
From: sean@njassociates.co.uk
Sent: 13 August 2022 09:36
To: Cross, David
Cc: njassociates@btinternet.com
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]
Attachments: Ecological Appraisal - Sweetwater Park.pdf

Importance: High

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Good morning both,

We have received the ecological report, please see attached,

Thank you

Kind Regards,

Sean Milsom

BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk

Phone: 07308 975447

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



From: sean@njassociates.co.uk <sean@njassociates.co.uk>
Sent: 20 July 2022 09:45
To: 'Cross, David' <David.Cross@merthyr.gov.uk>
Cc: 'njassociates@btinternet.com' <njassociates@btinternet.com>
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Morning David,

I have just chased the ecological report and we will forward this straight over to you ASAP

We are using:

Kind Regards,

Sean Milsom

BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk

Phone: 07308 975447

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



From: sean@njassociates.co.uk <sean@njassociates.co.uk>

Sent: 05 July 2022 18:05

To: 'Cross, David' <David.Cross@merthyr.gov.uk>

Cc: 'njassociates@btinternet.com' <njassociates@btinternet.com>

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Importance: High

Good afternoon,

We Have attended site and added information to the drawings.

We have measured property number 44 and shown this on the drawings.

Please see attached amended drawing pack,

We have added spot levels of DPC in relation to DPC at number 44.

There is a 1800 high retaining wall existing on the front of the site, we have added this in.

We have dropped the finish floor level of the proposed house to bring the roof ridge in-line with the existing property number 44,

We can confirm the ecological survey and report is being carried out this week (they are going to try and complete this by Friday deadline, but could stretch in to next week)

I will be away from the office from tomorrow until Tuesday 12th July,

Please copy Darren in to any feedback,

If any drawing amendments are required, I would need to complete these next week,

Thank you

Kind Regards,

Sean Milsom

BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk

Phone: **07308 975447**

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



From: sean@njassociates.co.uk <sean@njassociates.co.uk>

Sent: 02 July 2022 17:47

To: 'Cross, David' <David.Cross@merthyr.gov.uk>

Cc: 'njassociates@btinternet.com' <njassociates@btinternet.com>

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Good afternoon David,

We can confirm that the ecological survey will be carried out next week and they will try their best to get the report to you by Friday but could slip on for a couple of days in to the following week please,

Kind Regards,

Sean Milsom

BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk

Phone: **07308 975447**

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



From: sean@njassociates.co.uk <sean@njassociates.co.uk>

Sent: 28 June 2022 10:04

To: 'Cross, David' <David.Cross@merthyr.gov.uk>

Cc: 'njassociates@btinternet.com' <njassociates@btinternet.com>

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Good morning David,

Thank you,

We will be carrying out some spot level measurements this week and will add these levels on to the plans for you, We will take levels at the DPC of neighbouring dwellings, proposed DPC level of proposed dwelling and the access road.

I'll also update the section drawings to suit.

Speaking with Darren, the ecological survey was completed some years ago, so we will now look to get a new up to date survey.

Kind Regards,

Sean Milsom

BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk

Phone: **07308 975447**

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



From: Cross, David <David.Cross@merthyr.gov.uk>

Sent: 24 June 2022 16:42

To: 'sean@njassociates.co.uk' <sean@njassociates.co.uk>

Cc: njassociates@btinternet.com

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: **NOT PROTECTIVELY MARKED**

Afternoon Sean,

Can we agree that the outstanding details will be submitted by the 8th July and an extension of time to determine the application by the 22nd July 2022.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: **07761330341**

E-bost / Email: david.cross@merthyr.gov.uk

Cyngor Bwrdeistref Sirol Merthyr Tudful / Merthyr Tydfil County Borough Council
Uned 5, Parc Fusness Triongl / Unit 5, Triangle Business Park
Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil

From: sean@njassociates.co.uk <sean@njassociates.co.uk>
Sent: 22 June 2022 10:10
To: Cross, David <David.Cross@merthyr.gov.uk>
Cc: njassociates@btinternet.com
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

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Good morning David,

Emailing to kindly ask if the deadline could be extended a week or so please?
I'm not in the office at all last week and this week, had some very sad news that I'm having to sort and deal with,
It would be very much greatly appreciated if you could allow this,

Kind Regards,

Sean Milsom
BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk
Phone: **07308 975447**

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



From: Cross, David <David.Cross@merthyr.gov.uk>
Sent: 06 June 2022 11:52
To: 'sean@njassociates.co.uk' <sean@njassociates.co.uk>
Cc: njassociates@btinternet.com
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED
Classification: NOT PROTECTIVELY MARKED

Morning Sean,

Thank you for sending the updated elevations of the proposed dwellings. I have held back making comments on the general design as I am still waiting for other information to be provided, which also forms part of my overall assessment of the development.

The section drawing initially provided needs to be updated to reflect the changes to the housing design. I have also previously requested that sections be provided to illustrate the dwellings in relation to the neighbouring properties so I can determine any potential impacts on amenity.

I previously raised questions about the existing and proposed levels across the site as no detail of this have been provided. The revised layout plan you have submitted illustrates various boundary walls, which suggests that there are changes in levels, but this is not clear on any of the plans.

You mentioned previously back in February 2022 that the ecological survey work had been undertaken. However, I have not yet received a copy of the ecological report, which may highlight other considerations that influence the general arrangements on the site.

In regards to the fenestration, it does appear that you have now addressed the previous concerns in this respect.

I would be grateful if you could give me a timeframe when the outstanding matters will be resolved as I am conscious that this application was initially submitted at the start of 2021. If the requested information cannot be provided by the 27th June then I will need to proceed on the basis of what has been submitted to date, which in its current form would likely be a refusal due to the lack of information.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: 07761330341

E-bost / Email: david.cross@merthyr.gov.uk

Cyngor Bwrdeistref Sirol Merthyr Tudful / Merthyr Tydfil County Borough Council

Uned 5, Parc Fusness Triangl / Unit 5, Triangle Business Park

Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil

CF48 4TQ

From: sean@njassociates.co.uk <sean@njassociates.co.uk>

Sent: 12 May 2022 13:37

To: Cross, David <David.Cross@merthyr.gov.uk>

Cc: njassociates@btinternet.com

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

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Good afternoon David,

Apologies for not getting these amendments to you sooner,
Please see attached amended designs to even out and match the fenestration between both proposed dwellings,

Kind Regards,

Sean Milsom

BSc (Hons) Architectural Technology

Email: sean@njassociates.co.uk

Phone: 07308 975447

Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU



Begin forwarded message:

From: "Cross, David" <David.Cross@merthyr.gov.uk>
Date: 18 February 2022 at 6:28:16 pm GMT
To: njassociates@btinternet.com
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED
Classification: NOT PROTECTIVELY MARKED

Good afternoon Darren,

Thank you for sending across the updated plans across. I have had a quick review of the plans and I have noted a few changes which have addressed some of my concerns regarding the general design of the dwellings. I also note that the detached garage has now been omitted from the proposal with an integral garage proposed instead. I consider this to be a much better approach for the site. There still appears to be some difference between the window shape/size between the two storey house and the bungalow. I am not sure that the vertical style windows reflects the character of the area. It is also at odds with the windows proposed on the rear elevation. So it is not clear to me why you have opted for a different approach on the front elevation.

In order to properly assess the impact of the development in relation to the neighbouring properties, I previously requested section details be provided. It appears that section lines have been shown on the location plan but no details were attached to the email. I trust these section illustrate the development in relation to each other and in relation to the adjacent properties. Once I have reviewed the section details I can finalise my thoughts on the design of the development.

The elevations give the impression that the site is flat, but the block plan suggest a number of boundary walls would be required to the front of the site. It would be appropriate if you could provide details of the existing site levels and highlight the proposed levels on the site plan.

