

INTERNAL MEMORANDUM

To: David Cross
From: Matt Davies (Ecologist)
Ext: 5278

Memo number: 2

Date of previous memo: 30/08/2024

Date: 08/05/2025

SUBJECT: P/24/0200 | Erection of Coffee Shop with drive thru facility | Land To The South Of Cyfarthfa Retail Park Swansea Road Merthyr Tydfil

DOCUMENTS SUBMITTED IN SUPPORT OF THE ABOVE APPLICATION

1. Cyfarthfa Retail Park. Preliminary Ecological Appraisal prepared by Wardell Armstrong on behalf of Corona Vulcan Merthyr Limited. Job number: CA13008. Report number: 001. Version: V5.0. Status: Final. Date issued: August 2024.
2. Cyfarthfa Retail Park, Merthyr Tydfil. Soft Landscape Proposal prepared by Sarah Byrne Ltd. SB/CyfarthfaRP/P/01. Revision B. Date: 8 August 2024.
3. Cyfarthfa Retail Park – Drive Through. Technical Note [Ecology response to Matt Davies’s Internal Memorandum to David Cross (dated 30/08/2024)]. Job No. CA13316 – 001 V1.0 – FINAL. Date: 04/03/2025.

COMMENTS

Table 1 – Ecological response to Matt Davies’ comments			
Matt Davies’ Comment		WA Response	Further comments – Matt Davies
1	The Executive Summary outlines a list of receptors upon which may be affected adversely due to the proposed scheme in the absence of mitigation. There is no mention of adverse impacts on the habitats present on site (neutral grassland, scattered scrub, scattered trees, dense scrub). Amendments required.	The areas of these habitats are small in size and considered to be common and widespread habitats. Therefore, the habitats within the site boundary are not considered to be of ecological importance at above the site scale. Therefore, no mitigation for the loss of these habitats is considered necessary; however, these habitats could support protected species and therefore reasonable avoidance measures in respect to the protection of these species will be implemented as per the Preliminary Ecological Appraisal Report (PEAR).	The argument put forward is understood, however, this is now somewhat of a moot point as the landscaping scheme has been amended, for example, to include native wildflower/grassland areas and a native hedge, which will in theory compensate to some extent for the loss of the current onsite habitats. Reasonable avoidance measures are included in Document 1 (PEAR) for: • Bats

