



CYRCHFAN  
**WILDFOX**  
RESORTS

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CWM AFAN  
AFAN VALLEY

**Condition 18 & 40  
Strategic  
Construction  
Environmental  
Management Plan**

(Biodiversity)

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NATURE'S ADVENTURE

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# 1.0 INTRODUCTION

## OVERVIEW

- 1.1 This Strategic Construction and Environmental Management Plan (SCEMP) (Biodiversity) has been prepared by Stantec on behalf of the WildFox Resorts to inform the Reserved Matters Application in relation to the proposed WildFox Resort at Afan Valley, Neath Port Talbot (the 'Site'). Specifically, this SCEMP (biodiversity) seeks to inform the discharge of Condition 18 of the Outline Planning consent (Application No. 2018/0493) and presents the avoidance and mitigation measures which are to be delivered at the Site during construction works.

Planning Condition 18 states:

*Notwithstanding the submitted Construction Environmental Management Plan (biodiversity), a Strategic Construction Environmental Management Plan (Strategic CEMP) shall be submitted as part of the first reserved matters and approved in writing by the Local Planning Authority. The Strategic CEMP (biodiversity) shall include the following:*

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones" (including retained habitat areas, areas of peat, wildlife receptor sites).*
- c) Details of pre-commencement checks for protected species.*
- d) Survey information (where necessary) to establish any material change in the presence and/or abundance of S7/SINC habitats and species, protected species, reptiles, birds, terrestrial invertebrates and bats; and identify any likely new ecological impacts that might arise from any changes.*
- e) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). Measures shall include, but are not limited to: a method statement for the conservation of reptiles (including details of receptor sites and their suitability); measures to prevent wildlife becoming trapped in excavations; measures to prevent pollution of watercourses on and off-site; measures to eradicate invasive non-native species; measures to deter species where necessary.*
- f) The location and timing of sensitive works to avoid harm to biodiversity features.*
- g) The times during construction when specialist ecologists need to be present on site to oversee works.*
- h) Responsible persons and lines of communication.*
- i) Use of protective fences, exclusion barriers and warning signs.*
- j) A programme of ecological checks to address any changes in ecological constraints which may occur as a result of the construction timetable / phasing.*

*The approved Strategic CEMP shall be adhered to and implemented throughout the construction strictly in accordance with the approved details.*

*This SCEMP also provides information to inform the part discharge of Condition 40 and 57, the wording of which is provided below. Further information to fully discharge these conditions is provided within the Lighting strategy and drainage strategy which are to be read in conjunction with this SCEMP..*

#### **Condition 40**

- 1.2 *As part of the first reserved matters for each phase of development as agreed under Condition 7 and notwithstanding the information pertaining to a Dark Corridor in Appendix A8.14 of the ES, a detailed lighting scheme including those required on a temporary basis during construction shall be submitted to and approved in writing which shall:*
- (a) Identify those areas/features on site that are particularly sensitive for nocturnal wildlife, especially bats, and that are likely cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
  - (b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*
  - (c) Identify the location of all external lights, the specification, intensity of illumination, predicted lighting contours (Lux plots), together with proposed hours of operation and any mitigation measures required and timescales for the installation of all lighting. The approved lighting shall be implemented on site in accordance with the approved scheme only and retained as such thereafter.*

#### **Condition 57**

- 1.3 *No development shall commence on each phase of development approved under condition 7 (other than any temporary access track that may be agreed under condition 8) until such time as a scheme detailing the incorporation of buffer zones from all watercourses within which development will not take place (which shall as far as practicable measure 7m either side, from the top of the bank) has been submitted to and approved in writing by the local planning authority. The zones shall be permanently fenced-off prior to any site clearance or development taking place and maintained as a development free buffer thereafter.*

#### **SITE LOCATION**

- 1.4 The Site is located approximately 8 km northeast of Port Talbot in South Wales, at central Ordnance Survey Grid Reference SS 85696 95540. The Site presently comprises areas of grassland and heathland which has developed following large scale tree felling of the previous forestry plantation C. 10 years previous. A Site Location Plan is provided as Figure 1.

#### **PROPOSED DEVELOPMENT**

- 1.6 The Proposed Development has received outline permission for the following:
- “Outline planning application (including access) for a proposed adventure resort comprising 600 no. lodges/apartments, 100-bed hotel with associated spa, central plaza containing restaurants, leisure activities and shops, adventure activities and associated buildings (including X-sports, alpine/ski,*

*forest activities and Trax & Trail), restaurants and associated administration and maintenance buildings and parking for approx. 850 cars, plus associated landscaping, drainage and engineering operations including re-profiling of land, boundary treatment, retaining structures, external lighting and CCTV, and diversion of public rights of way.*

- 1.5 The proposed development will result in the permanent or temporary loss of the majority of the existing habitats within the Site. The strategy to mitigate and compensate for this loss was agreed at the outline planning stage and utilises an area of land directly south of the Site, known as the Solar Farm Site (SFS) and an area of farmland located approximately 500 m southwest of the Site known as the Dyffryn Tips Site (DTS). The location and extents of these two sites, in relation to the Site are provided as Figure 1.
- 1.6 A construction phasing plan is provided as Figure 2 which shows the sequence of construction works within the Site

