

# **Preliminary Ecological Assessment**

# Land at Berth 31, Port of Barry

Client: South West Wood Products Ltd (SWWP)

Date: June 2024

#### **Richard Green Ecology Ltd**

The Natural Selection

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#### Date of survey: 20/02/2024 and 20/06/2024

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BS 42020:2013 Biodiversity - Code of practice for planning and development states, 'ecological information should be sufficiently up to date (e.g., not normally more than two/three years old, or as stipulated in good practice guidance)'.

Bat Surveys for Professional Ecologists: Good Practice Guidelines (4<sup>th</sup> Edt.) states, '*Ideally*, (bat) *survey data should be from the most recent optimal survey season before a planning or licence application is submitted, although often data older than this can have considerable value*'.

Therefore, this report may not be considered valid more than three years after survey was undertaken, and advice should be taken on validity after one year.

This report has been produced using all reasonable skill and care. Opinions are provided in good faith.

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## **Executive summary**

It is proposed to change the use of the Site to a wood processing facility located at land at Berth 31, Port of Barry, Barry, Vale of Glamorgan, Wales, CF63 3DH. The Site measures an area of 4.25ha dominated by concrete slab and hardstanding in an industrial area, which is allocated as employment land within the Barry Docks estate.

A preliminary ecological appraisal, comprising an extended UK Habitat Classification survey was undertaken on 20 February 2024 by Richard Green Ecology. A visual inspection of the Maltese crosses for roosting bats and nesting birds was undertaken in June 2024.

The Site consisted largely of fenced concrete slab and hardstanding with existing infrastructure bounded by mixed scrub, with the docks to the southeast, and an earth screen bund up to 8 m in height planted with woodland to the northwest and southwest.

The Site is not within any designated sites for wildlife interest. There are three statutory and seven non-statutory designated sites within 2km of the Site, including Sites of Special Scientific Interest (SSSI), Sites of Importance for Nature Conservation (SINCs) and a Natural Resource Wales (NRW) Priority Area.

Consultation with South East Wales Biodiversity Records Centre (SEWBReC) returned records of bats, birds, common reptiles and amphibians, badgers, hedgehogs, invertebrates and invasive plant species within 2 km of the Site. Suitable habitat for these species was limited to the mixed scrub with refuse piles that bounded the Site.

The gaps and crevices within the two Maltese crosses used to facilitate storage of materials on the Site offered potential features where bats could roost. The structures were considered to have low suitability for roosting bats. No bats or evidence of bats was found during the inspection and the structures were therefore considered unlikely to be used by roosting bats.

Given the existing industrial nature of the Site and the surrounding area and that the habitat on the Site will be retained, and assuming operation activities would be undertaken in accordance with best practice guidelines and mitigation detailed within the Environmental Statement (2024), it is considered that the change of use of the Site to a wood processing facility would have no direct impacts and negligible indirect impacts on ecological receptors.

## Wildlife checklist

Protected and priority species (Grid reference of the site: NGR ST 13031 68164)

| Species - terrestrial, intertidal,<br>marine         | Walkover shows that<br>suitable habitat<br>present and<br>reasonably likely<br>that the species will<br>be found?<br><u>Yes or No</u> | Detailed survey<br>needed to<br>clarify impacts<br>and mitigation<br>requirements? | Detailed<br>survey<br>carried<br>out and<br>included? | Species Present<br>or Assumed to be<br>present on the<br>site Indicate with<br>P or A and name<br>the species | Impact on<br>species?                   | Detailed Conservation Action<br>Statement included?<br>Sets out actions needed in<br>relation to avoidance /<br>mitigation / compensation /<br>enhancement | EPS licence<br>required? |
|--|---|--|---|---|---|--|--------------------------|
| Bats (roost)   | Yes – crevices in<br>concrete blocks  | ×  | N/A   | Assumed   | None if<br>recommendations<br>followed. | $\checkmark$   | ×                        |
| Bats (flight line / foraging habitat)                | No suitable habitat   |  |   |   |   |  |                          |
| Hazel dormouse                                       | No suitable habitat   |  |   |   |   |  |                          |
| Otters   | No suitable habitat   |  |   |   |   |  |                          |
| Great crested newts                                  | No suitable habitat   |  |   |   |   |  |                          |
| Schedule 1 birds                                     | No suitable habitat   |  |   |   |   |  |                          |
| Breeding birds                                       | Yes – scrub   | ×  | N/A   | Assumed   | None if<br>recommendations<br>followed. | $\checkmark$   | ×                        |
| Reptiles   | Yes – scrub & refuse<br>piles   | ×  | N/A   | Assumed   | None if<br>recommendations<br>followed. | ✓  | ×                        |
| Native crayfish                                      | No suitable habitat   |  |   |   |   |  |                          |
| Water voles  | No suitable habitat   |  |   |   |   |  |                          |
| Badgers  | No suitable habitat   |  |   |   |   |  |                          |
| Section 41 species (other than those included above) | Yes - scrub   | ×  | N/A   | Assumed -<br>hedgehog   | None if<br>recommendations<br>followed. | ✓  | ×                        |
| Invasive species                                     | None  |  |   |   |   |  |                          |

