

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

HADSCAL LAND, BRECON ROAD, HAY-ON-
WYE, HEREFORD, HR3 5DY

for

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CONTROL SHEET

HADSCAL

HADSCAL Land, Brecon Road, Hay-on-Wye, Hereford, HR3 5DY

Construction Environmental Management Plan (CEMP)

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1. INTRODUCTION

COPIES OF THIS DOCUMENT AND ALL ASSOCIATED ECOLOGICAL REPORTS RELEVANT TO SITE WORKS, APPLICABLE PLANNING CONDITIONS WILL BE KEPT IN THE SITE OFFICE, PRINTED, BOUND AND PLACED IN A CLEARLY LABELLED FOLDER, SO THEY ARE AVAILABLE TO REFER TO AT ANY TIME.

Focus Environmental Consultants has been commissioned by HADSCAL ('the Client'), to produce a Construction Environmental Management Plan (CEMP) in support of a planning application for HADSCAL Land, Brecon Road, Hay-on-Wye, Hereford, HR3 5DY ('the Site').

The purpose of this report is to highlight the main processes and impacts (direct and indirect) associated with development at the Site. It will further detail specific working method statements to ensure works are carried out in full compliance with applicable wildlife law and recognised best practice and ensure that all reasonable precautions have and will be undertaken to avoid killing or injuring of wildlife during the development. The CEMP will identify prescriptions to ensure that works do not adversely impact on the functionality or integrity of the River Wye / Afon Gwy SAC, SSSI c.450m north of the Site. This report is to be read in conjunction with other construction plans / reports (such as drainage), which may detail further construction method statements and pollution prevention measures specific to the Site and works.

A copy of this CEMP will be kept onsite and will be available to all employees, sub-contractors and self-employed persons. It will be the responsibility of the Site Manager to ensure that pertinent information, and particularly agreed rules and procedures, are relayed to employees / workforce prior to commencement of the works.

1.1 Project Description

Planning permission is being sought from Bannau Brycheiniog National Park Authority. It is understood that the development proposals are for sport and health facilities including additional car parking, wildlife area and multi-sports court.

1.2 Site Personnel

1.2.1 Client

Name:

Address:

Post code:

Contact:

Tel No:

Email:

1.2.2 Principal Designer

Name:

Address:

Post code:

Contact:

Tel No:

Email:

1.2.3 Project Manager / Principal Contractor

Name:

Address:

Post code:

Contact:

Tel No:

Email:

1.2.4 Site Manager

Name:

Address:

Post code:

Contact:

Tel No:

Email:

1.2.5 Ecological Clerk of Works (ECoW)

Focus Environmental Consultants
Unit 2, Ball Mill Top Business Park
Worcester
WR2 6PD

Contact: A. Franks

Tel No: 01905 780700

Email: abby.f@focus-enviro.com

1.2.6 Arboricultural Clerk of Works (ACoW)

Focus Environmental Consultants
Unit 2, Ball Mill Top Business Park
Worcester
WR2 6PD

Contact: Edward Cleverdon

Tel No: 01905 780700

Email: Arb-services@focus-enviro.com

1.2.7 Natural Resources Wales

In the unlikely event that any protected species are identified during the works, works must cease immediately, and consultation held with the ECoW. Where necessary, the ECoW will liaise with Natural Resources Wales to agree and implement any licensing requirements before proceeding.

Contact No: 0300 065 3000

1.3 Details of Existing Records / Plans

- Landscape Proposals – Draft Development Plan Full Site HDL 100 dated 01.01.2024, Draft Development Plan HCC P01B dated 20.02.2026, and Draft Development Plan HCC RL01 dated 11.03.2026.
- Arboricultural Survey & Impact Assessment – Focus Environmental Consultants, 2026a.
- Preliminary Ecological Appraisal – Focus Environmental Consultants, 2026b.

1.4 Site Description & Location

The Site is c.1.6ha in size and comprises mown modified grassland (football pitches), ruderal and ephemeral vegetation (recently cleared land), scattered trees and native hedgerow. The Site is centred on Ordnance Survey grid reference SO 22818 41840.

1.5 Summary of Survey Information

The Site was the subject of a Preliminary Ecological Appraisal by Focus Environmental Consultants in March 2026 (see Focus Environmental Consultants, 2026b).

The habitats within the survey Site and surrounding area were considered to offer opportunities for:

- foraging and commuting bats
- roosting bats
- nesting and foraging birds
- reptiles
- commuting and foraging mammals (e.g. badger, rabbit)
- invertebrates

The Site was not considered to offer opportunities for breeding amphibians (due to a lack of waterbodies) and riparian mammals. No badger setts were recorded on or immediately adjacent to the Site. Please refer to the Preliminary Ecological Appraisal (Focus Environmental Consultants, 2026b) for a full description of the habitats onsite.

1.6 Statutorily Designated Sites

One site designated under the National Site Network (previously referred to as European designated Natura 2000 sites), is located within 500m of the Site:

- River Wye / Afon Gwy Special Area of Conservation (SAC) is located c.450m north-west of the Site. The primary reason for selection of this site is for water courses with characteristic bryophyte-dominated vegetation and lower reaches with extensive *Ranunculus* beds. Also selected for Annex II species such as White-clawed crayfish, Lamprey, Atlantic salmon and Otter. There are 13 pressures / threats to the River Wye / Afon Gwy including water pollution, physical modification, invasive species, hydrological changes, forestry and woodland management, fisheries: freshwater, fisheries: fish stocking, water abstraction, public access / disturbance, air pollution, inappropriate scrub control, under grazing and transportation and service corridors.

Four sites designated under the National Site Network are located between 500m and 20km of the Site:

- Rhos Goch SAC c.7km north-west. The site is a sequence of mire communities developed in a flat valley floor. The site was selected for its raised bogs that grade into an extensive suite of poor-fen and swamp communities. Also selected for its transition mires and quaking bogs (Annex I habitat).
- River Usk SAC c.13.8km south. The site contains water courses of plain to montane levels with water crow-foot vegetation, selected for the presence of Sea, Brook and River lamprey (Annex II species) as well as Atlantic salmon, Twaite shad, Bullhead and Otter.

