

**WILDLIFE PROTECTION PLAN**

**FOR**

**LAND AT CYFARTHFA CASTLE, MERTHYR TYDFILL**



Abricon Ltd  
1 Lyons Court  
Long Ashton Business Park  
Yanley Lane  
Long Ashton  
Bristol  
BS41 9LB  
United Kingdom  
Telephone: +44 (0)1275 391297  
Website: [www.abricon.com](http://www.abricon.com)

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|-----------------------|---------------------------------------------------------|
| <b>Site Address</b>   | Cyfarthfa Castle, Brecon Road, Merthyr Tydfil, CF47 8RE |
| <b>Report type</b>    | Wildlife Protection Plan                                |
| <b>Client</b>         | Merthyr Tydfil Council                                  |
| <b>Project number</b> | 001MERT100                                              |

The material and data in this report were prepared under the supervision and direction of the undersigned.

|                                | <b>Name</b>              | <b>Position</b>              |
|--------------------------------|--------------------------|------------------------------|
| <b>Prepared by</b>             | Helen Saunders MCIEEM    | Principal Ecologist          |
| <b>Checked and Approved by</b> | Jana Prapotnikova MCIEEM | Principal Ecologist/Director |

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Due to the dynamic nature of ecological conditions the results of the survey(s) and related conclusions and recommendations as contained within this report should only be considered **valid for up to 12 months from the date the last survey was undertaken**.

Any alterations to the site proposals may invalidate the recommendations contained within this report

## CONTENTS

|          |                                                                                            |           |
|----------|--------------------------------------------------------------------------------------------|-----------|
| <b>1</b> | <b>Introduction .....</b>                                                                  | <b>3</b>  |
| 1.1      | Aims & Objectives .....                                                                    | 3         |
| 1.2      | Background .....                                                                           | 4         |
| 1.3      | Site Location & Description .....                                                          | 4         |
| 1.4      | Proposed Development .....                                                                 | 4         |
| <b>2</b> | <b>Wildlife Protection Zones .....</b>                                                     | <b>6</b>  |
| 2.1      | General Principles .....                                                                   | 6         |
| 2.2      | Baseline Survey .....                                                                      | 6         |
| <b>3</b> | <b>Ecological Risk Assessment.....</b>                                                     | <b>8</b>  |
| <b>4</b> | <b>Mitigation Strategy.....</b>                                                            | <b>12</b> |
| 4.1      | General Principles .....                                                                   | 12        |
| 4.2      | Timing of Works .....                                                                      | 12        |
| 4.3      | Construction Lighting Restrictions .....                                                   | 12        |
| 4.4      | Delineation and Installation of Wildlife Protection Zone Fencing....                       | 13        |
| 4.5      | Avoidance of Impacts on Nesting Birds .....                                                | 13        |
| 4.6      | Removal of Trees with PRFs (Low Suitability for Bats).....                                 | 13        |
| 4.7      | Avoidance of Impacts on Badgers and Hedgehogs .....                                        | 14        |
| 4.8      | Clearance of Grassland/Avoidance of Impacts on Reptiles and<br>widespread Amphibians ..... | 15        |
| 4.9      | Toolbox Talk.....                                                                          | 16        |
| 4.10     | Construction-Phase Monitoring .....                                                        | 16        |
| 4.11     | Emergency Management Plan .....                                                            | 17        |
| <b>5</b> | <b>Responsible Personnel &amp; Lines of Communication.....</b>                             | <b>18</b> |
| 5.1      | Client.....                                                                                | 18        |
| 5.2      | Site Manager.....                                                                          | 18        |
| 5.3      | Ecological Clerk of Works (ECoW) .....                                                     | 18        |
| 5.4      | Contact Details .....                                                                      | 19        |
|          | <b>Appendix A – Development Plans .....</b>                                                | <b>20</b> |

# 1 Introduction

## 1.1 Aims & Objectives

1.1.1 Abricon Ltd. was commissioned by Merthyr Tydfil Council to compile a Wildlife Protection Plan for planned development at Land at Cyfarthfa Castle Park, Brecon Road, Merthyr Tydfil, CF47 8RE.

1.1.2 This plan has been compiled to ensure that works can be undertaken in a way which is legally compliant, and also to meet Condition 4 of full planning permission for P/25/0087.

*No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:*

- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;*
- b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;*
- c. A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).*
- d. Persons responsible for:*
  - i) Compliance with legal consents relating to nature conservation;*
  - ii) Compliance with planning conditions relating to nature conservation;*
  - iii) Installation of physical protection measures during construction;*
  - iv) Implementation of sensitive working practices during construction;*
  - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;*
  - vi) Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.*

*All construction activities shall be implemented with the approved details and timing of the plan*

*Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.*

1.1.3 Approved plans for the site were consulted in the preparation of this Wildlife Protection Plan. This document has been based on development proposals: Proposed Drainage – Site Plan CCTS-PUR-01-00-DR-A-0012 Rev P01.

1.1.4 The Wildlife Protection Plan outlines measures to prevent impacts on retained habitats and protected species including amphibians, reptiles, badgers, birds, bats and hedgehogs, thus avoiding offences being committed under relevant legislation. The purpose of this document is to:

- Plainly identify known risks to preserving habitats and/or the function of the site for protected or notable species and implement the mitigation outlined in the ecological report (Preliminary Ecological Assessment V2 – Abricon Ltd., April 2025).
- Clearly set out when and where ecological supervision will be required.
- Identify ecologically sensitive areas (biodiversity protection zones) and indicate where protective buffers/fencing is required.
- Identify and assess the impacts of the construction phase to development.
- Identify the timings in which certain mitigation or protective measures should be implemented on site.
- Identify roles and responsibilities for undertaking the work in relation to protecting biodiversity on site during the construction phase.
- Set out the procedure for compliance and monitoring within the construction phase of development.
- Proposes a hedgerow translocation method statement relating to the short section of species rich hedgerow requiring removal as part of development proposals.