#### Designations / important habitats

| Designation<br>Terrestrial, intertidal, marine   | Within the<br>site or<br>potential<br>impact.<br><u>Yes or No</u> | Name of the site / habitat  | Detailed Conservation Action<br>Statement included in report? | Relevant organisation consulted & response included in the application? |
|--|---|---|---|---|
| Statutory designations   |   |   | •   |   |
| European designations - Special Area of<br>Conservation (SAC), Special Protection Area (SPA)<br>and RAMSAR site or within Greater Horseshoe<br>consultation zone | ×   |   |   |   |
| Site of Special Scientific Interest (SSSIs)  | ✓   | Barry Woodlands SSSI  | ✓   | N/A   |
| Marine Conservation Zone (MCZ) (not before 2012)   | ×   |   |   |   |
| Local Nature Reserve (LNR)   | ×   |   |   |   |
| Non statutory wildlife designations  |   |   |   |   |
| County or Local Wildlife Site (CWS\LWS)  | ×   |   |   |   |
| Ancient woodland   | ×   |   |   |   |
| Habitat of Principal Importance  | ×   |   |   |   |
| Sites of Importance for Nature Conservation<br>(SINC)  | ~   | Cadoxton River SINC<br>Cadoxton Wetlands SINC<br>Fields at Merthyr Dyfan SINC<br>Gladstone Road Pond SINC<br>Nells Point East SINC<br>North of North Road SINC<br>Saltmarsh Priority Area | ✓   | N/A   |



## 1 Introduction

#### 1.1 Introduction

It is proposed to change the use of the Site to a wood processing facility located at land at Berth 31, Port of Barry, Barry, Vale of Glamorgan, Wales, CF63 3DH, NGR: ST 13031 68164 (hereafter referred to as the "Site").

The Site at Berth 31 was originally developed as part of South Wales coal industry operations with coal stored and loaded onto ships for export. There have been a variety of dockside uses since and the most recent activity here has been with a similar wood processing operation on the western side of the Site and a metals recycling operation on the eastern part of the Site.

In 2015 planning permission was granted for an external incinerator bottom ash (IBA) processing facility on the Site and although that was not constructed, the proposed development for a wood processing facility can be considered to have less likely impacts from its operations.

The Site measures an area of 4.25ha dominated by concrete slab and hardstanding in an industrial area, which is allocated as employment land within the Barry Docks estate.

A preliminary ecological appraisal, comprising an extended UK Habitat Classification survey was undertaken on 20 February 2024 by Richard Green Ecology. A visual inspection of the Maltese crosses for roosting bats and nesting birds was undertaken in June 2024.

This report considers the potential impacts of the Proposed Development on habitats and protected/notable species. It includes the findings of the survey and makes recommendations for further survey, ecological mitigation and enhancement, in accordance with national and local planning policy and BS 42020:2013 Biodiversity - Code of practice for planning and development.

#### 1.2 Planning considerations

1.2.1 The National Development Framework: Future Wales – the National Plan 2020-2040 The National Development Framework for Wales outlines that the Biodiversity and Resilience of Ecosystems Duty (the Section 6 duty) set out in the Environment (Wales) Act 2016 requires planning authorities to seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions, and in so doing, promote the resilience of ecosystems.

#### 1.2.2 Planning Policy Wales (PPW)

Chapter 6 of PPW requires a green infrastructure (GI) statement to be submitted with all planning applications, which describes how green infrastructure has been incorporated into the development proposals.



PPW defines green infrastructure as, "The network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales. At the landscape scale, green infrastructure can comprise entire ecosystems such as wetlands, waterways and mountain ranges. At a local scale, it might comprise parks, fields, public rights of way, allotments, cemeteries, and gardens. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to green infrastructure networks."

Paragraph 6.2.14 of PPW recommends for GI statements that, "Development proposals should be informed by the priorities identified in green infrastructure assessments and locally based planning guidance. The Building with Nature standards represent good practice and are an effective prompt for developers to improve the quality of their schemes and demonstrate the sustainable management of natural resources. Using these standards in a way which is proportionate to the nature and scale of the development proposed will be a useful way of ensuring appropriate consideration in circumstances where there is an absence of a green infrastructure assessment and planned approach or relevant local or Supplementary Planning Guidance. The standards are underpinned by an accreditation system and whenever possible, accreditation under these standards should be pursued."

Natural Resources Wales (NRW) has developed a framework for evaluating ecosystem resilience based on five attributes and properties specified in the Environment (Wales) Act. This is referred to as DECCA: Diversity, Extent, Condition, Connectivity and Aspects of ecosystem resilience.

The attributes provide a framework for considering the state of ecosystem resilience in Wales and can be applied across different habitats and land uses and for a range of different scales. NRW works to the definition of ecosystem resilience published in its State of Natural Resources Report in 2020, which is: "An environment that can respond to pressures by resisting, recovering or adapting to change; and is able to continue to provide natural resources and benefits to people."

When assessing planning applications, Planning Policy Wales instructs planning authorities to take account of and promote the resilience of ecosystems, in particular the five attributes of ecosystem resilience.

