



Ecological Appraisal Report:

Former Dew Street Library & Car Park
Dew Street,
Haverfordwest,
SA61 1TG

August 2022

Contact:

Glyn Lloyd-Jones glyn.igecol@gmail.com 07973 685423

Iestyn Evans iestyn.igecol@gmail.com 07733 214829

Office office.igecol@gmail.com

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Summary

I & G Ecological Consulting were commissioned to undertake an ecological appraisal for an area of land of just under 1.4ha at the former Dew Street Library site, Dew Street, Haverfordwest.

The land within the site boundary consists predominantly of buildings and hard standing. There is a small area of amenity planting, strips of woodland, and tall ruderal vegetation colonising paved areas.

No signs of European protected species were observed within the site boundary. Scattered buddleja is present across the site, a small patch of montbretia in the western woodland and cotoneaster in an area of planting in the SW corner.



Figure 1. Location of site Grid Ref: SM 95092 15510

1. INTRODUCTION

- 1.1.1 I & G Ecological Consulting were commissioned to undertake an ecological appraisal for an area of land of just under 1.4ha at the former Dew Street Library site, Dew Street, Haverfordwest.
- 1.1.2 This report presents the findings of both a desk study and a site appraisal undertaken in August 2022. The report outlines the ecological constraints and opportunities associated with the site.
- 1.1.3 The survey was conducted during optimal conditions.

2. METHODOLOGY

- 2.1.1 Both a desk-based survey and an ecological site survey were undertaken to establish the ecological conditions on site.
- 2.1.2 A field botanical survey was carried out using survey methods that were based on standard Phase 1 Habitat survey techniques. The CIEEM Guidelines for Preliminary Ecological Appraisal were also followed and adhered to.

2.2 *Badgers*

- 2.2.1 The surrounding habitat was assessed for its suitability for badgers which includes the presence of setts, well-worn paths and runs, snagged hair, latrines, footprints and foraging. Any such incidental signs of badgers were recorded if they were encountered.

2.3 *Otters*

- 2.3.1 The surrounding habitat was assessed for its suitability to support otters. The area was searched for otter field signs such as spraint marking, slides, hovers or footprints.

2.4 *Dormouse*

- 2.4.1 The habitats on site, particularly the hedgerows were assessed for their suitability to support dormice.

2.5 *Birds*

- 2.5.1 The habitats on site were assessed for their suitability for breeding birds, including trees, scrub and grassland.

2.6 *Bats*

- 2.6.1 Habitats on site were assessed for their suitability to support bats, particularly any trees on site that could have bat roosting potential or opportunities.

2.7 *Reptiles*

- 2.7.1 The habitats on site were assessed for their suitability to support reptiles.

2.8 *Amphibians*

- 2.8.1 The habitats on site were assessed for their suitability to support amphibians.

2.9 *Water Voles*

- 2.9.1 The surrounding habitats on site were assessed for their suitability to support water voles.

2.10 *Marsh Fritillary*

The surrounding habitats on site were assessed for their suitability to support marsh fritillary butterfly and their food plant Devil's bit scabious *Succisa pratensis*.

2.11 *Non-Native Invasive Species*

- 2.11.1 Any pernicious weeds under Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (as amended) were also noted and mapped during the site survey. These species include Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*).

3. RESULTS

3.1 Desk study

3.1.1 A data search was requested from the West Wales Biodiversity Information Centre for the planning application site and surrounding area of up to 2km. The species information was returned to I&G Ecology on 1st August 2022. A number of protected and notable species records were returned within 2km of the site centre (Fig.12). The records will not be listed here, but the most significant, those which are considered to potentially be affected by development of the site, will be briefly summarised. However, the full data are available upon request to those nominated on the request form, as some data may be classified as sensitive.

3.1.2 The significant findings from the data search are summarised below: -

3.1.3 Birds

The data search returned 169 entries of birds which are categorised as priority species. Species in the near vicinity of the site include black redstart, house sparrow, dunnock, bullfinch, starling, redwing and song thrush.

3.1.4 Mammals

The data search returned 182 records of mammals within 2km of the site centre. Most significantly these included:-

- 42 entries for bats including barbastelle, daubenton, noctule, nathusius pipistrelle, common pipistrelle, pygmy pipistrelle, brown long-eared, greater & lesser horseshoe.
- 30 entries for badger, the closest 260m.
- 65 hedgehog records, the closest 138m away.