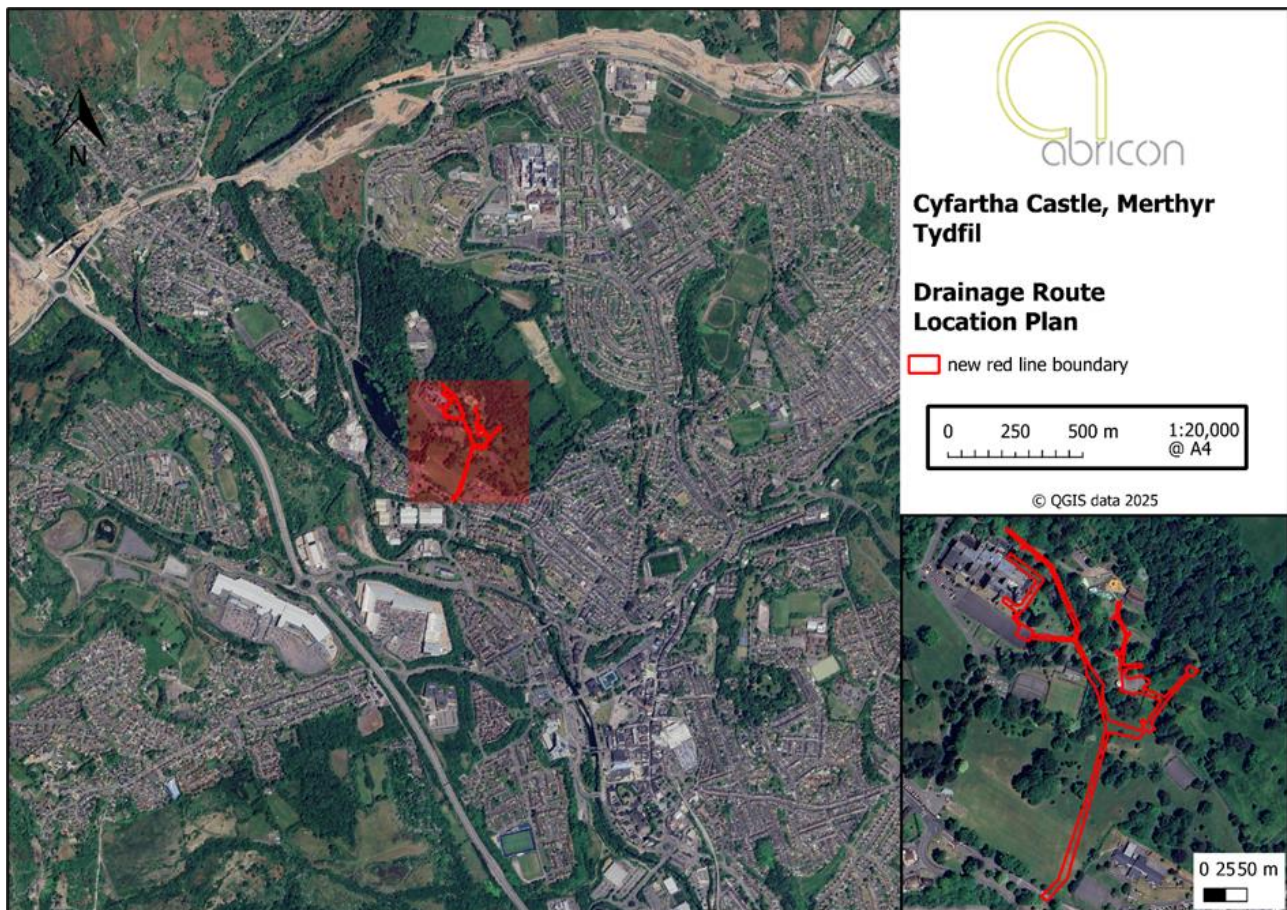
1.1.5 This Wildlife Protection Plan follows guidelines set out within Biodiversity – Code of Practice for Planning and Development, British Standards 42020:2013.

## 1.2 Background

- 1.2.1 Preliminary Ecological Appraisal has been undertaken on the Cyfarthfa Castle Park new drainage site in 2024 (Abricon, 2025) to inform planning application.
- 1.2.2 The surveys highlighted presence of habitats or features of importance to nesting birds, bats, reptiles, amphibians and hedgehogs.

## 1.3 Site Location & Description

- 1.3.1 The site is located at Cyfarthfa Castle Park, Brecon Road, Merthyr Tydfil, at National Grid Reference: SO 04143 07362.
- 1.3.2 The site is an area of ~2.3 hectares (ha) within the Cyfarthfa Park, and consists of mixed parkland habitat, formal gardens close to the Castle and a mixture of lawned areas. The full park is ~65ha and contains Cyfarthfa Park Lake, ~230 metres west of the site, and woodland which is located north, east and west of the castle.
- 1.3.3 The castle itself is a multi-roomed 19th century castle structure with pitched slate tiled roofs, flat roofs, towers and a basement/tunnel system.
- 1.3.4 Within the wider landscape, the site is surrounded by residential areas of Merthyr Tydfil and open fields (agricultural or grazing) with the Brecon Beacons National Park to the north of the site.



**Figure 1 – Site Location (highlighted) – accessed on 03/12/2024**

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## 1.4 Proposed Development

- 1.4.1 It is understood that the proposed plans for the site comprise the construction of a new underground drainage channel, as well as underground attenuation tank along the route. The drainage channel under current plans will be ~2m x 2m, and ~663m long within the red line boundary for the site. It will include a cut and fill exercise, in some areas to lower the

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track and in others to increase the levels to create appropriate gradient draining. The attenuation tank is planned to be 2m x 0.8m x 30m. The track construction will require the removal of hedgerows, trees, modified grassland, other neutral grassland and some scrub. Site plans are provided in Appendix A at the end of this document.

## 2 Wildlife Protection Zones

### 2.1 General Principles

- 2.1.1 The following ecological features (as informed through baseline surveys) will be safeguarded through implementation of a Wildlife Protection Zones (WPZs) or through adoption of sensitive working methods (see Section 4) to avoid and minimise adverse impacts during the construction phase. The locations of ecological features and the WPZs are illustrated in Figure 2. A detailed risk assessment of the impacts of the proposals upon the identified ecological features, is provided in Section 3.