1.2.3 Vale of Glamorgan local development plan 2011-2026
The Vale of Glamorgan Local Development Plan 2011 to 2026 (adopted in June 2017) contains the following relevant strategy and policies:

#### SP10 – Built and Natural Environment

Development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan including:



- 1. The architectural and / or historic qualities of buildings or conservation areas, including locally listed buildings;
- 2. Historic landscapes, parks and gardens;
- 3. Special landscape areas;
- 4. The Glamorgan Heritage Coast;
- 5. Sites designated for their local, national and European nature conservation importance; and
- 6. Important archaeological and geological features.

#### MG19 – Sites and Species or European Importance

Development proposals likely to have a significant effect on a European site, when considered alone or in combination with other projects or plans will only be permitted where:

- The proposal is directly connected with or necessary for the protection, enhancement and positive management of the site for conservation purpose; or
- 2. The proposal will not adversely affect the integrity of the site;
- 3. There is no alternative solution;
- 4. There are reasons of overriding public interest; and
- 5. Appropriate compensatory measures are secured.

Development proposals likely to have an adverse effect on a European protected species will only be permitted where:

- 1. There are reasons of overriding public interest;
- 2. There is no satisfactory alternative; and
- 3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

#### MG20 – Nationally Protected Sites and Species

Development likely to have an adverse effect either directly or indirectly on the conservation value of a site of special scientific interest will only be permitted where it is demonstrated that:

- 1. There is no suitable alternative to the proposed development; and
- 2. It can be demonstrated that the benefits from the development clearly outweigh the special interest of the site; and
- 3. Appropriate compensatory measures are secured; or
- 4. The proposal contributes to the protection, enhancement or positive management of the site.

Development proposals likely to affect protected species will only be permitted where it is demonstrated that:

 The population range and distribution of the species will not be adversely impacted;



- 2. There is no suitable alternative to the proposed development;
- 3. The benefits of the development clearly outweigh the adverse impacts on the protected species; and
- 4. Appropriate avoidance, mitigation and compensation measures are provided.

#### MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species

Development proposals likely to have an adverse impact on sites of importance for nature conservation or priority habitats and species will only be permitted where it can be demonstrated that:

- 1. The need for the development clearly outweighs the nature conservation value of the site;
- 2. Adverse impacts on nature conservation and geological features can be avoided;
- 3. Appropriate and proportionate mitigation and compensation measures can be provided; and
- 4. The development conserves and where possible enhances biodiversity interests.

### 2 Methods

#### 2.1 Desk study

South East Wales Biodiversity Records Centre (SEWBReC) was commissioned to undertake a search for designated ecological sites and protected and notable species records within 2 km of the Site.

#### 2.2 Scoping

Consideration was made of the potential for protected and notable species to be present. Where it is considered that certain species are unlikely to be present (e.g., no suitable habitat is present or the site is outside of their known range), these were scoped out in the Wildlife Checklist which prefaces this report and no further consideration is made herein.

#### 2.3 Field survey

#### 2.3.1 Extended UK Habitat Classification survey

An extended UK Habitat Classification survey of the site was undertaken, combining recommendations made by the former Institute of Environmental Assessment (1995) and the UK Habitat Classification (UKHab) System. Note was taken of the more conspicuous flora, and any evidence of, or potential for the presence of protected and alien invasive species was recorded.

The results of the UKHab survey are described below. The botanical species composition percentages for each habitat are indicated using the DAFOR Scale (refer to Table 1). The UKHab survey code (e.g., g3c) that the habitat is attributed to, along with secondary codes (as appropriate) are given with a description.



#### Table 1: The DAFOR Scale

| Value          | Percentage cover |
|----------------|------------------|
| D - Dominant   | > 75%            |
| A - Abundant   | 51 – 75%         |
| F - Frequent   | 26 – 50%         |
| O - Occasional | 11 – 25%         |
| R - Rare       | 1 – 10%          |

#### 2.3.2 Bat and bird survey - visual inspection

The survey involved a thorough visual inspection of the two Maltese cross structures for any signs of protected species. A search for characteristic signs of bats was made, such as droppings, feeding remains, staining, and any bats present. A search was also made for any signs of bird nesting activity.

Equipment used and at hand included: Nikon 10x close-focusing binoculars, Lightway BMFL1265 720 lumen torch, Lightway 160 lumen torch, Ridgid Micro CA-300 inspection camera and a 3.8 m extendable ladder and a 6 m tree ladder.

#### 2.3.3 Timings and weather conditions

The extended UK habitat classification survey was undertaken by Richard Green on 20 February 2024. The weather was dry, cloudy (4/8 oktas) with a calm wind and temperature of 10°C.

The bat and bird survey of the two Maltese cross structures was undertaken by Jen Paget and Catherine Mitson on 20 June 2024. The weather was dry, cloudy (7/8 oktas) with a calm wind and temperature of 21°C.

#### 2.3.4 Personnel

Richard Green is a consultant ecologist with over 30 years' professional ecological experience. He holds Natural Resources Wales scientific licences to disturb bats (S093443-1) and dormouse (S092847-1). He is a Chartered Environmentalist (CEnv) and full member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

Jen Paget has over three years' experience in ecological consultancy and is accredited under Natural Resources Wales scientific licences to disturb bats (S093443-1) and dormouse (S092847-1).