I understand that an ecological assessment has now been carried out. If you could provide a copy of the report I can then consult our ecologist to ensure the development appropriately mitigates any potential impacts and provides suitable enhancements.

With reference to my email back in March 2021, I noted that concerns had been raised in regards to the ground stability and drainage across the site and the potential impact on existing gabion baskets. Have you undertaken any site investigations that may otherwise indicating suitable ground conditions?

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: 07761330341

E-bost / Email: david.cross@merthyr.gov.uk

Cyngor Bwrdeistref Sirol Merthyr Tudful / Merthyr Tydfil County Borough Council

Uned 5, Parc Fusness Triangl / Unit 5, Triangle Business Park

Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil

CF48 4TQ

From: njassociates@btinternet.com <njassociates@btinternet.com>

Sent: 15 February 2022 10:28

To: Cross, David <David.Cross@merthyr.gov.uk>

Subject: FW: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

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Good Morning David

I hope all is well.

I am enquiring if there has been any progress with the above application and to see if you require any additional information.

Have a good day and speak to you soon.

Kind regards

Darren



Property and Building Design Consultants

Falcon Drive

Cardiff Bay

Cardiff

CF10 4RU

Tel : 07904 168335

From: njassociates@btinternet.com <njassociates@btinternet.com>

Sent: 03 February 2022 10:38

To: 'Cross, David' <David.Cross@merthyr.gov.uk>

Subject: FW: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Good Morning David

I am enquiring if the attached information was acceptable and to see if you require any further design changes.

I am awaiting the copy of the ecological report from the applicant and I will forward on as soon as received.

If I can be of any further assistance then please do not hesitate to contact me.

Kind regards

Darren



Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU

Tel : 07904 168335

From: njassociates@btinternet.com <njassociates@btinternet.com>

Sent: 16 December 2021 16:59

To: 'Cross, David' <David.Cross@merthyr.gov.uk>

Cc: 'sean@njassociates.co.uk' <sean@njassociates.co.uk>

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Good afternoon David

I have attached the amended drawings for your perusal and comments.

I look forward to your response and feedback.

Have a good evening and speak to you soon.

Kind Regards

Darren



Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU

Tel : 07904 168335

From: Cross, David <David.Cross@merthyr.gov.uk>
Sent: 15 October 2021 13:56
To: 'N J Associates' <njassociates@btinternet.com>
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED
Classification: NOT PROTECTIVELY MARKED

Afternoon Darren,

Thank you for the update on the ecological report. I can agree to the extension of time for an additional 4 weeks until the 12th November.

In the meantime I would be grateful if you could send across any revised plans in respect of the design issues previously highlighted so that I can review this as well.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer
BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI
Ffôn / Tel: 07761330341
E-bost / Email: david.cross@merthyr.gov.uk

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Uned 5, Parc Fusness Triangl / Unit 5, Triangle Business Park
Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil
CF48 4TQ

From: N J Associates <njassociates@btinternet.com>
Sent: 14 October 2021 07:35
To: Cross, David <David.Cross@merthyr.gov.uk>
Subject: Re: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

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Good morning David

I can confirm that the clients ecologist report will be completed by the end of next week.
Can we please request an extension on time for another 4 weeks to enable the report to be reviewed.

I trust the above will meet with your approval and should you require any additional information then please do not hesitate to contact me.

Have a good day and speak to you soon

Kind regards

Darren

NJ Associates
Falcon Drive
Cardiff
Cardiff Bay
CF10 4RU

On 9 Sep 2021, at 2:50 pm, Cross, David <David.Cross@merthyr.gov.uk> wrote:

Classification: **NOT PROTECTIVELY MARKED**

Hi Darren,

If we could agree to an extension of time until the 15th October 2021, that should hopefully provide sufficient time to update your ecology report and for further advice to be sought from our ecologist. In the meantime if you wish to send any revised plans across to me I can review the design of the developer.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer
BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI
Ffôn / Tel: 07761330341
E-bost / Email: david.cross@merthyr.gov.uk

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Uned 5, Parc Fusness Triongl / Unit 5, Triangle Business Park
Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil
CF48 4TQ

From: njassociates@btinternet.com <njassociates@btinternet.com>
Sent: 08 September 2021 09:09
To: Cross, David <David.Cross@merthyr.gov.uk>
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

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Good Morning David

The updated survey has not been undertaken to date. We have requested the original survey report be updated to reflect the current site condition.

We have liaised with the applicant to chase this up, so we can forward this on for your perusal.

I can confirm that an extension of time would be beneficial and we would request this be considered if at all possible.

I will actively chase up the outstanding information and come back to you as swiftly as possible.

Kind Regards

Darren



Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU

Tel : 07904 168335

From: Cross, David <David.Cross@merthyr.gov.uk>

Sent: 08 September 2021 09:03

To: 'njassociates@btinternet.com' <njassociates@btinternet.com>

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Classification: NOT PROTECTIVELY MARKED

Good morning Darren,

Thank you for coming back to me. Are you able to provide an indication of when the requested information might be available? Perhaps we can then agree an extension of time for the determination of the application then.

Has the ecological survey work already been undertaken? If not, is this something that will be completed soon?

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: 07761330341

E-bost / Email: david.cross@merthyr.gov.uk

From: njassociates@btinternet.com <njassociates@btinternet.com>
Sent: 08 September 2021 08:58
To: Cross, David <David.Cross@merthyr.gov.uk>
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

*****WARNING THIS IS AN EXTERNAL EMAIL*****
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Good Morning David

Thank you for your email.

Please accept my apologies for delay in replying. I will collate the outstanding information and forward onto you for your perusal.

I can confirm the application is still live and we will assist in anyway we can.

Have a good day and speak to you soon.

Kind regards

Darren



Property and Building Design Consultants
Falcon Drive
Cardiff Bay
Cardiff
CF10 4RU

Tel : 07904 168335

From: Cross, David <David.Cross@merthyr.gov.uk>
Sent: 26 August 2021 16:24
To: 'njassociates@btinternet.com' <njassociates@btinternet.com>
Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: **NOT PROTECTIVELY MARKED**

Dear Mr Holmes,

Further to my email below, I would be grateful if you could provide an update on the issues initially set out in my email of 12th March 2021 attached below.

If I do not receive a response or the requested information by the 10th September, it is my intention to proceed with the determination of the application, based on the information already provided.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: 07761330341

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Uned 5, Parc Fusness Triongl / Unit 5, Triangle Business Park

Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil

CF48 4TQ

From: Cross, David

Sent: 22 July 2021 14:32

To: 'njassociates@btinternet.com' <njassociates@btinternet.com>

Subject: RE: Plot 46/48 Sweetwater Park P/21/0032 [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Dear Mr Holmes,

Further to my email below, I would be grateful if you could provide an update on the requested information and amendments.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: 07761330341

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Pentrebach, Merthyr Tudful / Pentrebach, Merthyr Tydfil

CF48 4TQ

From: Cross, David

Sent: 12 March 2021 15:11

To: 'njassociates@btinternet.com'

Subject: Plot 46/48 Sweetwater Park P/21/0032

Dear Mr Holmes,

I am writing in regards to the above mentioned application relating to two detached dwellings. I have received the attached response from our ecologist below, which

highlights the need for a Preliminary Ecological Appraisal to be undertaken to determine any potential impacts on protected species.

Additionally, to date I have received 3 letters of objection which have raised a number of concerns relating to:

- The stability of the gabion baskets retaining wall. There are concerns that these baskets were not constructed appropriately and may fail should the development go ahead.
- Concerns with the loss of privacy, overbearing impacts and the loss of views.

In response to the above concerns, has a ground investigation been undertaken to ascertain the stability of the site?