### 2.2 Baseline Survey

- 2.2.1 On the 9<sup>th</sup> of October 2024, a baseline survey was performed for the site. The habitats on site were mapped and classified using the UKHab Classification System. The primary level classifications of the habitats onsite had not changed since the original PEA survey, with the habitats being comprised of:

- **g4 - Modified grassland** The southern extent of the site consisted predominantly of modified grassland, with some individual trees stochastically. The other areas of modified grassland are small 'islands' between the asphalt paths, and patchworks of ornamental shrubs and woodland
- **g3c - Other Neutral Grassland** - In the northeast area of the site
- **h3a – Blackthorn Scrub** – western corner of the site.
- **w1h – Other Woodland: Mixed** – Mainly to the north of the site and in small patches
- **u1b - Developed Land; Sealed Surface** – Bandstand and paths
- **h2b – Non-Native and Ornamental Hedgerow (H2)** – Managed beech hedge around the sports field
- **h2a5 32 - Species-rich Native Hedgerow with Trees (H3)** – Northern area
- **h2a5 - Species rich native hedgerow (H1)** – Eastern area
- **w1g - Line of trees** – Adjacent to hedge H2 around sports field
- **Individual Trees**

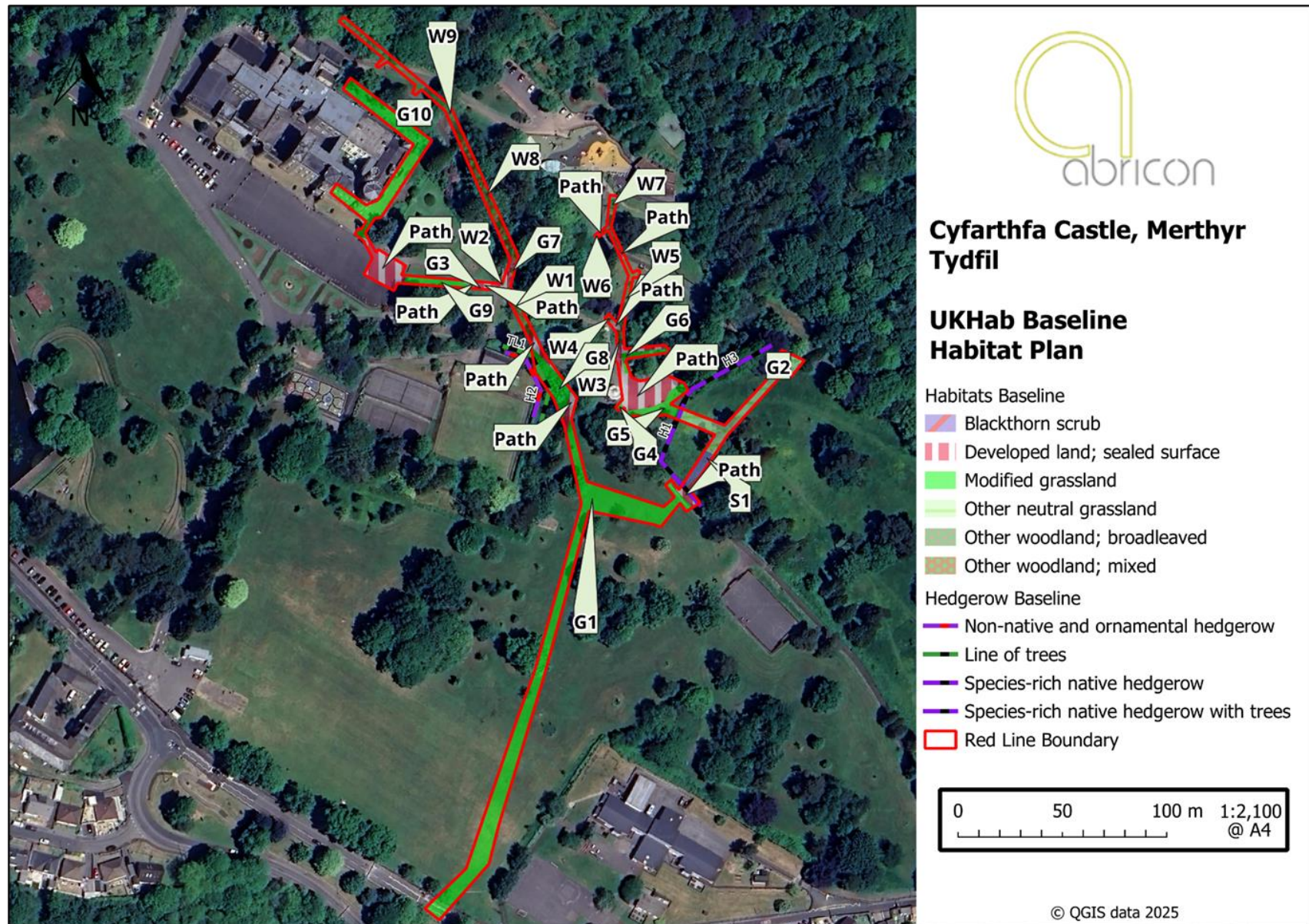


Figure 1 - Habitat Map

### 3 Ecological Risk Assessment

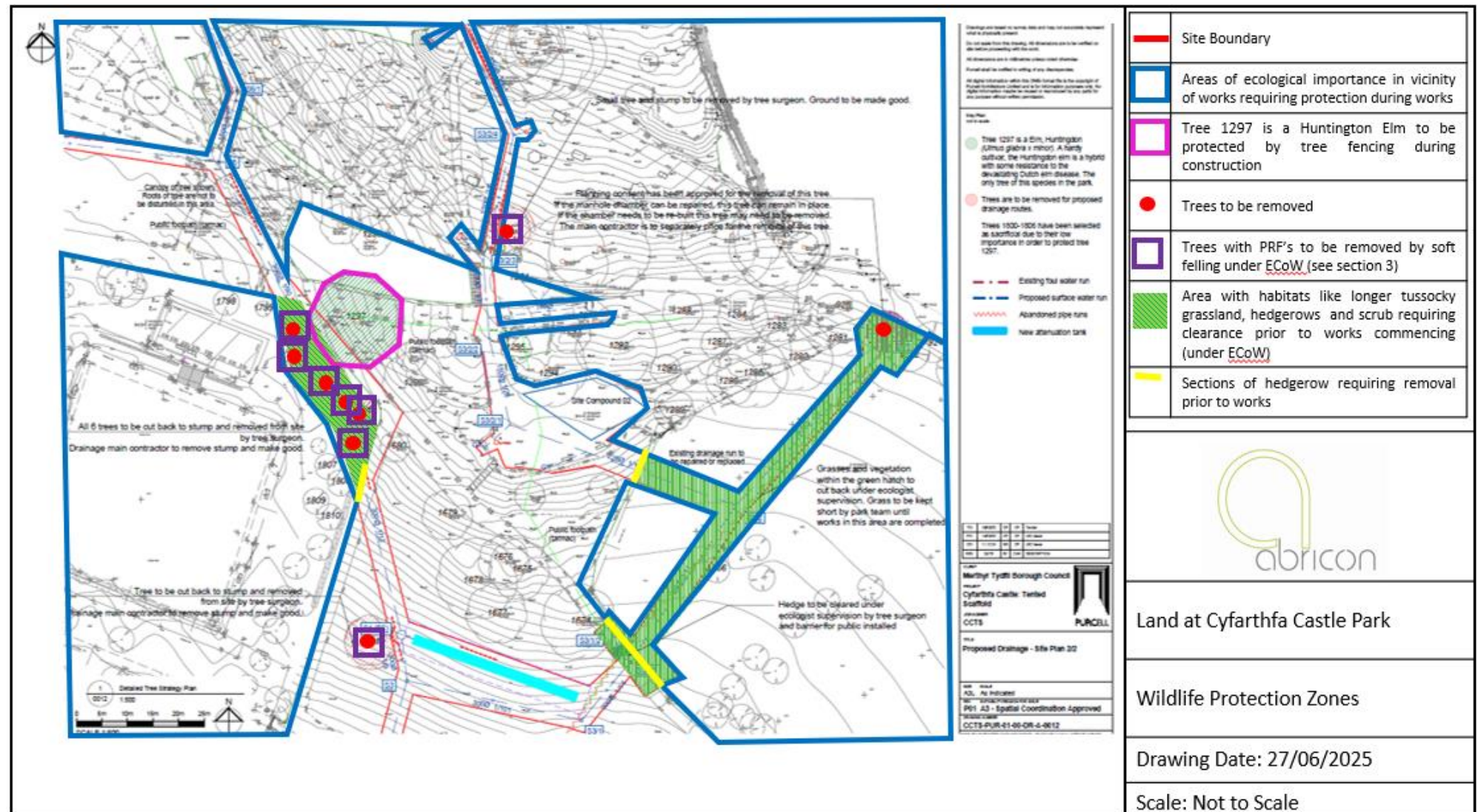
3.1.1 A risk assessment of the impacts of the proposals upon habitats and species identified in Section 2, pre- and post – mitigation, is provided below.

**Table 1 - Ecological Risk Assessment**

| Ecological Feature                                             | Description                                 | Potential Adverse Impacts (Risk Assessment)                                                                                                                                      | Risk Avoidance Methods – see section 4 for Method Statements (MS)                                                              | Timing to Implement Risk Avoidance MS (see 4.2)                                                 | Person Responsible to Implement Risk Avoidance Methods         |
|----------------------------------------------------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Habitats                                                       |                                             |                                                                                                                                                                                  |                                                                                                                                |                                                                                                 |                                                                |