- Drostre Bank SAC c.16.7km south-west. The site contains *Molinia* meadows on calcareous, peaty soils. Selected for its species-rich example of fen-meadow, with well-displayed transitions to a floristically related form of rush-pasture as well as to base-rich wet woodland.
- Llangorse Lake SAC c. 17.4km south-west. The site a natural eutrophic lake of glacial origin, flora dominated by pondweed, yellow water-lily with shorelines a good example of club rush.

There are three Statutory Designated sites within 2km of the Site:

- River Wye / Afon Gwy Site of Special Scientific Interest (SSSI) c.450m north-west. The site has rocky sections that are excellent examples of medium to large rivers with moderate nutrient status including vegetation dominated by water crowfoot. The riverside rocks support a variety of rare and scarce plants and a variety of shingle dwelling invertebrates.
- Hen-allt Common SSSI c.1.7km south. The area comprises of a woodland and common land that is designated for its unimproved grassland Flat-sedge and Meadow Saffron.
- Pen-yr-hen-Allt SSSI c.2km south. No description is available for this site.

1.7 Non-statutorily Designated Sites

Cusop Dingle Regionally Important Geological / Geomorphological Site (RIGS) is c.506m east of the Site. No description is available for this site.

2. COMMUNICATION & MANAGEMENT OF WORKS

2.1 Management Structure & Responsibilities

The objective of this plan is to eliminate as far as is reasonably practicable all (direct and indirect) adverse impacts on the environment and associated wildlife during the construction phase of development. Specifically, this CEMP has been designed to ensure that works do not adversely impact on the functionality or integrity of the River Wye / Afon Gwy SAC, SSSI.

The following legislation and guidance are relevant to the requirements of this plan:

- The Conservation of Habitats & Species Regulations 2017 (as amended)
- Wildlife & Countryside Act 1981 (as amended)
- The Environment Act 2021
- Protection of Badgers Act 1992
- The Natural Environment & Rural Communities (NERC) Act 2006
- The Construction (Design & Management) Regulations 2015 (CDM 2015)
- BS 42020: 2013 Biodiversity Code of Practice for Planning & Development.
- Bat Mitigation Guidelines (Reason & Wray, 2025)
- Bat Survey Guidelines (Collins, 2023)
- Pollution Prevention Guidelines – Works & maintenance in or near water (Natural Resources Wales (NRW), the Northern Ireland Environment Agency (NIEA) and the Scottish Environment Protection Agency (SEPA), 2018)
- Pollution and Environmental Quality
(<https://www.gov.uk/environment/pollution-and-environmental-quality>)
- British Standard BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites (British Standards Institute, 2014)

This is not an exhaustive list and further method statements and risk assessments for specific works (e.g piling, drainage) onsite may also be provided by contractors/ sub-contractors as required.

It will be the responsibility of the Site Manager to ensure that information and particularly the rules and procedures within this plan are relayed to employees / workforce prior to commencement of the works. During times of their absence from the Site, an assistant Site Manager will be appointed.

The duty of the Site Manager(s) will be to:

- Ensure the Site is being run safely.
- Ensure the Site is secured at the end of the day.
- Ensure that all contractors are adhering to the requirements of the CEMP.

An Ecological Clerk of Works (ECoW) and Arboricultural Clerk of Works (ACoW) have been appointed to oversee and monitor the ecological and arboricultural impacts of the development during all construction phases, as detailed within the following Sections. Contact information is provided in Section 1.2 above.

Should an issue arise with the correct implementation of this CEMP, then the Site Manager will inform the Client, and any other personnel required in relation to the specific issue (e.g. ECoW, ACoW etc.)

2.2 Monitoring, Reviewing & Record Keeping

The Site Manager will monitor all works onsite during the construction phase and carry out regular checks of all procedures to ensure that operatives are complying with the written policy, and related method statements laid out within this plan and any supplementary work-specific method statements / risk assessments provided by sub-contractors.

Failure to comply with or any breaches of policy / legislation will immediately be notified to the Site Manager and any relevant personnel (e.g. Client, ECoW, ACoW) and if necessary, works will stop until the issue has been resolved.

Throughout the construction phase, monitoring will be undertaken by the appointed ECoW and / or ACoW to ensure compliance with the CEMP. Timing of visits will be as

the ECoW / ACoW sees fit and may change in frequency depending on the stage of the construction works. These inspections / monitoring visits will be recorded.

The ECoW / ACoW will keep in regular contact (via telephone / email) with the Site Manager throughout the construction works. Any breaches of the CEMP will be brought to the attention of the Site Manager and Client and remedial action will be implemented.

Details of all work completed under this CEMP, together with relevant maps and photographs are to be retained and appended to this document.

2.3 Site Liaison

There will be constant channels of communication between the Site Manager and other duty holders to ensure proper exchange of information, safe operation and compliance with the CEMP.

Pre-start and regular site meetings (via telephone or in person) will be held between the Site Manager and all sub-contractors.

Formal instruction and training (a 'tool-box talk') of site-based personnel will be provided by the ECoW and / or ACoW prior to commencement of the construction works. This talk will indicate an appropriate procedure for working within the area to minimise disturbance onsite, nearby habitats including the River Wye / Afon Gwy SAC, SSSI and the risk of inadvertently harming wildlife. The tool-box talk will be given to any new starters and may be provided by the Site Manager on behalf of the ECoW should they not be available onsite.

All persons engaged to work onsite will be asked to confirm their understanding, and acceptance of all matters covered in the Site toolbox talk and any other Site inductions, prior to commencing work.

Additional methods of consultation will include safety notices, bulletins and posters, which will be displayed on the Notice Board. The Notice Board information can be found within the Site Office / Welfare Facilities.

The Site Manager will ensure any new legislation, or changes in practice, necessitating a review, are notified immediately to the employees/ sub-contractors.

