

DAVID CLEMENTS ECOLOGY LTD

**RHONDDA CYNON TAFF COUNTY BOROUGH COUNCIL
LARGE RENEWABLE ENERGY PROJECTS**

**PROPOSED COED ELY SOLAR FARM
AND
PRIVATE WIRE ROUTE (PWR)**

COEDEL, Nr TONYREFAIL, GLAMORGAN

**WILDLIFE PROTECTION PLAN (WPP)
FOR THE
CLEARANCE AND CONSTRUCTION STAGES**

May 2023

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1.0 INTRODUCTION

Report prepared by:

1.1 David Clements Ecology Ltd (DCE), Penarth, Glamorgan

On behalf of:

1.2 Rhondda Cynon Taff County Borough Council (RCTCBC)

Instructed via:

1.3 -

Site Name

1.4 Proposed Coed Ely Solar Farm and Private Wire Route (PWR)

Location & Extent

See Plan 1

1.5 The site is approximately 33ha in extent and lies west of the village of Coedely, about 0.75km south-west of the village of Tonyrefail, in the Rhondda Cynon Taff district of Glamorgan, in South Wales.

Designated Wildlife Sites in the Vicinity

See Plan 1

Statutory Sites

Data from <https://magic.defra.gov.uk/MagicMap.aspx>

1.6 The site does not contain or lie adjacent to any statutory sites of biodiversity interest. The nearest such site lies about 0.75-1km away to the north.

Non-statutory Sites

Data from South-East Wales Biological Records Centre (SEWBRc)

1.7 There are a number of non-statutory Sites of Importance for Nature Conservation (SINCs) in the vicinity, the nearest being the Tonyrefail Mountains SINC (No. 107) which covers large areas of semi-upland habitats to the west and south, including land which is immediately adjacent to the western boundary of the proposed solar farm site.

Site Development Proposals

1.8 The site is proposed for development as a solar generation site using photovoltaic arrays (PVAs) which will occupy about 7.5ha of the site. The development will mainly affect areas of open neutral grassland, together with the removal of about 280m of hedgerow. In addition, a buried 11kv cable will be installed running from the solar farm site to the Royal Glamorgan Hospital about 3km away to the south (the 'Private Wire Route' or PWR).

Ecological Survey Data

1.9 The site was subject to detailed ecological survey during the period 2020-2023, as set out in the report of DCE (2023).

Wildlife Protection Plan (WPP)

1.10 The present report sets out a Wildlife Protection Plan for the clearance and construction stages of the proposed development.

2.0 WILDLIFE PROTECTION PLAN

‘Toolbox Talks’

- 2.1 The ‘Supervising Ecologist’ (see under ‘Responsibilities’ below) will attend the site on the first day of the site clearance and construction operations and will deliver a short presentation to the contractors which sets out details of the ecological sensitivities of the site, the possible presence and nature of protected species, the statutory obligations and the protocols to be followed to ensure statutory compliance and the protection of vulnerable wildlife. The Supervising Ecologist will leave a copy of this WPP with the Site Manager and will obtain signatures from the key supervising personnel to indicate that the instructions have been understood.

Where there is a significant change over in the personnel employed on the site by the contractors at any time during the works period, the Supervising Ecologist will provide a repeat of the Toolbox Talk to the new personnel.

Contact details for the Supervising Ecologist will be left on the site with the Site Manager so that any ecological emergencies which may arise can be dealt with promptly.

Vehicle Routes & No-go Areas etc

- 2.2 No-go areas for site personnel, the routes to be used by site vehicles and the locations for any site compounds, materials storage or mixing areas etc will all be determined at the outset of the clearance and construction stages by agreement between the Site Manager and the Supervising Ecologist. Key areas of ecological sensitivity will be protected by means of appropriate fencing (see ‘Wildlife Protection Zones’ below).

The agreed arrangements will be adhered to by the contractors throughout the duration of the clearance and constructions operations. Where any changes to the agreed arrangement become necessary, these will be subject to agreement of the Supervising Ecologist prior to implementation.

Wildlife Protection Zones

- 2.3 Retained hedgerows and other vulnerable habitats in the vicinity of works areas will be contained within ‘Wildlife Protection Zones’ (WPZs) as shown on Plan 1. Immediately prior to the commencement of site clearance and construction activities, WPZs will be contained within a 2m high ‘anti-climb’ barrier of Heras fencing or similar. The barrier fencing will be located a minimum of 5m away from the face of any hedgerows, with any larger trees being treated in accordance with BS5837 (2012) *Guidance on the Treatment of Trees in Relation to Design, Demolition & Construction*.