In terms of residential amenity, I am conscious of the differing levels between the site and neighbouring properties. Although section details have been provided, these do not illustrate the proposal in relation to the neighbouring properties. This information is necessary to better understand the change in levels and the potential impact on the neighbouring properties. In general, it appears that the proposal would be positioned close to the boundary with the neighbouring properties at the lower level, particularly the two storey dwelling. Indeed, the overall height of the dwelling has the potential to be overbearing, which may be exacerbated by the need to provide accommodation within the roof space.

I don't have any major concerns with the design of the bungalow. However, in terms of the two storey dwelling as noted above I have concerns with the height, but I also have concerns with the fenestration to the front of the property. I have no objection in principle to the gable feature with glazing that spans the two floors. However, the windows on either side are not well balanced within the elevation. The provision of a single window at ground floor with two windows above, adds to the top heavy appearance of the property. These windows are of differing sizes and do not reflect other windows designs in the area, including the proposed bungalow. Indeed, if you consider the window design of the existing properties within the estate, there is generally consistency in the window shape and sizes which are appropriately aligned. This requires further consideration and amendment.

I note that the height of the proposed detached garage is tall which is emphasised by the narrow width of the building. It also appears to accommodate a 1st floor level. However the submitted details are not clear on this. It also appears that the patio doors to the rear of the garage open out on to the boundary the site. The design of the garage appears to be somewhat imposing at the end of the street and to the front of the dwelling. It is also out of character with other garage designs in the estate, which are more integral. The siting of the garage is a little disjointed and the general scale is deemed to be inappropriate, given its prominence.

There is some concern that there is insufficient space to accommodate adequate parking for the dwellings. The 3 bedroom bungalow should have sufficient space for at least 2 parking spaces. For the larger dwelling, which accommodates 5 bedroom, at least 3 parking spaces should be provided. There does not appear to be sufficient room illustrated on the plans to accommodate this off-street parking. The submitted plans should illustrate the parking areas to demonstrate adequate parking provision.

Below are the ecologist's comments:

P/21/0032 David Cross Plots 46/48 <i>Sweetwater Park</i> <i>Trefechan</i> Construction of two detached dwellings and a detached garage (Full)	Vacant area of land	Bats, nesting birds, reptiles, invertebrates	Birds (including Schedule 1 species); Bryophytes; Bats (closest roost record – 965m away: lesser horseshoe bat. Other species recorded included brown long- eared, common pipistrelle, Daubenton's bat, <i>Myotis</i> sp, soprano pipistrelle); Otter; Hedgehog; Reptiles; Amphibians (including great crested newt, 424m from site); Invertebrates (including Section 7 species); Fish (including Section 7 species); Vascular plants (including Section 7 species).	Woodland; Grassland	x1 SSSI (Cw Taf Fechan Woodland) x1 LNR (Cw Taf Fechan Woodland) x2 SINCS (closest to s Cilsanws Common South); x1 WTR (T Fechan); x2 ASNW x1 RAW x1 AWSU Mostly wit a Buglife Lines site
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I would be grateful if you could provide the additional information requested above and provide any comments/amendments to the scheme to address the concerns highlighted.

Kind regards

David Cross

Prif Swyddog Cynllunio / Principal Planning Officer

BSc (Cynllunio), Ma (Dylunio Trefol), MRTPI / BSc (Planning), Ma (Urban Design), MRTPI

Ffôn / Tel: 01685 724632 / 07761330341

E-bost / Email: david.cross@merthyr.gov.uk

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Uned 5, Parc Fusness Triogl / Unit 5, Triangle Business Park

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CF48 4TQ

Croesawn ohebu yn Gymraeg a fydd hyn ddim yn arwain at oedi.

Mae'r e-bost hwn ac unrhyw ffeiliau a drosglwyddir gydag ef yn gyfrinachol ac wedi'u bwriadu ar gyfer pwy bynnag y cyfeirir ef ato neu atynt. Mae cynnwys yr e-bost hwn cynrychioli barn y sawl a enwir uchod, felly nid ydyw'n dilyn ei fod yn cynrychioli barn Cyngor Bwrdeistref Sirol Merthyr Tudful.

Darllenwch ein [hysbysiadau preifatrwydd](#) i ddarganfod mwy am sut rydym yn defnyddio eich gwybodaeth bersonol.

Cyngor Bwrdeistref Sirol Merthyr Tudful

Canolfan Dinesig

Stryd Y Castell

Merthyr Tudful

CF47 8AN

Teleffon: 01685 725000

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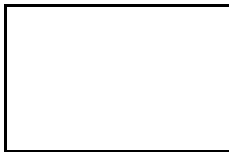
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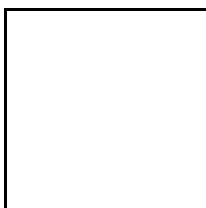
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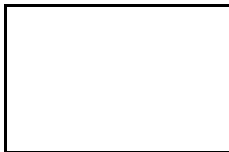
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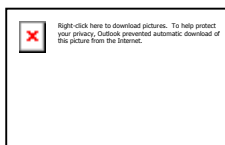
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PROPOSED DEVELOPMENT:

SWEETWATER PARK, TREFECHAN, MERTHYR TYDFIL

ECOLOGICAL ASSESSMENT

2022

ISSUE 1VA

BE Ecological Ltd
2, Park View House,
Heolgerrig,
Merthyr Tydfil,
info@beecological.co.uk
www.beecological.co.uk

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Proposed Development: Sweetwater Park, Trefechan, Merthyr Tydfil

Ecological Assessment

Document control

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NON-TECHNICAL SUMMARY

An ecological assessment was undertaken of land at Sweetwater Park, Trfechan, Merthyr Tydfil, South Wales in support of a planning application to erect two residential dwellings.

The work involved a phase 1 habitat survey to categorise the habitats present, an assessment of the site's ability to provide suitable habitats for protected species and recommendations for further survey and actions if considered necessary.

The habitats on and adjacent to the site comprise of semi-improved grassland and scattered trees

None of the trees to be removed have potential roosting features. The majority of trees are willow, young, thin stemmed and smooth barked.

There isn't enough scrub onsite to support dormice, and there are no records within 2km, food sources are not abundant at the site. As such, providing that this habitat is cleared in accordance with a method statement and ecological supervision, there will be no requirement for further survey effort. If at any point dormice or evidence of dormice are found, all works will cease and a licence from Natural Resources Wales must be applied for prior to works recommencing.

There were no waterbodies on or immediately adjacent to the site which could be suitable for use by breeding great crested newts (or other amphibians). There are records within the data search, however, these records are isolated by roads and infrastructure.

No evidence of badger activity was recorded within or immediately adjacent to the site boundary. It is possible that badgers will use the site for foraging, however, no evidence of badger was found throughout. It is unlikely that badgers will use the site for sett building to the high levels of disturbance present at the site.

It should be assumed that all areas longer vegetation and trees will be utilised by nesting birds during the breeding season. There is no habitat suitable for ground nesting species.

The site provides reptiles with potential habitat for foraging, basking, sheltering and hibernation purposes.. It is likely that reptiles will be present. The presence of low numbers should be assumed.

All site clearance works should be undertaken in accordance with a method statement and ecological supervision to ensure that species are not harmed at any stage of the project.

Mitigation will be required and is outlined within the various habitat and species sections contained herein.

This report will need to be updated once the final development layout has been agreed.

1 INTRODUCTION

1.1 OBJECTIVE

The objectives of this report are to:

- identify the habitats present on the site;
- identify the potential for protected species to be present on site;
- using the information gathered to determine whether there may be any impacts (both positive and negative) on protected species present;
- provide recommendations for further survey as necessary; and
- suggest outline mitigation and enhancement ideas and principles

1.2 METHODOLOGY

To achieve the objectives set out above, the following actions were taken:

- Field based assessments in respect of
 1. Habitats;
 2. Protected species, primarily:
 - i. Bats;
 - ii. Dormice;
 - iii. Otters;
 - iv. Amphibians (particularly great crested newt);
 - v. Badgers
 - vi. Reptiles; and
 - vii. Breeding birds

The impact assessment has been undertaken by ecological feature rather than by section i.e. each subject is discussed and assessed separately and summarised in conjunction with the others.