Catherine Mitson is an experienced consultant ecologist.

#### 2.3.5 Survey limitations

The extended UKHab survey was undertaken in February, so it is possible that some botanical species were not recorded. However, it is considered that sufficient vegetation was identified during the survey and the previous survey (Ward Associates, 2015) to gain an accurate understanding of the Site given the limited vegetative habitat on the Site. Habitats recorded were also in line with the previous ecological survey undertaken in 2015 (Ward Associates, 2015). Richard Green



Ecology Ltd accepts no responsibility for any invasive species not identified during the survey.

#### 2.4 Evaluation

Habitat evaluations are based on guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM). The level of value of specific ecological receptors is assigned using a geographic frame of reference, i.e. international value being most important, then national, regional, county, district and lastly, local.

Value judgements are based on various characteristics that can be used to identify ecological resources or features likely to be important in terms of biodiversity. These include site designations (such as Sites of Special Scientific Interest (SSSI)), or for undesignated features, the size, conservation status (locally, nationally or internationally), and the quality of the ecological resource. In terms of the latter, 'quality' can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages.

## 3 Survey results

#### 3.1 Desk study

#### 3.1.1 Designated sites

The Site is not within any designated sites for wildlife interest. There are three statutory and seven non-statutory designated sites within 2km of the Site as detailed in Table 2. Two of the statutory sites are Sites of Special Scientific Interest (SSSI) designated for geology and are therefore not considered further. The non-statutory sites are designated as Sites of Importance for Nature Conservation (SINCs) and Natural Resource Wales (NRW) Priority Area.

|                                    | Location             |  |  |  |  |
|------------------------------------|----------------------|--|--|--|--|
| Site name                          | from the Site        | Reason for designation   |  |  |  |
| Statutory                          | Statutory            |  |  |  |  |
| Barry                              | 1.92 km              | Semi-natural broadleaved woodland.   |  |  |  |
| Woodlands SSSI                     | north                |  |  |  |  |
| Non-statutory                      |                      |  |  |  |  |
| Cadoxton River<br>SINC             | 0.19 km<br>southeast | Small section of tidal canalised river<br>Supporting large stands of reedbed. Contains<br>Cadoxton Ponds Wildlife Trust Reserve.   |  |  |  |
| Cadoxton<br>Wetlands SINC          | 0.13 km<br>northeast | Site supports a mosaic of ponds, reedbeds, tall<br>herb swamp, grassland, scrub and scattered<br>trees and supports a range of Section 42<br>species including wintering Bittern <i>Botaurus</i><br><i>stellaris</i> . |  |  |  |
| Fields at<br>Merthyr Dyfan<br>SINC | 1.69 km<br>northwest | Series of small fields supporting a mosaic of species-moderate and species-rich semi-<br>improved neutral grassland and scrub.   |  |  |  |



|                  | Location      |   |
|------------------|---------------|---|
| Site name        | from the Site | Reason for designation                          |
| Gladstone Road   |               | Pond supporting exceptional (100+) breeding     |
| Pond SINC        | 1.39 km west  | population of smooth newts Lissotriton          |
| FUTILI SINC      |               | vulgaris.                                       |
| Nells Point East | 1.53 km       | Maritime cliff and slope supporting coastal     |
| SINC             | southwest     | neutral to calcareous grassland.                |
| North of North   | 1.21 km       | Site with large pond supporting large stands of |
| Road SINC        | northeast     | reedbed, scrub and scattered trees.             |
| Saltmarsh        | 0.47 couth    | NRW priority area of coastal saltmarsh.         |
| Priority Area    | 0.47 South    |   |

#### 3.1.2 Protected and notable species

SEWBReC returned records of five species of bats, nine species of other mammals, 150 species of birds, two species of reptile, four species of amphibian, 78 species of invertebrate and 192 species of vascular plant within 2 km of the Site. These records are discussed in the relevant protected and notable species headings in section 3.3.

#### 3.2 Field survey

#### 3.2.1 Habitats

The Site consisted largely of fenced concrete slab and hardstanding with existing infrastructure bounded by mixed scrub, with the docks to the southeast. The Site was immediately surrounded by an earth screen bund up to 8 m in height planted with woodland to the northwest and southwest (



Plate 3), and the industrial estate of the docks, wasteland and open water.

The wider landscape comprised the urban expanse of the town of Barry, including residential and industrial areas, and the Bristol Channel to the south (Figure 1).



Refer to Appendix B for a list of plant species recorded on the Site.

Figure 1 – Aerial photograph showing the site and the surrounding landscape

#### (a) Developed land; sealed surface (u1b)

The Site is dominated by concrete slab and hardstanding with small, isolated areas of bare ground and encroaching vegetation (Plate 1) including bristly oxtongue *Helminthotheca echioides*, ribwort plantain *Plantago lanceolata*, common ragwort *Senecio jacobaea*, bramble *Rubus fruticosus agg.* and dandelion *Taraxacum officinale*.