## 2.0 PURPOSE OF THIS DOCUMENT

- 2.1 The SCEMP (Biodiversity) provides a high-level framework for the delivery of the construction phase element of the work with further detailed measures to be provided within Phase Construction Environmental Management Plans (Phase CEMP) for each proposed phase of development, as required by Condition 19 of the Outline consent. Furthermore, this SCEMP will inform the Construction Method Statement.
- 2.2 This SCEMP (Biodiversity) provides an outline of proposed measures that, when implemented, will manage and mitigate potential adverse impacts of the construction of the development on features of biodiversity/ ecological value. A series of proposed measures and standards of work and controls are outlined, which shall be applied by the developer and their Principle Contractors throughout the construction period. The objectives of this SCEMP are:
  - To provide a framework to minimise (eliminating where practicable), the ecological effects of the construction of the development;
  - To provide an agreed and cohesive framework to facilitate the production of the Phase CEMPs
  - Enable agreement with the local planning authority on mitigation measures to be adopted during construction; and
  - Provide a framework for contractors to manage construction impacts.

## 3.0 ROLES, RESPONSIBILITIES AND COMMUNICATIONS

### ROLES AND RESPONSIBILITIES

- 3.1 At the time of writing, it is anticipated that the Client/Developer and their appointed Contractor will be responsible for implementation of this SCEMP and the subsequent Phase CEMPs which this SCEMP provides an overall framework for, as follows:

#### THE CLIENT

- 3.2 Overall responsibility for the SCEMP and ensuring legislative compliance lies with the Client. The Client will make sure that all Contractors engaged in a particular phase of the development comply with good environmental practice for construction, including preparation and implementation of the SCEMP and each relevant Phase CEMP. The client is Wildfox Resorts.

#### THE CONTRACTOR

- 3.3 The Contractor will be charged with responsibility for management, co-ordination and implementation of the SCEMP and each relevant Phase CEMP
- 3.4 It will be the responsibility of the Contractor to ensure that all of their staff, sub-contractors, and site workers are aware of the SCEMP and each relevant Phase CEMP. This is so that everyone understands the aims of the CEMP documents and recognises their personal responsibility in its implementation, protection of the ecological features on-site and legislative compliance.
- 3.5 The Contractor will have responsibility for ensuring that the SCEMP, relevant Phase CEMP and associated documentation are kept up to date. Documentation, recording and monitoring of the SCEMP and relevant Phase CEMP will be essential and updated on a regular basis and verified at the end of the project.
- 3.6 It is the Contractor's responsibility to ensure that construction works are undertaken in compliance with all relevant and current legislation applicable at the time of the works.

#### ECOLOGICAL CLERK OF WORKS

- 3.7 The appointed Ecological Clerk of Works (EcCoW) will be responsible for the delivery of toolbox talks to all construction personnel on Site, identifying the ecological constraints on Site and the mitigation measures which are to be complied with to ensure their protection. The EcCoW will also oversee, where relevant, pre-construction and construction works, including vegetation clearance, to ensure no harm occurs to legally protected species.

#### ENVIRONMENTAL CLERK OF WORKS

- 3.8 It is anticipated that an Environmental Clerk of Works (EnvCoW) will be appointed to ensure the requirements of any Construction Environmental Management Plan are Implemented. This will include ensuring water, air and noise pollution control measures are adhered to as well as any waste and material storage and/or disposal measures.

## SUB-CONTRACTORS

- 3.9 Sub-contractors and suppliers will be obliged contractually to adhere to the requirements of the SCEMP and relevant Phase CEMP and will ensure all their site personnel are inducted on the requirements of the SCEMP and relevant Phase CEMP; and are aware of it prior to commencing any work on the Site.

## 4.0 BASELINE CONDITIONS

- 4.1 This section provides a summary of the existing ecological baseline which has been determined to be present within the Site. The ecological baseline has been determined in part through a suite of ecological surveys undertaken at the Site to inform the outline planning application, completed by Soltys Brewster during 2016-2018<sup>1</sup>, supplemented by survey work / site visits carried out by Stantec during 2021/22.
- 4.2 An update walkover of the Site was completed in August 2021 by Stantec with subsequent walkovers and update mapping of habitats within the Site undertaken between November 2021 to June 2022.
- 4.3 There has also been regular site attendance since February 2022 by an EcCoW as part of the enabling works and ground investigations works, with specific surveys for nightjars (the Site) and reptiles (Solar Farm Site) completed as part of the remit for the enabling works. This update survey work did not identify any material changes to the baseline information to that previously recorded.
- 4.4 A trial translocation of reptiles from an area within the Site commenced in July 2022 and is due to be completed in September 2022. The data obtained from this translocation exercise, in particular, data on reptile population densities will be used to Inform mitigation requirements detailed in each Phase CEMP as appropriate.