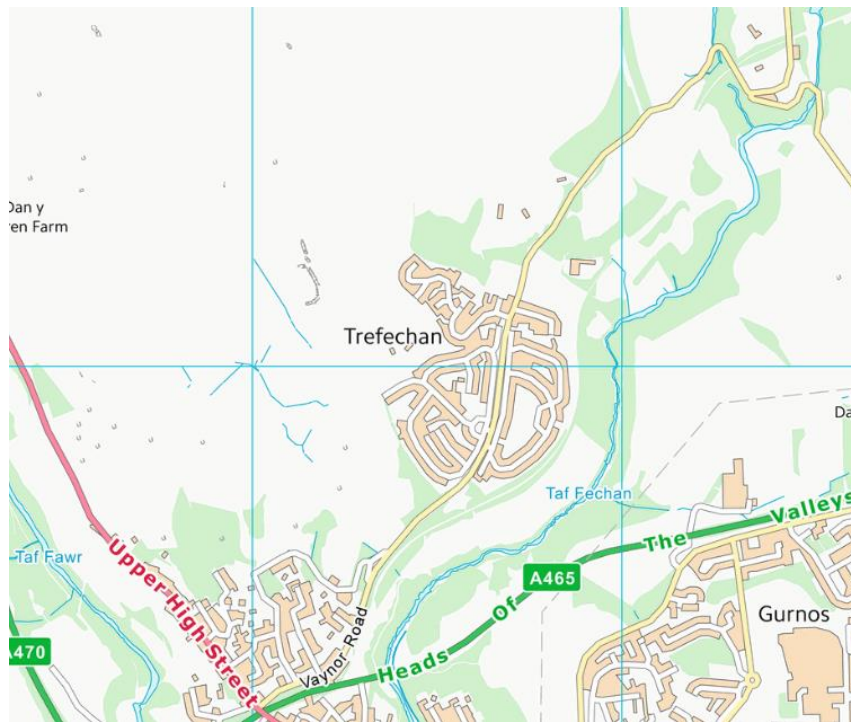
1.3 SITE DESCRIPTION

The red line development site boundary is located to the north east of Sweetwater Park, Trefechan, Merthyr Tydfil in South Wales (Figure 1).

The site appears to be comprised of mainly semi-improved grassland. It is suspected that at some point the site was improved grassland but Google Earth shows evidence of clearance over the years which has allowed a more diverse habitat to colonise. There is some hard standing throughout the site which is now becoming overgrown. There is a fence present to the north western boundary of the site. There are a number of young scattered trees within the red line boundary.

The site is surrounded by broad leaved woodland to the north, there is good connectivity to the wider landscape.

Figure 1 – Approximate location of site (arrowed red)



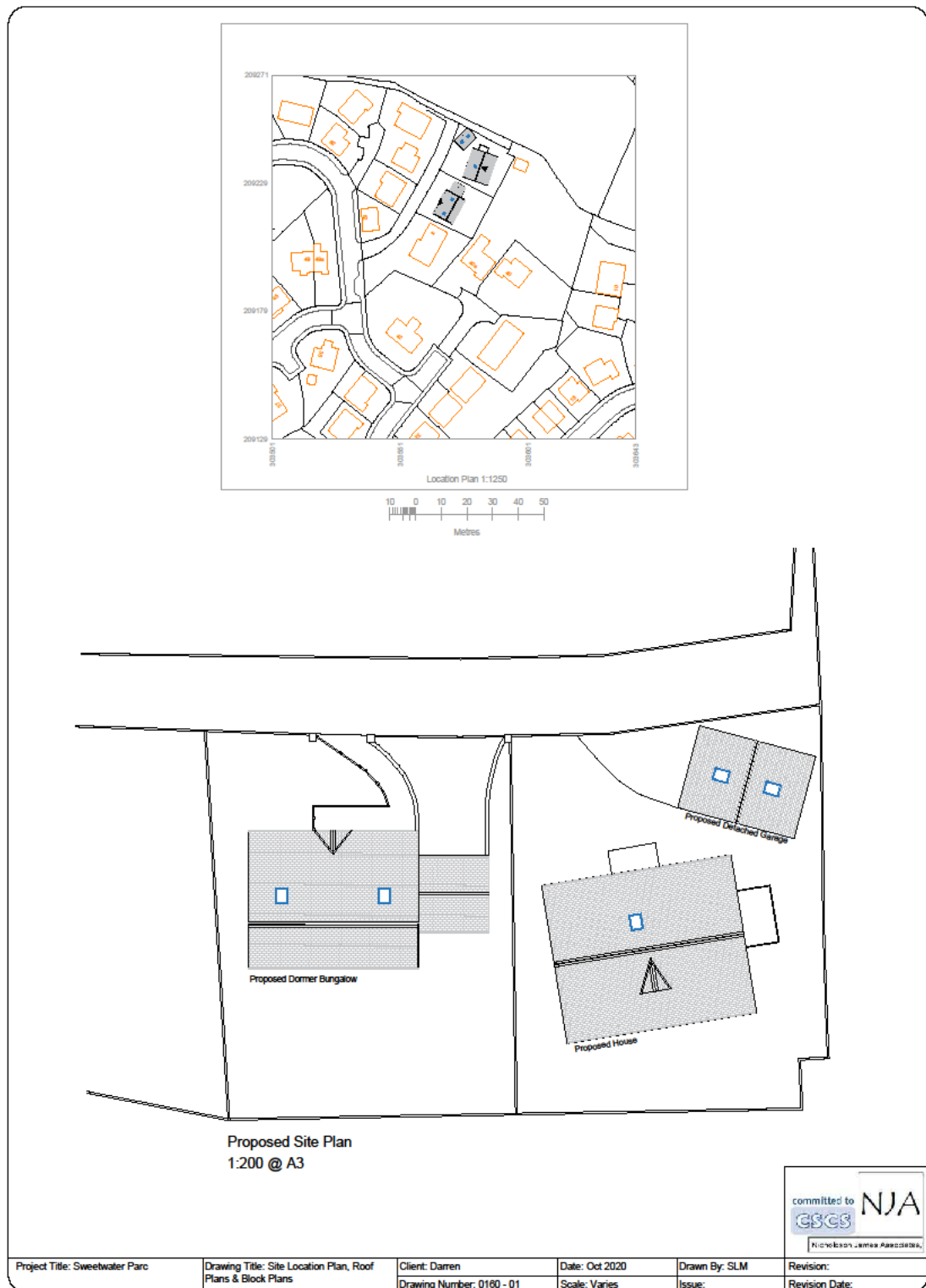
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Figure 2 - Aerial view of site (arrowed red) (Google Maps, 2022)



1.4 PROPOSED DEVELOPMENT

It is anticipated that the main body of the site will be cleared. It is proposed to erect two houses and an attached garage



1.5 STUDY AREA

The field survey looked at the red line development area itself and up to 20m from the site boundaries wherever possible.

The biological records search covered a search radius of 2000m from the centre of the development site for protected sites (international, national and local), protected and priority species, other species of conservation concern and locally important species. A buffer of 2000m was applied to locally designated sites.

2 REGULATORY FRAMEWORK

2.1 INTERNATIONAL

European Union legislation requires that member states designate sites for the protection of habitats and species included in the annexes of both Council Directive 92/43/EC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the Habitats Directive) and Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). This legislation is implemented in the UK by the Conservation of Habitats and Species Regulations 2017 (as amended) (“the Habitat Regulations”). This results in sites being designated as Special Areas of Conservation (SACs) and Special Protection Areas respectively (SPAs).

