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Llanellen Court Ecology Technical Summary



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1 TECHNICAL SUMMARY

1.1.1 The summary below is based on the current understanding of the survey remit. Recommendations on future remit are based on best available information on potential future requirements. Further consultation may be required for future works undertaken.

1.1.2 Please refer to Section 5 for legislative context and more detailed description of recommendations.

Table 1: Technical Summary Table

Feature or Species	PEA Recommendations Summary
Habitat	The project area is currently an agricultural field with short grazed grass, with small puddles of water and small isolated pockets of Common spike-rush.
Bats	With the existing hedgerows remaining the flight lines should only be impacted negligibly for Bats. The lighting design should take into consideration the flight lines of bat species in the area with no direct lighting aimed at the retained hedgerows/vegetation. Local light habituation of bats is likely, given the pre-existing level of lighting pollution in the area from the road, adjacent housing estate and farm. There are 3 trees with roost potential, which will require activity/climbing surveys prior to the developments construction to ascertain if a bat licence is required or not. While the trees are remaining, they will be disturbed by the development. Should a licence be required, it would be for disturbance with the likely mitigation being Bat box installation (Exact mitigation type and amount would depend on the survey results).
Bird Species	Regarding any Birds utilising the Usk, the SUD's/ open area to the east of the development will improve the quality of the habitat for any birds that utilise aquatic habitats. The development is bordering a current housing area, an active farm and a busy road. Consequently, overall localised disturbance from human activity will remain much the same to the existing levels of activity in the general area. With no vegetation being removed and the aquatic habitat being improved on the site, the development is unlikely to have a detrimental impact on any of the bird species that utilise the Usk and could potentially have a positive impact on birds that utilise aquatic habitats.
SINC	There is a large hedgerow/row of trees that border the SINC, this will protect the SINC from the visual and audible impacts of the development as long as construction best practice is followed. The design also includes a vegetated footpath that will be an additional buffer between the houses and SINC. Additionally, the topography of the area will ensure no potential silt arisings from site will enter the SINC.



2 INTRODUCTION

2.1 PROJECT BACKGROUND

- 2.1.1 Ecovigour Ltd was commissioned by Trustees of Morspan Pension Scheme Ltd to undertake an updated survey at Llanellen Court Farm.
- 2.1.2 The project site (Llanellen Court) is in Llanellen at grid reference SO 30293 10650.
- 2.1.3 The site is being put forward as a Candidate Site as part of the Monmouthshire LDP process. The updated survey was requested to address queries raised in the Monmouthshire RLDP Candidate Site Ecology Assessment.
- 2.1.4 This document builds on the original PEA completed in 2019.
- 2.1.5 The objectives for the survey were:
- ◆ To undertake an ecological assessment of the site;
 - ◆ To assess the site's potential impact to Bat species in the area including flight lines with the updated site design information and updated vegetation retention plan.
 - ◆ To assess the site's potential impact to Bird species in the area including any birds utilising the River Usk with the updated site design information and updated vegetation retention plan.
 - ◆ To assess the project's potential impact on the adjacent SINC.

2.2 SURVEY AREA DESCRIPTION

- 2.2.1 The site is located to the NE of Llanellen Court Farm in the small village of Llanellen. The site is bordered by agricultural fields to the North East, East and West, Llanellen Court to the West and by the A4042 trunk road to the east. The northern and western boundaries of the site are bordered by hedgerows. A new access road for Llanellen Court has been constructed across the southern side of the site.



Figure 1: Survey Area.



Figure 2 - Draft Site Design.

2.3 WORKS REQUIRED

- 2.3.1 The proposed development includes the construction of 32 dwellings with open space and soft landscaping areas. This includes the Eastern section of the site which will include SuDS surface water drainage features.

3 METHODOLOGY

3.1 DESK STUDY

- 3.1.1 A desk study was conducted to assist with the overall site assessment. Specifically cross referencing the previous PEA and data search.
- 2.1.2. The relevance of the reasons for designation of the protected sites within 2km of the site boundary has been considered during subsequent assessment of whether the proposed works will have any impact upon the biological integrity of such sites.

The desk study also included the following sources:

- ◆ Online aerial imagery resources;
- ◆ Joint Nature Conservation Committee (JNCC) and
- ◆ A review of OS mapping for waterbodies within 250-500 metres of the site.

- 3.1.3 **Note:** Records outlined below are not for the public domain and should not be forwarded to unauthorised third parties. The records below are intended for project purposes only.



3.2 WALKOVER SURVEY

- 3.2.1 The walkover was conducted by Bradley Stokes an experienced EcoVigour Senior Ecologist. The survey was conducted using methods outlined in the Joint Nature Conservation Committee (JNCC)'s 'Handbook for Phase 1 Habitat Survey – A Technique for Environmental Audit' (JNCC, 2010).
- 3.2.2 The survey consisted of a visual survey of the site, identifying the broad habitat types present, identifying the suitability of the site to support protected and priority species with particular focus on Bird and Bat species.
- 3.2.3 The weather was dry with a temperature of approximately 11C and a cloud cover of 6 oktas. There were low/negligible levels of wind.