| Retained hedgerows, woodland areas, scrub, grassland and trees | All hedgerows, trees and woodland areas     | Accidental physical (mechanical) damage to trees/hedges, including disturbance (direct or indirect) of any species using features                                                | WPZ protection fencing (see 4.4)                                                                                               | Not seasonally constrained. Required prior to commencement of construction activities occurring | Main contractor<br><br>ECoW to inspect fencing on installation |
|                                                                |                                             | Change in soil grade or soil level and subsequent damage to root system                                                                                                          | WPZ Protection Fencing (see 4.4)                                                                                               | Not seasonally constrained. Required prior to commencement of construction activities occurring | Main contractor<br><br>ECoW to inspect fencing on installation |
|                                                                |                                             | Direct impacts resulting from soil compaction                                                                                                                                    |                                                                                                                                |                                                                                                 |                                                                |
| Protected Species                                              |                                             |                                                                                                                                                                                  |                                                                                                                                |                                                                                                 |                                                                |
| Badgers and Hedgehogs                                          | Site used by foraging badgers and hedgehogs | Direct or accidental harm to badgers which may get trapped within the site or within trenches/excavations throughout construction. Impact to newly created or undiscovered setts | WPZ Protection Fencing (see 4.4) and construction phase monitoring (see 4.10).<br><br>Avoidance of Impact to Badgers (see 4.7) | Not seasonally constrained. Required prior to commencement of construction activities occurring | Main contractor<br><br>Check by ECoW at outset of construction |