2.2 NATIONAL (UK)

The Wildlife and Countryside Act 1981 (as amended) allows sites to be designated as Sites of Special Scientific Interest (SSSI) for one or all of the following categories:

- Flora;
- Fauna;
- Habitat; and
- Geological importance.

European designated sites are automatically designated as SSSIs prior to their designation.

Other relevant legislation includes:

- The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- Countryside and Rights of Way Act 2000;
- Environment (Wales) Act 2016
- Wild Mammals (Protection) Act 1996;
- The Protection of Badgers Act 1992; and
- The Hedgerow Regulations 1997.

Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) requires all public bodies to have regard wherever possible to conserving biodiversity. Section 42 of the Act requires that a list of habitats and species of Principle Importance for the Conservation of Biological Diversity in Wales be produced; however, this has been replaced by Section 7 of the Environment (Wales) Act 2016 Priority Habitats and Species lists.

The Environment (Wales) Act 2016 requires that all public authorities, when carrying out their functions in Wales, seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

This ensures that biodiversity is an integral part of the decisions that public authorities take in relation to Wales. It also links biodiversity with the long-term health and functioning of our ecosystems, therefore helping to align the biodiversity duty with the framework for sustainable natural resource management provided in the Act.

In Wales, this legislation replaces and enhances the Natural Environment and Rural Communities Act (2006) which sought to raise the profile of biodiversity and to make sure that it is considered in all local authority decisions by ensuring that “Every public authority must, in exercising its functions, have

regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”.

Other elements of NERC 2006 may still apply.

Biodiversity Action Plans (BAPs) are tools which are used to monitor, manage and enhance those habitats and species which are of significance to an area or organisation, The United Kingdom BAP lists a number of priority habitats and species which are of conservation concern.

2.3 NATIONAL (WALES)

Planning Policy Wales (Welsh Government, 2016) and Planning Policy Wales Technical Advice Note 5: Nature Conservation and Planning (Welsh Assembly Government, September 2009) set out the protection given to wildlife (sites, habitats and species) by the planning system operational in Wales.

2.4 LOCAL AND REGIONAL

The proposed development is wholly within the Merthyr Tydfil County Borough Council (MTCBC) area of responsibility. Therefore, all policies adopted by that Planning Authority will apply, including policies which may not be specific to nature conservation or the natural environment but that may apply or be relevant and should be considered during the planning process.

There are a number of habitats and species which are of a high priority to MTCBC. These have been determined following examination of the UK BAP and the Environment (Wales) Act Section 7 list of Priority Species and Habitats and those habitats and species determined to be locally important by the Local Biodiversity Partnership.

2.5 PLANNING FRAMEWORK

The proposed development will be undertaken wholly under the auspices of the Town and Country Planning Act 1990 (as amended).

2.6 PREVIOUS SURVEYS

There are no known previous surveys of this site.

2.7 CONSTRAINTS

The survey was undertaken at a time of year outside of the main season and as such, the full botanical diversity may not have been apparent.

3 DESK STUDY

3.1 SUMMARY

There are no records of any priority or protected species, species of local conservation concern or other species of conservation concern from the site or immediately adjacent to it. The closest record is from 80m away and refers to a small heath butterfly.

Four SSSI's were identified within the data search.

Twelve non statutorily designated sites, e.g. Sites of Importance for Nature Conservation were identified within the data search.

3.2 BACKGROUND

A desk study provides background information on historical and current biological data which can identify ecological constraints, mitigation, and biodiversity enhancement opportunities.

3.3 METHODOLOGY

The South East Wales Biodiversity Records Centre (SEWBReC) was consulted in order to provide biological information on the presence of species and sites on or adjacent to the site (0223-329).

A 2000m search buffer was applied to priority and protected species, species of local conservation concern and other species of conservation concern, statutorily designated sites (for nature conservation purposes) and 1000m locally designated sites.

The Multi-Agency Geographical Information System (MAGIC) website (www.magic.gov.uk) and the Local Biodiversity Action Plan (LBAP) for MTCBC were also consulted.

3.4 CONSTRAINTS

There were no constraints to the data search

3.5 RESULTS

3.5.1 Statutorily protected sites

3.5.1.1 European designated sites

There are no European Designated Sites within 2000m of the development site.

3.5.1.2 United Kingdom designated sites

There are four United Kingdom Designated Sites within 2000m of the development site.

CWM TAF FECHAN WOODLANDS (330m)

DAREN FACH (1750m)

NANT GLAIS CAVES (1114m)

PENMOELALLT (1598m)

There are no ecological links between the development site and the SSSI's. There are no features present on the development site that the SSSIs are designated for. The sites are isolated by roads and other infrastructure. As a result it is unlikely that the sites will be affected and they will therefore not be considered further in this report.

3.5.2 Non-statutory designations

The following SINCs are found within 2000m of the site

Dan y Darren Wildlife Site (961m)

Morlais Hill (1193m)

Bryniau (1454m)

Cwm Ffrwd (1630m)

Cwm Taf Fechan (301m)

Cwm Taf Fawr (1202m)

Y Graig (817m)

Cyfarthfa Park (1424m)

Gyrnos Wood (975m)

Gellideg North Fields (1765m)

Cwm Taf Fields & Cefn Coed Tip (1644m)

Cilsanws Common South (272m)

There are no ecological links between the development site and the SINC's. There are no features present on the development site that the SINC's are designated for. The sites are isolated by roads and other infrastructure. As a result it is unlikely that the sites will be affected and they will therefore not be considered further in this report.

3.5.3 Species: SEWBrEC data search

There are no species records for the proposed development site or its immediate vicinity.

The closest records are of small heath butterfly, 80m from the site.

3.6 PREVIOUS SURVEYS

None known.

4 PHASE 1 HABITAT SURVEY

4.1 SUMMARY

A number of habitats were recorded across and adjacent to the survey area. These included:

- Semi-improved Grassland;
- Scattered trees

The potential for a number of protected species was recorded, including habitats suitable for:

- Bats;
- Badgers;
- Breeding birds;
- Reptiles;
- Invertebrates;

The habitats are shown on **Figure 3** below.

4.2 BACKGROUND

The Phase 1 habitat survey was carried out to assess the existing habitats, identify any protected habitats or species that may be present, determine the impact of the proposed works on them, and identify any mitigation measures that may be necessary. This was done by undertaking both a desk study and field survey.

The survey was undertaken in early July 2022.

Phase 1 habitat survey is a way of recording the basic habitat data to form a baseline level of knowledge of the ecology of a site and provide recommendations for future surveys if considered necessary.

4.3 METHODOLOGY

4.3.1 Desk study:

A biological data search was undertaken. Refer to section 3 above.

4.3.2 Field survey:

Experienced surveyors from BE Ecological Ltd carried out a habitat assessment and mapping exercise in October 2021 using the Phase 1 habitat survey technique. Nomenclature follows Stace (1997)¹. The survey was carried out by Beth Evans.

Features of note are assigned Target Notes (TN) and referenced accordingly and described at **Appendix C**.

A full species list is at **Appendix D**.

¹ Stace, C (1997). *New Flora of the British Isles* (2nd Ed.). Cambridge University Press

4.4 CONSTRAINTS

There were no constraints.

4.5 RESULTS

4.5.1 Habitats

The following habitats were found on the site and are mapped on **Figure 3** below:

- Semi-improved Grassland;
- Scattered trees;

Photos are located at **Appendix A**

4.5.1.1 Semi-improved Grassland

Semi-improved Grassland is found across the majority of the site with areas of hard standing present. This habitat type will be considered further in this report.

4.5.1.2 Scattered trees

This habitat is found particularly in the north west corner and south east corner of the site. The trees are mainly willow with a small number of self seeded saplings of native species. The trees are immature and do not hold a great deal of ecological value.