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<sup>1</sup> Nineteen47 (2018) Afan Valley Resort Environmental Statement

## 5.0 KEY ECOLOGICAL RECEPTORS AND BASELINE CONDITIONS

- 5.1 The Site comprises areas of marshy grassland and heathland, dominated by Molina (purple moor grass), dense bracken, remnants of coniferous plantation and areas of regenerating woodland/ scrub. The Site previously comprised a large conifer plantation which was felled C. 2010-2012 and large amounts of brash material from the felling operation persist on Site. The Site is subject to irregular wildfires which likely influences the habitats present, favouring Molina dominated grassland which is a fire adapted species. The irregular burning of the Site is likely to have a negative impact on certain projected species population, but the extent of this impact has not been quantified.
- 5.2 The key ecological features relevant to this SCEMP are summarised below:
- Planted Ancient Woodland (PAWS) within the Site
  - On-site Water courses designated as Site(s) of Importance for Nature Conservation (SINC)
  - Habitats of Principal Importance
  - Offsite SINCS
  - Population of reptiles considered to be of Local conservation value (Common lizard but also records of adder within the local area)
  - Breeding birds (including nightjar population considered to be of National Importance)
  - Bats- low numbers of common and widespread species recorded. No roosting bats recorded within the Site
  - Amphibians – common frogs breeding within numerous permanent and temporary water bodies within the Site.
  - Invertebrate assemblage considered to be of County conservation value (includes dragonfly species associated with the onsite water course)
  - Invasive non-native plant species (Japanese Knotweed and Himalayan Balsam)
- 5.3 These ecological features are the subject of various legal and policy protection measures which are summarised within Appendix A, with bats, breeding birds and reptiles receiving legal protection.
- 5.4 The location of key ecological constraints are shown on the constraints plan provided as Figure 3.

## 6.0 MITIGATION MEASURES

- 6.1 This section sets out the appropriate working practices and safeguards to be implemented on-site prior to and during the construction phase in order to protect the biodiversity interest of the Site. General measures relating to those which require oversight from a suitably experienced Ecologist, and habitat protection are provided, along with detailed Precautionary Methods of Working (PMWs) relating to the legislative protection of reptiles and birds. It is considered that the appropriate implementation of PMWs for reptiles and breeding birds will adequately safeguard the other species groups present within the Site.
- 6.2 Initial vegetation clearance works will be timed so as to avoid the most sensitive periods for wildlife. As such, no ground vegetation (grassland, tree stumps etc.) clearance works will be permitted in the winter months (November to February inclusive) when species such as reptile and amphibians are hibernating. Vegetation clearance at other times of year will also seek to avoid the nesting bird season (March to August inclusive) although where this is not possible works will be overseen by the appointed EcCoW.
- 6.3 All timings of work will be conducted in line with the outline timetable of Works provided in Table 1.

### PHASE CEMPS

- 6.4 A Phase CEMP will be prepared for each relevant development phase. In some respects, these will be live documents and will be informed by additional survey information and methods of working developed during the completion of each subsequent phase of work. The Phase CEMP will contain PMW relevant to each ecological feature present within each specific Phase. These PMW documents will contain appropriate plans clearly showing the location of any ecological constraints and Biodiversity Protection Zones. The PMW will also include identification sheets for relevant protected species and contact details of the appointed ECCOW. The PWM's will be in a suitable format for inclusion within a toolbox talk as well as for display on Site compound notice boards. The measures proposed within each PMW and any subsequent revision during the course of construction works will be agreed with the LPA prior to Implementation.

### ECOLOGICAL CLERK OF WORKS

- 6.5 Given the sensitive nature of the Site, an EcCoW will be employed full-time during the initial stages of clearance works for each phase of development and as required during construction works. They will be supported by a team of ecologists/ EcCoWs as appropriate to deliver the required works.
- 6.6 The EcCoW will be responsible for undertaking any pre-commencement surveys and the delivery of toolbox talks as required.
- 6.7 During the toolbox talk all construction personnel will be fully briefed on the location of the features of ecological importance as described in the Ecological Baseline above to ensure that the protection of the retained habitats, and identification and protection of protected species and their habitats, is fully understood. The toolbox talk will also present information contained within the relevant Phase CEMP document.
- 6.8 The appointed EcCoW will also undertake the following weekly checks during pre-construction and construction:
- Check all protective and/ or reptile exclusion fencing remains functional



- Check that all Biodiversity Protection Zones are being adhered to
  - Inspect all soil and material storage areas to confirm the absence of t protected species
  - Undertake a walkover of the Site and each Phase- recording and noting any particular concerns/ and or presence of protected species.
  - Keep a daily digital log of Site conditions and actions undertaken.
- 6.9 Where any there Is any breaches of the measures set out within the SCEMP the Contractor will be Informed no less that 24 hours from the Incident being recorded by the EcCoW. The Contractor will then complete any remedial action with 48 hours of being notified. A detailed Incident log will be maintained by the EcCoW.
- 6.10 The appointed EcCoW will also be responsible for providing advice to the Contractor particularly during unforeseen events not covered by this SCEMP or Phase CEMP.