3.3 LIMITATIONS

- 3.3.1 Third party land was inaccessible during the survey (e.g., border fields and properties).
- 3.3.2 There were areas of dense vegetation along the boundaries of the site which could obstruct certain ecological observations.

4 RESULTS

4.1 DESIGNATED SITES

- 4.1.1 There is 1 statutory designated site within 500m of the site boundary, details are provided in Table 2 below and locations in relation to the project in figure 2.

Table 2: Statutory designated sites within 500m.

Site Name	Designation	Distance from Site (m)
River Usk	SSSI, SAC	326m

*Key: SSSI = Site of Special Scientific Interest.

- 4.1.2 The above Designated site is approximately 326m away from the proposed works, it is deemed very unlikely that the project will have any impact on the SSSI/SAC. Impacts to any species which may utilise the Designated site will be discussed in the latter sections of this document.

4.2 NON-DESIGNATED SITE

- 4.2.1 There is 1 non-Statutory designated site adjacent to the site boundary.

Table 3: List of Non-Statutory designated sites within 500m of the work site.

Name of Site	Designation	Distance from Site
Llanellan Court	SINC	Adjacent

*Key: SINC = Sites Important to Nature Conservation.

- 4.2.2 The above non-designated site is immediately adjacent to the proposed works, however avoiding impacts to the SINC is easily possible and will be discussed in the latter sections of this document.

4.3 SURVEY FIGURES



- 4.3.1 The figures below provide a visual summary of the walkover. This is not an extensive collection of the images collected from the survey. Additional images are available upon request.



Figure 3 - Oak with Bat Potential.



Figure 4 - Trees with Bat Potential



Figure 5 - Area of Rush



Figure 6 - Area of Standing Water Following Rainfall.



Figure 7 - Vegetation Buffer between Site and SINC.

4.4 SITE VISIT OBSERVATIONS

4.4.1 Habitat

4.4.2 The project area is currently an agricultural field with short, grazed grass, with small puddles of water and small isolated pockets of Common spike-rush. There is an Oak tree in the centre of the field which is being retained. Hedgerows of varying quality border the field.

4.4.3 Bird Species

4.4.4 The survey was undertaken outside of the traditional bird breeding season (March – August inclusive). No bird species were observed during the site visit. However, the bordering hedgerows and trees have suitability for nesting birds. These hedgerows and trees are being retained.

4.4.5 Bat Species

4.4.6 There are 3 trees with roost potential, the Oak in the centre of the field and two trees on the North Eastern boundary. The trees are remaining but will be disturbed by the development. The hedgerows bordering the field could be acting as a commuting corridor for bat species in the area.

4.4.7 SINC

4.4.8 The SINC is located to the West of site at the back of a farmyard, separated by dense vegetation as seen in Figure 7 - Vegetation Buffer between Site and SINC.



5 ASSESSMENT AND RECOMMENDATIONS

This section provides a broad assessment of the information gathered and scopes out potential ecological vectors before remaining considerations and actions are proposed in the following recommendations and opportunities sections below.

5.1 HABITAT

- 5.1.1 The project area is currently an agricultural field with short, grazed grass, with small puddles of water and small isolated pockets of Common spike-rush. There is an Oak tree in the centre of the field which is being retained with the field borders including two more bat potential trees and hedgerows.
- 5.1.2 All of the aforementioned vegetation is being retained, therefore the only mitigation required will be the enforcement of root protection zones during construction.

5.2 PROTECTED SPECIES - BATS

- 5.2.1 All British bats and any place used for shelter or protection or breeding site or resting place (their roosts) are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). Together these protect bats from:
- ◆ Selling, offering for sale, possessing or transporting for the purpose of the sale or publishing advertisements to buy or sell a protected species.
 - ◆ Deliberate, intentional or reckless killing, injury or taking of bats.
 - ◆ Damage to or destruction of or, obstruction of access to any place of shelter, breeding (roost) or rest.
 - ◆ Disturbance of an animal occupying a structure or place.
 - ◆ The deliberate disturbance of any bat species in such a way as to be significantly likely to affect; their ability to survive, hibernate, migrate, breed, or rear or nurture their young; or the local distribution or abundance of that species.
- 5.2.2 In terms of mitigative measures, lighting controls will be essential as to not negatively impact the existing habitats of local bat populations. Lighting should be limited to task lighting, with larger tower lighting to be avoided during construction. No removal of any mature trees or hedgerows is planned.
- 5.2.3 The existing hedgerows are remaining therefor the flight lines should only be impacted negligibly for Bats. The lighting design for the development should take into consideration the flight lines of bat species in the area with no direct lighting aimed at the retained hedgerows/vegetation. There is already a level of lighting pollution in the area from the road, adjacent housing estate and farm.
- 5.2.4 There are 3 trees with roost potential, which will require activity/climbing surveys prior to the developments construction to ascertain if a bat licence is required or not.
- 5.2.5 While the trees are remaining, they will be disturbed by the development. If a licence is required, it would be for disturbance with the likely mitigation being Bat box installation (Exact mitigation type and amount would depend on the survey results).