| Ecological Feature                            | Description                                                                                                                                                                                          | Potential Adverse Impacts (Risk Assessment)                                                                                                     | Risk Avoidance Methods – see section 4 for Method Statements (MS)                                                                                                                                                                       | Timing to Implement Risk Avoidance MS (see 4.2)                                                 | Person Responsible to Implement Risk Avoidance Methods                                                                                                                                |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bats                                          | Several trees with potential roosting features suitable for individual bat (PRF-I's) are present on-site                                                                                             | Loss of roosts (if present)                                                                                                                     | Bat boxes will be installed on nearby trees prior to any works to remove trees (full details of locations included in Green infrastructure Statement (Abricon, 2025))                                                                   | Not seasonally constrained. Required prior to commencement of tree felling                      | Main contractor<br><br>Positioning of bat boxes advised by ECoW                                                                                                                       |
|                                               |                                                                                                                                                                                                      | Direct injury or death of bats during tree felling                                                                                              | Soft felling of trees under the supervision of bat licensed ECoW (see 4.6)                                                                                                                                                              | Not seasonally constrained.                                                                     | Main contractor<br><br>Bat licensed ECoW presence during works                                                                                                                        |
|                                               | Bats use habitats present on site for foraging / commuting                                                                                                                                           | Reduced suitability of new wildlife buffer, off-site habitats and retained linear habitats due to use of construction phase artificial lighting | Construction phase artificial lighting will be minimal if required at all and will be directed away from WPZs and the off-site habitats (see 4.3)                                                                                       | Required any time of year                                                                       | Main contractor<br><br>Check by ECoW at outset of construction                                                                                                                        |
|                                               |                                                                                                                                                                                                      | Physical damage of hedgerows and other retained habitats for bats                                                                               | WPZ Protection Fencing (see 4.4)<br>And construction phase monitoring (4.10)                                                                                                                                                            | Not seasonally constrained. Required prior to commencement of construction activities occurring |                                                                                                                                                                                       |
| Reptiles, hedgehogs and widespread amphibians | The grassland on site is likely to be used by low numbers of either reptiles or hedgehogs due to the open nature of the site. There is also potential for widespread amphibians to use the site too. | Direct injury or death of reptiles, hedgehogs or amphibians during initial site clearance                                                       | Vegetation clearance, habitat dissuasion (if required during artificial sett construction) and destructive search carried out in line with the guidance provided in 4.8 with regard to safeguarding reptiles, hedgehogs and amphibians. | Grassland clearance should take place during the active season                                  | Main contractor<br><br>ECoW inspection of WPZ at the start of construction<br><br>Watching brief during key stages of any site clearance<br><br>Inspections every 4 months thereafter |

| Ecological Feature | Description                                                                                                       | Potential Adverse Impacts (Risk Assessment)                                                                                                                                                                                 | Risk Avoidance Methods – see section 4 for Method Statements (MS)                                                                                                                                        | Timing to Implement Risk Avoidance MS (see 4.2)                        | Person Responsible to Implement Risk Avoidance Methods                                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|                    |                                                                                                                   | Injury or death of amphibians, hedgehogs and reptiles during construction phase                                                                                                                                             | Toolbox Talk (4.9) will be delivered to ensure the main contractor and responsible site personnel know their duties and responsibilities                                                                 | Throughout the construction process                                    |                                                                                          |
|                    |                                                                                                                   |                                                                                                                                                                                                                             | Areas outside of the WPZ will be cleared of habitat and clearance maintained throughout construction (see 4.8)                                                                                           |                                                                        |                                                                                          |
| Nesting Birds      | The hedgerows, scrub and trees within the site are used by a range of breeding birds                              | Disturbance to breeding birds including accidental injury / death or loss / abandonment of nest sites as a result of accidental damage (mechanical) to hedgerows/trees in which they may nest during the construction phase | Installation of WPZ fencing to protect hedgerows (see 4.4)<br>A Toolbox Talk (4.9) will be delivered to ensure the main contractor and responsible site personnel know their duties and responsibilities | Throughout construction                                                | Main contractor<br>Check by ECoW at outset of construction and in subsequent inspections |
|                    | Hedgerow removal/translocation and tree removal will be required which has the potential to disturb nesting birds | Disturbance to / injury of breeding birds during vegetation clearance / translocation                                                                                                                                       | Avoidance of impacts to nesting birds secured through avoidance of the nesting season (March-August) inclusive and adherence with section 4.5                                                            | During all hedgerow removal/ translocation activities and tree felling | Main contractor<br>ECoW to undertake ecological watching brief                           |



### Figure 2 - Wildlife Protection Zones and Tree Removal Plan

## 4 Mitigation Strategy

### 4.1 General Principles

4.2.1 The following chapter outlines the mitigation plan for the site, including works methodologies and timing constraints where applicable.

- Merthyr Tydfil Council will be responsible for implementing this method statement.
- This method statement must be displayed on the site at all times.
- Prior to starting works all site workers must be made aware of the principle information contained in this method statement; including what protected species look like (bats, reptiles, badgers, hedgehogs and nesting birds), where they might be found and what to do in case of finding one (tool-box talk by ECoW).
- The ECoW will be at liberty to sign off on a departure from the below methods if site conditions necessitate it during works. However, a departure from this method statement will only occur if it is considered preferable in the interests of protected species or on the basis that the departure will have no worse impact on protected species and no legal offence will be caused.
- For protected species such as bats or great crested newts, if any evidence of one is found during the development works all work will immediately cease. If found during unsupervised works, then a licensed ecologist must be contacted for advice. Natural Resources Wales (NRW) will be informed, and development will not be allowed to recommence until authorised by NRW. At this point it may be necessary to obtain a NRW development license, depending on the circumstances and outcome of the consultation with NRW.
- Site workers must not touch, move, or disturb the animal unless it is considered to be in immediate danger. Any material under which the animal is found will be replaced immediately with caution taken not to harm the animal in the process.

### 4.2 Timing of Works

4.2.1 See 4.4, 4.5, 4.6 and 4.8 below for explanation of timings;

- Installation of protective fencing near the WPZs will be carried out prior to clearance and/or ground works commencing. See Figure 2 for location of WPZs.
- Tree felling – if felling is required to be completed between March and August, the trees need to be checked by ECoW for presence of nesting birds immediately before felling (no more than 48 hrs). Furthermore, as majority of the trees requiring removal are assessed as PRF-I, the removal will need to be carried out under presence of bat licensed ECoW.
- Clearance of localised sections of grassland or check of areas by ECoW (if grassland shorter than 5cm) to enable hedgerow translocation (if/where needed).
- Hedgerow translocation (if applicable) – to be undertaken during late autumn, winter or early spring months (October – March) when hedge growth is dormant and the ground is sufficiently moist.
- Hedgerow and scrub removal - if clearance is required to be completed between March and August, it needs to be checked by a suitably experienced ecologist prior to works (to confirm nesting birds not affected).
- Clearance of longer grassland areas within development area to allow construction to commence - must be completed outside of the winter months, therefore be undertaken between March and October.