### **PRE-COMMENCEMENT SURVEYS**

- 6.11 Prior to construction works commencing within each phase of development, an update walkover survey will be undertaken by the appointed EcCoW. This survey will record habitat features present within each phase and identify any material changes to the habitats previously recorded. Where material changes in the habitats present are recorded then the need for additional species-specific surveys will be assessed and undertaken by the appointed EcCoW. Any recorded changes to the baseline information presented within this SCEMP will be reported to the local planning authority, who will also be notified of any required changes to each relevant Phase CEMP.

### **BIOSECURITY PROTECTION ZONES/ PROTECTIVE FENCING**

- 6.12 Prior to the commencement of any site clearance, demolition or construction works, protective fencing will be securely installed around the root protection area (RPA) of all retained trees and around other retained habitats and other sensitive areas such as retained water courses/ bodies and areas of peat; forming Biodiversity Protection Zones (BPZ's); to prevent damage and/or incursion by construction vehicles or personnel.
- 6.13 The requirement for and extent of the RPAs will be shown on the Tree Protection Plan which will be included within each relevant Phase CEMP. Protective fence around retained water bodies and water courses will be installed a minimum of 7 m from the top of the associated bank as required by Condition 57 of the outline consent. The precise extent and location of protection fencing will be based on a number of factors including the sensitivity of the feature and typography.
- 6.14 Where retained waters are to be crossed, additional protection and sensitive working measures will be detailed within the Phase CEMP, which will as a minimum Include silt prevention measures and timing of works to avoid most sensitive periods/ high flow levels
- 6.15 Where protective fencing is installed around retained water features it will be supplemented with appropriate silt fencing to prevent sediment run-off.
- 6.16 The indicative location of the BPZs is shown on the Biodiversity Protection Zone Plan provided as Figure 4. The precise location of any required protective fencing around BPZs will be detailed within each relevant Phase CEMP.

- 6.17 It should also be noted that additional BPZs maybe Identified on completion of certain phases of the work, for example the existing conifer plantation area once tree thinning is complete and the wider areas of the Site following completion of small-scale works. Such areas will be Identified within the relevant Phase CEMP.
- 6.18 No works (other than planting or small scale works such as footpath creation), including the storage of materials, will be carried out immediately adjacent to areas of protective fencing. The digging of trenches and pits adjacent to areas of protective fencing for new tree and scrub planting will be carried out by hand only, following best practice.
- 6.19 Fencing around BPZs and RPZs is the responsibility of the Contractor and will be installed in accordance with best practice guidance and maintained throughout the duration of the construction phase.

### **LIGHTING STRATEGY**

- 6.20 To reduce the impact of artificial light spillage on the ecological features of interest on the Site, namely the retained areas of habitat onsite, habitat immediately adjacent to the Site and the species present in these areas, a sensitive lighting strategy is to be adopted throughout the construction phase of the development.
- 6.21 As part of this sensitive lighting strategy the use of artificial lighting is to be limited to the essential minimum throughout the Site, and any lighting to be used will avoid upward pointing lights, with the spread of light being kept near to or below the horizontal, any column or tower mounted lights will be installed to their lowest height to achieve the required illumination.
- 6.22 Any illuminated site compounds will be sited away from all Biodiversity Protection Zones.
- 6.23 Where required, during construction the times that lights are on will be controlled to avoid lighting between, and including, dusk and dawn hours, to allow some dark periods for bats and other wildlife. Lighting with a low UV component will be used to reduce invertebrate attraction, and directional lighting/shielding of lights with accessories such as hoods, covers, louvres and shields is to be used throughout to avoid excessive light spill.
- 6.24 Further details on the lighting strategy are provided within the Lighting Assessment<sup>2</sup> which should be read in conjunction within this SCEMP

### **EXCAVATIONS**

- 6.25 During construction works, to prevent badgers and other animals becoming trapped in any excavation holes and/ or pipe installations, all excavation holes will either be infilled or covered over at the end of the working day. If this is not possible then a suitable ramp will be provided. EcCoW

### **VEGETATION CLEARANCE**

- 6.26 Construction works will result in the removal of the brash material left from previous forestry operations, trees/ shrubs and heath/ grassland habitat. Where required, clearance will be undertaken in accordance with PMWs for reptiles and breeding birds provided below.

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<sup>2</sup> Stantec (2022) Lighting Assessment. Doc Ref **332310683/214/01**

- 6.27 Following clearance works, all land within the construction footprint at each Phase will be maintained at a height of less than 50 mm through frequent mowing, or as bare ground through frequent disturbance, to deter ground nesting birds and other wildlife from entering into the construction site.
- 6.28 All arisings from any vegetation clearance will be taken away from the vicinity of the development footprint by the end of the working day following vegetation clearance. If this is not possible, they may be stored in a contained area or on hardstanding (i.e. non-vegetated habitat).
- 6.29 Any pruning required on the Site will be undertaken in accordance with good horticultural and arboricultural practice with thinning, trimming and shaping of specimens undertaken as appropriate to species, location, season and stage of growth.