#### (b) Mixed scrub (h3h)

Mixed scrub bounded the Site to the northwest and southeast (Plate 2). Species present included alder *Alnus glutinosa*, silver birch *Betula pendula*, sea buckthorn *Hippophae rhamnoides*, bramble, buddleia *Buddleia davidii*, teasle *Dipsacus fullonum*, greater burnet saxifrage *Pimpinella major*, dog-rose *Rosa canina* and apsen *Populus tremula*. There were piles of timber, brick and rubble within the scrub (Plate 4).

A length of scrub dominated by buddleia and pampas grass *Cortaderia selloana* bounded the Site to the northeast.

#### (a) Infrastructure – buildings (u1b5)

Existing infrastructure on the Site included a disused water storage tank, lighting columns, container offices, weighbridge, and ancillary structures including two Maltese cross block arrangements.





The two Maltese crosses were constructed from concrete blocks and are used to facilitate the storage of materials. There were gaps and crevices between the blocks (Plate 5).



The disused water storage tank was constructed of corrugated tin with a plastic sheeting covering.





Various metal containers and stores, including containers converted into offices, were on the Site.

#### 3.2.2 Habitats evaluation

The developed land was widespread in the area and offered negligible resource for wildlife. The mixed scrub bounding the Site was relatively isolated, limited in extent and in poor condition with non-native species present, such as buddleia and pampas grass. The Site was therefore considered to be of low ecological value.

#### 3.3 Protected species

#### 3.3.1 Bats

Bats are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

Three records of roosting bats, comprising pipistrelle *Pipistrellus* bat species and soprano pipistrelle bats, and 34 field records of bats were returned by SEWBReC within 2 km of the Site.

The concrete slab and hardstanding provided negligible habitat for commuting and foraging bats. The poor condition and isolated mixed scrub bounding the Site offered limited commuting and foraging habitat for bats. Furthermore, the habitat is well lit by floodlights and streetlights from the neighbouring industrial sites, deterring light sensitive bat species (Plate 6). The Site was therefore considered to be of negligible value to commuting and foraging bats.

The gaps and crevices within the two Maltese crosses on the Site offered potential features where bats could roost (Plate 5). The structures were considered to have low suitability for roosting bats given the limited potential roost features present, the existing use for storage and their isolation from suitable foraging and commuting habitat. No bats or evidence of bats were found during the inspection in June 2024 and therefore the structures are considered unlikely to be used by roosting bats.

The remaining structures on the Site did not offer any potential roost features for bats.

#### 3.3.2 Nesting birds

Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended).

SEWBReC returned records of 150 species of birds within 2 km of the Site, including the Schedule 1 species bittern *Botaurus stellaris*, recorded in the Cadoxton Wetlands SINC, and red listed species such as linnet *Linaria cannabina* and herring gull *Larus argentatus*.

Fifty-seven herring gulls and 16 lesser black backed gulls *Larus fuscus* were observed roosting on the Site during the survey. The structures on the Site were not considered to offer suitable nesting habitat for gulls.

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The bounding scrub offered suitable, although limited, nesting habitat for passerine birds. Given the small area of along the Site boundaries and the availability of higher quality nesting habitat within the surrounding area, the Site is considered to be of no more than local value to nesting birds.

No evidence of nesting birds was found during the inspection of the Maltese crosses.

#### 3.3.3 Reptiles

Common reptiles, such as slow worm *Anguis fragilis*, common lizard *Zootoca vivipara* and grass snake *Natrix helvetica* are protected under the Wildlife and Countryside Act 1981 (as amended) against killing and injury and are species of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act, 2006).

Three records of common lizard and 26 records of slow worm *Anguis fragilis* were within 2 km of the Site, the nearest of which were within the Cadoxton Wetlands SINC approximately 80 m northeast of the Site.

The mixed scrub with refuse piles offered limited sheltering habitat for reptiles associated with the Site given the isolation from surrounding suitable habitat. Given the presence of more favourable habitat in the wasteland immediately northeast and northwest of the Site, it is possible that individuals of common reptile species are present. The Site is considered of no more than local value to common reptiles, if present.

#### 3.3.4 Amphibians

Common toad *Bufo bufo* is a species of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act, 2006).

There were a total of 40 records of common amphibians within 2 km of the Site, including common frog *Rana temporaria* (15 records), common toad *Bufo bufo* (12), palmate newt *Lissotriton helveticus* (4), smooth newt *Lissotriton vulgaris* (7) and newt species *Lissontriton sp.* (2). The nearest record was approximately 70 m northeast of the Site within the Cadoxton Wetlands SINC.

There were no waterbodies on the Site (the water storage tank is disused and inaccessible to amphibians). Five waterbodies and one ditch were within 500 m of the Site, two of which are within the Cadoxton Wetlands SINC, plus the brackish open water of the docks and the Bristol Channel, which are unsuitable for amphibians.

As there is limited, sub-optimal terrestrial habitat for amphibians associated with the boundaries and refuse piles that were isolated, it is possible that individuals of common species may occasionally cross the Site. The Site is there considered to be of no more than local value to common amphibians.



#### 3.3.5 Otter

Otters *Lutra lutra* are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).

There were four records of otter within 2 km of the Site, all of which were associated with the Cadoxton Wetlands SINC.