3.1.5 Invertebrates

The data search returned 9 records of butterflies within 2km of the site, including white letter hairstreak, wall and small blue. and pearl bordered fritillary.

3.1.6 Plants

There are 2 records for bluebell, both over 1km away.

3.1.7 Reptiles

The data search returned 29 records of reptiles within 2km of the site, including slow worm, common lizard, grass snake and adder. 8 records for slow worm within 500m of the site including one within the site.

3.1.8 Amphibians

The data search returned 29 records for amphibians within 2km of the site, the closest 270m away. These include palmate newt, toad, frog.

3.1.9 Non-native Invasive species

The data search returned 72 records of INNS. These include buddleja, balsam, Japanese knotweed and crocosmia in the near vicinity of the site.

3.1.10 Statutory Designated Sites

Afonydd Cleddau SAC (439m) and Pembrokeshire Marine SAC (734m)

Western Cleddau SSSI (439m), Gas Works Lane Section SSSI (605m) & Milford Haven Waterway SSSI (734m)

3.1.11 Non-statutory Sites

The site lies within a B-Line.

3.1.12 NRW Priority Areas

There are a number of Priority Areas of habitat within the search buffer, but none in close proximity to the site (Fig. 13).

3.1.13 CCW Phase 1 Survey

Information obtained from the Phase 1 Survey of Wales (CCW.1997), was also used to provide an indication of the broad habitat types previously recorded in the local area. No habitat was mapped. It should be noted that whilst the CCW data-set is useful to indicate broad habitat types locally, it is not suitable for site specific assessment. The data set was gathered over a period of years (1979 – 1997) and habitats will have changed in the interim period depending on land use, management, development works etc.

3.2 **Site Appraisal**

3.2.1 On site survey

3.2.2 The site survey was undertaken on the 4th August 2022 by a suitably qualified ecologist. Where possible, the habitats were cross-referenced to any important UK priority habitats or local habitats adopted by the Local Biodiversity Action Plan.

3.2.3 The land within the red line survey boundary (Fig. 2) comprises of buildings and hard standing, amenity planting, woodland and tall ruderal vegetation colonising paved areas. The site lies within an urban setting and is surrounded by housing development.



Figure 2. Area surveyed (from Google maps)

Habitats recorded within red line boundary were as follows:-

3.3 Hard Standing & Building

- 3.3.1 The majority of the site is covered by tarmac parking and the former Library buildings (Fig. 3)



Fig. 3

3.4 Woodland

- 3.4.1 To the north-east corner of the site is a raised area of land and retaining wall. The land appears to be an overgrown garden, with apple trees visible. Semi-mature ash and sycamore are frequent, with buddleja, holly and a mature dead beech tree. Ivy and bramble are dominant under the canopy. A more open area to the centre holds great willowherb and red valerian (TN1; Fig. 4).



Fig. 4

- 3.4.2 Along the northern boundary is a row of semi-mature sycamore and ash with abundant buddleja and occasional holly. Ivy dominates the ground layer, with nettle, great willowherb and enchanter's nightshade (TN2; Fig. 5).



Fig. 5

- 3.4.3 To the west is a block of woodland on a rising bank sited between housing. Small leaved lime, horse chestnut, ash and holly are the main species present, with shrubs of dogwood, cherry laurel, snowberry and hawthorn. Ivy dominates under the canopy, with less shaded areas supporting wood dock, hedge woundwort, tutsan and upright hedge parsley. Hart's tongue and soft shield fern are present. There is a small patch of montbretia present (TN3; Fig. 6).



Fig. 6

- 3.4.4 An embanked area to the rear of the library supports young sycamore, holly, hawthorn and buddleja growing through abundant bramble. Wood avens, herb Robert great willowherb, ivy and columbine feature in the ground layer with pendulous sedge, hart's tongue fern and soft shield fern (TN4; Fig. 7).