### **SOIL AND AGGREGATE STORAGE AREAS/ BUNDS**

- 6.30 Topsoil/ aggregate will be stored within designated areas which have been cleared of reptiles and other ecological constraints. They will also be positioned away from retained water courses/ water bodies where possible to avoid issues with sediment run-off. If appropriate, topsoil bunds will be fenced off with reptile exclusion fencing to prevent reptiles accessing these bunds.
- 6.31 The location of topsoil/ aggregate storage areas will be provided within each relevant Phase CEMP

### **RETAINED WATERBODIES**

- 6.32 During works all relevant Pollution Prevention Guidelines will be implemented and adhered to. This includes but is not limited to;
  - All construction vehicles to carry spill kits
  - Refuelling of vehicles and machinery to be undertaken within designated areas
  - All fuel and hazardous chemical to be stored appropriately and within designated areas.
  - All spills and pollution incidents to be reported to the site supervisor immediately
- 6.33 As discussed under Biodiversity Protection Zones/ protective fencing, fencing will be installed at least 7 m from the bank of any associated water course/ body with silt fencing also installed alongside this fencing. Buffer zones from each existing water course are shown on the Water Course Buffer Zone Plan (Drawing reference AV-STN-DG-XX-DR-D-0007-P01 - CONDITION 57 WATERCOURSE BUFFER ZONE PLAN) submitted to inform the discharge of Condition 57.

### **INVASIVE PLANT SPECIES**

#### *Japanese knotweed*

- 6.34 Known stands of Japanese knotweed are to be removed by a specialist contractor prior to construction works commencing. The methodology for the removal of these stands will be determined by the specialist contractor.
- 6.35 During monitoring surveys completed by the ECCOW any new stands of Japanese knotweed will be recorded, with the Contractor installing protective fencing (Heras fencing or similar) around the stand at least 7 m from the edge of the stand. A specialist contractor will then be consulted on the best

course for removal.

### *Himalayan Balsam*

- 6.36 Himalayan balsam is widely spread across the Site and the wider area. It will, managed during the construction period to prevent further spread with plants within the construction footprint and landscape areas strimmed to ground level prior to setting seed in June/ July. Cut material will be left in-situ.
- 6.37 Where plants outside of the construction work areas and/ or landscape areas are recorded then vehicles and construction personnel will not be allowed to track or walk through these areas. Where appropriate and as advised by the appointed ECCOW it may be necessary to install fencing around stands of Himalayan balsam to prevent accidental incursions.
- 6.38 During construction works, all soils will be considered as containing Himalayan balsam seed and removal offsite will need further consideration.
- 6.39 All vehicles leaving the Site will utilise a wheel wash and tracked machinery will be hosed down with a pressure wash to prevent the spread of Himalayan balsam seed offsite.

## **7.0 PRECAUTIONARY METHODS OF WORKING**

### **REPTILES**

#### *Overview*

- 7.1 The following sets out the proposed PMW for the translocation of reptiles from the Site. The exact density of reptiles at the Site is unknown, and currently (August 2022) a trial translocation exercise is being undertaken which will provide a better understanding of reptile density per hectare. On completion of the trial, it is envisaged that the translocation methodology for the wider site will be devised in consultation with the Local Planning Authority and detailed within the relevant Phase CEMP. In the Interim period an outline methodology is presented below.
- 7.2 The translocation exercise seeks to utilise retained habitats within the Site as well as habitats within the adjacent Solar Farm Site and Dyffryn Tips. These will act as receptor sites for reptiles displaced/ translocated as result of construction works. Prior to translocation these receptors sites will be enhanced as necessary so that they can support an increased number of reptiles. The enhancement and management of these areas to increase their carrying capacity for reptiles is detailed within the Strategic Ecological and Landscape Management Plan (SELMP) and each relevant Phase ELMP. It should be noted that the enhancement works for the western half of the Solar Farm Site were completed in Spring 2022.
- 7.3 Enhancement of the receptor Sites will be undertaken prior to translocation commencing, allowing a sufficient period for the enhancement works to become established. This period will be determined based on a number of factors including the type of enhancement and growing conditions following completion etc.
- 7.4 Translocation works will be undertaken before construction commences within each specific phase, to ensure an adequate period of time to complete the translocation exercise. Translocation will take the form of habitat manipulation to 'push' reptiles away from construction areas and to retained



habitats and the capture and exclusion of reptiles from areas, with reptiles translocated to retained or offsite habitats.

- 7.5 The areas in which reptiles from each Phase of the development are to be translocated to, is illustrated on Figure 5 and will ultimately be determined following the trail translocation exercise which are currently on going.