WPZs will be identified on site as being ‘off limits’ to all construction personnel and vehicles. Care will be taken to ensure that no incidental damage occurs in these areas during the course of site clearance and construction. Site compounds, vehicle refuelling areas, mixing compounds and materials storage areas etc will not be located in areas of the site within 10m of any WPZ.

Barrier fencing will remain *in situ* until all development operations have been completed on the site. If temporarily removed prior to this time (ie in order to allow the completion of defined works which have been agreed in writing with the local planning authority) the fences will be replaced immediately upon completion of the works.

Mitigation for Common Reptiles

- 2.4 Common lizard and slow-worm have been recorded on the site and there is scope for other common reptiles to occur as well. All common reptile species are afforded statutory protection against killing or injury, including as an incidental result of site clearance and construction operations.

In this instance it is assessed that adequate mitigation can be achieved through ‘species deterrence’ measures in the run-up to the commencement of clearance and construction, rather than requiring a full ‘fence, trap and clear’ operation. However, some localised ‘destructive searching’ will also be required where hedge bases are to be completely removed.

‘Species deterrence’ measures comprise management action to create and maintain conditions in the affected areas which are not attractive to, or suitable for, occupation by reptiles. This generally means reducing the sward height to not more than about 8cm and maintaining it in this condition (ie ‘close mown’). ‘Destructive searching’ comprises the careful and sensitive dismantling of habitat features under the supervision of an appropriately qualified and equipped person who is able to stop the works and rescue and remove any target fauna species which become apparent to safety.

Reptile Clearance Strategy

- 2.5 Due to the vulnerability of reptiles to disturbance and injury while torpid or hibernating, the reptile clearance strategy will be implemented ahead of site clearance only during the period April to September inclusive. The reptile clearance strategy will be implemented in the areas shown on Plan 1.

Within the indicated areas, any obvious refugia (eg logs or brash piles, large stones etc), will be lifted by hand and checked beneath for reptiles, and any which are present will be carefully collected and removed by the contractors, using gloved hands, to a designated receptor site. In this instance, a suitable receptor area has been identified as comprising any woodland edge or hedge base which lies within the surrounding fields, outside of the works area.

In the event that more than a few reptiles (ie more than 5) are found during the clearance of refugia, the Supervising Ecologist will be contacted and may need to attend the site for the remainder of the clearance operation. The cleared refugia will be removed from the works area immediately and placed under shade in suitable alternative locations elsewhere in the surrounding fields, outside of the works area.

The reptile species considered most likely to occur are slow-worm and common lizard, and perhaps also grass snake, none of which pose a hazard to humans. In the event that any snakes are encountered, however, contractors will not attempt to handle these as they could potentially include the venomous adder, although the occurrence of this species is not considered very likely. The Supervising Ecologist will instead be contacted immediately and will attend the site with appropriate snake-handling equipment to collect and remove any snakes which may be found.

Following the clearance of refugia, the grassland vegetation of the works areas will be systematically cleared, commencing from within each of the main works areas and proceeding outwards towards the surrounding unaffected areas (see Plan 1). The aim of this is to drive any reptiles which may be present within the site away voluntarily towards

more favourable areas which will not subsequently be subject to earthworks or other disturbance.

Any larger shrubs will be cut near ground level (ie 150-200mm) and the arisings removed from the site immediately. Any dense bramble will then be brush-cut to 150mm height, and the arisings raked and removed from the site immediately. Grassland habitats and other non-woody vegetation will also be cut to 150mm height using petrol-powered trimmers with nylon corded trim-cutters, with the arisings being raked and removed from the site immediately. If strimming by hand is not feasible, the grassland will instead be mown using a low ground-pressure tractor mower with the rear roller lifted and cutting blades set to the specified height.

Care will be taken not to harm any reptiles or other fauna which may be encountered during mowing. Any wildlife discovered during this operation is either to be carefully collected and moved away either by gloved hand to the designated receptor site or allowed to move away of its own accord towards unaffected habitats in the surrounding area. The refuelling of strimming tools and storage of fuel will take place within the areas being cut, and not in any of the surrounding areas which will be unaffected by the works.

24-48 hours later, the works areas will be mown again, with the remaining vegetation being cut to ground level in the same pattern as for the first cut, and the arisings being collated and removed from the site. Any residual wildlife encountered is to be dealt with as above.

Arisings from the cutting operations may either be compiled into composting heaps at the edges of the surrounding areas outside of the works areas, and left to decay *in situ*, or are to be removed from the site entirely for disposal.