Fig. 7

3.5 Tall ruderal

- 3.5.1 To the rear of the library at the base of the wooded slope the paths have become heavily colonised with nettle, willowherb, bramble and bindweed (TN5; Fig 8)



Fig. 8

3.6 Introduced Shrub

- 3.6.1 A small area in front of the library building is planted with ornamental conifer and wall cotoneaster (TN6; Fig.9)



Fig. 9

3.7 Amenity Grassland

- 3.7.1 A small block of land in the SW corner is maintained as mown grass (TN7; Fig.9)



Fig. 10

3.7.2 To the rear of the library is a small garden area (TN8; Fig.10)



Fig. 11

3.8 Badgers

3.8.1 There is no evidence of badgers within the site boundary.

3.9 Bats

3.9.1 The buildings on site may present bat roosting opportunities. The majority of trees on site are semi-mature and present little roosting opportunity.

3.10 Otters

3.10.1 There is no suitable habitat for otter on site.

3.11 Reptiles

3.11.1 There is a small potential for slow worm associated with the rear gardens of adjacent properties.

3.12 Amphibians

3.12.1 There is no suitable habitat for amphibians on site.

3.13 Hazel Dormouse

3.13.1 There is no suitable habitat for dormouse on site.

3.14 Water Voles

3.14.1 There is no suitable habitat for water vole on site.

3.15 Birds

3.15.1 The areas of woodland will provide shelter/nesting opportunities for a limited range of species.

3.16 Invertebrates

3.16.1 There is no suitable habitat on site to support marsh fritillary butterfly.

3.17 Non-native Invasive Species

3.17.1 Cotoneaster, montbretia and buddleja are present on site

4. ECOLOGICAL ASSESSMENTS

4.1.1 The following values have been provided to assess the importance of an ecological feature value within a geographical context, as recommended within the CIEEM Guidelines for Ecological Impact Assessment (2016) and the CIEEM Guidelines for Ecological Report Writing (Dec.2015). See Table 1 below:

4.1.2 Table 1: Ecological Value Assessments

Importance	Examples of features
International & European	European designated or proposed sites such as Ramsar Sites, Special Protection Areas, Special Areas of Conservation, World Heritage sites or Biosphere Reserves; or otherwise meeting criteria for European or International designation. Sites supporting populations of European important species. Species listed within the Annex's of The Conservation of Habitats & Species Regulations 2010
National	Nationally designated sites such as Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), areas of key habitats and species within the UK Biodiversity Action Plan. Sites supporting viable breeding populations of Red Data Book (RDB) species (excluding scarce species), or supplying critical elements of their habitat requirements. Species listed within the schedules of the Wildlife & Countryside Act 1981.
Regional	Sites containing viable areas of threatened habitats and species listed in a regional Biodiversity Action Plan, sites exceeding Site of Importance for Nature Conservation (SINC) criteria. Sites supporting viable populations of Nationally Scarce species or those included in the Regional Biodiversity Action Plan on account of their rarity, or supplying critical elements of their habitat requirements.
High Local	Sites meeting the criteria for a county, vice county or metropolitan area designation (such as SINC), which may include amenity and educational criteria in urban areas. Ancient semi-natural woodland. Designated Local Nature Reserves. Sites containing viable areas of any key habitat type or species identified in the Local Biodiversity Action Plan (LBAP). Sites supporting viable breeding populations of species known to be county/metropolitan rarities e.g. featuring in county 'red data book' or LBAP, or supplying critical elements of their habitat requirements.
Moderate Local	Undesignated sites or features considered appreciably to enrich the habitat resource within the context of the Borough or District, or included in the Borough or District LBAP. Amenity and educational functions will be recognised in urban areas. Sites with viable breeding populations of species listed as rare in the District or Borough LBAP or supplying critical elements of their habitat requirements.
Low Local	Undesignated sites or features considered appreciably enriching the habitat resource within the context of the Parish or neighbourhood.
Negligible	Low-grade and widespread habitats.

4.1.3 Table 2: Impact level Criteria

Severe	Permanent impacts
Major	Loss of feature and/or quality and integrity of feature; severe damage to key characteristics, features or elements.
Moderate	Loss of feature, but not adversely affecting the integrity; partial loss of/damage to key characteristics, features or elements.
Minor	Some measurable change in attributes, quality or vulnerability; minor loss of, or alteration to, one (maybe more) key characteristics, features or elements
Negligible	Very minor loss or detrimental alteration to one or more characteristics, features or elements
Neutral	No impacts

