



Reptile Mitigation Method Statement:

**Land to the Rear of Ynysygored Cottages,
Bronheulog Terrace,
Aberfan,
Merthyr Tydfil,
CF48 4QD
September 2023**

Produced by Wendy J Larcombe BSc (Hons)

For and on behalf of

I & G Ecological Consulting Ltd

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Summary

I & G Ecological Consulting were commissioned to produce a Reptile and Amphibian Mitigation Method Statement in support of a Planning application for a proposed development consisting of the creation of one traveller pitch over permeable hardstanding, to include the construction of a dayroom, as well as the installation of one static and one touring caravan; with the static caravan being relocated from its existing location.

This method statement is in addition to supporting reports: Preliminary Ecological Survey (PEA) in August 2023 and Biodiversity Enhancement Scheme (BES) September 2023 which includes key impacts and mitigation measures as set out in the PEA.

The site is approximately 0.06 hectares in size located off Bronheulog Terrace, in Aberfan, CF48 4QD (Fig. 1). The PEA noted habitats within the development site, and additionally assessed habitats present within the wider survey area. These include neutral semi-improved grassland, amenity grassland, and bare ground, with boundary features including fencing.

1. INTRODUCTION

- 1.1 I & G Ecological Consulting were commissioned to produce a Reptile and Amphibian Mitigation Method Statement in connection with Planning Consent for a Traveller Pitch and Dayroom. See Site Location at Figure 1 and Aerial image showing habitat features at Fig. 2.
- 1.2 The site is located at National Grid Reference: SO 07309 01439.
- 1.3 This Method Statement is being produced to support the PEA which recommends a Reptile & Amphibian Mitigation Method Statement.

