

Feeder Pipe Bridge, Abercynon
Precautionary Working Method
Statement – Combined for Bats, Birds,
Otter, GCN, Reptiles, Hedgehog and Hazel
Dormouse (Precautionary)
Report for Rhondda Cynon Taff
Borough Council

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Contents

1	Introduction	1
2	Baseline Conditions	4
3	Legislation	7
4	Precautionary Working Methods	16

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1 Introduction

BACKGROUND TO COMMISSION

- 1.1 Temple was commissioned by Rhondda Cynon Taff Borough Council in February 2023 to complete a preliminary ecological appraisal, followed by further surveys for invasive species, bats, birds and otters to support a planning application for works at the Feeder Pipe replacement bridge, Abercynon (hereafter referred to as 'the Site'). These surveys were to scope the site for any potential ecological constraints to the planned pipe bridge conversion works.
- 1.2 During the site visit it was identified that there was a variety of ecological constraints with regards to protected species and the need to remove mature and semi-mature trees, areas of Japanese knotweed *Reynoutria japonica* and works with the potential to impact on the river banks. As a result of this Temple was commissioned to prepare a Precautionary Working Method Statement (PWMS) for the protected species identified in the ecological appraisal to minimise environmental damage and mitigate the risk of contravening legislation in relation to protected species during the completion of this work. Protected species identified during this work includes, otters, bats, great crested newts (GCN), nesting birds and reptiles. Hazel dormouse and hedgehog are included within this PWMS on a precautionary basis due to habitats present.

SCOPE OF THE REPORT

- 1.3 The planning application for the conversion of the disused feeder bridge into a public footbridge connecting either side of the River Taff will be submitted in March 2024, accompanied by a Preliminary Ecological Appraisal (PEA) report, produced by Temple Ecology in March 2023 (Temple 2023a). The PEA identified that a number of protected species could be impacted by these proposed works. Protected species which could be impacted by these works identified during the surveys include; bats,

nesting birds, GCN, and reptiles. Additionally, although not identified through surveys, hazel dormouse has been included on a precautionary basis due to habitats present on site. Further details of the findings are contained within Section 2 of this report. In order to submit planning for the proposed work the following condition (Condition no. 6) has been imposed:

Prior to the commencement of works, a method statement for bats, GCN, nesting birds, hedgehog, otter, reptiles and hazel dormouse (on a precautionary basis), shall be submitted to and approved by the local planning authority. The method statement shall provide a clear protocol for how these species will be safeguarded during vegetation clearance and works on site. The measures shall be carried out strictly in accordance with the approved method statement.

Reason: To ensure these legally protected species are protected from harm during the vegetation clearance and bridge conversion works.

- 1.4 This PWMS has been written to discharge this condition and provide appropriate measures to address the works required at Feeder Pipe Bridge, Abercynon 30003237-BHK-00-XX-DR-C-5001.
- 1.5 This PWMS is based on the information provided by Jess Clitheroe of Temple to Rhondda Cynon Taff Borough Council in the reports sent via Baker Hicks. These reports encompass all the ecological constraints on site following the ecological surveys which were undertaken in 2023.

SITE CONTEXT

- 1.6 The Site consists of two areas located on the outskirts of the town of Abercynon, Rhondda Cynon Taff. The south Site is centred on Ordnance Survey National Grid Reference ST 09209 95484 and the north Site is centred on ST 09128 95574. The Sites are adjacent, for the most part, to woodland and grassland with the A470

beyond the north Site and woodland and the A4054 to the south of the South site. The River Taff flows between and separates the north and south Sites.

- 1.7 There are 16 non-statutory sites designated as Site of Importance for Nature Conservation (SINC) present within 2km of the site. The nearest of these is Lower Taff and Edwardsville Woods which runs adjacent the Northern most part of the Site, north of the River Taff. This is also a Habitat of Principle Importance (HPI) as it is designated as area of Ancient Semi-Natural Woodland.

WORK PROPOSALS

- 1.8 The proposals for the north Site involve the creation of a compound at the top of the slope above the river and the creation of a track down to the river side allowing building materials to be transported to the construction site. A number of trees will need to be cleared at the roadside to allow access to the site. Further trees and a large area of bracken will need to be cleared for the access track down to the river edge.
- 1.9 The proposals for the south Site involve the creation of a compound and platform on the south side of the river to allow for building materials to be craned across for construction of the new bridge. An area of trees and scrub (approximately 860m²) on the Site will be cleared to facilitate works.
- 1.10 Works are proposed to start in April 2024 and last for a period of 6 months.