			• Birds • Reptiles (however, these measures were based on the assumption that the habitats have been maintained at ground level. Therefore, the reasonable avoidance measures for reptiles will need to be amended to consider the current state of the habitat.)
2	Page 6. Para 2.5.4 – “The vegetation on Site had been trimmed to ground level which reduced the ability to identify some plant species on Site.” Technically, this is a pre-emptive clearance prior to a planning application.	No pre-emptive clearance site clearance has been undertaken. Full planning permission is already in place for this site (P/23/0254) and the vegetation on site has been managed under this planning permission. This new planning application (P/24/0200) has been submitted to slightly amend the proposed development design.	This is accepted.
3	Page 30, para 4.2.8 – “If allowed to regrow, the areas of dense scrub and neutral grassland on Site could have potential to support common reptiles.” An impromptu, but brief site visit by the LPA ecologist (on the 30/08/2024) has confirmed that the site has been allowed to re-grow since the PEA was undertaken in January 2024. An amendment to Document 1 is therefore required regarding reptiles.	As per the photographs provided by Matt Davies within his comments, the vegetation on site has been allowed to regrow. As stated within the PEAR, these habitats on site have the potential to support common reptiles. However, given the small size of the site, it is considered that the site would only support individual / low numbers of common reptiles and the site would not support a significant population of any common reptile species. The Reasonable Avoidance Measures stated within the PEAR (Paragraphs 4.2.8 – 4.2.10) are considered reasonable and appropriate to avoid the killing / injuring of individual common reptiles during the construction phase. No further mitigation measures are considered necessary.	As stated above – the reasonable avoidance measures for reptiles (within the PEAR) were based on the assumption that the habitats have been maintained at ground level. Therefore, the reasonable avoidance measures for reptiles will need to be amended to consider the current state of the habitat.
4	Document 1 includes reference to 18 species of plant (mostly native), but stresses the reference is not limited to these species – due to the suboptimal time of year the survey was undertaken (January 2024) and the pre-emptive clearance. NB during the impromptu and brief site visit by the LPA ecologist in August 2024, at least 21 further species were observed over and above those recorded during the January 2024 survey. Taking the total species onsite to at least 39. Document 2 includes 19 species (mostly ornamental non-native or cultivars). Clearly, therefore this does not represent maintenance and enhancement of biodiversity or Net Benefit for Biodiversity. All species within the landscaping plan must be native species of local (if not Welsh/UK) provenance. The number of native species within the final scheme must exceed the number currently recorded to date on site. In addition,	The Soft Landscape Proposals for this site have been reviewed and amended to include more native species, more woody species within the proposed hedgerow as well as a more species rich grassland seed mix (see the attached revised plan: Cyfarthfa Retail Park, Merthyr Tydfil. Soft Landscape Proposal prepared by Sarah Byrne Ltd. SB/CyfarthfaRP/P/01. Revision D). In detail, the following has been amended: 1. Trees – increase in size of the multi stem hazel and birch trees. 2. Hedging mix 1 – Number of varieties have been increased and the area extended. 3. Mix S1 and S2 has been simplified and now is native or near native mix. Mostly evergreen and low maintenance. 4. A native hawthorn hedge has been used to deter crossing over place H2.	The Soft Landscape Proposals are still not acceptable, however, there is a simple solution. 1. Increase the range of tree species used. Currently there are only three species – perhaps increase to five <i>native</i> species. NB <i>Pinus nigra</i> is non-native and could be swapped with <i>Pinus sylvestris</i>. 2. Change the proposed wildflower grassland seed mix from the proposed Germinal Grass Seed mixture (14 species) to Emorsgate EM2 or EM3 (both Emorsgate mixes have 34 species).

	<i>whilst there is compensation for the onsite tree and scrub habitat in the form of tree and hedgerow planting, there is no such compensation for the loss of the neutral grassland habitat.</i> <i>Suggestions for improving the number of native species plus compensating for the loss of grassland habitat:</i> • <i>Use of all native species</i> • <i>Use of at least x5 woody species in the proposed hedge</i> • <i>Creation of a green roof</i> • <i>Creation of areas of wildflower grassland.</i>	<i>5. A near native holly has been used to screen services area H3.</i> <i>6. A native Climate Smart Grass and native flower mix has been used to the front of the site G1 and G2. The requirements for a Net Benefit for Biodiversity do not solely rely on an increase in number of species present within the site.</i> <i>Protected species enhancements can be included within the net benefit. The following species enhancement measures will be included within this development ensuring that overall the development provides a net benefit for biodiversity: 2x open-fronted nest boxes to be located at approximately 2m height on the southern side of the fence around the refuse store. The open-fronted nestboxes will be placed so that they are hidden by the new proposed hedgerow (H2).</i> • <i>1x insect hotel to be installed on the eastern side of the fence around the refuse store;</i> • <i>2x log piles to be placed directly adjacent to the newly planted hedgerow (H1); and</i> • <i>1x hibernacula to be placed adjacent to the newly planted hedgerow (H1).</i>	
5	<i>Document 2</i> <i>In addition to the other changes required (as outlined in the section above - could the hedge not extend around the whole of the south western boundary?</i>	<i>The hedgerow extend has been extended as far as possible.</i>	Please could an explanation be provided regarding why the hedge cannot be extended further?
6	<i>Planning Policy Wales 12 (PPW 12)</i> <i>Planning Policy Wales (PPW 12), Chapter 6 must be considered where relevant to this application. The following is required:</i> <i>A Green Infrastructure Statement (GIS) that:</i> • <i>will describe how green infrastructure has been incorporated into planning proposals; must be used for demonstrating how the step-wise approach has been applied; and should highlight baseline data considered and surveys and assessments undertaken, sustainable drainage statements, landscape and ecological management plans etc.</i>	<i>Full planning permission is already in place for this site (P/23/0254). A Green Infrastructure (GI) Statement was not considered necessary for this planning application. Given the small scale of the site and the limited extent of existing green infrastructure present on site, it is considered that a GI Statement is not proportionate or necessary for this application.</i>	David – what do you think about this. Is a GIS and long-term management plan needed? I understand this is an amendment to an existing permission, but it is still a new planning application.

