

INTERNAL MEMORANDUM

To: Caroline Pulley
From: Ecologist
Ask for: Matt Davies
Ext: 5278
Memo number: 2
Date: 24/03/2021

SUBJECT: P/19/0318 2 LAND SOUTH OF BRONDEG & WEST OF UPPER COLLIERS ROW, HEOLGERRIG

Application to extend the period of time for the submission of reserved matters relating to outline planning permission P/16/0344 (Variation OF Condition).

The following document was received on 10/03/2021 in support of the above application:

Updated Ecological Appraisal. Land South of Brondeg & West of Upper Colliers Row, Heolgerrig. P/19/0318 2. Bioscan Report number E1835aR1. Dated September 2020.

The document consists of a detailed review of past onsite and adjacent offsite survey work. In addition, an additional survey visit was made in February 2020 by Bioscan in order to assess any changes there may have been onsite since the previous survey work had been undertaken.

Based on the results as set out within the above document, I am satisfied that the nature of the site has not materially changed since the previous survey work during 2006-2018. No further survey work or data is required *with the following caveats.*

Green infrastructure

The following planning applications on sites to the north of the P/19/0318 application site have both recently been granted full planning permission:

1. P/20/0074 | Detached dwelling, detached garage and private driveway | Plot 4, Land Off Upper Colliers Row Heolgerrig Merthyr Tydfil – decision notice dated 22nd December 2020.
 2. P/20/0152 | Erection of detached dwelling | Land Adjacent To Brondeg Heolgerrig Merthyr Tydfil – decision notice dated 08th January 2021.
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1. As part of the ecological considerations for the P/20/0074 site, there is to be retained habitat (plus infill planting) along the western boundary of this site and a new native hedgerow along the southern boundary. In addition, there will be bat features incorporated into the new house.

The P/20/0074 site must be linked through the P/19/0318 application site to connect with the Cwm Glo SINC. These links will be kept dark to benefit crepuscular and nocturnal species and to provide routes to the bat features in the new house on the P/20/0074 site.

2. As part of the ecological considerations for the P/20/0152 site, there is to be a retained vegetated boundary to the south and a new pond near its western end. The site currently has an uninterrupted corridor of woodland habitat (running through the P/19/0318 application site) linking it to a confirmed great crested newt pond to the south. In addition, a bat box will be incorporated on the southern elevation of the new onsite house.

The plan supplied for the Outline Planning Permission for P/19/0318 (produced by Harmers, Ref: 4606, dated October 2013) shows that the link between the new pond on the P/20/0152 site and the great crested newt pond to the south would be lost. An amendment to the scheme layout would therefore be appropriate to provide a viable link between the P/20/0152 site (with the new pond) and Cwm Glo SINC to the west, along the northern boundary of the P/19/0318 application site. This will be kept dark to benefit local the bat population (and other nocturnal species) and provide a route away from the bat box on the southern elevation of the new house on the P/20/0152 site to Cwm Glo SINC in the west.

The Public Open Space (POS) in the south western part of the P/19/0318 application site requires the addition of a native tree line or hedgerow along its western boundary to provide better onsite north-south connection (albeit intersected by the proposed access road). There also needs to be the creation of habitat of benefit to invertebrates (including pollinating species) within the POS – most of the P/19/0318 application site is within a Buglife B-Lines area.

Similarly, the northern boundary of the eastern section of the P/19/0318 application site requires a native tree line or hedgerow.

Garden lawns will be seeded with Emorsgate EL1 – flowering lawn mixture (<https://wildseed.co.uk/mixtures/view/56>), which responds well to regular short mowing.

Planning conditions 4 and 5 (Outline Planning Permission - decision notice dated 16th Jan 2017) calls for a scheme for the long term management, ownership and maintenance of the POS (#4) and details of planting, seeding and turfing (#5). The above issues can be dealt with under these conditions.

Trees highlighted within the Bioscan report (September 2020) – Target notes 1-4, Figure 2). Those trees at Target notes 1, 2 and 4 have low potential suitability and the tree at Target note 3 has moderate potential suitability for roosting bats.

These trees are mature and are important for biodiversity, not only in terms of bats, but also for a range of other species. The trees should be retained. If they are to be impacted by the development a PRF inspection survey must be undertaken of the tree at Target note 3 to inform the works.

Other mature specimens are reported within scrub habitat along the western side of the former tramway (sycamore). Will these be impacted by the proposed development? If so they will require further investigation.