2 Baseline Conditions

- 2.1 The preliminary ecological assessment survey conducted by Temple on 21 February 2023 identified several ecological constraints which comprised of; mature/semi-mature trees on Site with the suitability to support roosting, foraging, or commuting bats was identified, alongside suitable habitat for nesting birds; and potential habitats for reptile species and GCN.

BATS

- 2.2 The trees on Site were identified as having features that could provide roosting habitats for bats. These included a range of tree species with a variety of different potential roosting features (PRFs) and suitability. However, none of the trees within, or adjacent to, the working areas were considered to have greater than 'low' suitability, i.e. limited likelihood of supporting occasional individual bats. Furthermore, the trees and habitats on site also provide suitable foraging and commuting habitat for bats.

- 1.1 As the site was identified to have low suitability to support roosting bats, and felling is required of these trees a suitable Natural Resources Wales bat licenced ECoW shall be required for works to commence.

NESTING BIRDS

- 2.3 With the habitat being a lowland mixed deciduous woodland there is high potential for nesting birds. The works are set to commence in early April, which is during the nesting bird season (typically considered to be between March and September inclusive), therefore there is an increased risk of nesting birds being present on site.
- 1.2 As vegetation clearance is required within the nesting bird season, an Ecological Clerk of Works shall be required for works to commence.

GCN

- 2.4 Although the Site itself does not contain any suitable waterbodies for GCN, it contains habitats suitable for terrestrial and hibernating amphibians and has connectivity to the wider landscape through the woodland habitats; therefore this Site has a low risk of having GCN present which could be affected during the proposed works. Therefore, it is recommended a suitably qualified ecologist is to be present on site and work as an Ecological Clerk of works.

REPTILES

- 2.5 The vegetation on site provides a range of habitats and allows for plentiful hiding opportunities as well as potential hibernacula for reptiles. With the northern section of the site being adjacent to an area of ancient woodland, this identifies that there is an increased likelihood of rarer species and reptiles being present, but the working areas are unlikely to support regular or significant populations. Therefore, the risk of reptiles on site is possible and works should be conducted under supervision of an Ecological Clerk of Works.

OTTER

- 2.6 Evidence of otter in the form of spraint and observation of an otter in the River Taff during a dusk bat survey, indicate that they are active within the site area. Otter surveys undertaken have not found any evidence of holts or lying up areas within the site boundary or 500m up or down stream. A pre-commencement survey will be undertaken for otters 24-48hrs prior to commencement of works. Additionally due to the potential for otter to be within the site works should be conducted under the supervision of an Ecological Clerk of Works.

DORMOUSE

2.7 Whilst no evidence has been found on site to suggest the likely presence of dormouse, they are known to occur in this region. In addition, the habitats within the working area are suitable to support dormice. Therefore, they are considered within this PWMS and works should be conducted under the supervision of an Ecological Clerk of Works.

HEDGEHOG

2.8 Whilst no evidence has been found on site to suggest the likely presence of hedgehog, they are known to occur in this region. In addition, the habitats within the working area are suitable to support hedgehog. Therefore, they are considered within this PWMS and works should be conducted under the supervision of an Ecological Clerk of Works.

3 Legislation

BATS

3.1 All species of bat are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 43 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats);
- Deliberate disturbance of bat species as:
 - to impair their ability:
 - to survive, breed, or reproduce, or to rear or nurture young; or
 - to hibernate or migrate.
 - to affect significantly the local distribution or abundance of the species.
- Damage or destruction of a breeding site or resting place; and
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

3.2 Bats are also protected under the Wildlife and Countryside Act 1981 (as amended) in respect to sub-sections 9 (4) (b) and (c) and 9 (5) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance while in their place of shelter (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

How is the legislation pertaining to bats liable to affect development works?

- 3.3 The appropriate licence issued by the relevant countryside agency (Natural Resources Wales) will be required for works liable to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.
- 3.4 Though there is no case law to date, the legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost¹.

BIRDS

- 3.5 All wild birds, their nests and eggs are protected under Sections 1-8 of the Wildlife and Countryside Act 1981 (as amended). A wild bird is defined as any bird of a species that is resident in or is a visitor to the European Territory of any member state in a wild state. Among other things, the legislation makes it an offence to:
- Intentionally kill, injure or take any wild bird,
 - Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built
 - Intentionally rake or destroy an egg of any wild bird,

¹ Garland and Markham (2008) Is important bat foraging and commuting habitat legally protected? Mammal News, No. **150**. The Mammal Society, Southampton.

- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.
- 3.6 Certain species of bird, for example the barn owl *Tyto alba*, black redstart *Phoenicurus ochruros*, hobby *Falco subbuteo*, bittern *Botaurus stellaris* and kingfisher *Alcedo atthis* receive additional special protection under Schedule 1 of the Act. This affords them protection against:
- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
 - Intentional or reckless disturbance dependent young of such a bird
- 3.7 To avoid contravention of the Wildlife and Countryside Act 1981 (as amended), works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction is to undertake work outside the main bird nesting season which typically runs from March to August². Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.
- 3.8 Those species of bird listed on Schedule 1 are also protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest. It should be noted that there is no threshold under which

² It should be noted that this is the main breeding period. Breeding activity may occur outside this period (depending on the particular species, geographical location of the site and vagaries of the season in any particular year) and thus due care and attention should be given when undertaking potentially disturbing works at any time of year.

disturbance is not an offence, that is to say that disturbance need not be 'significant' for an offence to be committed.

REPTILES AND AMPHIBIANS

3.9 The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, great crested newt *Triturus cristatus* and pool frog *Pelophylax lessonae* receive full protection under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of species listed on Schedule 2
- Deliberate disturbance of any Schedule 2 species as:
 - Impair their ability:
 - To survive, breed, or reproduce, or to rear or nurture young;
 - In the case of animals of hibernating or migratory species, to hibernate or migrate
 - To affect significantly the local distribution or abundance of the species
- Deliberate taking or destroying of the eggs of schedule 2 species
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

3.10 With the exception of the pool frog, these species are also listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) in respect to sub-sections 9 (4) (b) and (c) and 9 (5). The pool frog is afforded protection in respect of sub-sections 9(4) (b) and (c) for England only. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance while in their place of shelter (at any level)

- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offer or expose for sale, possess or transport for purpose of sale these species, or any part thereof.

3.11 Other native species of herpetofauna are protected solely under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended). Species such as the adder *Vipera berus*, grass snake *Natrix helvetica*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis* are listed in respect to sub-section 9 (1) & (5). For these species, it is prohibited to:

- Intentionally kill or injure these species
- Sell, offer or expose for sale, possess or transport for purpose of sale these species or any part thereof.

3.12 Common frog *Rana temporaria*, common toad *Bufo bufo*, smooth newt *Lissotriton vulgaris* and palmate newt *L. helveticus* are listed in respect to sub-section 9 (5) only which affords them protection against sale, offering or exposing for sale, possession or transport for the purpose of sale.

3.13 The appropriate licence issued by the relevant countryside agency (Natural Resources Wales) will be required for works liable to affect the breeding sites or resting places of those amphibian and reptile species protected under The Conservation of Habitats and Species Regulations 2017 (as amended). A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

3.14 Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the Wildlife and Countryside Act 1981 (as amended).

OTTER

3.15 Otters *Lutra lutra* are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of otters
- Deliberate disturbance of any Schedule 2 species (e.g. otter) as:
 - to impair their ability:
 - to survive, breed, or reproduce, or to rear or nurture young;
 - (to hibernate or) migrate
 - to affect significantly the local distribution or abundance of the species
- Damage or destruction of a breeding site or resting place
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

3.16 Otters are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5 in respect to sub-sections 9 (4) (b) and (c) and 9 (5). Under this Act, they are additionally protected from:

- Intentional or reckless disturbance while in their place of shelter (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

How is the legislation pertaining to otters liable to affect development works?

3.17 A mitigation licence issued by the relevant countryside agency (e.g. Natural Resources Wales) will be required for works liable to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

DORMOUSE

3.18 Dormice *Muscardinus avellanarius* are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) through their inclusion on Schedule 2. Regulation 43 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. dormouse);
- Deliberate disturbance of dormice as:
 - to impair their ability:
 - to survive, breed, or reproduce, or to rear or nurture young; or
 - to hibernate or migrate.
 - to affect significantly the local distribution or abundance of the species.
- Damage or destruction of a breeding site or resting place; or
- Keeping, transporting, selling, exchanging or offering for sale whether live or dead or of any part thereof.