Whilst the Site is bordered by a dock basin, the Site is inhospitable to otter as there is not enough cover or suitable access given the height of the quayside. Therefore the presence of otter on the Site is ruled out.

#### 3.3.6 Badger

Badgers *Meles meles* are protected under the Protection of Badgers Act 1992.

Two records of badger were returned by SEWBReC located approximately 450 m and 500 m northeast of the Site, with one record from within the Cadoxton Wetlands SINC.

No evidence of badgers was recorded on the Site. Whilst badgers may occasionally cross the Site, it offers poor foraging habitat and is considered to be of negligible value to badgers.

#### 3.3.7 Hedgehog

Hedgehog *Erinaceus europaeus* is a species of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act, 2006).

Thirty-three records of hedgehog were found within 2km of the Site, with the nearest record approximately 118 m northeast of the Site.

There were no signs of hedgehogs found during the survey. The small amount of mixed scrub offered suitable foraging and sheltering habitat for hedgehogs, although limited and isolated in areas, with more suitable habitat in the area. As such the Site was considered to be of negligible value for hedgehogs.

#### 3.3.8 Invertebrates

There are over 350 invertebrates listed under Section 41 of the Natural Environment and Rural Communities Act 2006 (NERC Act, 2006).

SEWBReC returned numerous records of invertebrates within 2 km of the Site, including priority and locally important species such as emerald damselfly *Lestes sponsa*, dark brocade *Mniotype adusta*, buff ermine *Spilosoma lutea* and keeled skimmer *Orthetrum coerulescens*.

The mixed scrub around the Site boundaries offers suitable food and refuge resource for a range of invertebrates. Given the limited extent of suitable habitats and general low interest of the Site for invertebrates, particularly when compared with adjacent



and nearby habitats in the Cadoxton Wetlands SINC, the ecological value of the Site is considered to be of no more than local value for invertebrates.

3.3.9 Invasive species

Section 14(1) of the Wildlife and Countryside Act makes it illegal to release or allow to escape into the wild any animal which is not ordinarily resident in Great Britain and is not a regular visitor to Great Britain in a wild state or is listed in Schedule 9 of the Act. It is also illegal to plant or otherwise cause to grow in the wild any plant listed in Schedule 9.

SEWBReC returned six records of Schedule 9 invasive plant species within 2 km of the Site, including Japanese knotweed *Fallopia japonica* and montbretia *Crocosmia pottsii x aurea = C. x crocosmiiflora*. A record of Japanese knotweed was located 88 m northeast and another record of Japanese knotweed and montbretia was 113 m northwest of the Site.

No invasive plant species were recorded on the Site during the survey.

# 4 Assessment, recommendations and mitigation

#### 4.1 Designated sites

#### 4.1.1 Impacts

The proposed development would have no direct impact on any statutory or nonstatutory designated sites.

As the proposal relates to industrial operation, is located almost 2 km from the Barry Woodlands SSSI, separated by urban dwellings, and would have no impact on any woodland habitats associated with the designated site, there would be no indirect impact on the integrity of the SSSI.

The proposed development would have no indirect impacts on the nearby nonstatutory designated sites during operation, such as dust, lighting and noise, as detailed in the Environmental Statement (Isopleth, 2024). Given the existing industrial use of the Barry Docks estate, the proposal is unlikely to significantly increase levels of disturbance on the nearby SINCs.

An air quality assessment of the proposals, including dust impacts, concluded that there will be no significant impacts on ecological receptors provided dust control measures are implemented as detailed in the Dust Management and Mitigation Scheme (DMMS) (Isopleth, 2024).

As no new lighting is proposed within the development and it is assumed that no lighting will be installed in the future, there would be no adverse indirect impacts from lighting on the nearby non-statutory designated sites. Furthermore,



neighbouring industrial units are well lit, increasing baseline light levels considerably (Plate 6).

A noise impact assessment determined that the proposals would not significantly increase noise levels over the existing baseline given the industrial nature of the Site and the surrounding area (24 Acoustic, 2024).

#### 4.1.2 Mitigation

Mitigation for indirect impacts of the proposals on ecological receptors have been embedded into the Site design, including locating the wood processing area away from sensitive receptors, sheeting of vehicles to and from site, misting sprays when processing in dry conditions and good housekeeping to reduce dusty materials on surfaces.

A DMMS will be finalised and would be adopted prior to works being commenced for the Berth 31 Development. This would be focussed on the mitigation of impacts through effective Best Available Techniques (BAT) to control dust emissions (Isopleth, 2024). This will ensure that there will be no significant adverse effect on ecological receptors from dust associated with the proposal.

Operation activities would be undertaken in accordance with best practice guidelines including Guidance for Pollution Prevention (GPPs), which supersede the Pollution Prevention Guidelines (PPGs).

#### 4.2 Habitats

#### 4.2.1 Impacts

The existing developed land and Maltese cross structures will be used for wood processing and storage. The majority of the existing infrastructure, including the water tank and weighbridge in the southwest of the Site, and two weighbridges and offices in the northeast of the Site will be retained and refurbished.

The mixed scrub bounding the Site will be retained although could be susceptible to potential increase in dust and accidental damage from the proposed wood processing facility.