Once cleared of vegetation, **the works areas will be maintained in a close-mown state** until the commencement of construction by means of regularly repeated mowing (ie every two weeks during the growing season) or by grazing with sheep. The site must not be allowed to develop tall vegetation and become attractive to reptiles again. Construction works should ideally start as soon as possible after the reptile clearance has been completed.

In the event that the site does return to a condition where it is once again attractive to reptiles prior to the commencement of construction works, the Supervising Ecologist may decide that it is necessary to repeat the above steps to return it to a 'cleared' condition.

The discovery of any reptiles will be recorded in the site log, and a record made of the number, species and fate of these animals.

If large quantities of reptiles (ie more than 10) or any snakes are encountered on the site at any time, works will cease and the Supervising Ecologist will be contacted immediately for further advice and/or attendance during the remainder of the clearance.

Clearance of Hedgerows

- 2.6 The clearance of hedgerows potentially has implications both for common reptiles and nesting birds, both of which are afforded statutory protection against killing, injury or, in the case of nesting birds, disturbance while nesting. The protection of nesting birds also extends to their nests, eggs and dependant young.

To address this, a two-staged approach is required in order to satisfy the differing seasonal constraints which apply to these two groups of protected species.

Clearance of the Above-ground Hedge Canopy

- 2.7 Where there is a high probability that the above-ground canopy could be used by nesting birds, the clearance of this should ideally be undertaken during the winter months before the start of the main nesting season (ie clearance between November to February inclusive).

The above-ground vegetation should be cut to a height of between about 150-200mm above ground-level, but no lower than this in order to avoid the risk of causing harm to any hibernating reptiles which may be present at or below ground-level. Hedges cut to this height are almost never used by nesting birds.

Where this timetable cannot be adhered to, it may be possible to clear the canopy at other times of the year but this will be dependent on prior survey by a suitably qualified person to ensure that no nesting birds are present or are likely to be disturbed. If there is any doubt about the absence of nesting birds, canopy clearance cannot legally proceed in the affected section of hedge and must wait until all nesting activity has ceased.

Clearance of Hedges at Ground-level

- 2.8 Whilst the clearance of the above-ground canopy is desirable over the winter period in order to avoid it being occupied by nesting birds in the spring, the clearance of below-ground material (ie roots, stumps, hedgebank etc) should not proceed until later in the year in order to avoid causing harm to any hibernating reptiles and possibly also hedgehogs. The clearance of ground-level and below-ground material is therefore normally carried out during the period March to October inclusive, when such animals should be out of hibernation.

It should be noted that certain birds such as dunnock and wren can also nest on or near the ground and can do so from comparatively early in the year (ie March). Therefore the sections to be cleared must be inspected by an appropriately qualified person not more than 24 hours ahead of clearance to ensure that no nesting birds are present.

The ground-level and below-ground material should then be extracted using the bucket of a suitable excavator (eg mini-digger or 3CX back-hoe) in sections, under the supervision of an appropriately qualified person who is able to stop the clearance operation and physically remove any reptiles which may be encountered. The collected reptiles are then taken to the designated receptor site for release. The arisings, cleared of as much soil as possible, are then removed from the site, typically for deposition at a suitable permanent composting site somewhere outside of the works area.

Clearance or Lopping of Larger Trees

- 2.9 It is not anticipated that any large trees will need to be either felled or lopped as a result of the proposed development. In the event that this should become necessary, however, any large trees (ie greater than 50cm trunk diameter) or trees with features which are known to be potentially attractive to roosting bats (ie cavities, splits, delaminating bark, dense ivy cover etc), are to be assessed by an appropriately qualified arboricultural contractor for the possible presence of roosting bats, prior to the works commencing.

Any such tree works, including any fellings, will be carried out in the winter months, ie November to February inclusive. This timeframe should also avoid the risk of conflict

with nesting birds. The arboricultural contractor must assess each of the affected trees for the possible occurrence of bats, however, before carrying out the works. Where the contractor is unable to do this adequately, it may be necessary to engage a suitably qualified, equipped and licensed tree-climber or bring in a lifting platform for use by a licensed ecologist to carry out a pre-works inspection.

In the event that use by roosting bats is suspected, any tree works will be carried out in accordance with the guidance at Appendix 1 and under a licence obtained in advance from the statutory body, Natural Resources Wales (NRW) as required.