3.19 Dormouse are also protected under the Wildlife and Countryside Act 1981 (as amended) through their inclusion on Schedule 5 in respect to sub-sections 9 (4) (b) and (c) and 9 (5). Under this Act, they are additionally protected from:

- Intentional or reckless disturbance while in their place of shelter (at any level);
- Intentional or reckless obstruction of access to any place of shelter or protection; or
- Selling, offering or exposing for sale, possession or transporting for purpose of sale.

How is the legislation pertaining to dormice liable to affect development works?

3.20 A mitigation licence issued by the relevant countryside agency (e.g. Natural Resources Wales) will be required for works liable to affect dormouse breeding or resting places (N.B. this is usually taken to mean dormouse 'habitat') or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to derogate from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Once evidence of dormouse has been found within a site, all contiguous, suitable habitat should be regarded as supporting dormice. Thus, if clearance of suitable habitat is proposed away from, but contiguous with, an area where a dormouse nest was found, a licence is likely to be required, even if no evidence was found within the specific section to be removed.

LIABILITY OF PERSONNEL

3.21 The Site manager, and the contractor carrying out the work are both responsible for the works being undertaken according to good practice and ensuring that no relevant law is contravened. The site manager is responsible for checking all requirements are in place and being adhered to.

4 Precautionary Working Methods

RATIONALE FOR PRECAUTIONARY WORKING METHODS

- 4.1 Where licensing is available for works in relation to protected species (e.g. for bats or GCN), these are only issued to provide derogation from the relevant legislation where there would otherwise be significant risk of contravention. Where such risk is considered to be reasonably unlikely, or where licensing is not available (e.g. for common reptiles and most birds), reasonable measures need to be taken to avoid prohibited actions, such as killing or injury.
- 4.2 The ecological studies have shown the potential for protected species to be present within the working areas, but the likelihood is considered to be low.
- 4.3 **Bats:** in line with best practice guidelines (Collins, 2023), low suitability trees, now termed PRF-I, Potential Roost Feature for individual bats, do not need detailed survey as the risk of bats being present is reasonably unlikely; however, as a precaution, felling should be carried out using soft-felling techniques under supervision by a suitably licensed ecologist
- 4.4 **Breeding Birds:** as the works include removal of vegetation and trees from site, which have the potential to contain breeding birds, a bird nesting check will be undertaken 24 hours prior to any works by a suitably qualified ecologist. This is valid for 48 hours only, and will need to be repeated should clearance works take longer than this period.
- 4.5 **GCN:** as the works comprise small scale, temporary loss and disturbance of suitable habitats at a significant distance from any potential breeding sites, the risk of encountering GCN is considered to be low, even if such sites support a breeding population, and therefore, licensing would not be appropriate for these works. However, as a precaution, measures including controlled methods of vegetation

clearance and supervision by a suitably licensed ecologist should be taken to minimise the residual risk of disturbance, killing or injury.

- 4.6 **Dormouse:** there is no evidence of dormice being present and the scale of removal of suitable habitat is very small, such that licensing would not be appropriate for these works, even on the precautionary assumption that they may be present in the woodland. However, as a precaution, measures including controlled methods of vegetation clearance and supervision by a suitably licensed ecologist should be taken to minimise the residual risk of disturbance, killing or injury.
- 4.7 **Reptiles:** habitats affected by the works have been identified as suitable for reptiles such as grass snake, common lizard, slow worm and adder, but as it is considered unlikely that any significant populations would be present, active translocation of reptiles is not considered proportional or appropriate. Licences are not available with respect to these species and the risk of encountering them is low. As a precaution, measures including controlled clearance of vegetation should be taken to minimise the residual risk of killing or injury.
- 4.8 **Otters:** there is evidence that otters are present within the River Taff and therefore there is potential for them to be active within the site area. No evidence has been found of resting/breeding activity within proximity of the site or within 500m up or down stream. A pre-commencement survey for otter will be undertaken prior to the works. However, as a precaution, measures including controlled methods of vegetation clearance and supervision by a suitably licensed ecologist should be taken to minimise the residual risk of disturbance, killing or injury.
- 4.9 **Hedgehog:** there is no evidence of hedgehog being present and the scale of removal of suitable habitat is very small. However, as a precaution, measures including controlled methods of vegetation clearance and supervision by a suitable ecologist should be taken to minimise the residual risk of disturbance, killing or injury.