### 4.3 Construction Lighting Restrictions

4.3.1 The build programme will predominantly be during daylight hours only starting one hour after sunrise and ceasing one hour before sunset at any time of year and there is no permanent construction lighting required.

4.3.2 Where temporary construction lighting is considered essential (i.e. task specific requirement), this will be positioned to ensure that light is directed onto the area of works only with no light spillage onto the WPZ through the use of cowl, hoods and other similar

techniques. Any temporary construction lighting requirements will be discussed and reviewed with the ECoW and details submitted to the LPAs ecologist for approval prior to being used.

#### 4.4 Delineation and Installation of Wildlife Protection Zone Fencing

- 4.4.1 The Wildlife Protection Zones (WPZ) will be delineated by Heras fencing, or similar, in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction'. They will be marked with weather-proof signage (minimum A4 size) stating "Wildlife Protection Zone – Keep Out". No equipment will be stored therein. The WPZ will cover all retained grassland, trees, woodland and hedgerow habitat in line with the WPZ plan.
- 4.4.2 The WPZ (see Figure 2) will be established prior to any site clearance, the hedgerow translocation tasks or any other construction related tasks on site.
- 4.4.3 The buffer will prevent construction activities from resulting in physical damage to areas of sensitive habitat and species outside of the construction area. It will prevent large items of rubbish blowing into retained habitats. It will prevent storage of materials within these areas which could cause root compaction.
- 4.4.4 Within the grassland area the aim is to exclude the general public from these areas during construction and whilst reseeded areas are regenerating.
- 4.4.5 The WPZ in almost all instances will be wider than the buffer provided by a tree protection plan and must be taken as the location of primary tree protection. This must be kept in place throughout the construction process.
- 4.4.6 The location of the WPZ/tree protection fencing will be inspected by an ECoW on installation to ensure it complies with the correct specification and is installed in the correct locations. The fencing will be subject to checks as per 4.10; however, it will be the responsibility of the site manager to ensure the fence is appropriately maintained throughout the construction phase. If works require the removal of fencing associated with the WPZ this should be discussed with the ECoW prior to being undertaken.
- 4.4.7 Once the WPZ is no longer required this must be agreed with the ECoW prior to removal to ensure damage to the retained habitats can no longer occur through construction activities.

#### 4.5 Avoidance of Impacts on Nesting Birds

- 4.5.1 The trees, scrub and hedgerows on site also offer suitable nesting habitat for birds. The cut of the sections of hedgerows requiring translocation are allowed between October and March, which falls largely outside of nesting bird season (nesting bird season is influenced by climatic conditions but is generally taken to be March-August). If the cut is required to fall within the month of March, or if any tree felling is planned between March and August, then the hedgerow must first be inspected by a suitably experienced ecologist for signs of nesting birds.
- 4.5.2 If any evidence of nesting birds is identified, then an exclusion zone will be set up around the nest (taped off with clear signage) by the supervising ecologist and clearance of vegetation will have to be delayed until nesting activity has ceased. The size of the exclusion zone will be decided on a case-by-case basis based on the type and density of the habitat where the nest is located and the nature of the works to be undertaken nearby; but it should not be less than 5m.

#### 4.6 Removal of Trees with PRFs (Low Suitability for Bats)

- 4.6.1 This section covers the removal of trees containing Potential Roost Features of low suitability for bats (PRF-I) in accordance with the guidance set out in *Reason & Wray (2023) – Bat Roost Mitigation: A Guide to Best Practice*.
- 4.6.2 PRF-I trees are defined as those with features offering low potential for roosting bats, such as minor cracks, shallow bark fissures, thick cover of ivy stems or partially lifted bark with limited depth/coverage. These features are unlikely to support significant or frequent bat use.

- 4.6.3 Under *Reason & Wray (2023)*, precautionary measures are appropriate even for low suitability PRFs to avoid the risk of harming bats or damaging a roost.
- 4.6.4 **3 x bat boxes** will be installed as compensatory habitat in locations specified in Green Infrastructure Statement (Abricon, 25025) in advance of tree felling works.
- 4.6.5 Prior to tree felling, a toolbox talk will be delivered by a bat-licensed ecologist to all site operatives covering legal protections, recognition of bat signs, emergency procedure if bats are encountered.

#### Pre-felling Inspection:

- Trees will be climbed and inspected immediately before felling either by a licensed bat ecologist or trained arborist under direct supervision.
- PRFs will be checked for bat presence using **endoscopes** and/or **thermal imaging**, if appropriate.
- If bats or droppings are found, works will stop immediately, and Natural Resources Wales will be consulted.

#### Sensitive Felling

- 4.6.5 Where no evidence of bats is found, the tree will be soft-felled, meaning:
- Limb-by-limb dismantling.
  - Each section with PRFs lowered carefully to the ground.
  - Sections containing PRFs left undisturbed for **24 hours** in a quiet location to allow any undetected bats to escape.

#### Supervision and Documentation

- A **licensed bat ecologist** will be on site or on-call during felling.
- A **record of the inspection and felling process** will be maintained, including:
  - Date, weather, and names of operatives
  - Tree reference number and PRF description
  - Outcomes of inspections and any actions taken

#### Contingency Measures if bats are discovered

- Cease all work immediately.
- Secure the area.
- Notify the licensed ecologist and Natural Resources Wales.
- Do not resume until an appropriate **EPS license**, if required, is obtained and mitigation implemented.

#### Post-works Measures

- Tree sections with PRFs will be **stored for 24–48 hours** post-felling in a safe location before processing or chipping.