4.5.2 Protected species assessment

4.5.2.1 Bats

The closest record for members for this group is from approximately 320m from the centre of the proposed development site and refers to a pipistrelle bat in flight.

All of the trees within the red line boundary are immature and do not offer bats

It is likely that bats will use the site for foraging.

This group will be considered further in this report.

4.5.2.2 Amphibians & great crested newt

There are no waterbodies on the development site which could be used by this group for breeding purposes. The terrestrial habitat on the site could provide amphibians with suitable foraging and sheltering habitat. There are records of great crested newt from approximately 450m away, however, the records are isolated from the site by roads, housing and associated infrastructure.

It is considered that amphibians are unlikely to pose an ecological constraint to the development and that only common species (frog and toad with the possibility of smooth and / or palmate newts) are likely to be present on the site. Therefore, it is considered that this group can be safely dealt with via a reasonable avoidance method statement to prevent harm to individuals during site clearance.

This group will be considered further in this report.

4.5.2.3 Dormouse

Food sources are not abundant and the site is subject to large levels of disturbance. It is possible that dormice will use the habitat to the north however, this will be retained and therefore there is unlikely to be any impact on dormice. There are no records of dormice within 2km of the site.

This species will not be considered further in this report.

4.5.2.4 Badgers

There are no records of badger from within 675m of the site.

There is suitable habitat for foraging but due to the location, openness and nature of the site, the land is unlikely to be suitable for sett excavation. There was no sign of badger throughout the survey.

This species will not be mentioned further in this report.

4.5.2.5 Breeding birds

There are multiple records for members of this group within the data search but none from the site.

Birds heard and seen on and adjacent to the site.

There is suitable habitat in the tree's onsite for breeding and foraging.

The habitats on the site are not considered to be suitable for ground nesting birds given the small overlooked nature of the site, the small area of open ground, the high levels of disturbance on the site, the availability of avian predator perches and the presence of predators.

Scrub and tree nesting species will be considered further in this report.

4.5.2.6 Reptiles

There are records of slow worm and common lizard approximately 400m from the site.

The site offers some habitat for this species for foraging, basking, sheltering and hibernation purposes and it should be assumed that slow worm (*Anguis fragilis*), common lizard (*Lacerta vivipara*) and grass snake (*Natrix natrix*) use the site. It is likely that the population densities of these species are at perhaps lower levels given the amount of shading on the site.

This group will be considered further in this report.

4.5.2.7 Invertebrates

It is likely that common and widespread invertebrates will utilise the site.. There are records of marsh fritillary from within 412m. The habitats on site are considered to be unsuitable for these species as there is a lack of variety of food plants for this species found on the site. In addition to this, the records are isolated by roads and other infrastructure.

4.5.3 Other features

None.

5 PROTECTED SPECIES

5.1 BATS

5.1.1 Summary

There is possibly roosting potential present within the mature trees within the sites boundary.

It is likely that a small number of bats species will forage over the site and boundaries.

5.1.2 Ecology

British bats are small flying nocturnal mammals that feed exclusively upon insects. There are 17 species resident in Britain, ranging in size from the smallest, soprano pipistrelle (*Pipistrellus pygmaeus*) up to the largest noctule (*Nyctalus noctula*), serotine (*Eptesicus serotinus*) and greater horseshoe bat (*Rhinolophus ferrumequinum*). Bats are active from April through to October and hibernate when insects are in short supply in the winter months. Bats emerge from hibernation in late March - early April and move into their transition / intermediary roosts. Female bats will move to maternity sites by the beginning of May and will give birth to a single baby between June and early July. The baby is reared solely by the mother and is weaned and independent by end of August. After breeding, bats move to transition / intermediary roosts and females will visit males at mating roosts. During the autumn, bats feed voraciously to gain weight for the hibernation ahead.

Although traditionally trees, caves and rock faces were used by roosting bats and are still used, many different structures are used nowadays by bats, which take advantage of readymade (man made) roosts. Structures used frequently include bridges, ice-houses, pill-boxes, disused railway tunnels, houses and barns etc. Bats have home ranges which vary from species to species; from just 3-4km from the roost for the smaller bats while the larger noctule may fly 20km or more. Threats to bats include habitat destruction and the severance of commuting routes, use of agricultural pesticides, intensification of farming methods and deliberate persecution by man. Bats have few natural predators; however, the domestic cat is probably the most efficient predator.

5.1.3 Legislation

5.1.3.1 Conservation of Habitats & Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations (2017) provides safeguards for European Protected Species (those listed under Annex IV Habitats Directive). With regards to bats, this makes it an offence to:

- Deliberately (or recklessly in Scotland) capture, injure or kill a bat
- Deliberately (or recklessly in Scotland) disturb a bat in a way that would (significantly in Scotland) affect its ability to survive, breed or rear young (or hibernate or migrate in England, Wales and Northern Ireland) or (significantly in England, Wales and Scotland) affect the local distribution or abundance of the species.
- Damage or destroy a roost (this is an 'absolute' offence)
- Possess, control, transport, sell, exchange or offer for sale/exchange any live or dead bat or any part of a bat

It is possible to undertake damaging activities under the auspices of a European Protected Species Licence issued by Natural Resources Wales which provides a derogation from the Regulations, meaning that an otherwise illegal operation carried out under licence is lawful.

5.1.3.2 *Wildlife & Countryside Act 1981*

The Wildlife & Countryside Act 1981 (as amended) is the legislation for England and Wales for nature conservation, making it an offence to:

- Intentionally or recklessly disturb a bat in or at a roost;
- Intentionally or recklessly obstruct access to a roost;
- Intentionally destroy, damage or otherwise disturb a roost (whether bats are present or not); and
- Intentionally or recklessly kill, injure or take (capture) a bat.

5.1.3.3 *The Environment (Wales) Act, 2016*

The Environment (Wales) Act 2016 requires that all public authorities, when carrying out their functions in Wales, seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”.

This ensures that biodiversity is an integral part of the decisions that public authorities take in relation to Wales. It also links biodiversity with the long-term health and functioning of our ecosystems, therefore helping to align the biodiversity duty with the framework for sustainable natural resource management provided in the Act.

In Wales, this legislation replaces and enhances the Natural Environment and Rural Communities Act (2006) which sought to raise the profile of biodiversity and to make sure that it is considered in all local authority decisions by ensuring that “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”.

Other elements of NERC 2006 may still apply.

5.1.3.4 *Desk study*

Please refer to **section 4.5.2.1** above.

5.1.4 **Bats - impact characterisation**

It is likely that bat foraging habitat over the development site will be modified by the development.

5.1.5 **Bats - impact assessment without mitigation**

It is considered that there will be **no adverse** impacts on roosting bats as a result of the development.

There may be impacts on foraging bats as a result of reduction in habitat and increased site lighting. All boundaries will remain completely unlit.

5.1.6 Bats - mitigation measures

Mitigation will be required

Protection and mitigation measures will include:

- Retention of the flight lines along all boundaries as unlit dark corridors;

The following will need to be included within the development:

- Provision of pole mounted bat boxes or boxes on houses;
- Sympathetic landscape planting to provide bats with foraging habitat.

5.1.7 Bats - impact characterisation with mitigation

It is considered that there will be **no adverse** impacts on roosting bats as a result of the development.

5.1.8 Bats - significance of the impact

Without mitigation

It is considered that the significance of the impact is **moderate**

With mitigation

It is considered that the significance of the impact is **slight**.

5.2 BREEDING BIRDS

5.2.1 Summary

A full breeding bird survey was not undertaken as it should be assumed that all the areas of scrub are likely to be used by birds for nesting.

It should be assumed that all tree vegetation on the site is used by birds for breeding purposes during the nesting season.