PROPOSED WORKING METHODS

- 4.10 The following section sets out measures that must be followed during the vegetation clearance, tree felling and bridge conversion works, in order to minimise any risk to protected species. Following the guidelines in this section will help to ensure that the development complies with planning condition 6, and all relevant legislation protecting the identified species.
- 1.3 The following is a summary of the measures required to mitigate the risk of impacts on the species above. Further detail on each of these measures is provided below.
- A suitably qualified bat and newt licenced ecologist is required to be on site during any activities which could impact environmental constraints listed in Section 2. This suitably qualified ecologist will act as an ECoW and supervise activities which could pose ecological risk. A list of these activities includes:
 - tree removal from the access road to the North of the Site,
 - tree removal from the access area and compound site to the South of the Site,
 - clearing a path for machinery to operate,
 - vegetation clearance for compound siting to the North of the site,
 - ground disturbance around the bridge
 - and river banks during decommissioning works and reconstruction of the new bridge.
 - No artificial lighting is permitted as part of these works, avoidance of any night works will be implemented.
 - A suitably qualified Natural Resources Wales bat licensed ecologist is required to be on site to undertake checks of trees prior to felling. All trees will be soft-felled (dismantle felled) following the standard procedure under the guidance of the licenced ecologist. All potential features will be checked once on the

ground. Any features that cannot be checked will be left in situ for 24 hours once felled. If any bats are found during the felling process, all works must stop, and a licence sought from Natural Resources Wales to undertake the remaining work.

- A suitably qualified ecologist will undertake a check for otters/otter holts between 24 and 72 hours prior to works starting. If holts are found on site works will need to be delayed whilst appropriate measures for avoidance are put in place. If this is not possible due to location, mitigation measures will need to be discussed with Natural Resources Wales.
- A suitably qualified ecologist is required to ensure no nesting birds will be impacted by this work. Nesting bird checks are relevant for a period of 48 hours, which then after are invalid and will require new checks. The ECoW can complete these checks whilst they are at site.
- Dust suppression measures to be employed across the Site throughout the construction phase to reduce the impact of dust on features with potential to support roosting bats and to reduce dust entering the river.
- Vegetation clearance will be completed through the process of a two-stage cut. Each stage will be preceded by a fingertip search of the area. This includes areas where felled trees are to be placed.
- Avoidance of the creation of potential refugia by careful storing of equipment and felled trees. Any potential refugia on site will be dismantled by hand either by the ECoW on site or under their supervision.

Heavy plant use

- 1.4 Any heavy plant required will need to be moved along approved access routes only, in order to prevent disturbance from noise and vibration to roosting bats.
- 1.5 Heavy plant machinery should be avoided where possible to avoid disturbance to any potential roosting/hibernating bats in the adjacent areas. As this works is to be completed in a woodland this is a high-risk area for roosting bats. Where heavy plant is required consultation with the ECoW present should take place to discuss the best plan of action.

Dust suppression

- 1.6 Any works to convert the bridge or works involving heavy plant should be accompanied by dust suppression measures to prevent the ingress of dust into potential bat roosts or habitat suitable for bats, or damage to habitats for other species (i.e. the river).

Discovery of a bat

- 1.7 If a bat or evidence of bats is discovered at any point during the development, all works to that area must cease immediately. The Site manager should consult the ECoW, or contact Temple if they are not on site, who will provide further advice. Further surveys may be required in this instance, to determine whether more individuals are present on Site and likely to be disturbed. In the case of a discovered bat, a chain of communication flow chart has been included in Appendix 1 to assist workers and Site managers on whom to contact.

Discovery of a bird's nest

- 1.8 If a bird's nest is found on site, all works must cease immediately, then the ECoW should first identify whether or not this is an active or old birds nest. Following

confirmation, a relevant no works zone perimeter will be set up around the birds nest. This is to ensure no disturbance to the nest takes place.

Discovery of a reptile

- 1.9 Where a reptile is found on site all works must cease immediately. No works can continue until the reptile has safely dispersed outside of the working area.

Discovery of GCN

- 1.10 In the case of a great crested newt or another amphibious species is discovered on site, works should stop and the newt should be allowed to move away from the area to avoid disturbance or 'taking'. Once works have stopped the Ecological Clerk of Works should consider whether there is a significant risk of further newts being found and whether Natural Resources Wales should be consulted on the need for a licence.

Discovery of an otter

- 1.11 If an otter is found either resting up or in a holt on or in proximity to the site all works must stop to avoid disturbance of the otter. If the Ecological Clerk of Works considers the works are likely to prevent the otter from using its resting or breeding location, then work will need to cease whilst consultation is undertaken on any necessary mitigation required.