	• In addition, the policy indicates that the step wise approach is the means of demonstrating the steps taken towards securing a net benefit for biodiversity. The onus is on developers to bring forward proposals in a way that will achieve a net benefit for biodiversity demonstrating how they have used the step-wise approach. NB each stage of the step-wise approach must be accompanied by a long-term management plan. The management plan should set out: • the immediate and on going management of the site; • future monitoring arrangements for all secured measures; • the funding mechanisms in place to meet the management plan objectives; • how a net benefit for biodiversity will be achieved within as short a time as possible and be locally responsive and relevant to local circumstances. Having provided evidence in the Green Infrastructure Statement that the step wise approach has been followed, a scheme of enhancements must also be provided to ensure a net benefit for biodiversity. The resilience of ecosystems must also be considered, in particular, the following attributes, known as the DECCA Framework. Planning Policy Wales 12 also requires that where trees are unavoidably lost due to development - 'Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost.'		
7	Enhancements Full details of the enhancement measures are required, including model type, specifications, design, position, orientation etc (i.e., for bat and bird boxes, hibernacula, woodpiles/loggeries, bug hotels).	An Ecological Enhancement Plan (CA13316/001) has been prepared which includes the full details and locations of the above detailed ecological enhancement measures (see attached).	Wildlife boxes must be constructed from, e.g., woodstone or woodcrete (for reasons of longevity). For example: • https://www.wildcare.co.uk/open-front-bird-box.html

	<i>Wildlife box models will be constructed from woodcrete or woodstone for reasons of longevity.</i> <i>Enhancements must be clearly marked on all relevant architect plans/drawings/elevations.</i>		• https://www.wildcare.co.uk/woodstone-barcelona-open.html • https://www.nhbs.com/schwegler-clay-and-reed-insect-nest • https://www.nhbs.com/schwegler-insect-nesting-aid-wood-concrete • https://www.nhbs.com/woodstone-insect-block-2 • https://www.wildcare.co.uk/greenblue-bees-block-xl.html • https://www.wildcare.co.uk/schwegler-reed-insect-block-10323.html Please could this info be amended within Document 3?
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PLANNING CONDITIONS (NB further conditions or changes to the conditions may be required following the required amendments as det out above)

- o No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority.
- o No development shall take place (including ground works, vegetation clearance) until a detailed long-term Landscaping, Habitat & Ecology Scheme (LHES) has been submitted to and approved in writing by the local planning authority. The LHES must include, but not be limited to, the following:
 - o Details of retained landscaping/habitat/green infrastructure
 - o Details of new landscaping/habitat/green infrastructure
 - o A planting plan
 - o Long term (at least 25 years) maintenance and management measures for all onsite landscaping/habitat/green infrastructure (both retained and new)
 - o Details of other ecological measures, e.g., bat boxes, bird boxes, hibernacula, gaps in boundaries for hedgehogs etc
 - o Monitoring post-development for all onsite landscaping/habitat/green infrastructure and other ecological measures
 - o Details of the funding mechanisms to meet the maintenance, management and monitoring objectives.
 - o Details of the responsible person
- o No development shall take place (including ground works, vegetation clearance) until an Invasive Non-Native Species (INNS) management plan has been submitted to and approved in writing by the local planning authority.

- o No development shall take place (including ground works, vegetation clearance) until an internal and external Lighting Scheme has been submitted to and approved in writing by the local planning authority. The Lighting Scheme must conform to the latest guidance for wildlife-friendly lighting¹.

¹ Guidance Note GN08/23 Bats and Artificial Lighting At Night. Bat Conservation Trust and The Institute of Lighting Professionals 2023 - <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

NB although this document is aimed at bats, the principles are similar for other nocturnal and crepuscular species including, for example, otter, invertebrates, birds etc.