#### 4.2.2 Mitigation

Measures detailed in section 4.1.2, would mitigate the potential indirect impacts on habitats, such as dust, associated with the proposal.

#### 4.3 Bats

#### 4.3.1 Impacts

The Maltese crosses are to be relocated within the Site and the existing use to facilitate storage is to be maintained. It is considered unlikely that the relocation of the Maltese structures will impact roosting bats. Therefore, no European Protected Species Licence (EPSL) is required for their relocation.



Bats are likely to forage and commute along the mixed scrub boundaries of the Site. As no lighting is proposed within the development and it is assumed that no new lighting will be installed in the future, there would be no adverse indirect impacts from lighting on foraging and commuting bats.

#### 4.3.2 Mitigation

As the presence of bats can never be ruled out, the relocation of the Maltese crosses should proceed with caution. Should a bat be found, works should stop immediately and the ecologist contacted for advice.

#### 4.4 Nesting birds

#### 4.4.1 Impacts

There is no vegetation removal proposed within the application and as such, there would be no impact on nesting birds.

#### 4.5 Reptiles

#### 4.5.1 Impacts

As it is not proposed to remove the refuse piles associated with the Site boundaries to facilitate the change of Site use and it is assumed that they will not be removed in the future, there would be no impact on reptiles.

#### 4.6 Amphibians

#### 4.6.1 Impacts

Similarly to reptiles, as it is not proposed to remove the refuse piles associated with the Site boundaries to facilitate the change of Site use and it is assumed that they will not be removed in the future, there would be no impact on amphibians.

#### 4.7 Badger

#### 4.7.1 Impacts

There would be no impact on badger from the proposals as there are no excavation works to facilitate the proposals.

#### 4.8 Hedgehog

#### 4.8.1 Impacts

Similarly to badger, the proposals would not impact hedgehog.

#### 4.9 Invertebrates

#### 4.9.1 Impacts

Provided dust control measures are implemented as detailed in the Dust Management and Mitigation Scheme (DMMS) (Isopleth, 2024), degradation of the bounding scrub habitat on Site that is suitable for invertebrates will be minimised.



#### 4.10 Invasive species

#### 4.10.1 Impacts

It is possible, although considered unlikely, that invasive plant species could be present in unseen locations or colonise the Site in the future and spread during the proposed change of use given the proximity of invasive plant records.

#### 4.10.2 Mitigation

As a precaution, Site operatives should be made aware of the risk of the potential presence of invasive species and that the ecologist should be contacted for advice if any are identified.

## 5 Conclusions

Given the existing industrial nature of the Site and the surrounding area and that the habitat on the Site will be retained, and assuming operation activities would be undertaken in accordance with best practice guidelines and mitigation detailed within the Environmental Statement (2024), it is considered that the change of use of the Site to a wood processing facility would have no direct impacts and negligible indirect impacts on ecological receptors.



## 6 Green Infrastructure Statement

#### 6.1 Introduction

The purpose of this report and the following green infrastructure statement (GIS) is to provide an overview of the existing habitats on the Site and their condition. The statement also details potential development impacts (in the absence of mitigation) and proposed biodiversity enhancements, and how they fit within the DECCA Framework and Building with Nature standards.

The statement has been produced in accordance with requirements outlined in Chapter 6 of Planning Policy Wales (PPW), which can be summarised as follows:

- **Green Infrastructure (GI)**: stronger emphasis on taking a proactive approach to GI, covering cross boundary considerations with the submission of a proportionate GI statement with planning applications.
- Net Benefit for Biodiversity and the Step-wise Approach: further clarity is provided on securing net benefit for biodiversity through the application of the step-wise approach, including the acknowledgement of off-site compensation measures as a last resort, and, the need to consider enhancement and long-term management at each step. The use of the green infrastructure statement as a means of demonstrating the stepwise approach is made explicit.
- **Protection for Sites Of Special Scientific Interest**: strengthened approach to the protection of SSSIs, with increased clarity on the position for site management and exemptions for minor development necessary to maintain a 'living landscape'.
- **Trees and Woodlands**: closer alignment with the stepwise approach, along with promoting new planting as part of development based on securing the right tree in the right place.

#### 6.2 Development impacts

It is proposed to use the Site as a wood processing facility. Ancillary to this there will be Heavy Goods Vehicle (HGV) parking. The existing office and welfare facilities will be updated with temporary modular accommodation. The existing water tank and weighbridges will also be retained and used, while the Maltese crosses will be relocated.

The proposal will have no direct adverse impacts on ecological receptors. Mitigation for indirect impacts of the proposals on ecological receptors have been embedded into the Site design and operation including a DMMS and implementation of best practice guidelines such as GPPs (refer to section 4.1.2), minimising indirect impacts to negligible.



#### 6.3 Proposals

The Proposed Development seeks to follow the step-wise approach, as detailed within Chapter 6 of PPW, as follows.

