically protected.

8.0 DISCLAIMER

This report was prepared for the specific purpose stated in “Clients Instructions” and no liability will be accepted for use for other purposes or by third parties. Information supplied by the client and third parties has been taken as being correct and no liability can be accepted for errors and omissions. It has been assumed that the client has disclosed all relevant information whether asked for or not.

APPENDIX 1 - SITE PLAN



Habitat Matters Ltd

APPENDIX 2 – SITE PHOTOGRAPHS

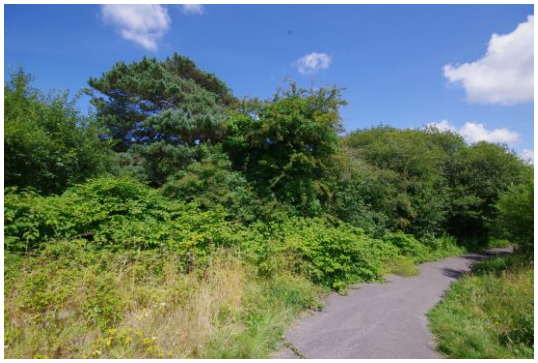


Photo 1: Southern boundary, showing spread of Knotweed

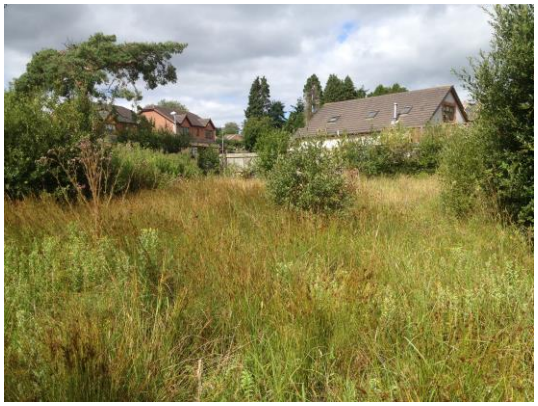


Photo 2: SE corner – scrub encroaching on grassland

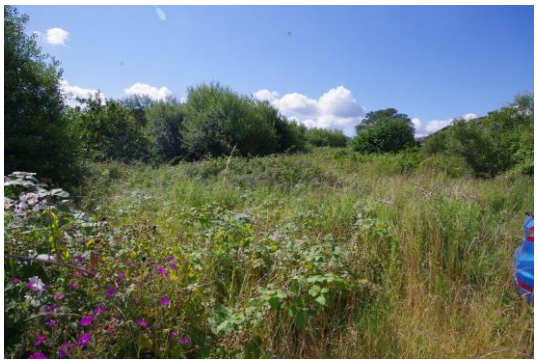


Photo 3: View from Golwg-yr-Afon

Photo 4: Typical woodland in northern area

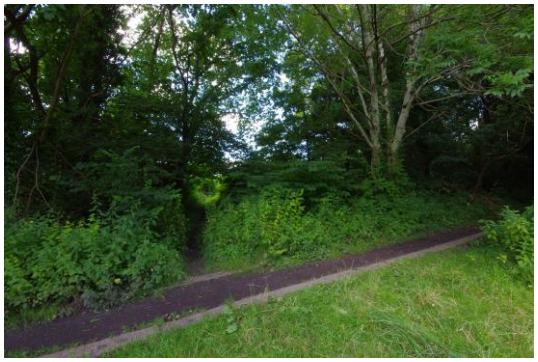


Photo 5: Eastern boundary from footpath

Photo 6: Informal footpath from Heol Plas Isaf through knotweed

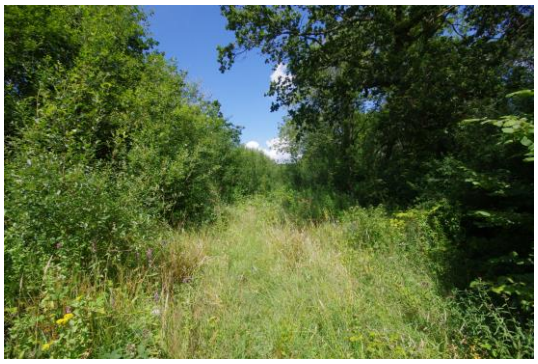


Photo 7: Open area along sewage pipe route

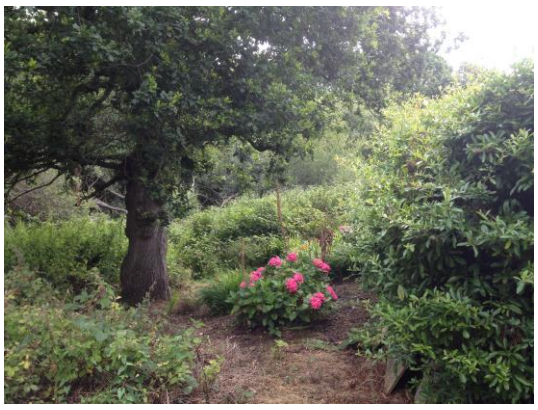


Photo 8: Mature oak (T1) with garden area

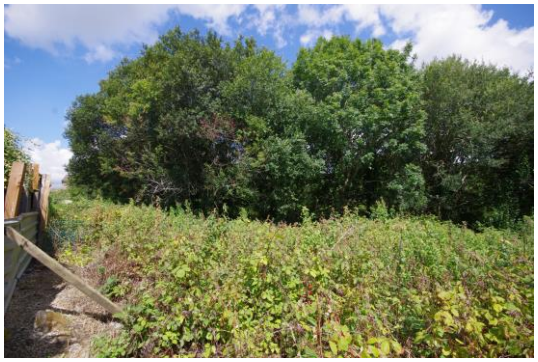


Photo 9: Trees T2-7

Photo 10: Mature oak (T8) with Japanese Knotweed

APPENDIX C - BAT SURVEY PROTOCOL FOR TREES AFFECTED BY ARBORICULTURAL WORK

The following table is taken from Bat Survey Good Practice Guidelines, Bat Conservation Trust:

TREE CATEGORY AND DESCRIPTION	STAGE 1 SURVEY REQUIREMENTS PRIOR TO DETERMINATION	STAGE 2 FURTHER MEASURES TO INFORM MITIGATION	STAGE 3 LIKELY MITIGATION
Known or Confirmed Confirmed bat roost tree with field evidence of the presence of bats, e.g. droppings, scratch marks, grease marks or urine staining.	Tree identified on a map and on the ground. Further assessment to provide a best expert judgement on the likely use of the roost, numbers and species of bat, by analysis of droppings or other field evidence. **Ecologist involvement <u>will</u> be required.**	Avoid disturbance to trees where possible[1]. Further dusk and dawn surveys to establish more accurately the presence, species, numbers and type of roost present, and to inform the requirements for mitigation if felling is required.	Felled under Habitats Regulations licence[2] following the installation of equivalent habitats as a replacement. Felling would be undertaken taking reasonable avoidance measures[3] such as 'soft felling' to minimise the risk of harm to individual bats.