2.4 Site Compound

The Site compound should be situated on an area of existing hardstanding. If this is not possible, an area of hardstanding must be created on existing short sward grassland near the Site entrance located at the east of the Site. The Site compound must be situated outside of the Hedgerow & Tree Protection Zones. Please refer to the Arboricultural Survey & Impact Assessment (Focus Environmental Consultants, 2026a) for Hedgerow & Tree Protection Zones. The Site compound will include the Site Office and Welfare Facilities and allow for the storage of vehicles, machinery, materials (including waste), and appropriately stored chemicals / pollutants (see Section 3 for further details). The Site compound will also display the Site Notice Board (e.g. affixed to the Heras fencing), Accident Book, and will be the meeting point for contractors on Site for induction and signing in / signing out.

2.5 Welfare Facilities & First Aid

Welfare facilities will be in line with Schedule 2 of the CDM Regulations 2015. Welfare facilities (e.g. toilets, canteen, clean water) will be provided onsite within the Site Compound. Vehicles or the welfare facilities (canteen) will be used for shelter and breaks as required.

Clean bottled drinking water, hand wash and hand sanitiser will be carried by the Site Manager and be available for anyone working onsite.

Vehicles will be used for shelter and breaks as required.

The minimum first aid provision for the Site is:

- A first aid box with enough equipment to cope with the number of workers on site.
- An appointed person to take charge of first-aid arrangements.
- Information telling workers the name of the appointed person or first aider and where to find them.

All accidents and near misses will be dealt with appropriately (e.g. getting first aid / trained emergency care) and recorded. The Site Accident Book will be located within the Site Compound. The Site Manager is the appointed person who will take charge when someone is injured or falls ill and who will telephone for an ambulance if one is required. They will not attempt to give first aid for which they have not been trained.

2.6 Health & Safety

Details on health and safety at the Site is outside of the scope of this CEMP which focuses on the environmental impacts of the construction phase and should be detailed within a specific plan. However, all employees and contractors will abide by the health and safety policy laid out to ensure that they follow their duties under the Health and Safety at Work Act, 1974, the CDM Regulations 2015, and the production of site-specific method statements and risk assessments.

2.7 Risk Assessments & Method Statements

Designers, specialist sub-contractors and suppliers are required to provide information on residual risks, which are to work in conjunction with this CEMP.

Subcontractors engaged to carry out specific construction operations will be required to provide for review risk assessments and safe working method statements, indicating how the tasks will be carried out, prior to commencing of any work.

All method statements and risk assessments will be reviewed by the Site Manager prior to commencing of any work. Where residual effects have the potential to result in environmental risks, the ECoW / ACoW will be consulted to review the risks and advise. Further advice from third-parties (e.g. DEFRA, Natural Resources Wales, Environment Agency) will be sought as required.

2.8 Fire & Emergency Procedures

Details on fires and emergency produces at the Site is outside of the scope of this CEMP. However, the arrangements for dealing with fire onsite will be in accordance with current legislation and guidance including HSE Guidance HSG168 Fire Safety in Construction. Site-specific procedures for fires and emergencies (e.g. means of raising the alarm, identified muster points, emergency contact numbers, location and

directions to the nearest 24 hour A&E facility *etc.*) will be in place and all operatives will be made aware of it at their induction. Details will be provided on the site notice board, located within the Site Compound.

3. CONSTRUCTION ENVIRONMENTAL METHOD STATEMENT

The following method of work has been produced to provide a robust procedure for the works for the creation of sport and health facilities including additional car parking, wildlife area and multi-sports court. When enforced as intended, this document will ensure that Site contractors complete works in full compliance with the relevant wildlife and habitats legislation affecting vulnerable ecological receptors (e.g. The Wildlife and Countryside Act 1981 (as amended); The Conservation of Habitats and Species Regulations 2017 (as amended)).

The following sections identify risks specific to the proposed works at this Site and detail arrangements and prescriptions for controlling and managing these risks.

3.1 Hedgerow & Tree Protection Zones

BS 5837: 2012 '*Trees in relation to design, demolition and construction*' will be implemented onsite through the erection of protective fencing (e.g. Heras fence) and appropriate notices / signs to ensure that all retained trees and hedgerows are protected adequately from construction-related damage, as directed by the appointed ACoW. Fencing will be in place prior to any ground works commencing and before any heavy machinery starts moving around the Site.

These zones will be designated as 'Hedgerow & Tree Protection Zones' and will be sacrosanct throughout the development. No access within these areas will be allowed unless authorised (in advance) by the ECoW (e.g. installation of drainage, landscaping etc.).

The protection measures installed around the Hedgerow & Tree Protection Zones will be inspected and signed-off by the appointed ECoW / ACoW. Regular monitoring / inspections of the protective fencing will be completed by the ECoW during the construction phase. The protection fencing will only be moved where necessary to facilitate essential works (as indicated above) within the Hedgerow & Tree Protection Zones and upon agreement with the ECoW and ACoW. Protection fencing will only be dismantled and removed from the Site following the completion of all works and the removal of machinery and vehicles from site.

3.2 Site Materials, Machinery & Development Operations

The following measures are designed to prevent any accidental damage to the habitats retained onsite, the nearby designated site (River Wye SAC, SSSI) and associated species during the construction phase.

- Deliveries (where required) will be controlled on a just in time basis and all loading and offloading will be supervised, and a competent Banksman will be in attendance during all reversing activities if required. All loading and offloading will be undertaken within a controlled area of the Site compound, and all deliveries will be co-ordinated by the Site Manager. All procedures will be in accordance with current legislation and guidance including Health and Safety Executive Guidance HSG144 Safe use of vehicles on construction sites etc.
- To avoid risks of pollution from fuel, oils and silt associated with use of machinery, which could result in prosecution, Site practices will be implemented in accordance with best practice prevention guidelines for Pollution and Environmental Quality -
(see <https://www.gov.uk/environment/pollution-and-environmental-quality>).
- Construction vehicles, Site compounds, generators, stored materials and waste materials / dumping facilities will be stored within the Site compound.
- Potential pollutants will be securely stored in appropriate containers (compliant to COSHH Regulations 2002, as required).
- No storage of materials, machinery, temporary structures, chemicals or fuel shall occur within Hedgerow & Tree Protection Zones, or areas of tall vegetation, herb or ruderal vegetation prior to Site clearance, to avoid possible injury / killing of vulnerable fauna.
- Where possible, materials will be stored on pallets to discourage wildlife from using them as shelter and will be stored within the Site compound.