Statutory Compliance

2.10 In the event that either nesting birds or roosting bats are discovered or suspected at any time during the clearance or construction stages, all work in the immediate area will cease immediately and the advice of the Supervising Ecologist will be sought. The ‘immediate area’ will include any affected tree in its entirety, and any other habitats for an area of at least 5m radius around the find-site. The affected area will be clearly demarcated on the ground (eg by means of striped bunting) and made off-limits to all site personnel. Appropriate measures to rectify the situation in accordance with statutory obligations and responsibilities will be determined at the time by the Supervising Ecologist, and may include consultations with the statutory agencies and the seeking of derogation licences etc.

In the event that any common reptiles are accidentally killed or injured during the works, or if reptiles are encountered at any other time, work in the affected habitats will also cease immediately and the Supervising Ecologist will be contacted for further advice. The Supervising Ecologist will determine what additional measures, if any, are required at the time and will agree these with the local Planning Authority Ecologist as required.

All contractors carrying out scrub clearance works will be warned of the *possible* presence of nesting birds, roosting bats and/or common reptiles, and of their protected status. It will be clearly understood that in the event of any being found during clearance works, all works will cease in the affected area and the advice of the Supervising Ecologist sought immediately.

Responsibilities

2.11 The person responsible for:

- compliance with legal consents, statutory requirements and compliance with planning conditions relating to nature conservation;
- installation, monitoring and maintenance of physical protection measures during construction;
- implementation of sensitive working practices during construction;

will be the Site Manager, with advice and guidance provided as required by the Supervising Ecologist.

The services of an appropriately qualified and licensed ecologist (the ‘**Supervising Ecologist**’) will be available on an ‘on-call’ basis for the duration of the clearance and construction stages in order to deal promptly with any protected species issues or other biodiversity issues which may arise during the works.

The Supervising Ecologist will provide ‘toolbox talks’ for contractors and other site personnel at the outset of works, and other guidance and supervision on site as required.

The Supervising Ecologist will visit the site at intervals throughout the clearance and construction stages and will report their findings and any recommendations to the Site Manager within 48 hours.

3.0 REFERENCES

David Clements Ecology Ltd (DCE 2023) *Rhondda Cynon Taff County Borough Council: Large Renewable Energy Projects: Proposed Coed Ely Solar Farm and Private Wire Route (PWR): Coedely, Nr Tonyrefail, Glamorgan: Ecological assessment.* Unpublished report to Rhondda Cynon Taff County Borough Council, v.1.0, Jun 2023.

APPENDIX 1: TREATMENT OF TREES IN RELATION TO ROOSTING BATS

Where bats are known to be roosting in a tree, a full method statement should be prepared and a licence obtained from the Welsh Assembly Government, in accordance with current legislation.

In situations where the presence of bats is only deemed a possibility, but is not known for certain, the following best practice guidelines should be followed. These are based on the advice given by the Bat Conservation Trust (1997) *Bats and trees: A guide to the management of trees*.

Carry out works in the period September to November inclusive (or less suitably during March to May, although this may interfere with nesting birds - see below). This time-frame reduces the probability of encountering summer-roosting bats, and any transitional-roosting bats which are present should still be active enough to fly out and escape.

Cutting in winter also reduces the probability of encountering bats, but may mean that any bats which are encountered will be torpid and hence more likely to suffer death and injury;

Carry out the minimum necessary cutting work, and where felling leave as much as possible of the trunk standing; where trunks must be removed, fell these in sections;

Make cuts as far as possible above any suspected cavities (ie cut through solid timber rather than through cavities which may contain bats);

Lower any timber suspected of containing bats gently to the ground; leave any such timber on the ground for 24 hours before disposal to allow any bats time to leave;

Check any weight-bearing timber tears or splits for roosting bats before cutting, otherwise the split may close when weight is released, crushing any bats which may be present;

Where roosting bats are found during tree works, all work must cease until suitable expert advice has been sought; consultation with the relevant statutory agencies may also be required and mitigation measures set in place to ensure that the works proceed without causing further avoidable harm to bats.

Bear in mind that all species of bats in Britain are afforded the highest level of statutory protection against harm or disturbance which is available under UK law.

Works affecting trees, and more especially the clearance of scrub, should avoid the main bird nesting period (ie approximately March to August), as almost all species of British birds, and their nests, eggs and young, are also afforded full statutory protection against harm or disturbance whilst nesting. Where works have to take place during the nesting period they should be subject to prior survey to ensure that no nesting birds are present in the areas to be cleared, and kept to the minimum necessary.

**Coed Ely Solar Farm,
Coedely, Glam**

Wildlife Protection Plan

Plan 1: Clearance & Construction

DCE 1188 NTS May 2023



	Site Boundary
	Areas of High Ecological Sensitivity
	Wildlife Protection Zone
	Reptile clearance
	Direction of vegetation clearance
	Hedge clearance