Category 1* Trees with multiple highly suitable features capable of supporting larger roosts	Further assessed to provide a best expert judgement on the likely use of the roost, numbers and species of bat, by analysis of droppings and other field evidence. **Ecologist involvement <u>will</u> be required.**	Avoid disturbance to trees where possible[5]. More detailed, off-the-ground visual assessment. Further dusk and dawn surveys to establish the presence of bats and, if present, the species, numbers and type of roost to inform the requirements for mitigation if felling is required.	Trees with confirmed roosts following further survey would be upgraded to **Confirmed** category and felled under licence as above. Trees with no confirmed roosts would be downgraded to Category 2 and felled taking reasonable avoidance measures[7].
Category 2 Trees with no obvious potential, although the tree is of a size and age that elevated surveys may result in cracks or crevices being found; or the tree supports some features which may have limited potential to support bats	None. **Ecologist involvement <u>unlikely</u> to be required.**	Avoid disturbance to trees where possible[5]. No further surveys.	Trees may be felled taking reasonable avoidance measures[7]. Stop works and seek advice in the event bats are found.
Category 3 Trees with no potential to support bat roosts	None. **Ecologist involvement will not be required unless new evidence is found.**	No further surveys.	No mitigation for bats required.

Notes

[1] A general principle for those involved in advising on and undertaking tree works should be, wherever possible, to avoid disturbance and retain all features which offer some value to bats. For safety-related tree work, a balance should be sought between tree safety standards and the impact on wildlife

[1] When a Habitats Regulations licence to undertake work on a tree roost is required, the licence will need to demonstrate that alternative approaches have been previously considered to try to avoid works to the tree. These may be options such as diverting paths away from hazardous trees and removing unsafe limbs, instead of felling an entire tree.

[1] Reasonable avoidance measures are considered to be good practice. 'Soft felling' is a generic term used to describe more cautious felling approaches, using lowering and cushioning techniques to reduce the impact of felling limbs which may still have bats within cavities. Where proportionate to the impact, best practice approaches to felling may include methods such as additional dusk emergence or dawn re-entry surveys immediately prior to felling (during the active bat season) or the use of non-return valves to ensure that bats can leave but not return to a roost cavity before works begin

METHOD STATEMENT

VEGETATION CLEARANCE

at

HEOL PLAS ISAF, LLANGENNECH.