- Any discarded materials will be stored in skips or similar containers rather than in piles on the ground.
- Any machinery used will be made safe or temporarily fenced-off when not in use. Trenches and excavations will be installed with ramps (no greater than 45 degrees in angle) to prevent any wildlife becoming trapped. All excavations left open overnight or longer must be checked for animals prior to the continuation of works or infilling. Where possible (subject to the works being undertaking), back-filling will be completed immediately after any excavations and / or as an on-going process to the work in hand.
- Any temporarily-exposed open pipe systems or ducts being installed by the contractor will be capped at the end of each working day in such a way as to prevent wildlife gaining access.
- Contractors will avoid leaving mounds of earth (or similar materials) within the Site for long periods of time. If unavoidable, these will be covered to avoid potential run-off of sediment following adverse weather conditions (e.g. prolonged / heavy rainfall).
- Planning of Site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees.
- Any transit of mechanical plant in proximity to trees should be conducted under the supervision of a competent Banksman, to ensure that adequate clearance from trees is maintained at all times.
- All vehicles are to switch off engines when not in use to prevent unnecessary noise / pollution / vibrations.
- Where appropriate, Site vehicles / machinery will be fitted with modifications to control noise levels e.g. silencers to machinery, sound dampening casing

equipment, wooden packers on piling machinery. Checks will be made to ensure that the vehicles / machinery and equipment used onsite are in good order, maintained and fit for purpose. This will reduce the occurrence of unnecessary noise that could occur from poorly-maintained equipment (e.g. rattling, clunking etc.).

- Site operations will be organised to control exposure to site noise. Construction activities will be scheduled appropriately to limit the number of noisy activities happening at any one time. Acoustic screening will be used, where required.
- Activities that can lead to soil contamination (e.g. refuelling and concrete mixing) will not be carried out within 10 metres of the Hedgerow & Tree Protection Zones or ditch along the northern and southern boundaries. These activities will be carried out within the Site compound. Please refer to the Preliminary Ecological Appraisal (Focus Environmental Consultants, 2026b) for the location of all ditches on / adjacent to the Site.
- All activities with the potential to generate dust and particulate matter, or cause either fugitive or wind-blown dust emissions, will be appropriately monitored and managed according to agreed site-specific management plans.
- The construction Site entrance area will be surfaced with temporary stone to eliminate 'at source' the requirement for wheel washing. No roadworthy vehicles will be permitted to drive on soft ground and onto the public highway. Site-based machinery / vehicles (permitted access on soft ground) will be collected / delivered via a low loader.
- All loads entering and leaving the Site are to be covered to prevent debris becoming airborne, spillage or deposition of any materials outside of the Site boundaries.

3.3 Working Hours

To avoid any unnecessary disturbances to nocturnal wildlife (e.g. night-lighting, loud noises or vibrations from the use of heavy machinery), construction activities will be restricted to normal daylight working hours (i.e. 7am – 6pm Monday to Friday; 7am – 4pm Saturday, Sunday and Bank Holidays), not commencing until at least one hour after sunrise and finishing one hour before sunset. Working outside these time frames should only occur in exceptional circumstances and when no other option is available and in agreement with the Site Manager.

If absolutely necessary, any artificial lighting of the Site at night (i.e. compound security lighting) will be minimal and low-level to minimise light spillage on wildlife habitats (as per Bat Conservation Trust & Institute of Lighting Professionals (2018)). Lighting will specifically be directed away from all Hedgerow & Tree Protection Zones and all site boundaries to avoid potential disturbance to nocturnal fauna. PIR motion-sensitive lights are advised where appropriate. It is recommended there is no night-lighting onsite, however.

3.4 Pollution Control & Biosecurity

3.4.1 Invasive Species

Biosecurity measures are essential to limit the spread of invasive species, such as Japanese knotweed and giant hogweed. **Please note that no non-native invasive species have been recorded onsite to date.**

To minimise the risk of spreading invasive species, all Site operatives will:

- Abide by specific control measures (e.g. HERAS fencing, signage) designed to prevent access to affected areas.
- Avoid contact with invasive species to reduce the risks of accidental seed dispersal and plant matter adhering to clothing and equipment.
- If invasive species are observed within a works area, works must cease and guidance sought from the ECoW and the Environment Agency as required (see Natural Resources Wales, DEFRA & EA, 2019; Environment Agency, 2019 for further details). This advice must be adopted and implemented in full before returning to work.

- Check their equipment for any organisms and debris (Japanese knotweed can spread from small fragments of rhizome caught within vehicle tracks).

3.4.2 Water Pollution

In addition to measures detailed within Section 3.2, a range of water quality management and mitigation measures will be implemented on the Site to minimise pollution impacts to the River Wye / Afon Gwy SAC, SSSI, such as through run-off and contamination during the construction phase.

- Maintenance checks will be made throughout the construction period to ensure that the vehicles / machinery and equipment used onsite are in good condition and fit for purpose.
- All vehicles are to switch off engines when not in use to prevent unnecessary noise / pollution / vibration.
- Ongoing maintenance checks of welfare facilities (*i.e.* checks for leakages and overflows). Any leaks, overflows, *etc.* will be reported to the Site Manager.
- Safe (COSHH-compliant) storage of onsite chemicals, oil, and fuel and collection of offsite removal of wastewater from the Site.
- Site practices will be implemented in accordance with best practice prevention guidelines for Pollution and Environmental Quality¹.
- Suitable materials to deal with any pollution incident (*e.g.* spill kit, absorbent materials and a temporary bund) will be kept onsite.
- The construction site entrance area will be surfaced with temporary stone to eliminate 'at source' the requirement for wheel washing.