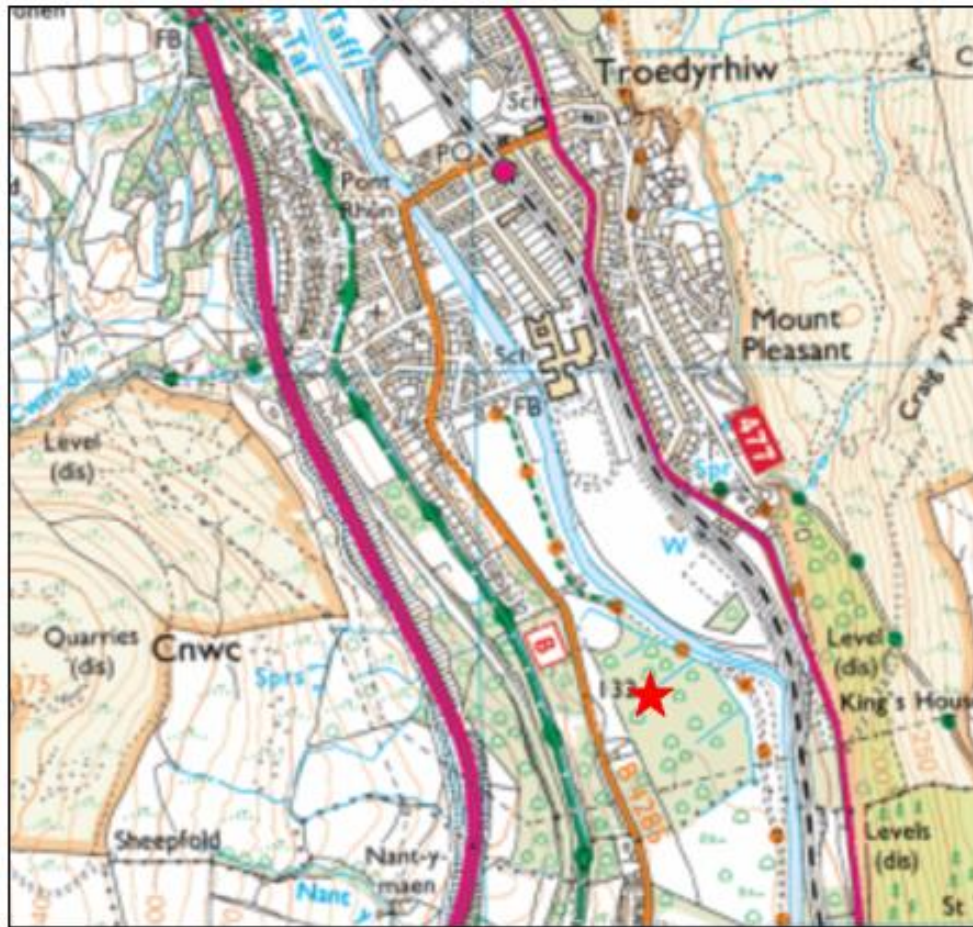


Figure 1: Location of site, Grid Ref: SO 07309 01439



Figure 2. PEA Site Boundary (Blue) and the Proposed Development Footprint (Red)

2. Regulatory & Planning Framework

- 2.1 All terrestrial native reptiles are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are protected under Section 9 of the Act.
- 2.2 Reptiles are protected (under Section 9 of the Act), against intentional killing, injury and taking. The Act also prohibits selling, offering for sale, possessing or transporting for the purpose of sale or publishing advertisement to buy or sell.
- 2.3 Where any works would affect Reptile and Amphibian species, appropriate mitigation measures would be required to prevent killing or injury.
- 2.4 The legislation covers all life stages. Eggs, juveniles and adults are covered equally by the legislation.
- 2.5 Under the National Planning Policy Framework (NPPF April 2012), the presence of any Protected Species (which includes Common Toad and all reptile species) are a material planning consideration. The ODPM 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System, provide additional advice and support the NPPF.
- 2.6 Environment (Wales) Act 2016

This act has replaced the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty. It came into force in May 2016.

Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Under Section 6 public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience.

Section 7 of the Act places a duty on public authorities to take steps to maintain and enhance biodiversity. This section replaces the duty in section 42 of the NERC Act 2006. The Section 7 Priority Species under this act is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. The Section 7 Priority Habitats is a list of the habitats of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

3. On Site Habitats

3.1 Habitat Description & Suitability

The site has not been surveyed for the purpose of this report; all habitat information has been derived from the supporting ecological reports as noted above, and aerial imagery (Google maps).

- 3.1.1 The site and surrounding area support semi-improved neutral grassland, amenity grassland (mown) and over-grazed grassland, which is essentially bare ground, with very little vegetation remaining. Beyond the site, there are similar grazed grassland areas, with scrub and tree belts, and riparian corridor to the east. See Fig.3.
- 3.1.2 The PEA assessed the habitats as having potential to support Reptiles and land-phase Amphibians.



Figure 3. Aerial image showing adjacent grassland with wooded belts and riparian corridor to the east

4. Mitigation & Enhancement measures

- 4.1 Mitigation measures are required to ensure that any reptiles and amphibians are protected during the development phase from killing, injury and capture within suitable terrestrial habitats within the site. In the absence of mitigation, reptiles could possibly be trapped within excavations and subsequently killed when they are filled, or utilise spoil piles for refuge and hibernation purposes and subsequently be injured or killed.
- 4.2 Any site clearance necessary to facilitate the development, will be undertaken in a phased approach; a gradual and stepwise reduction in potential reptile habitat in order to encourage natural reptile dispersion from the site. This process can begin once the hibernation period is over, generally this is accepted to be March but will ultimately be determined by weather conditions (all steps should be carried out when it is mild and dry to allow individuals to move of their own accord).
- 4.3 Heavy machinery movements over the site will not be permitted until the site is cleared in the following manner:

4.4 Habitat Manipulation sequence (see Fig. 4):

- a) All potential reptile refugia currently on site, to be carefully removed by hand e.g. debris piles, fallen trees, stone piles/walls etc. Take off site (or place in skip) to prevent them being re-inhabited.
- b) Gradual reduction of vegetation areas (Bramble, Bracken etc.) (one third of the area at a time if practicable), as follows:
 - ☐ Reduce (using handheld machinery) height of vegetation to 30 cm, working from north to south (see Fig. 4).
 - ☐ Leave undisturbed for 5 days.
 - ☐ Further reduce height of vegetation- to ground level.
 - ☐ Usually, for larger sites this process is repeated for each third of the site, however as the site in this case is very small, it will be treated as a single cutting zone.
 - ☐ Maintain scrub at ground level height via regular cutting/trimming or chemical treatment.
 - ☐ Always remove all cuttings ('arising') from the site - to prevent them becoming reptile refugia, alternatively place in a sheltered area away from the immediate development site, which will not be disturbed.
- 4.5 All potential refugia must be removed, and vegetation reduced to ground level, prior to commencement of any demolition or ground works (including investigative bore holes), except where there is little or no vegetation.
- 4.6 Once removal of refugia and reduction of vegetation is complete, and prior to construction works commencing, temporary exclusion fencing will be erected around the site/areas subject to disturbance, to prevent recolonisation during the construction period. Suitable arrangements should be agreed for sealing off site compound and access areas.
- 4.7 At this stage, a suitably qualified ecologist must visit the site to establish whether the mitigation has been carried out successfully, and that all reasonable protection measures are being employed to ensure that no reptiles will be at risk from the subsequent construction works.
- 4.8 If the ecologist is dissatisfied, further mitigation methods will be enforced before construction can commence. Such methods include the use of artificial refugia to clear the site of potential resident reptiles (depending on time of year/weather conditions).
- 4.9 **If any earth movement is necessary;** a destructive search of the site, in the presence of an ecologist, will then be undertaken. The first few centimetres of undisturbed areas of ground will be scraped up with the ecologist present to rescue any individual reptiles found. This will be undertaken during periods of warm and dry weather (when reptiles are likely to be active).

- 4.10 A toolbox talk will be provided to all construction workers on their commencement at site.
- 4.11 Any reptile found during the works shall be carefully relocated to suitable habitat within the wider site away from danger, utilising appropriate container and suitably experienced personnel. The container will comprise good ventilation, a secure lid and plenty of dry bulky vegetation such as hay. Best practice methods will be used as outlined within the Herpetofauna Workers Manual (JNCC, 2003).
- 4.12 In the unlikely event that Great Crested newt (*Triturus cristatus*) is/are found or suspected, all works will stop immediately, and the acting ecologist contacted for advice.

4.13 Ecosystem Resilience

Area loss can cause populations of organisms to decline due to a decrease in habitat size. The area to be developed consists of two main habitat types: Semi-Improved Grassland, Bare-ground (grazed Improved grassland). Enhancement measures are therefore required (see 4.14 below and accompanying BES).

4.14 Post-construction enhancement measures for the site will include:

- ☐ Creation of 1 number reptile and amphibian refugia/hibernaculum (log, rock and turf pile). See Fig. 5 for design, and Fig. 6 for proposed location. Materials such as stone, brash and logs will likely need to be brought in to site as no vegetation clearance will be necessary for the development, however if turf is cut as part of the site preparation, it can be for final layer of the hibernaculum.
- ☐ A minimum of 2m vegetated (unmanaged grassland) buffer zone is recommended, and within this the amphibian and reptile refugia/hibernacula can be placed. (see Fig. 6).
- ☐ Retention of a proportion of grassland and planting of scrub/trees to provide connectivity, refuge and forage for reptiles and amphibians. This will be denoted within the BES, and will need to ultimately connect to the remaining grassland in the locality.