#### *Habitat manipulation*

- 7.6 Areas of habitat on the western boundary and to a lesser extent on the remaining boundaries are to be retained and are included within the proposed BPZS. The majority of these areas are to be planted with trees to form woodland areas with open glades and areas of grassland and upland heath retained and enhanced. These areas will be additionally enhanced for reptiles through the provision of hibernacula and brash piles using material won from site during clearance works. Details of these enhancement measures are provided within the SELMP and within subsequent detailed landscape designs.
- 7.7 Reptiles from construction works areas adjacent to retained areas of habitat will be displaced into these retained areas of habitat through directional habitat manipulation and destructive searches. This will involve directionally cutting and removing vegetation to a height of approximately 150 mm and then to ground level 24 hours later. Habitat manipulation is to be undertaken by a Cut and Collect Softrak or similar vehicle and/ or by handheld strimmers. Piles of woody material, rock and other debris will be dismantled and removed, and any reptiles present moved to retained areas of habitat.
- 7.8 Habitat manipulation as outlined above will only be undertaken when reptiles are active, (April to September), avoiding times when they have just emerged from hibernation (March) or are moving to hibernation areas (October) during warm (temperature above 10°C) and sunny days. Where inclement weather is forecast within the preceding 24 hours works will not be undertaken. All works will be overseen by the appointed EcCoW.
- 7.9 Vegetation within construction areas will be maintained at a height of no more than 50 mm or be removed entirely and areas kept as bare earth. The need to fence off these construction areas with reptile exclusion fencing on completion of the works outlined above will be reviewed by the appointed EcCoW prior to works commencing and will be determined based on size of area and habitat conditions.

#### *Translocation*

- 7.10 A summary of the proposed translocation methodology is provided below. However, this will likely require further revision following the completion of the trail translocation exercise.
- 7.11 The translocation works outlined below are to be undertaken when reptiles are active, April to September, however translocation works may extend into October if suitable weather conditions allow (e.g. no overnight frosts or prolonged daytime temperatures below 10°C).
- 7.12 Reptile exclusion fencing is to be installed around the perimeter of each phase which is to be subject to translocation works. Prior to installation of the fence the fence line is to be pegged out by the site engineer and then walked by EcCoW and appointed Habitat Management Contractor. The fencing will then be micro-sited to avoid dissecting hibernation and refugia features or other large obstacles such as rocks.

- 7.13 Surveys for ground nesting birds are to be undertaken prior to commencement of works. Where active nests are recorded, they will be fenced off with marker tape at an appropriate buffer as determined by the EcCoW and works not permitted within the buffer until the nest is no longer active.
- 7.14 Prior to installation of the reptile exclusion fencing vegetation along the proposed fence line is to be removed using a Cut and Collect Softrak or similar vehicle and/ or by handheld strimmer's. Fencing will then be installed by hand and/ or vehicle.
- 7.15 Habitat manipulation within the fenced off area is to be undertaken prior to commencement of any capture works. Habitat manipulation is to be undertaken by a Cut and Collect Softrak or similar vehicle and/ or by handheld strimmers. The extent of the initial habitat manipulation is to be determined once fencing works are completed and the topography and vegetation type present can be assessed on the ground. The aim of the habitat manipulation is to reduce the areas of suitable reptile habitat to maximise trapping efficiency. During the trapping period further habitat manipulation may be undertaken at the discretion of the appointed ecologist/ EcCoW.
- 7.16 Artificial refugia (roofing felt approx. 0.5 m<sup>2</sup>) at an approximate density of 100 - 500/ha are to be placed within areas of suitable habitat for reptiles two weeks prior to commencement of trapping exercise.
- 7.17 After two weeks from when the refugia were laid, checks of the refugia and capture of any reptiles will commence for a minimum period of days, as determined by the area of the trapping area and with reference to the Reptile Mitigation Guidelines<sup>3</sup>. Trapping will be undertaken by surveyors trained in the capture and handling of reptiles (including adders). Trapping will be undertaken in the early morning, midday and late afternoon during periods of suitable weather conditions. All captured reptiles will be moved to a designated receptor site.
- 7.18 Trapping will cease after period of 10 consecutive days after no reptiles have been captured and/ or it is considered that a suitable trapping effort has been undertaken in discussion with the Local Planning Authority and based on review of trapping data and weather conditions during the trapping period.
- 7.19 Throughout the capture period detailed records of weather conditions, the number and sex of reptiles captured will be recorded on a daily basis with results submitted to the Local Planning Authority at the end of each week.

#### *Destructive search*

- 7.20 Following the end of trapping within each compartment/ trapping area any remaining vegetation will be removed, and any potential refuge features dismantled by hand. Any reptiles seen will be captured and removed to their designated receptor site. The precise methodology for the removal of vegetation and refuges will be developed following the completion of the trial translocation

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<sup>3</sup> Natural England (2011) Natural England Technical Information Note TIN102 Reptile mitigation guidelines, First edition 9 September 2011. (Available from [https://www.whatdotheyknow.com/cy/request/257019/response/637723/attach/4/Reptile%20Mitigation%20Guidelines%201st%20Edition.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/cy/request/257019/response/637723/attach/4/Reptile%20Mitigation%20Guidelines%201st%20Edition.pdf?cookie_passthrough=1))

exercise.

### *Completion*

- 7.21 Following the completion of the destructive search the area will be deemed free of reptiles and construction will commence. The reptile fencing will be checked each week during the construction period for signs of damaged and repaired immediately.
- 7.22 It is anticipated that the reptile translocation will be completed more quickly in some areas than others. This will allow a 'phased release' of areas deemed to be 'reptile free', following the approach outlined above.