The areas of grassland and bare ground are not considered to be suitable for ground nesting species for breeding purposes as they are small and overlooked.

5.2.2 Ecology

Most British avian species are found breeding during the spring and summer months, between April and August, although some, such as pigeons, and doves will frequently breed at all times of year, as they are not dependent on small, soft-bodied invertebrates to provide food for their chicks. Some other species, such as barn owl (*Tyto alba*) have also been recorded breeding in the winter months, in years when winters have been mild, and small mammal prey plentiful, although such breeding attempts are unusual, with chicks frequently failing to fledge. The breeding season can be extended for most species if the weather is mild, and food plentiful.

Contrary to common belief, whilst some bird species, such as crows and rooks, nest high in trees, often more than 10m high, the majority of British breeding birds will nest within 2m of the ground (or on the ground) within dense scrub or within holes and other natural and manmade cavities in rocks and walls.

Most bird species take considerably less than 60 days from egg-laying to chick fledging, whilst others, such as barn owl, can take more than 90 days. Many, but not all British species will make multiple breeding attempts if environmental conditions and food availability allow.

5.2.3 Legislation

In Britain, all naturally occurring avian species are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). The legislation protects all birds, their nests and eggs, and it is an offence to:

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

In addition, birds listed on Schedule 1 of the Act, such as the Red Kite (*Milvus milvus*), are afforded further protection, and it is an offence to:

- Intentionally or recklessly disturb the bird whilst nest building or while at (or near) a nest with eggs or young; and
- Disturb the dependant young of such a bird.

5.2.4 Methodology

5.2.4.1 Habitat assessment

Signs looked for included:

- Availability of nesting habitat;
- Availability of foraging habitat;
- Territorial displays by birds;
- Courtship displays;
- Territory establishment and holding behaviour;
- Nests;
- Food carrying;

5.2.5 Constraints

There were no constraints to the assessment.

5.2.6 Results

5.2.6.1 Desk study

There were no records of birds from the development site or immediately adjacent land, however, there were multiple records of birds from the data search.

5.2.6.2 Habitat assessment

The trees are considered suitable for nesting birds.

All habitats on the site were suitable for foraging purposes, providing a variety of food sources. It should be assumed that the scattered trees are used for nesting purposes during the breeding season.

It is considered that the site does not provide suitable habitat for ground nesting species as the open areas are small, overlooked by numerous trees and buildings, all of which could be used by avian predators and subject of regular disturbance.

5.2.7 Breeding birds – evaluation

Birds should be considered to be of **high national** importance as a result of the legislation protecting them.

Within the context of the site, there is abundant suitable habitat for the smaller and more common species to utilise for nesting and foraging. It is therefore considered that birds are of a **medium local (site)** ecological importance.

5.2.8 Breeding birds - impact characterisation

It is anticipated that the main body of the site will be cleared in its entirety.

5.2.9 Breeding birds - impact assessment without mitigation

In the absence of mitigation, the removal of vegetation during the breeding season would result in the likely disturbance and destruction of nests and the disturbance, killing and injuring of birds (both adults

and juveniles). This would constitute a **certain moderate medium term adverse** impact at a **local (site)** level.

5.2.10 Breeding birds - mitigation measures

Mitigation will be required and should include (but not be limited to) the following measures:

- All vegetation and brash removal should be undertaken outwith the breeding season i.e. between mid-August / September and April inclusive;
- Any clearance close to the start and end of this period should only be undertaken following an assessment by a suitably experienced ecologist as the breeding season is not fixed and is subject to annual variation;
- Where clearance is required during the breeding season, all areas should be subject to an assessment no more than 48 hours in advance to check for the presence of breeding birds;
- Should evidence of breeding birds, in particularly nests, be recorded, no clearance may be undertaken within 15m of any nest site until such time as the nest is vacated naturally; and
- Any post-development landscaping plan should include the provision of scrub &/or shrub habitats that can be utilised by breeding birds.

Consideration should be given to including measures to benefit birds within the housing development e.g. installation of bird boxes on new buildings.

Bird boxes will be erected on the houses on completion of the builds.

5.2.11 Breeding birds - impact characterisation with mitigation

It is considered that there will be a **possible minor short term adverse** impact at a **local (site)** level on breeding birds as a result of the proposed development.

5.2.12 Breeding birds - significance of the impact

Without mitigation

It is considered that the significance of the impact is **slight**.

With mitigation

It is considered that the significance of the impact is **neutral**.

5.3 REPTILES

5.3.1 Summary

No reptile survey was undertaken at the site. It is considered that due to the sites small size and habitats present, reptile presence can be assumed. There is also abundant habitat to the north that reptiles can be pushed towards.

A full trapping and translocation exercise is not considered necessary as long as clearance of the site is undertaken in strict adherence to a method statement designed to prevent harm to any reptiles.

5.3.2 Ecology

Reptiles are ectothermic, meaning they have to rely on external heat sources to warm their blood sufficiently to allow foraging and other activity. During the winter they are in brumation (similar to hibernation), emerging in April (or when the temperatures are consistently warm enough). Males tend to emerge before females, to enable them to prepare for mating. Females emerge a few weeks later and mating takes place. Female reptiles in the UK generally breed every other year to allow them to build up sufficient energy reserves. Grass snakes are the UK's only egg-laying reptile, eggs are laid in summer in warm piles of decomposing vegetation (or similar) and left to develop and hatch on their own. Young reptiles are born/hatch in late summer/early autumn. Brumation (hibernation) starts again as temperatures fall in the autumn.

The four more commonly occurring species of reptile in the UK (adder (*Vipera berus*), grass snake (*Natrix natrix*) slow worm (*Anguis fragilis*) and common lizard (*Lacerta vivipara*) have different preferences for habitat and diet. Adders generally prey on small mammals in drier habitats, grass snakes primarily hunt amphibians in wetter areas and aquatic habitats, slow worms take small, slow-moving invertebrates and inhabit drier areas and common lizards prey on small, faster-moving invertebrates and tolerate both wet and dry habitats.

5.3.3 Legislation

The four common species listed above are protected by the Wildlife and Countryside Act 1981 (as amended) against killing, injury and sale.

Smooth snake (*Coronella austriaca*) and sand lizard (*Lacerta agilis*) are not found in this area, having very specific geographical distribution within Britain, and so will not be referred to in this report despite the higher legislative protection afforded to them.

5.3.4 Methodology

5.3.4.1 Habitat assessment

The habitat assessment looked for features which would be attractive to reptiles such as:

- south facing banks;
- varied profile ground form;
- basking areas;
- vegetation cover;
- structurally diverse vegetation;
- potential hibernation sites; and
- evidence of suitable prey sources.

5.3.5 Results

5.3.5.1 Desk study

There are records of slow worm and common lizard approximately 400m from the development site.

5.3.5.2 Habitat assessment

The site is considered to have some habitat suitable for reptiles as they provide a range of foraging, basking, sheltering and hibernation habitats. The interface between the small patches of grassland and trees are habitats of particular value.

5.3.6 Reptiles – evaluation

Reptiles are protected by UK legislation and therefore they are of **medium to high national** ecological importance.

No reptiles were found throughout the course of the survey.

Overall the site appears to be generally of **low local (site)** value to reptiles.

5.3.7 Reptiles - impact characterisation

It is anticipated that the site will be largely cleared of vegetation, thereby removing the majority of the suitable habitat for this group. It is still possible that in the absence of mitigation, reptiles are likely to be killed or injured during the clearance for the site.

5.3.8 Reptiles - impact assessment without mitigation

It is considered that in the absence of mitigation there would be a **probable minor short term adverse** impact at a **local (site)** level.

5.3.9 Reptiles - mitigation measures

As long as reptile presence is assumed and site clearance is undertaken in accordance with an appropriate method statement, it is considered that a full trapping and translocation exercise is not required, and that habitat manipulation and denial is an appropriate method of ensuring that reptiles are not harmed during the site clearance.