¹ <https://www.gov.uk/environment/pollution-and-environmental-quality>

- All activities with the potential to generate dust and particulate matter or cause either fugitive or wind-blown dust emissions, will be appropriately monitored and managed according to agreed site-specific management plans.
- Any mounds of earth (or similar materials) which are left onsite for prolonged periods will be sealed / covered to avoid potential run-off of sediment following adverse weather conditions (e.g. prolonged / heavy rainfall).
- All loads entering and leaving the Site are to be covered to prevent debris becoming airborne, spillage or depositing of any materials outside of the Site boundaries.
- Where relevant, tools and machinery will be fitted with Local Exhaust Ventilations (LEV) systems to remove dust as it is produced or use water as a suppressant. Sheeting/ temporary screens may also be used where appropriate. Wherever possible, works that may produce dust (e.g. sawing) will be carried out offsite (*i.e.* at the warehouse before materials are delivered onsite) or within the Site Compound area.
- Any pollution incidents of an unknown origin will be reported to the Environment Agency on their emergency pollution hotline (0800 80 70 60).

3.5 General Site Construction Activities

General daily construction works at the Site will largely involve plant/ machinery/ vehicles, such as excavators, during Site clearance and preparation works, and hand-tools (e.g. welding, saw-cutting). Where relevant, tools and machinery will be fitted with Local Exhaust Ventilations (LEV) systems to remove dust as it is produced or use water as a suppressant. Sheeting/ temporary screens may also be used where appropriate. The use of hand tools will minimise the potential for adverse indirect effects on retained and nearby habitats (*i.e.* hedgerows and trees, surrounding pasture land, nearby SAC) through dust contamination and other pollutants. Wherever possible, works that may produce dust (e.g. sawing) will be carried out offsite (*i.e.* at the warehouse before materials are delivered onsite) or within the Site Compound.

3.6 Piling Works

Piling may be required onsite (depending on the ground conditions) for the foundations of the development, which has the potential to create disturbance (e.g. via noise and vibrations).

Piling, if required, will be small-scale, localized within the Site, and temporary. Control measures to reduce noise levels during piling will be implemented onsite and will include the use of wooden packers which, through distance decay, will reduce the noise levels to 70dB. Checks will also be made to ensure that the vehicles / machinery and equipment used on Site is in good condition and fit for purpose, which will reduce the occurrence of unnecessary noise / vibration that could occur from poorly maintained equipment (e.g. rattling, clunking etc.).

Full details of mitigation / control measures will be detailed within specific method statements for the works.

3.7 Other Wildlife Considerations

The following sections relate to additional measures to the above for specific species. Please see Annex 4.1 for site posters identifying key protected species relevant to the Site.

Please note that an Ecological Mitigation and Enhancement Strategy has been recommended to be written once the results of the further surveys have been undertaken and the final layout plans have been issued. Please refer to the Preliminary Ecological Appraisal for further details (Focus Environmental Consultants, 2026b).

Should any protected species, or evidence of protected species, be found during any part of the development, then work will cease immediately. The ECoW will be consulted, and they will then liaise directly with Natural Resources Wales (if required) to determine any licensing requirements necessary to complete the development.

3.9.1 Bats

Construction Activities & Lighting

As detailed within Section 3.3, construction activities will be restricted to normal daylight working hours, not commencing until at least one hour after sunrise and finishing one hour before sunset.

If required, any artificial lighting of the Site at night (*i.e.* compound security lighting) will be minimal and low-level to minimise light spillage on habitats (see Bat Conservation Trust & Institute of Lighting Professionals (2018)). Lighting will specifically be directed away from Hedgerow & Tree Protection Zones all Site boundaries to avoid unnecessary disturbance to nocturnal wildlife and maintain dark corridors along key foraging and commuting habitat. PIR motion-sensitive lights are advised where appropriate.

Please note: Night-time Bat Walkover Surveys have been recommended to establish the level of bat activity within the development Site, following the latest bat survey guidelines (Collins, 2023). For further information on these recommended further surveys, please refer to the Preliminary Ecological Appraisal (Focus Environmental Consultants, 2026b).

Trees

T28 was considered to offer 'FAR' potential for roosting bats, whilst T31 was considered to offer 'PRF' potential for roosting bats (with reference to Collins, 2023). Please refer to the Preliminary Ecological Appraisal for full details (Focus Environmental Consultants, 2026b).

Current development proposals suggest both T28 and T31 will be retained and protected within the Hedgerow & Tree Protection Zones. Please refer to the BS5837:2012 Arboricultural Survey & Impact Assessment for the exact locations of the Hedgerow & Tree Protection Zones (Focus Environmental Consultants, 2026a).

3.9.2 Nesting Birds

Removal of Vegetation

- Where areas of potential bird nesting habitat, such as trees require removal, Site clearance will be undertaken outside the bird nesting season (March – August, inclusive) wherever feasible.
- If avoiding the bird nesting season is not possible within development constraints, areas of vegetation will be carefully checked by the ECoW prior to removal. The ECoW will be able to identify any nesting birds and advise of appropriate safe working distances to ensure compliance with wildlife legislation.
- Active nests will be left undisturbed until young have fledged, as advised by the ECoW. An appropriate buffer (e.g. 5m section or individual tree) will be retained around the nest and works within this area will not be permitted until the ECoW has confirmed that nesting birds are no longer present.

4. ANNEXES

4.1 Site Posters

4.2 References & Bibliography

4.3 Legislation & Best Practice

4.1 Site Posters

4.1.1 Key Protected Species Poster

Key Protected Species

Otter



Water vole



Bats

The UK currently supports 17 different species of bat. The below pictures are examples of two of these species and field signs.