Discovery of a dormouse

- 1.12 Should a dormouse be found within the site working area, all works must stop this includes any works in adjacent areas where the habitat is considered suitable and could therefore also contain dormouse. A licenced ecologist will need to be consulted and further surveys likely to be required to establish the presence of dormouse in the works area. A licence may then be required from Natural Resources Wales for works to continue.

Discovery of a hedgehog

- 1.13 If a hedgehog is discovered on site then all works must stop while it is allowed to move out of the working area.

CHANGES TO DEVELOPMENT PROPOSALS

- 1.14 In the event that any amendment to the approved development proposals is required, such as moving of the site compound or access routes, further surveys for bats should be undertaken prior to commencement.

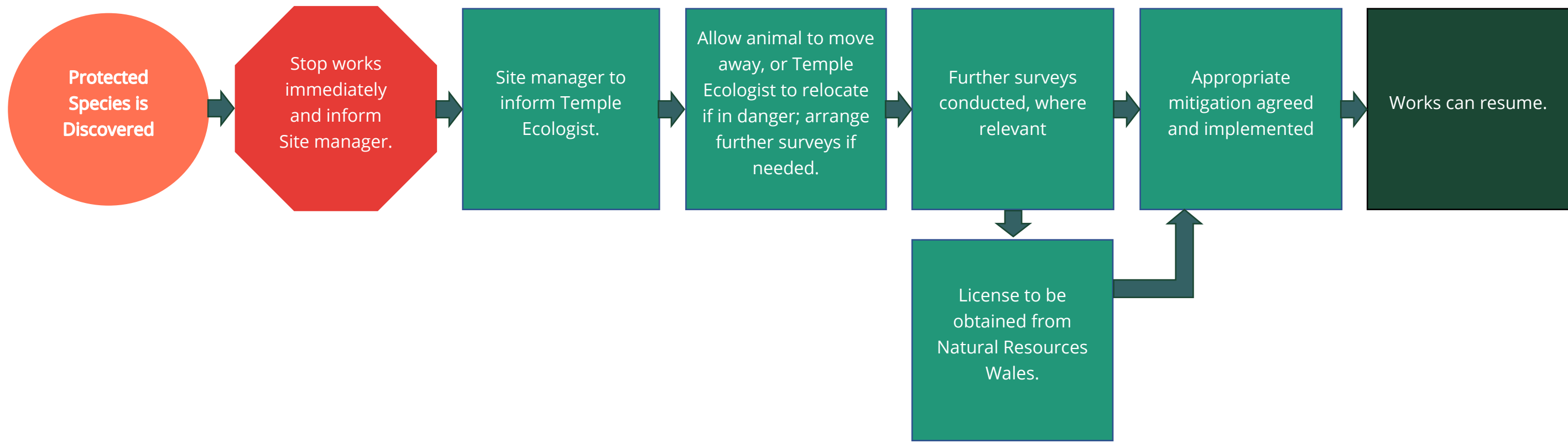
References

British Standards Institution (2013). *Biodiversity Code of practice for planning and development*: 13.020.01. BSI, London.

Collins, J. (ed.) (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)*. The Bat Conservation Trust, London.

Reason, P.F. and Wray, S. (2023). *UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats*. Chartered Institute of Ecology and Environmental Management, Ampfield.

Appendix 1: Chain of Communication



- London: 3rd floor, The Clove Building, 4 Maguire Street, London, SE1 2NQ. T: +44 (0)20 7394 3700
- Haywards Heath: Unit 6 Basepoint; John De Mierre House, 20 Bridge Road, Haywards Heath, RH16 1UA. T: +44 (0)20 7394 3700
- Lewes: 3 Upper Stalls, Iford, Lewes, East Sussex, BN7 3EJ. T: +44 (0) 1273 813739
- Lichfield: 1-2 Trent Park, Eastern Avenue, Lichfield, Staffordshire, WS13 6RN. T: +44 (0)1543 229049
- Manchester: Express Building, 3 George Leigh Street, Manchester, M4 5AD. T: +44 (0)161 509 4900
- Norwich: 60 Thorpe Road, Norwich, Norfolk, NR1 1RY. T: +44 (0)1603 628408
- Wakefield: St James Suite, Nostell Business Park, Doncaster Road, Wakefield, WF4 1AB. T: +44 (0)1924 921900
- Cardiff: Brunel House, 2 Fitzalan Place, Cardiff CF24 0EB