Planning condition 8 of the Outline Planning Permission (decision notice dated 16th Jan 2017) refers to measures to protect onsite trees to be retained, without reference to the specific trees or any related report?

Lighting

A full onsite lighting plan will be required with consideration for crepuscular and nocturnal species. This will conform to the following guidelines:

<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

There must be dark corridors running across the site north to south and west to east. NB the results of the dusk transect survey (26.06.2018) identify a foraging area for common pipistrelle along the existing footpath/right of way running through the site. This area must be considered within the lighting plan and be kept dark. The boundary habitat along the adjacent SINC will also be kept dark. In addition, there will be dark routes to and from bat boxes incorporated into the proposed housing (see enhancement section below) and also facilitating bat boxes included within new housing on the sites to the north (reference to applications 1 and 2 above), where those boxes are adjacent or linked to the P/19/0318 application site.

Fencing

The Cwm Glo SINC site must be fenced off from the development with close-boarded 1.8m wooden fencing. Plans to show the position of the planting must be provided.

Footpath

The plan supplied for the Outline Planning Permission (produced by Harmers, Ref: 4606, dated October 2013) shows a footpath marked within woodland running along the southern and part of the eastern boundary. Is this an existing pathway or is a new pathway proposed to be created?

Great Crested Newt (GCN)

This issue is currently dealt with under planning condition 13 of the Outline Planning Permission (decision notice dated 16th Jan 2017). The development must be carried out in strict accordance with Section 8 of the Extended Phase 1 Habitat and Great Crested Newt survey (re/HE/69/2012) dated May 2013.

As there is a possibility of terrestrial GCN onsite (there are suitable linear habitat features connecting the P/19/0318 application site to the known GCN pond), there will need to be some onsite compensation and protection for GCN. Suitable habitat should be created (including a new pond) and animal friendly dropped kerbs and gullypot designs incorporated.

One point within the vegetation clearance section of Section 8 is ambiguous:

*'If any newts are found during the clearance searches, they will be removed to suitable habitat outside of the site and fenced area.**

**If a great crested newt is found during site clearance operations or during the construction phase, work must cease until advice has been taken on how best to proceed without infringing the Habitat Regulations.'*

If GCN are found during clearance or construction, all works will cease and advice sought from NRW as a European Protected Species Licence may be required. No newts will be removed without a licence in place.

Reptiles

The newt fencing included within Section 8 of the Extended Phase 1 Habitat and Great Crested Newt survey (2013) will also serve to keep reptile species offsite. In contrast to GCN, any reptiles encountered during the works can be carefully

removed and placed outside of the site and fenced area within suitable reptile habitat.

Enhancements

The Environment (Wales) Act came into force in 2016 and this requires biodiversity to be maintained and enhanced. Therefore, details of biodiversity maintenance and enhancement measures appropriate for the P/19/0318 application site must be provided for consideration.

Site images

The Bioscan report contains no images of the onsite habitats from the February 2020 survey. These are required for consideration.

Previous survey report

The following report for the site referenced within Section 7 of the Extended Phase 1 Habitat and Great Crested Newt survey (re/HE/69/2012) dated May 2013:

'Land at Colliers Row, Heolgerrig, Summary Evaluation and Assessment of Impacts on Important Features with Recommendations for Mitigation. Hawkeswood Ecology November 2007'.

Cannot be located – is this available to review?

Wildlife Protection Plan

Planning condition 10 of the Outline Planning Permission (decision notice dated 16th Jan 2017) refers to a 'Wildlife Protection Plan for Construction' with no real specifics regarding the site or reference to any relevant reports?

Caroline – as referred to at the start of my comments, I am happy that no further survey work or data is required, however, I am unhappy with the ecological planning conditions for this site, particularly in the light of the other permissions that have been granted for sites to the north and the lack of a lighting condition. I would also like to see a revision of the layout to better link the application site to the adjacent site to the north (P/20/0152).

A Wildlife Protection Plan (WPP) covering all appropriate recommendations made in connection with previous survey work and encompassing my comments above might be useful here as it all seems a bit messy. Some clarity is required I think.

There also needs to be a Green Infrastructure/Habitat Management Plan (I suppose this could be included within the WPP as one overarching document).

I think these are needed before determination.

A specific condition for a lighting plan is also required.

What are your thoughts?