Common pipistrelle



Whiskered bat

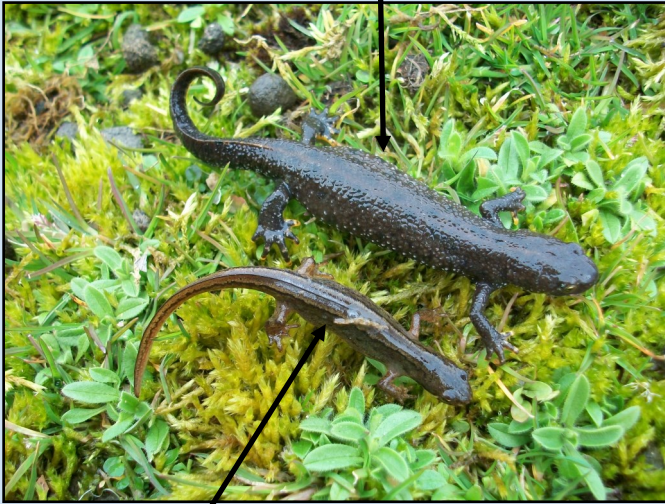


Examples of bat droppings under tiles

Key Protected Species

Great Crested Newts

Great Crested Newt (female)



Smooth Newt (female)

Key features of great crested newts:

- Black / dark brown, warty skin.
- Males - crest along the back and tail (however, this is not easily visible when on land) and a white flash along the tail
- Belly is bright orange / yellow with irregular black patches / spots
- White spotting along the head and body
- Largest of the three native UK newts, growing up to 16cm in length (smooth newts <10cm; palmate newt <9cm)



Should any protected species be found on site during the development, stop all works immediately and call Focus Environmental Consultants on **01905 780 700** to advise on the next steps.

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4.3 Legislation & Best Practice

4.3.1 The Environment Act 2021

The Environment Act 2021 is a far-reaching Act of parliament, which received Royal Assent on 9th November 2021 and took a number of years to come into force. It is described by the Chartered Institute of Ecology and Environmental Management as ‘world leading’ legislation and has the primary focus of providing targets, plans and policies for improving the natural environment. In implementing the Act, the Secretary of State is required to set long-term targets for a number of priority areas including: air quality, water, biodiversity, resource efficiency and waste reduction. Schedule 14 of the Act establishes a mandatory requirement for all developments to secure a 10% net gain in biodiversity, with a few exceptions such as ‘permitted development’ and marine and intertidal developments. Schedule 14 of the Act details the required amendment of the Town and Country Planning Act 1990 (inserting a new s.90A and Schedule 7A) with respect to ‘normal’ development. Schedule 15 describes amendments to the Planning Act 2008 with respect to Nationally Significant Infrastructure Projects, inserting a new s.99 and Schedule 2A.

The measurement of baseline and post-development biodiversity figures involves the use of the most up to date version of the state-sponsored ‘biodiversity metric’. A ‘small sites’ metric is available for sites of up to 0.5ha in size supporting 1 - 9 residential units or for other forms of development, with a floorspace of less than 5000m² and in both cases without priority habitats being present (with the exception of hedgerows and arable field margins). The mandatory 10% biodiversity net gain requirement described by the Act will not be mandatory until November 2023, although may be still be required by local plan policy in the intervening period. Other matters covered by the Environment Act are the creation of a Biodiversity Gain Site Register, the provision of Biodiversity Credits, the establishment of the Office for Environmental Protection (OEP) and the establishment of Local Nature Recovery Strategies. The Act further strengthens the biodiversity duty enshrined within s.40 of the Natural Environment and Rural Communities Act 2006, requiring not only the conservation of biodiversity but also its ‘enhancement’.

4.3.2 The Conservation of Habitats and Species Regulations 2017 (as amended) & The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

<http://www.legislation.gov.uk/ukxi/2010/490/contents/made>

<https://www.legislation.gov.uk/ukxi/2019/579/contents/made>

These regulations referred hereafter as “the Habitats Regulations”, represent the primary method by which Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the “Habitats Directive”) is transposed for England and Wales and their territorial seas. The Habitats Directive, in conjunction with the Birds Directive (Council Directive 2009/147/EEC) forms the basis for implementation of Europe’s nature conservation policy through both habitat and species level protection. The Habitats Directive requires the designation of strictly protected European sites known as Special Areas of Conservation (SACs). Together with the Special Protection Areas (SPAs)

established by the Birds Directive, these collectively form the Natura 2000 Network of protected sites ('UK National Site Network' in the UK). The Habitats Directive also requires the strict protection of animals and plants of Community Interest listed under Annex IV. Habitat types requiring strict protection as SACs are listed under Annex I. The conservation of animals and plants listed under Annex II requires the designation of SACs.

The Habitats Regulations require that public bodies must exercise their nature conservation responsibilities to ensure compliance with the Habitats Directive. These regulations also require the conservation of natural habitats and habitats of species through the selection, designation and notification of marine and terrestrial 'European Sites'. The habitats and species of European Importance are listed under Annexes I and II of the Habitats Directive. The regulations also contain provision for the appropriate management of these European Sites including the control of damaging operations, special nature conservation orders and restoration orders, for example. The Habitats Regulations afford strict protection to European Protected Species of animals under Schedule 2 and plants under Schedule 5. Offences (subject to certain exceptions) include the deliberate capture, killing, disturbance or trade in these animals. Similarly, plants listed under Schedule 5 are protected (subject to exceptions) from picking, collection, cutting, destruction or trade.

4.3.3 The Wildlife and Countryside Act 1981 (as amended)

While the Habitats Regulations provide the basis for nature conservation policy in Europe, the Wildlife and Countryside Act 1981 (as amended) (WCA) is still a major mechanism for the legislative protection of wildlife and countryside/national parks in the UK. The WCA, and its various amendments, draw on from pre-existing legislation and support the Habitats Regulations in implementing the Bern Convention (1979) and Directive 2009/147/EC on the conservation of wild birds. Schedules within the WCA provide a list of protected species and habitats, in addition to prohibited actions. Further details are provided below for specific species relevant to the report. The WCA also contains measures for controlling invasive non-native species and amendments to a number of laws, including in relation to public rights of way.

