



Report Type: Clearance of Environmental Conditions

Client Name: Neville

Site Address: Land at The Belan
Guilsfield
Powys
SY21 9PF

Report Reference: RAMMS 23-09 213.1

Date of Issue: 29th September 2023

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The report should be read in its entirety.

Whilst the surveyors make every reasonable effort, Greenscape Environmental Ltd cannot guarantee that all protected species have been identified and survey results are definitive. Many species are cryptic and transitional in habit.

Greenscape Environmental Ltd can provide advice and support for recommendations and planning conditions.

The use of this report or survey data for any form of formal submission to an NGO or other authority implicitly implies acceptance of the terms and conditions.

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1 Executive Summary

1.1 Purpose of the Report

This report is prepared on behalf of Ms R Neville as part of planning permission for a residential development at land at The Belan, Guilsfield. It is in response to condition 3 of the planning decision notice from Powys Council; application number 22/0035/FUL, which reads as follows:

Condition 3

Prior to commencement of development (including ground works and vegetation clearance), a Reasonable Avoidance Measures Method Statement for Reptiles shall be submitted to the Local Planning Authority and approved in writing. The approved measures shall be adhered to and implemented in full.

Reason: To comply with Powys County Council's LDP Policies DM2, DM4, DM13 in relation to The Natural Environment and the meet the requirements of Planning Policy Wales (Edition 11, 2021), TAN 5: Nature Conservation and Planning and Part 1 Section 6 of the Environment (Wales) Act 2016.

1.2 Background

The planning application is for the construction of two dwellings with associated access and amenity space on land north of The Belan, Guilsfield. Planning permission was granted without an ecological survey. Condition 3 was recommended by Powys CC Ecology Team based on known local records of slow worm.

A site visit was conducted on 22nd September 2023 by Ben Jones to ascertain the value of site to support reptiles and tailor the RAMMS to be site specific. The site is considered to have low value for reptile species.

Potential refugia include areas of broom, rubble, concrete boulder.

2 Reasonable Avoidance Measures for Reptiles

1. Clearance of site will be conducted by hand where possible.
 - This will involve the removal of the rubble and roof tiles present on site as of September 2023, as these may be used as refugia
 - Vegetation will be cut and maintained at ~100mm and left for at least three days before removing the base, this will allow reptiles to disperse naturally prior to ground-disturbing activity.
 - There is at least one large concrete boulder on site which could not reasonably be removed by hand. This will be gently tilted to one side with a machine and the land beneath checked for reptiles prior to full removal
2. If a reptile is found during any works on site, the ecologist will be contact for advice. The reptile will be carefully moved by gloved hand and placed under cover on the site boundaries that are being retained.
3. All cabins and equipment will be located on firm compacted ground.
4. Stored subsoil must be kept in skips or used on day of delivery to prevent the accidental creation of refugia.
5. Stored materials will be raised on pallets to reduce the potential they might act as a temporary resting place. This reduces the potential for damage or destruction of individual reptiles.
6. Open or covered trenches will be checked the following morning. This is particularly important when reptiles are most active, between March and November.
7. Pipes at ground level will be capped off if left open. This will prevent reptiles looking for refugia inside them. (e.g. sewerage pipes and water pipes and other conduits.
8. All waste will be placed straight into skips to reduce the potential of creating refugia.
9. A copy of this document will always be kept on site.



Figure 2.1. Rubble and roof tiles to be removed by hand



Figure 2.2. Concrete to be removed with the assistance of a machine



Figure 2.3. Broom and vegetation to be cut low to allow reptiles to disperse

Appendix A – Surveyor Details

Table A.1. Details of surveyors' experience and licences held

| Name | Membership of associations/ experience | Licenses |
|------------------------------|---|--|
| Ben Jones BSc(hons) MSc | <p>Senior Consultant MCIEEM</p> <p>Ben has a degree in Marine and Freshwater biology and a Master's degree in "Managing the Environment".</p> <p>He has 8 years' experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales.</p> <p>As a member of the CIEEM he is bound by professional conduct.</p> | <p>Holder of survey licenses for bats and newts in England and Wales.</p> <p><u>England:</u> Bats - 2017-29112-CLS-CLS GCN - 2016-25209-CLS-CLS</p> <p><u>Wales:</u> Bats - S091847/1 GCN - S091242/1</p> |
| Peta Marshall BSc(hons)MA | <p>Principal Consultant MCIEEM PIEMA</p> <p>Peta has a degree in Applied Biology and has been working in commercial environmental assessment for over 17 years. She has 17+ years' experience surveying for protected species.</p> <p>As a member of the CIEEM she is bound by professional conduct.</p> | <p>Holder of survey licenses for bats and newts in England and Wales. Registered Consultant for Mitigation Class Licence for Bats</p> <p><u>England:</u> Bats - 2015-12200-CLS-CLS BMCL - RC084 GCN - 2015-18939-CLS-CLS</p> <p><u>Wales:</u> Bats - S090542/1 GCN - S090807/1</p> |

Appendix B – Legislation

Smooth snakes and sand lizards are designated and protected as European protected species (EPS). They are protected via a combination of Regulation 41 of the conservation of Habitats and Species Regulations 2010 and Sub-sections 9(4) b & c and Section 9(5) of the Wildlife & Countryside Act 1981 (as amended). These prohibit:

- a) deliberate capturing, injuring or killing
- b) deliberate disturbance; Disturbance of animals includes in particular any disturbance which is likely-
 - i. to impair their ability to survive, to breed or reproduce or to rear or nurture their young; or
 - ii. to impair the ability of hibernating or migratory species, to hibernate or migrate; or
 - iii. to affect significantly the local distribution or abundance of the species to which they belong;
- c) deliberate taking or destroying the eggs of such an animal; or
 - i. damaging or destroying a breeding site or resting place of such an animal and/or
 - ii. intentionally or recklessly –
 - a) disturbing any such animal while it is occupying a structure or place which it uses for shelter or protection; or
 - b) obstructing access to any structure or place which any such animal uses for shelter or protection.
- d) any person having in their possession or control, transporting, selling or exchanging, offering for sale or exchange, any live or dead animal or part of an animal, or anything derived from such an animal which has been taken from the wild and which is of a species or subspecies listed in Annex IV(a) to the Habitats Directive (This section also covers all other species listed on Annex IV of the Habitats Directive including those that are not native to the UK) unless the animal from which the part or the thing in question is derived, was lawfully taken from the wild (i.e. taken from the wild in the European Union without contravention of appropriate domestic legislation and before the implementation date of the Habitats Directive (in that Country e.g. 1994 in UK) or if it was taken from elsewhere).

Reptiles only (adder, grass snake, common lizard and slow worm) are protected via part of Section 9(1) of the Wildlife & Countryside Act 1981 (as amended) against:

- a) intentional killing and injuring (note the provision in Section 9(1) of Wildlife & Countryside Act 1981 prohibiting “taking” does not apply to reptiles) Both reptiles (adder, grass snake, common lizard and slow worm) and amphibians (common frog, common toad, smooth newt, palmate newt) are protected via part of Section 9(5) of the Wildlife & Countryside Act 1981 (as amended) against:
- b)
 - a. selling, offering or exposing for sale, or having in possession or transporting for the purpose of sale, any live or dead wild animal or any part of, or anything derived from, such an animal; or
 - b. publishing or causing to be published any advertisement likely to be understood as conveying buying or selling, or intending to buy or sell, any of those things.