### **BREEDING BIRDS**

- 7.23 Breeding birds are likely to use the various habitats within the Site, including ground nesting species such as nightjar, utilising the grassland and heathland habitats within the Site. Any vegetation clearance that includes removal of any potential bird nesting habitats will be undertaken during September to February, in order to avoid disturbance to breeding birds.
- 7.24 Should this constraint prove not to be practical in terms of the construction timetable, any habitats suitable for breeding birds to be affected by clearance works within the breeding season (March to August inclusive) will be checked for the presence of active bird nests by the appointed EcCoW immediately prior to the commencement of clearance works.
- 7.25 With regards to Nightjars, these are a nocturnal species which arrive in the UK from May before heading south in September. Typical daytime checks for nesting birds may not record nightjars. Therefore, where vegetation which may support nightjars is to be cleared, nocturnal surveys and the use of thermal imaging cameras will be used prior to works commencing within suitable habitat to confirm their absence.
- 7.26 Crossbills have been observed foraging within the Site during the ground investigation works undertaken in 2022. This species can breed in the winter months and typically utilises conifer plantations for breeding. Therefore, any proposed works to the conifer plantation during the winter months will take this species into consideration, with surveys undertaken if considered necessary by the appointed ECCOW.
- 7.27 If a bird's nest is discovered at any point during works, then works will cease and the appointed EcCoW will be contacted to clarify the next steps. In most cases an exclusion zone will be put in place around the nest. The exclusion zone will remain in place until the nest has been confirmed as no longer active by the EcCoW, with no construction vehicles or personnel permitted within the exclusion zone.
- 7.28 The lighting strategy discussed previously is considered sufficient to minimise potential impacts to nesting birds arising from artificial light spill/illumination during construction.

## 8.0 TIMETABLE OF WORKS

- 8.1 The timetable for pre-construction/enabling works is not yet known, so references to project stage are used as opposed to absolute terms.
- 8.2 Table 1 below provides a summary timetable for the timings and actions of this SCEMP for the pre-construction/enabling and construction phases

**Table 1. Summary Timetable of Management Actions During Pre-construction/Enabling and Construction Works Stages**

Management Categories	Timing (within each Phase)
Pre-commencement surveys	Prior to Site clearance and construction
Installation of Protective Fencing around BPZ's and RPZ's	Prior to Site clearance and construction
Japanese knotweed removal	Prior to Site clearance and construction
Biosecurity/ control measures in relation to invasive plant species	Throughout the construction phase
Implementation of Lighting Strategy	Throughout the construction phase
Vegetation clearance	To be undertaken in September to October inclusive to avoid breeding bird season and when reptiles are active. Vegetation removal at other times of the year will require EcCOW supervision/advice.  Additional checks required in the winter months in relation to crossbills and the conifer plantation
Reptile translocation	Prior to site clearance and construction
Species specific sensitive working practices	Throughout construction phase.



## 9.0 RISK ASSESSMENT OF POTENTIALLY DAMAGING CONSTRUCTION ACTIVITIES

9.1 The following table provides a qualitative risk assessment of potential damaging construction activities on the ecological features within the Site in the absence of avoidance/ mitigation measures and presents the residual risk taking into account the implementation of avoidance/ mitigation measures which have been described above.

9.2 For the purposes of this risk assessment 'risk' relates to the likelihood of a construction activity resulting in a breach of the legal protection or planning policy protection afforded to a given habitat or species. For example, the killing or Injuring of a reptile which is protected from such actions under the Wildlife and

9.3 Countryside Act 1981 (as amended) Further details on the legal and planning protection afforded to those habitats and species relevant to the Site is provided in Appendix A.

9.4 The risk of such an Impact occurring is defined as follows;

**High Risk (colour coded red)** – Greater than 75% probability that works will result in a breach of the legal and/ or planning policy protection afforded to a given habitat or species

**Moderate Risk (colour coded amber)** - Greater than 25% probability that works will result in a breach of the legal and/ or planning policy protection afforded to a given habitat or species

**Low Risk (colour code Yellow)** – Less than 25% probability that works will result in a breach of the legal and/ or planning policy protection afforded to a given habitat or species.

**Negligible Risk (colour code green)**- No risk that works will result in a breach of the legal and/ or planning policy protection afforded to a given habitat or species.

9.5 The results of risk assessments, and their residual risks are only considered acceptable if:

- The severity of outcome is reduced to the lowest practical level;
- The number of risk exposures are minimised; and

9.6 All reasonably practical mitigating measures have been taken and the residual risk rating is reduced to a minimum.

9.7 The findings of the risk assessment and in particular the necessary controls will be explained to all construction personnel before the commencement of the relevant works during a Toolbox Talk.