4.3.4 The Countryside and Rights of Way (CROW) Act 2000

The CROW Act amends existing WCA legislation in accordance with the 1992 Convention on Biological Diversity (Rio Earth Summit). The Act applies to England and Wales only and encompasses public access, rights of way, nature conservation and Areas of Outstanding Natural Beauty (AONBs). Schedule 9 of the Act provides increased powers for the protection and management of SSSIs while Schedule 12 strengthens the legal protection for protected species via arrestable offences and heavier penalties.

4.3.5 The Environment (Wales) Act 2016

The Environment (Wales) Act sets out the requirements to plan and manage natural resources of Wales in a more sustainable way.

Section 6, under Part 1 of the Act imposes a biodiversity duty on all public bodies to conserve biodiversity to encourage the resilience of ecosystems in Wales.

Section 7 (S7), under Part 1 of the Act requires the publication of a list of living organisms and types of habitat in Wales which in the Welsh Minister's opinion are of key significance for the purpose of sustaining and improving biodiversity. The list generated under S7 of the Act contains a number of types of habitats and species of animal and plant that have the potential to be affected by development projects of a range of sizes and impacts. This section replaces the duty formerly provided by Section 41 (s.41) of the Natural Environment and Rural Communities (NERC) Act 2006 (<https://www.biodiversitywales.org.uk/Environment-Wales-Act>).

4.3.6 The Hedgerow Regulations 1997

On 1 June 1997, the Hedgerow Regulations came into force under section 97 of the Environment Act 1995 to address the dramatic decline in UK hedgerows. The regulations protect important hedgerows by limiting removal through a system of notification via local planning authorities.

The regulations are aimed at countryside hedgerows in England and Wales “on or adjoining, common land, village greens, Site of Special Scientific Interest (which include National Nature Reserves, Special Protection Areas under the Birds Directive and Special Areas of Conservation under the Habitats Directive), Local Nature Reserves, or land used for agriculture, forestry or the breeding or keeping of horses, ponies or donkeys” (Section 3.6).

Written permission is required from the local planning authority before the removal of any hedgerow over 20 metres and more than 30 years old. Hedgerows less than 20 metres long may also be considered if they form part of a continuous network of hedges. Garden hedges, however, are not protected. Once the LPA has received a written request, they will issue either a Hedgerow Retention or Hedgerow Removal Notice within 42 days depending on whether they define the hedgerow as *important* or not. This is determined by the following;

- “They have been in existence 30 years or more; and”
- “They satisfy at least one of the criteria set out in Part II of Schedule 1 of the Regulations.”

Exemptions to the Regulations fall into three categories:

- “small scale works;”
- “works approved under other procedures which ensure careful assessment and consideration of the impact on the local environment; and”
- “works authorised under other legislation which justify the removal of a hedgerow without first establishing its importance.”

It is an offence to remove a hedgerow subject to a retention notice, or to remove a hedgerow protected under the Hedgerow Regulations without first obtaining the required removal notice.

4.3.7 National Planning Policy Wales

Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

'The need for ecosystems, habitats and species to adapt to climate change and other pressures should be considered as part of the Green Infrastructure Assessment. This must include identifying ways to avoid or reverse the fragmentation of habitats, and to improve habitat connectivity where appropriate, through the promotion of wildlife corridors, protection of riverine corridors and identifying opportunities for land rehabilitation, reducing pollution, landscape management and habitat restoration, creation and nature recovery. The role of development as part of a spatial approach will be two fold. Planning authorities firstly must ensure that development avoids and then minimises impact on biodiversity and ecosystems and secondly that it provides opportunities for enhancement within areas identified as important for the ability of species to adapt and/or to move to more suitable habitats.' Paragraph 6.2.8

'Planning authorities must follow a 'Step-Wise Approach' to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact.' Paragraph 6.4.11

The Step-Wise Approach is detailed in Figure 12 and Section 6.4.15 of PPW (pages 148 – 152).

4.3.8 BS42020:2013 Biodiversity. Code of Practice for Planning and Development

BS 42020 was developed by BSI with input from a variety of organisations (in all sectors) and experts in the field of biodiversity. It is fundamentally engaged with the incorporation of biodiversity into all stages of the planning process. The standard identifies a suite of recommendations and advice to ensure that decision-making and activities undertaken from inception to fruition of planning applications are adequately informed by appropriate and robust ecological knowledge. BS42020 aims to:

- give decision-makers (and specifically planning authorities and other regulatory bodies) more confidence that the ecological audits and assessment of impact on biodiversity provided in support of development proposals is fit for purpose;

- encourage greater consistency and transparency in the quality, scientific robustness and transparency of ecological reports that are submitted with planning applications and other forms of regulatory approval; and
- foster an approach that is proportionate and retains and positive environmental legacy following development.

4.3.9 Bats

All British bats are “European Protected Species” (EPS) and listed on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended). The following actions affecting bats are prohibited under the legislation:

- deliberate capture, injury or killing of a bat;
- deliberate disturbance of a bat and in particular disturbance which is likely to impair their ability:
 - o to survive, to breed or reproduce, or to rear or nurture their young, or
 - o in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - o or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, any bat or any part of a bat or anything derived from one.

Bats are also afforded protection from intentional or reckless ‘disturbance’ by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by bats for shelter and protection is also an offence under the Act.

Barbastelle, Bechstein's bat, noctule, common pipistrelle, soprano pipistrelle, brown long-eared bat, greater horseshoe bat and lesser horseshoe bat are also listed as a species ‘*of principal importance for the purpose of maintaining and enhancing biodiversity*’ under Section 7 of the Environment (Wales) Act 2016.

4.3.10 Badgers

Badgers and their setts are protected by the Protection of Badgers Act 1992 (as amended). This makes it an offence to wilfully kill, injure or take a badger or interfere with a badger sett through damaging the sett, destroying the sett, obstructing access to a sett, causing a dog to enter the sett or disturbing a badger occupying a sett.