Therefore, the following mitigation will be adopted:

- Clearance will be conducted in accordance with a Method Statement (**Appendix B**) to ensure that should reptiles be found in the course of site clearance or any other development activity, they will not be harmed and can be adequately cared for;
- Clearance will only be undertaken during the reptile active season (April-October, inclusive) unless it is determined that some areas of the site are not suitable for hibernation, unless the ground is too wet for hibernation or temperatures are consistently above 12 for seven consecutive days;
- Clearance outwith this period is possible, but depends on weather and temperatures being suitable to ensure that reptiles are likely to be active;

- There will be no clearance of hibernation habitat outwith the active season unless temperatures allow;
- Reptiles will be excluded from entering or re-entering the site during clearance/operational phase of works by ensuring that the site is kept as bare ground i.e. clear of any vegetation or other shelter
- The habitat will be cleared from west to east in order to push reptiles into retained habitats.

5.3.10 Reptiles - impact characterisation with mitigation

It is considered that there will be an **unlikely minor short term adverse** impact at a **local (site)** level as a result of the proposed development.

5.3.11 Reptiles - significance of the impact

Without mitigation

It is considered that the significance of the impact is **slight**.

With mitigation

It is considered that the significance of the impact is **neutral**.

5.4 INVERTEBRATES

5.4.1 Summary

There are numerous records of invertebrate species within the records data search, due to the disturbance and habitats present on the site, it is considered that there will be a small number of common and widespread invertebrates present.

There are foodplants available for a range of species.

5.4.2 Ecology

Invertebrates are animals without spines or an internal skeleton, relying on their bodies to give them structure. There are over 40000 species of invertebrate in the United Kingdom, distributed across all terrestrial, aquatic and marine ecosystems. Their lifestyles are superficially at least similar; however, each genus has distinguishing characteristics, with each species within each genus having subtle differences resulting in each species occupying its own ecological niche.

Adults lay eggs which then hatch into larvae. The larvae then develop into adults. The processes involved in these three life stages are different from genus to genus and species to species and can be incredibly intricate, with sometimes very specific requirements, any interruption to which can cause any of the life stages can fail.

Adult animals generally have very specific food requirements, favouring single plant species or food source. Larvae and adults can be either plant eating or carnivorous dependent on species. The food source is a good indicator of how widespread a species may be: the more specific a food source, the more prone to range restrictions it may be.

Animals will generally be active during the spring, summer and autumn months and overwinter as eggs or larvae; some adults do go into hibernation over winter.

5.4.3 Legislation

No invertebrates are in receipt of international legal protection with the exception of the large blue (*Phengaris arion*) butterfly, protected by the Conservation of Habitats and Species Regulations 2017 (as amended) ; a number of other species are fully and partially protected by the Wildlife and Countryside Act 1981 (as amended). A number of species are listed on Section 42 of Species of Principal Importance to Wales and may, with others, be included within local planning authorities Biodiversity Action Plans (LBAPs).

5.4.4 Methodology

5.4.4.1 Habitat assessment

The proposed development site was subject of a walkover to assess its potential to provide suitable habitat for invertebrates. The features looked for included:

- Presence of a mosaic of multiple habitats;
- Presence of structural diversity in the habitats present;
- Presence of bare ground;
- Presence of common and likely food plants;
- Site aspect; and
- Previous and current land use.

5.4.5 Constraints

There were no constraints to the walkover.

5.4.6 Results

5.4.6.1 Habitat assessment

There is a record of small heath approximately 80m from the site.

There is a varied mosaic of habitats on the site. There is abundant invertebrate habitat within the surrounding areas.

There are some food plants present on site for numerous invertebrates including section 7 species.

5.4.7 Invertebrates – evaluation

There are food plants on site suitable for a range of invertebrate species. Species present are likely to be common and widespread only due to the sites habitats.

5.4.8 Invertebrates - impact characterisation

It is considered that there will be a loss of scrub and grassland that may support common and widespread species and possibly some species mentioned on section 7 of the environment wales act

5.4.9 Invertebrates - impact assessment without mitigation

It is considered that there will be a **possible minor short term** adverse impact.

5.4.10 Invertebrates - mitigation measures

It is suggested the following measures are implemented as far as possible.

- Clearance is to be preferentially undertaken during the autumn and winter months
- Topsoil will be stripped, screened and stored ready for reuse in the landscaping areas
- Storage bunds will be no more than 1.8 high and firmed down well

5.4.11 Invertebrates - compensation measures

- The creation of new vegetated habitats
- The garden will be topsoiled with stored soil.
- Appropriate conservation management will be implemented.

5.4.12 Invertebrates - impact characterisation with mitigation

It is considered that there will be a **short term minor adverse impact**.

5.4.13 Invertebrates - significance of the impact

Without mitigation

It is considered that the significance will be **slight**.

With mitigation

It is considered that the significance of the impact will be **neutral**.

6 CONCLUSION AND RECOMMENDATIONS

Overall the site is of a moderate ecological value at a local level due to the habitats present, and the species that may reside on the site.

Breeding birds should be assumed to be present on the site. Mitigation for these groups is therefore required. All site clearance should be undertaken under ecological supervision.

Site clearance in respect of reptiles will be undertaken in line with a method statement and ecological supervision as a precautionary approach. This will also benefit other species (e.g. amphibians) which may otherwise be affected by site clearance.

13cm x13cm gaps will be created at the bases of fences at the site boundaries to allow passage of hedgehogs across the site. Cautious working will be undertaken when clearing the site to prevent killing or injury to this species.

It is considered that no other ecological surveys are required.

It is recommended that the mitigation measures, outlined in the various sections above are incorporated as far as is possible into the design process for this development. and construction methodologies.

There will be no lighting of retained habitats , dark corridors will need to be implemented throughout the development to allow light intolerant species to continue using the site should they wish.

A wildflower meadow will be planted within the garden of the properties to benefit invertebrates. The wildflower areas will be seeded with Emorsgate EM3 <https://wildseed.co.uk/mixtures/view/4/special-general-purpose-meadow-mixture>

Any proposed lawned areas will be seeded with EL1 – Flowering Lawn Mixture, this contains slow growing grasses with a selection of wild flowers that respond well to regular short mowing (<https://wildseed.co.uk/mixtures/view/56>).

All boundaries of the site will be kept dark and conform to the following guidance <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

The following sparrow terrace or similar will be attached to the western elevation of the properties <https://www.nhbs.com/vivara-pro-woodstone-house-sparrow-nest-box>

The following bat block https://www.nhbs.com/bat-block?bkfno=246596&ca_id=1495&adlocale=uk&gclid=CjwKCAiAnO2MBhApEiwA8q0HYTrIIImUdfXSmZQgvmupqeYj1cFwdN5KLrnJOB2F_rfrsEINTpQV1BoCx1EQAvD_BwE or similar will be integrated in to the eastern elevation of the properties.

7 REFERENCES

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APPENDIX A - PHOTOS

PHASE 1 HABITAT SURVEY PHOTOS







APPENDIX B – SPECIES LIST

Common nettle, rosebay willow herb, ash, oak, dandelion, conifer, red clover, white clover, perennial ryegrass, willow sp., sycamore, thistle, St Johns wort, herb Robert, creeping thistle, self heal, purple toadflax, mouse ear, wild strawberry, fox foot, purple mooregrass, hawthorn, ladies mantle, birds foot trefoil, tussilago, black medic, mares tail, fox and cubs, common bent, springy turf moss, mouse ear hawkweed, marsh thistle, scaly male fern, bracken, cow parsley, field speedwell, dock, hogweed, hedge bindweed, centaury, birch, lucerne and stone crop.

APPENDIX C – PHASE 1 MAP