**Table 2. Risk assessment of potentially damaging construction activities**

Ecological Feature	Risk	Likelihood of Risk before Mitigation	Avoidance/ Mitigation Measures	Likelihood of Residual Risk
Planted Ancient Woodland	Pollution and/ or sediment run-off during construction works resulting in a detrimental effect on habitats	Moderate	EcCOW presence on Site  Implementation of standard pollution prevention guidelines	Negligible
On-Site water courses	Pollution and/ or sediment run-off during construction works resulting in a detrimental effect on habitats	Moderate	Incorporation of areas within a Biodiversity Protection Zone.	Low
Retained habitats	Accidental destruction via construction machinery accessing areas  Pollution and/ or sediment run-off during construction works resulting in a detrimental effect on habitats	Moderate	Biodiversity Protection Zones created around retained habitat.  Adherence to precautionary methods of work/ phased vegetation removal implemented during construction works	Negligible
Off-site SINCS	Pollution and/ or sediment run-off during construction works resulting in a detrimental effect on habitats	Moderate	Translocation of reptiles to retained areas of habitat and offsite mitigation areas.  Vegetation removal to be undertaken outside of the breeding bird season. Where this is not possible a check for nesting birds to be undertaken prior to vegetation removal	Negligible
Reptiles	Killing and injury of reptiles in contravention of the Wildlife and Countryside Act 1981 (as amended)  Short to long-term effect on the local conservation status of reptiles	High	Soft felling of trees with potential to support roosting bats.	Low
Breeding birds	Destruction of active nest during the breeding season in contravention of the Wildlife and Countryside Act 1981 (as amended)	High	License applied for prior to felling trees with confirmed bat roost.	Low

Ecological Feature	Risk	Likelihood of Risk before Mitigation	Avoidance/ Mitigation Measures	Likelihood of Residual Risk
	Short to Long-term effect on the local conservation breeding birds			
Bats	<p>Killing and injury of individual bats, disturbance and destruction of an active roost in contravention of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017</p> <p>Short - Long-term effect on the local conservation status of bats</p>	Low		Negligible
Invasive non-native species	Spreading of invasive plant species within the Site and into the wider area in contravention of the Wildlife and Countryside Act 1981 (as amended)	High		Low

## 10.0 REVIEW, AND AUDITING

- 10.1 This SCEMP and subsequent Phase CEMP will be subject to a review every 6 months during the construction period by the appointed EcCoW and Principle Contractor. As part of this review specific measures detailed within each CEMP will be assessed and amended if deemed necessary. Any amendments to the CEMP will be submitted to the Local Planning Authority for approval.
- 10.2 An audit will also be completed every 6 months by the EcCoW, ensuring that;
- Records of construction personnel who have attended toolbox talks are completed
  - Records of the approval for construction works to commence in certain areas following sign-off by the EcCoW have been completed

## 11.0 SUMMARY

- 11.1 This SCEMP (biodiversity) provides a strategic overview of the ecological features on-Site, identifies potentially damaging construction activities and provides an appropriate framework for the delivery of mitigation and avoidance measures to reduce these risks.
- 11.2 This framework of mitigation and avoidance measures will be developed further within the detailed and phase specific 'Phase CEMP'. These Phase CEMP(s) will further be informed by the works currently being undertaken at the Site to better understand the ecological and environmental constraints, including the trial reptile translocation exercise and ongoing ground investigations works.



## APPENDIX A RELEVANT LEGISLATION AND PLANNING POLICY PROTECTION

Table A.1 Summary of habitat and species legal protection and policy protection

Species/species group	Summary of legislation/ Planning Policy Protection
SINCS, water courses and priority habitats	Under Policy EN6, EN7 of the Neath Port Talbot County Borough Council Local Development Plan (2011-2026) mitigation and/or compensation measures will need to be agreed where adverse effects on such features are unavoidable
Reptiles	All reptile species in the UK are protected from killing and injury under the WCA. All native reptiles are also on the list of Species of Principal Importance (SPIs) prepared in response to Section 7 of the Environment (Wales) Act 2016.
Breeding Birds	All nesting birds are legally protected from killing and injury with their active nests and eggs being protected from damage and destruction under the Wildlife and Countryside Act 1981 (as amended)  Additional species, including Crossbill are afforded further protection as species listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). Under Schedule 1 birds are legally protected from disturbance when nesting
Bats	Bats and their roosts are legally protected under the Conservation of Habitats and Species Regulations 2017 (as amended) ("Habitats Regulations") and the Wildlife and Countryside Act 1981 (as amended) ("WCA"). In broad terms, these pieces of legislation jointly mean that the animals themselves are protected against killing, injury, taking (capture) and disturbance. In addition, their places of shelter are protected against damage, destruction and obstruction. Some species of bat (e.g. brown long-eared, noctule and soprano pipistrelle) are also a SPI

**FIGURE 1- SITE LOCATION PLAN**

**FIGURE 2 INDICATIVE CONSTRUCTION  
SEQUENCING (DWG NO. 332310590-201-SK22)**

**FIGURE 3 ENVIRONMENTAL CONSTRAINTS PLAN  
(DWG NO. 332310590-201-SK24)**

**FIGURE 4 BIODIVERSITY PROTECTION ZONES (DWG  
NO. 332310590-201-SK23)**

**FIGURE 5 INDICATIVE REPTILE TRANSLOCATION  
AREAS (DWG NO. 332310590-201-SK21)**

## Document Control Sheet

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<b>For and on behalf of Stantec UK Limited</b>				

Revision	Date	Description	Prepared	Reviewed	Approved
00	29/07/22	For Comment			
01	01/09/22	Revised following comments			

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