## **4.7 Avoidance of Impacts on Badgers and Hedgehogs**

- 4.7.1 Refer to 4.4 for Wildlife Protection Zone (WPZ) fencing for retained areas.
- 4.7.2 Given that badgers can excavate new setts in a relatively short amount of time, an update site inspection by the Ecological Clerk of Works (ECoW) will be carried out no more than 1 month prior to the commencement of construction activities on-site. The survey will look for evidence of badger activity within the site, including setts, paths, hairs, footprints or faeces and record the location of and type of all setts at the site, as well as their active status. Where necessary, should any new setts be identified the WPZ fencing as detailed in 4.4 will be adapted to incorporate a minimum 20m buffer zone around the identified entrances.
- 4.7.3 It is likely badgers (and other mammals) may move through the site during the construction phase. As such any pits or trenches, dug during the construction phase, will be covered overnight or a wide, rough sawn plank or earth ramp will be placed/created in the pit at a 45° angle to enable any animals to escape should they fall in.

- 4.7.4 In the unlikely event of a badger (or any other animal) becoming trapped or injured during construction, Abricon (contact details in Section 2) must be called immediately and the appropriate action undertaken.
- 4.7.5 In the event that an active sett is discovered that would be impacted by construction activities, a licence from Natural England may be necessary to temporarily or permanently close the sett. Works to a badger sett can only be undertaken from 1st July-31st November inclusive. Outside of this time no works affecting the sett would be permitted and a buffer zone, as informed by the ECoW, would be required in which different levels of disturbance are permitted. Work in other parts of the site, however, can continue as advised by the ECoW.

## **4.8 Clearance of Grassland/Avoidance of Impacts on Reptiles and widespread Amphibians**

- 4.8.1 The site is dominated by grassland, which has become tussocky in some areas (G2 or near the sports field) – see Figure 2 for locations.
- 4.8.2 Clearance of habitats within the development area will not occur until the WPZ has been put in place.
- 4.8.3 The attendance of an ECoW will be required for the removal of the grassland as a precautionary measure to ensure reptiles and widespread amphibians are not harmed during the clearance. Ideally the clearance of the grassland will be undertaken during the summer months when reptiles and amphibians are more active and can move away from the areas to be removed. If winter clearance is required some areas which contain features which could be used by hibernating/sheltering reptiles or amphibians will need to be left in place until suitable weather conditions return (as advised by the ECoW).
- 4.8.4 Clearance of the grassland will be preceded by staged cuts and removal of arisings. This will be undertaken during warm weather conditions (between 10-30 degrees) to try to reduce the suitability of this habitat for reptiles and amphibians. This methodology will attempt through habitat manipulation to encourage these species to move into the retained buffers present in the WPZs.

### Habitat Dissuasion

- 4.8.5 A toolbox talk (see 4.9) will be delivered by the ECoW to site staff with involvement to inform them of their responsibilities and the method of habitat management that will be used. This will be repeated for every additional operative upon arrival on site.
- 4.8.6 The ECoW will decide on the level of risk and the requirement for the ECoW to be present during the habitat dissuasion based on the habitat condition and the initial performance/efficacy of the landscape operatives.
- 4.8.7 A staged cut of the grassland will be required. This will involve a team of landscapers using brush cutters, rakes and a trailer to work from the centre of the field out towards the edges. The initial cut will be made to 100/150mm above ground level, the cut will be taken starting in the centre of the field and working out toward the retained boundary. The arisings will require removal to prevent reptiles or amphibians sheltering under these (or these can be added to the brash/habitat piles created within the wildlife buffer). This must take place immediately following the initial cut.
- 4.8.8 Once the first cut has been completed and arisings removed from the field, a period of 24 hours should be allowed to give any reptiles or amphibians time to move out of the area. Once this has been completed to the satisfaction of the ECoW a second cut can be taken close to ground level using the same methodology. Again, the operatives must work from the centre out towards the retained boundary habitats and the arisings must be raked up and removed following the cut to avoid attracting wildlife back into the area.

**Destructive search**

- 4.8.9 If any log/wood/rubble piles need to be dismantled within the works area, this will be supervised by an ECoW (see timings above). Any materials larger than a fist (i.e. dead wood/rubbish/compost piles) will be removed/ dismantled by hand to reduce the risk of harming any animals using it for shelter. In order to prevent the creation of suitable habitat for common amphibians/reptiles, all materials shall be either removed from site on the day or placed into a skip (if used this will be placed on blocks to keep it off of the ground) where materials can be kept off of the ground.
- 4.8.10 Once the habitat dissuasion and the dismantling works have been completed the ECoW will oversee a destructive search (topsoil removal) of the grassland areas (not considered necessary for highly compacted areas) using an excavator and a toothed (trenching) bucket. The ECoW will undertake a brief hand search of the remaining grassland and any shelter features for sheltering reptiles, amphibians or other wildlife such as small mammals. Any wildlife encountered will be removed by the ECoW and placed in the retained grassland margins situated behind the EPZ fence line.
- 4.8.11 Once an area has been searched by the ECoW the grass including the roots will be turf stripped by the excavator under a watching brief. The turf resulting from this may be searched by the ECoW (depending on the rate of reptile/amphibian finds).
- 4.8.12 The turf will need to be removed from the site or stored in a consolidated bund away from the retained habitats to prevent wildlife seeking shelter within it.

**Construction stage works**

- 4.8.13 No construction works will be undertaken on site until after the destructive search has been completed. Once the habitat within the construction areas, including those which form the roads and any areas outside of the WPZ, are clear of grassland and other shelter opportunities, these areas will need to be maintained as bare earth or as very sparsely vegetated areas throughout the construction phase. Materials should be stored on pallets or similar to raise them off of the ground and minimise shelter potential for reptiles and amphibians. This will ensure reptiles and amphibians are not able to recolonise the construction zone and be harmed by the construction works.