5.3 BIRD SPECIES

- 5.3.1 The Wildlife and Countryside Act 1981 (as amended) is the principal legislation affording protection to UK wild birds. All birds, their nest and eggs are protected by law under this legislation, it is an offence (with certain exceptions), to recklessly or intentionally:
- ◆ 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 take or destroy the egg of any wild bird.
 - ◆ Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.
- 5.3.2 **Note:** Nesting birds found outside of nesting season are protected by the same level of protection as that within the standard nesting period.
- 5.3.3 Surrounding vegetation offers habitat suitability for birds during the optimal nesting seasons. However, no vegetation is being removed for the development, so the suitable nesting habitat in the area will remain the same.
- 5.3.4 If nests are present, then a minimum 5m exclusion zone should be established around the nest(s) and no de-vegetation or other heavy machinery work should be carried out within the exclusion zone(s) until it is confirmed that the nest(s) is completed and that the young have fledged.
- 5.3.5 Regarding any Birds utilising the Usk, the SUD's/ open area to the east of the development as seen in (Figure 2 - Draft Site Design.) will improve the quality of the habitat for any birds that utilise aquatic habitats in the area. Currently the field only offers negligible suitability for birds that utilise aquatic habitats.
- 5.3.6 The development is bordering a current housing area, a farm and a busy road so the general variety of disturbance will remain much the same to the existing disturbance in the area.
- 5.3.7 With no vegetation being removed and the aquatic habitat being improved on the site, the development should not have a detrimental impact on any of the bird species that utilise the Usk and could potentially have a positive impact on birds that utilise aquatic habitats.

5.4 SINC

- 5.4.1 There is a large hedgerow/row of trees that border the SINC (Figure 7 - Vegetation Buffer between Site and SINC.), this will protect the SINC from the visual and audible impacts of the development as long as construction best practice is followed.
- 5.4.2 The design (Figure 2 - Draft Site Design.) also includes a vegetated footpath that will be an additional buffer between the houses and SINC.
- 5.4.3 The topography of the area will ensure no potential silt arisings from site will enter the SINC, however the below should be followed as a precaution -

All works near the SINC or with pollution vectors connected to the SINC within the survey area will be conducted in line with industry standard best practice, Guidance for Pollution Prevention (GPPs). This will avoid the risk of polluting the watercourse through chemical contamination or substrate run off. This includes:

- ◆ Any chemicals required will be stored in designated places and bunded to prevent leakages;
- ◆ Spill kits will be on site to deal with any leakage of fuel, wet concrete or chemicals;
- ◆ Vehicles will be inspected regularly to identify leaks and fuelling will be carried out off site;



- 5.4.4 Toolbox talks can be used to inform personnel undertaking works on the correct site protocol with regards to refuelling and general site behaviour (i.e., No refuelling on site, all equipment stored on spill nappies, no night works and no materials to be left on site.



6 REFERENCES

CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal – Second Edition*.

Collins (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edn). The Bat Conservation Trust, London.

Conservation of Habitats and Species Regulations 2017. [online] : <http://www.legislation.gov.uk/ukxi/2017/1012/contents/made> [Accessed 08.2022].

Environmental Protection Act 1990. [online] Available at: <http://www.legislation.gov.uk/ukpga/1990/43/contents> [Accessed 08.2022].

Environment (Wales) Act 2016. [online] Available at: <http://www.legislation.gov.uk/anaw/2016/3/contents/enacted> [Accessed 08.2022].

English Nature (2004). *Reptiles: Guidelines for Developers*. Published by English Nature.

Environment Agency (2006). *The knotweed code of practice – Managing Japanese knotweed on development sites*.

Environmental Permitting (England and Wales) Regulations 2007. *Environmental Protection (Duty of Care) Regulations 1991*.

Joint Nature Conservation Committee (2010). *Handbook for Phase 1 Habitat Survey; A Technique for Environmental Audit*.

Natural Resources Wales (2021). [online] Available at: <https://naturalresources.wales> [Accessed 08 2022].

Ordnance Survey Maps (2021). [online] Available at: <https://osmaps.ordnancesurvey.co.uk/> [Accessed 08 2022].

Protection of Badgers Act 1992. [online] Available at: <http://www.legislation.gov.uk/ukpga/1992/51/contents> [Accessed 08 2022].

Welsh Government (2018) *Planning Policy Wales* - Edition 10.

Wildlife and Countryside Act 1981. [online] <http://www.legislation.gov.uk/ukpga/1981/69/contents> [Accessed 08 2022].

Institute for Ecology and Environmental Management (2012). *Guidelines for Preliminary Ecological Appraisal*.

<https://jncc.gov.uk>

Joint Nature Conservation Committee (2010) *Handbook for Phase 1 Habitat Survey - A Technique for Environmental Audit*, Revised print, Joint Nature Conservation Committee, Peterborough.

Rose, F. (1991). *The Wild Flower Key*. British Isles - N. W. Europe. Published by the Penguin Group. Penguin Books Ltd.

Stace, C. (2010). *New Flora of the British Isles* (third edition). Cambridge University Press.