- 1. Avoid: The Site is a brownfield site previously used for similar industrial activity. The choice of this Site avoids the use of and impacts on an alternative green field site. The proposal has been designed to have no direct impact of ecological receptors, avoiding removal of any vegetation and no indirect impact from lighting as none is proposed. Mitigation for indirect impacts of the proposals on ecological receptors have been embedded into the Site design, including locating the wood processing area away from sensitive receptors, sheeting of vehicles to and from site, misting sprays when processing in dry conditions and good housekeeping to reduce dusty materials on surfaces. Best practice pollution prevention measures during the operation of the wood processing facility would also be implemented, for example, GPP 1: Understanding your environmental responsibilities - good environmental practices and GPP 5: Works and maintenance in or near water. These measures have avoided significant indirect impacts on designated sites and habitats, including SINCs and wetland, and protected and notable species. Appropriate assessment has determined that there would be no significant effect from noise (Isopleth, 2024).
- 2. **Minimise:** A DMMS will be put in place to minimise the indirect impacts arising from dust during the operation of the facility to acceptable levels (Isopleth, 2024).
- 3. **Mitigate**: The DMMS will detail mitigation for the indirect impacts arising from dust through effective Best Available Techniques (BAT) to control dust emissions (Isopleth, 2024). The DMMS will be submitted to the LPA for approval.
- 4. **Compensate**: Given that there is not considered to be any loss of habitat of ecological value, no compensation is required.

The proposal has recognised the need to achieve a Net Benefit for Biodiversity from the outset; this has been built into the design and planning of the proposal - through avoiding areas of relatively higher ecological importance and mitigating for potential effects on retained and existing habitats.

#### 6.4 DECCA Framework

The proposed ecological mitigation and enhancements fit with the DECCA Framework by:

1. Maintaining **diversity** within the local ecosystem by mitigating potential impacts of the proposals on the surrounding habitats.



- 2. Maintaining the **extent**/ scale of ecosystems by retaining the mixed scrub boundaries on the Site.
- 3. Maintaining the **condition** of the habitats around the Site by bringing the Site under long term operational management sensitive to ecological receptors.
- 4. Maintaining **connections** within and between ecosystems through retaining existing mixed scrub boundaries, which will provide 'green corridors' around the majority of the Site.
- 5. Maintaining ecosystem **resilience** and adaptability to future pressures through the retention of existing habitat bounding the Site to provide a buffer to the neighbouring SINC and wasteland habitat to the northwest and northeast and also act as a carbon sink.

#### 6.5 GIS Conclusion

Overall, there would be no direct impacts on local biodiversity and indirect impacts, i.e. dust, would be minimised and mitigated and although there would be no net gain in biodiversity, the development would protect the ecosystems within and adjacent to the Site, ensuring that they continue to support diverse habitats and species, providing protection for people and places.

It is therefore concluded that, because of ecological measures embedded within the proposals, it is expected that there will be no net change in biodiversity. The Site has been identified as being of low ecological value, with onsite and immediately offsite impacts appropriately avoided and/or mitigated for.



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# Appendices

# A Photographs (Plates)

Plate 1 – Concrete slab and hardstanding with existing infrastructure including streetlights



Plate 2 – Mixed scrub bounding the site





Plate 3 – Off-Site bund along the northwest and southwest boundaries



Plate 4 – Refuse piles within the scrub







Plate 5 – Potential bat roost feature within the Maltese cross structures

Plate 6 – Existing streetlighting and lighting from Dow Silicone UK plant northeast of the Site





# **B** Plant species list

| Common name              | Scientific name          |
|--------------------------|--------------------------|
| Bramble                  | Rubus fruticosus agg.    |
| Bristly oxtongue         | Helminthotheca echioides |
| Common ragwort           | Senecio jacobaea         |
| Daisy                    | Bellis perennis          |
| Dandelion                | Taraxacum officinale     |
| Ribwort plantain         | Plantago lanceolata      |
| Wild carrot              | Daucus carota            |
| Alder                    | Alnus glutinosa          |
| Aspen                    | Populus tremula          |
| Bramble                  | Rubus fruticosus agg.    |
| Bristly oxtongue         | Helminthotheca echioides |
| Bristly oxtongue         | Helminthotheca echioides |
| Buddleia                 | Buddleia davidii         |
| Chickweed                | Stellaria media          |
| Common reed              | Phragmites australis     |
| Creeping thistle         | Cirsium arvense          |
| Daisy                    | Bellis perennis          |
| Daisy                    | Bellis perennis          |
| Dog-rose                 | Rosa canina              |
| Dove's-foot crane's-bill | Geranium molle           |
| Garlic mustard           | Alliaria petiolata       |
| Greater burnet saxifrage | Pimpinella major         |
| Herb Robert              | Geranium robertianum     |
| Pampas-grass             | Cortaderia selloana      |
| Pampas-grass             | Cortaderia selloana      |
| Ribwort plantain         | Plantago lanceolata      |
| Sea buckthorn            | Hippophae rhamnoides     |
| Silver birch             | Betula pendula           |
| Spear thistle            | Cirsium vulgare          |
| Teasel                   | Dipsacus fullonum        |
| White upright mignonette | Resada alba              |
| Wild parsnip             | Pastinaca sativa         |
| Wild strawberry          | Fragaria vesca           |
| Yellow wall bedstraw     | Galium murale            |