Figure 4. Direction of cutting (indicated by arrows)

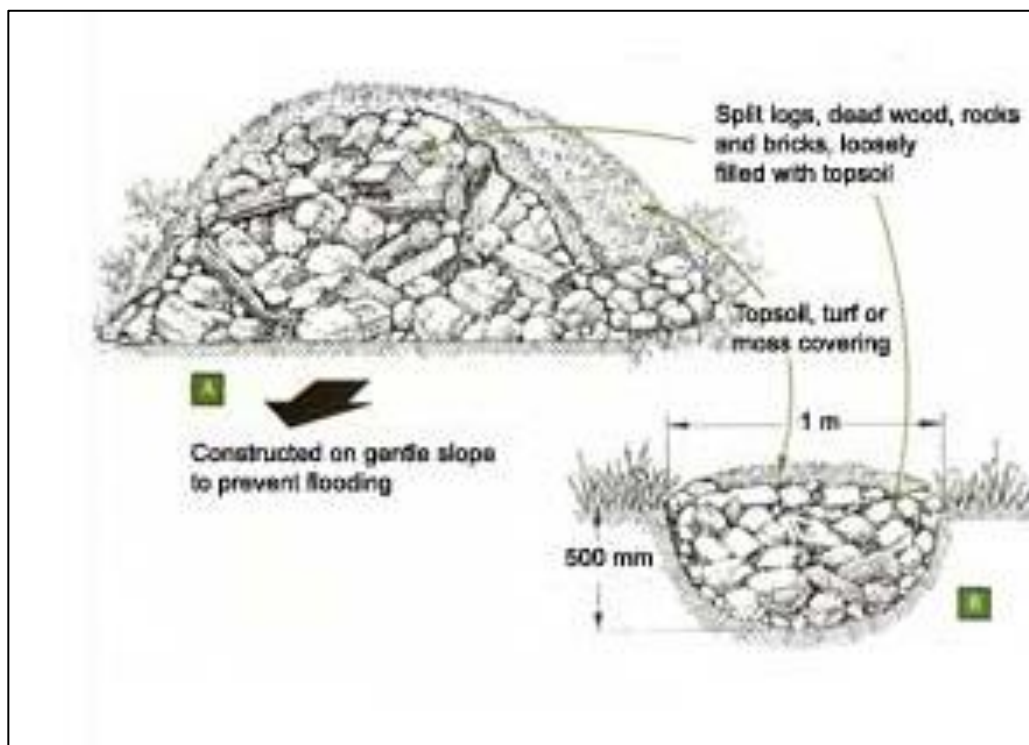


Figure 5: An example of a suitable hibernaculum for the use of hibernating reptiles/amphibians to be employed within the grassland buffer zone. (Illustration from Great Crested Newt Conservation Handbook, available from Froglife www.froglife.org)



Figure 6. Proposed hibernaculum location (outside of site boundary, but within ownership)

5. Conclusion

- 5.1 The mitigation at the site has been designed following best practice measures. It is considered that any suitable reptile habitats within the site are locally common, and in view of it becoming less favourable, any loss is considered negligible. During the initial development of the site any reptiles, if present, will be relocated to suitable habitat within close vicinity of the site (e.g., remainder of site which connects to adjacent habitats). There will be no fragmentation effects upon any displaced reptiles. Connectivity will be maintained by retention of remaining grassland (within ownership boundary) which connects to the wider landscape habitat provision.

6. References

Beebee, T. C, & Griffiths, R A. (2000). Amphibians and Reptiles. A Natural History of the British Herpetofauna.

Foster, J. (2011). Natural England Technical Information Note TIN102. Reptile Mitigation guidelines.

Gent, Tony & Gibson, Steve. 2012. Herpetofauna Workers' Manual

Herpetofauna Groups of Britain and Ireland. Evaluating Local Mitigation/Translocation Programmes: Maintaining best practice and lawful standards.

The Conservation of Habitats and Species Regulations 2010 (as amended)

The Wildlife & Countryside Act 1981 (as amended)

The National Planning Policy Framework, 2012 (NPPF)

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We confirm that in preparing this Report we have exercised reasonable skill and care, taking into account the project objectives, the agreed scope of the work and prevailing site conditions.

Advice in this report is based on the judgement of I&G Ecological Consulting and the interpretation of data gathered during the course of their survey on the property named in this document.

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