**4.9 Toolbox Talk**

- 4.9.1 Prior to the commencement of works on Site a toolbox talk will be provided by the Ecological Clerk of Works (ECoW) to the Site Manager and site Foreman. The toolbox talk will include details of this Wildlife Protection Plan, highlighting ecological features within the site, including habitats and the following taxa: reptiles, amphibians, nesting birds, hedgehogs and badgers. It will detail protection measures required during construction, methods to avoid harm, the role of the ECoW and site personnel during clearance works, and what to do if an animal is found during works.
- 4.9.2 In the event a change in personnel on the site occurs during construction and a new Site Manager is appointed, the toolbox talk will need to be provided to them by the appointed ECoW. The Site Manager will be responsible for relaying information within the toolbox talk to all site staff during their initial site inductions.
- 4.9.3 Other task specific toolbox talks will be delivered to the operatives charged with undertaking habitat clearance to ensure they know the purpose of the clearance methodology and the species for which the mitigation is targeted. The toolbox talk will also include other species that might be present and what to do if these are encountered during the works on site.

**4.10 Construction-Phase Monitoring**

- 4.10.1 Weekly inspections of the Site and immediately surrounding area will be undertaken by a designated member of construction staff to monitor the integrity of the Wildlife Protection Zones (WPZ)/tree protection fencing, silt deposition, dust deposition and litter arising from the Site which could impact off-site habitats. This inspection will be recorded within a logbook to be made available to the LPA upon request. Remedial action which may be

required as soon as an issue is identified may include arranging litter picking, additional site hoarding, increased refuse water spraying, and increased waste collection.

- 4.10.2 Progress across the site will be reviewed regularly by the site manager, and any updates will be provided to the client regularly, to inform them of any potential time constraints and further work that may be required, as a minimum. This will be completed once every two weeks, or as soon as practicable should this be more appropriate. The site logbook produced by the Site Manager will be made available to review by the local planning authority at the earliest request in order to note progress of the Wildlife Protection Plan and stages of mitigation have been completed.

#### Incident Reports

- 4.10.3 Should any protected species be identified over the course of works, or pollution events occur on-site, all relevant bodies should be notified, including the LPA and Natural Resources Wales, as required. Any breaches of guidance in relation to control of potential environmental protection measures will be recorded and reported to the relevant statutory body immediately, as well as to the project manager and client, and remedial measures identified where required.

### **4.11 Emergency Management Plan**

- 4.11.1 If, throughout the course of works, a protected species is identified on-site, or an accident involving the construction activities causes a spill or airborne pollution event, the project ecologist will be contacted immediately for advice. The site manager is responsible for ensuring this is carried out and preventing works from continuing until the suitably qualified ecologist has laid out an appropriate contingency. The site manager is responsible for ensuring all contractors are aware of these contingencies.

## **5 Responsible Personnel & Lines of Communication**

### **5.1 Client**

- 5.1.1 Merthyr Tydfil Council are responsible for the implementation of this Wildlife Protection Plan and shall liaise with the Ecological Clerk of Works (ECoW) to commission and arrange an ecologist's input or site attendance, where required. Should management on the site change, new personnel will be made aware of and action this Wildlife Protection Plan.

### **5.2 Site Manager**

- 5.2.1 The Site Manager will be in charge of ensuring essential measures with regards to safeguarding ecology remain in place throughout the construction process and when key tasks that require the ECoW to attend are required the Site Manager will be required to make contact and arrange their attendance. All duties related to the site manager contained within section 3 shall be transferred over in the event that a new site manager is appointed.

### **5.3 Ecological Clerk of Works (ECoW)**

- 5.3.1 The ECoW shall assist and advise the Site Manager and other construction staff where relevant in their adherence to the requirements of this Wildlife Protection Plan. This will not require a permanent on-site presence. Instead, an appropriately qualified ecologist will be available via an 'on-call' basis throughout the construction phase. This will enable a prompt response for dealing with any habitat or protected species issues that arise during the course of the development.
- 5.3.2 The ECoW will be contacted as early as possible in the unlikely event that any activities on site contravene the measures prescribed in the Wildlife Protection Plan, for instance should there be any unforeseen, but essential requirement to enter the Wildlife Protection Zone. The ECoW will be consulted prior to any such action being carried out unless it is in emergency situations.
- 5.3.3 Ecological queries should be directed to Abricon Ltd, contactable on tel. 01275 391297. Where another ecological consultancy is employed to fulfil this role, any ecologist must be suitably qualified, have at least two years' experience and in receipt of suitable training in how the responsibilities of the ECoW are to be discharged.

### **Roles and Responsibilities of ECoW**

- Pre-construction checks with regards to habitats and species (e.g. nesting birds, badgers, etc)
- Production and delivery of ecological inductions, toolbox talks and communications to contractors (prior to start of works)
- Monitoring of activities – hedgerow translocation/removal, ground level vegetation clearance, dismantling of habitat piles (if relevant) and erection and maintenance of the WPZ on site must be supervised by suitably experienced ecologist.
- Advising where necessary to ensure agreed methodology is adhered to.
- Managing and undertaking construction phase monitoring including reporting non-compliance.
- A sign-off/compliance report will be provided to the LPA once works are completed setting out details of actions taken and any findings.

## 5.4 Contact Details

|                        |                        |                                                                          |                                                                                                                       |                                                                                                                              |
|------------------------|------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Client</b>          | Merthyr Tydfil Council | Project Title: Land at Cyfarthfa Castle Park (new drainage installation) | Merthyr Tydfil County Borough Council<br>Unit 5<br>Triangle Business Park<br>Pentrebach<br>Merthyr Tydfil<br>CF48 4TQ | Contact email:<br><a href="mailto:chris.jones3@merthyr.gov.uk">chris.jones3@merthyr.gov.uk</a><br>Contact telephone: TBC     |
| <b>Main Contractor</b> |                        | Site Manager:<br>Unknown at present                                      | TBC                                                                                                                   | Contact email: TBC<br>Contact telephone: TBC                                                                                 |
| <b>ECoW</b>            | Abricon Ltd            | Primary Contact:<br>Jana Prapotnikova                                    | Abricon Ltd, 1 Lyons Court, Long Ashton Business Park, Yanley Lane, Long Ashton, Bristol, BS41 9LB                    | Contact email:<br><a href="mailto:jprapotnikova@abricon.com">jprapotnikova@abricon.com</a><br>Contact telephone: 1275 391297 |

## Appendix A – Development Plans