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August 2015

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1. Introduction / Scope of works

1.1 This method statement describes the methodology and procedures to be adopted in connection with vegetation clearance at Heol Plas Isaf, Llangennech over the winter period. It is important for this work to be undertaken within the winter period to avoid the bird nesting season from March to September and to prevent birds nesting prior to the removal of the vegetation in early spring. It is an offence under the terms of Wildlife and Countryside Act 1981 to disturb or knowingly destroy an occupied bird nest, to do so will incur prosecution.

Prior to carrying out the clearance, the site will have been surveyed for dormice and, depending upon the results of this survey, appropriate mitigation measures will be put in place. Dormice are European Protected Species with full protection under European and UK legislation.

1.2 The coppicing will be carried out by a specialist contractor using chain saws and strimmers, or other appropriate machinery as agreed by Carmarthenshire County Council (CCC). Each of the coppiced trees will be cut up into manageable sized sections and stored safely in piles prior to removal. The remaining wood (branches) following cleaning / de-limbing of the main trunk / stem will be mulched or used to create brash / log piles within areas of retained woodland (such as along the eastern periphery of the site) and left to rot down as habitat piles.

1.3 Specific requirements (i.e. controls which must be in place or actions which must be taken) and specific restrictions (i.e. actions that are not allowed) are highlighted within the work methodology in Section 3).

<u>All personnel working under this method statement must be fully aware of the requirements and restrictions and comply with them at all times.</u>

2. Prior to Starting Work

2.1 Ensure method statement, drawings and related documents are in place and approved prior to works commencing on site.

2.2 The Method Statement shall be explained to operatives, in a pre-task talk, before commencement of the works and the pre-task talk record sheet shall be signed by all personnel involved in the task to confirm that they understand the methodology and any risks.

2.3 No-Go Zones are to be put in place around areas of Japanese Knotweed. These areas will be designated using a protective orange Netlon fence or similar and clearly marked with "**JAPANESE KNOTWEED - KEEP OUT**" signs. No clearance works are to be carried out within these areas and no pedestrian or machinery access to be permitted. If additional areas of Japanese Knotweed are found during site clearance works, these will be fenced out as No-Go Zones and any machinery that has been working close by will be checked for fragments of the plant and cleaned appropriately before removing it from the infested area.

2.4 Trees less than 1.0m DBH and leaning trees will be cleared through coppicing and stump removal <u>unless marked to be retained</u>.

2.5 Trees over 1.0m DBH are to be retained and will be marked accordingly (using paint spray or other appropriate product). Once the vegetation and any trees under the 1m diameter have been cleared, the contractor should contact Mathew Evans of CCC on 01267 228271, to arrange an inspection of the remaining trees to determine whether they can be cut down or need further investigation

2.6 The remaining wooded areas and trees protected by a TPO and which are to be retained are to be fenced with a temporary fence to prevent access and damage by clearance activities and machines. These fences will be clearly marked with signs stating "**ENVIRONMENTALLY SENSITIVE AREA – KEEP OUT**".

2.7 Appropriate machinery will be agreed between CCC /Site Clearance Contractor.

2.8 Site access points will be agreed with the landowner, CCC, and clearly marked.

2.9 Public Rights of Way must be maintained at all times.

2.10 All areas shall be left clean, tidy and secure at the end of each working day with all debris removed from site and disposed of correctly to a registered disposal area.

2.11 Burning of any material will not be permitted under any circumstances.

2.12 All services (underground and overhead) will be marked out on-site before work commences.

3. Work Methodology

3.1 The small trees and bushes will be mulched. Larger trees will be felled, cut into logs and then removed from site rather than being mulched.

3.2 Clearance work will be carried out between October and March to avoid the bird nesting season. (N: If the dormouse survey identifies dormouse to be present, the clearance work will be carried out under licence and is likely to be restricted to a period between December and March)

3.3 If reptiles or amphibians are disturbed during site clearance works, these will be collected and moved to a safe refuge outside the work area (eg: the retained vegetation along the eastern boundary)

3.4 There is a potential risk of minor leaks of oil/diesel from equipment. To reduce the risk of this occurring, the clearance contractor will adhere to the following:

- Comply with best practice guidelines for fuel storage and refuelling
- Machinery and plant will be serviced and thoroughly checked for potential leaks prior to being taken on site
- Refuelling of plant and equipment will be restricted to hard stand areas where practicable.
- No refuelling will take place near a drain.
- In the event of an oil/diesel spill, **stop** work immediately, **contain** the spill, **clean up** and dispose of safely as contaminated waste.
- The contractor will provide oil spill kits on site for management of any spill events

- Drip trays will be used underneath all static plant and for refuelling.
- The vegetation clearance team will have been fully trained by their employer to ensure they know how to react in the event of a spill.
- All contaminated waste will be removed from site and disposed of to a licensed waste facility.