4.3.11 Birds

All wild birds in the UK are afforded protection under the Wildlife and Countryside Act 1981 (as amended). This protection includes killing, injuring or taking wild birds as well as taking, damaging or

destroying bird nests in use or being built, and taking or destroying eggs. Birds listed under Schedule 1 of the Act are afforded additional protection from disturbance during nesting and offences relating to these birds are subject to special penalties. The nest sites of birds listed under Schedule ZA1 of the act (golden eagle, white-tailed eagle and osprey) are afforded strict, year-round protection even when the nests are not in active use.

4.3.12 Great Crested Newts

The great crested newt (*Triturus cristatus*) (Laurenti, 1758), is a “European Protected Species” (EPS) and listed on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended). The following actions affecting great crested newts are prohibited under the legislation:

- deliberate capture, injury or killing of a great crested newt;
- deliberate disturbance of a great crested newt and in particular disturbance which is likely to impair their ability:
 - o to survive, to breed or reproduce, or to rear or nurture their young, or
 - o in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - o or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, any great crested newt, any part of a great crested newt or anything derived from one.

Great crested newts are also afforded protection from intentional or reckless ‘disturbance’ by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by great crested newts for shelter and protection is also an offence under the Act. This applies to both aquatic and terrestrial habitat.

Great crested newts are also listed as a species ‘*of principal importance for the purpose of maintaining and enhancing biodiversity*’ under Section 7 of the Environment (Wales) Act 2016.

4.3.13 Reptiles

All common reptile species (grass snake, adder, common lizard and slow-worm) native to Britain are protected by Schedule 5 the Wildlife & Countryside Act, 1981 (as amended). It is illegal to:

- deliberately kill, injure a reptile or
- sale, barter, exchange, transport for sale and advertising to sell or to buy a reptile.
- In Northern Ireland they are fully protected against killing, injuring, capturing, disturbance, possession or trade.

In addition, sand lizard and smooth snake are protected under Conservation of Habitats and Species Regulations 2017 (as amended). The following actions affecting these reptiles are prohibited under the legislation:

- deliberate capture, injury or killing;
- deliberate disturbance and in particular disturbance which is likely to impair their ability:
 - o to survive, to breed or reproduce, or to rear or nurture their young, or
 - o in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - o or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, these reptiles or anything derived from them.

All five native reptiles found in Wales (slow-worm, grass snake, adder, sand lizard, common lizard) are listed under Section 7 of the Environment (Wales) Act 2016.

Sand lizards and smooth snakes are also afforded protection from intentional or reckless 'disturbance' by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by these reptiles for shelter and protection is also an offence under the Act.

4.3.14 Hazel Dormice

The hazel dormouse (*Muscardinus avellanarius*) is a "European Protected Species" (EPS) and listed on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended). The following actions affecting hazel dormice are prohibited under the legislation:

- deliberate capture, injury or killing of a hazel dormouse;
- deliberate disturbance of a hazel dormouse and in particular disturbance which is likely to impair their ability:
 - o to survive, to breed or reproduce, or to rear or nurture their young, or
 - o in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - o or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, any otter, any part of a hazel dormouse or anything derived from one.

Hazel dormice are also afforded protection from intentional or reckless 'disturbance' by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by hazel dormice for shelter and protection is also an offence under the Act.

Hazel dormice are also listed as a species '*of principal importance for the purpose of maintaining and enhancing biodiversity*' under Section 7 of the Environment (Wales) Act 2016.

4.3.15 Otters

The otter (*Lutra lutra*) is a "European Protected Species" (EPS) and listed on Annex II and Annex IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended). The following actions affecting otters are prohibited under the legislation:

- deliberate capture, injury or killing of an otter;
- deliberate disturbance of a otter and in particular disturbance which is likely to impair their ability:
 - o to survive, to breed or reproduce, or to rear or nurture their young, or
 - o in the case of animals of a hibernating or migratory species, to hibernate or migrate;
 - o or to affect significantly the local distribution or abundance of the species to which they belong.
- damage or destruction of a breeding site or resting place;
- possessing, controlling transporting, selling or exchanging, or offering for sale or exchange, any otter, any part of an otter or anything derived from one.

Otters are also afforded protection from intentional or reckless 'disturbance' by the Wildlife and Countryside Act 1981 (as amended). The deliberate or reckless obstruction of access to a structure or place used by otters for shelter and protection is also an offence under the Act.

Otters are also listed as a species '*of principal importance for the purpose of maintaining and enhancing biodiversity*' under Section 7 of the Environment (Wales) Act 2016.

4.3.16 Water voles

Water voles (*Arvicola amphibius*) are fully protected under the Wildlife and Countryside Act 1981. It is an offence to intentionally:

- kill, injure or take them.
- possess or control them (alive or dead).

It is also an offence to intentionally or recklessly:

- damage or destroy a structure or place used for shelter or protection.
- disturb them in a place used for shelter or protection.
- obstruct access to a place used for shelter or protection.

Water voles are also listed as a species '*of principal importance for the purpose of maintaining and enhancing biodiversity*' under Section 7 of the Environment (Wales) Act 2016.

5. QUALIFICATIONS & EXPERIENCE

Focus Environmental Consultants® has the expertise to provide sure-fire environmental solutions to a wide range of projects. The company ethos forges the highest standards of professional scientific practice with a best value approach for our clients. Our core area of expertise is in the production of specialist environmental reports and advice to support planning applications. Our comprehensive services include Preliminary Ecological Appraisals (PEA), Ecological Impact Assessment (EcIA), Habitat Regulations Assessment (HRA) and fulfilling protected species surveys, licensing and mitigation requirements. Focus Environmental Consultants is a CIEEM Registered Practice, with all ecological staff being members of this professional body. Our flexible approach, range of skills and broad project experience from major infrastructure contracts to small private developments allows us to adapt to your individual requirements. As well as offering a full suite of ecological services, Focus Environmental Consultants can provide expert arboricultural advice and reports and is building an enviable reputation for innovative habitat creation and management solutions. Focus Environmental Consultants is situated in Worcestershire, providing a convenient and central UK location.

Full Q&E details of surveyors, authors and checkers are available on request.