4.2 Priority Habitats and Species

- 4.2.1 UK BAP priority habitats and species were those that were identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). As a result of devolution, conservation action is now focused at a country-level rather than a UK-level, and the UK BAP was succeeded by the UK Post-2010 Biodiversity Framework in July 2012. The UK list of priority species, however, remains an important reference source and has been used to help draw up statutory lists of priority species and habitats in the four countries of the UK.
- 4.2.2 The Environment Wales Act (2016) (EWA) Section 6 places a duty on public authorities to 'seek to maintain and enhance biodiversity' and seek to 'promote the resilience of ecosystems'. The duty replaces the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty. Section 7 lists both Priority Species and Habitats of Principle Importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.
- 4.2.3 The Pembrokeshire Local Biodiversity Action Plan (LBAP) aims to maintain and enhance biodiversity which covers a range of selected habitats and species which reflect both national and local priorities; develop effective local partnerships; monitor progress in achieving local biodiversity targets.

4.3 Assessments on the Habitats & Species Identified During the Survey

4.4. Habitats

4.4.1 Woodland

The woodland provides landscape and screening interest, will support breeding birds and provide foraging opportunities for bats, small mammals and invertebrates.

Overall, the value of these habitats within the development parcel has been assessed as: **Low local**. Loss of this habitat, without mitigation, is considered to be **Minor**.

4.4.2 Amenity Grassland & Tall Ruderal Vegetation

Habitat within the development is small and disconnected, and is typical of urban settings.

Overall, the value of these habitats within the development parcel has been assessed as: **Negligible**. Loss of this habitat, without mitigation, is considered to be **Negligible**.

4.5 Species

- 4.5.1 The field survey identified the on-site habitats as having the potential to support the following species which are also listed under UK BAP: Breeding Birds & Bats.

4.6 Ecosystem Resilience

- 4.6.1 Area loss can cause populations of organisms to decline due to a decrease in habitat size. The area to be developed consists mainly of hard standing and building with small areas of woodland, amenity grassland and tall ruderal vegetation. If the site is cleared without any mitigation for development the impact is expected to be **Minor**.

5. CONCLUSIONS AND RECOMMENDATIONS FOR FURTHER SURVEY

- 5.1 The combination of desk and field surveys undertaken at the proposed development site identified that the area within the planning site boundary has local interest due to the presence of areas of woodland.

5.2 Woodland

- 5.2.1 The woodland is to the perimeter of the site on raised ground. The woodland should be retained, protected from development by suitable exclusion fencing and root protection zones, and enhanced through an appropriate management regime.

5.3 Birds

- 5.3.1 All nesting birds are protected under Section 1 of the Wildlife and Countryside Act of 1981. Therefore, vegetation clearance should be planned outside the nesting bird season.

5.4 Bats

- 5.4.1 Any mature trees which require felling or management in order to accommodate the development will be subject to inspection and assessment for suitability for use by bats, by a licenced bat surveyor following current guidelines (Bat Conservation Trust). The installation of a number of bat boxes suitable for species such as pipistrelle, noctule and brown long-eared within the wooded areas is recommended.
- 5.4.2 Site lighting has the potential to impact upon bats. A lighting plan should be agreed, with low level cowled lighting and the retention of dark corridors along the boundary features.

5.5 Invasive Non-native species

- 5.5.1 The buddleja, montbretia and cotoneaster present on site should be removed and disposed of appropriately. A INNS management plan should be produced to ensure the INNS are removed and disposed of correctly.
- 5.5.2 Materials brought into the site should be clean and free from INNS.

5.6 Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty)

- 5.6.1 The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty) applicable to Local Authorities. This duty filters through to all those participating in the Planning process.
- 5.6.2 Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.

- 5.6.3 It is therefore recommended, that in order to provide a net enhancement for the development new native planting should be incorporated into the development using species of local provenance.
- 5.6.4 No plans have been made available for the type of development proposed, but any building would be suitable for Swift/Swallow cups and house sparrow terraces; the details of which should be agreed with the LA ecologist.

6. LEGISLATION

6.1 Otters and the Law.

6.1.1 The otter is a European Protected Species (EPS). It is against the law to damage or destroy an otter breeding site or resting place, or deliberately to capture, kill, injure or disturb an otter.

6.1.2 Otters are fully protected by the following pieces of legislation:

- The Conservation of Habitats and Species Regulations 2017 (regulation 42) fully protects otters, making it **an offence to:-**
 - *Intentionally or deliberately capture, injure or kill an Otter.*
 - *Damage or destroy a breeding or resting place of an Otter, or intentionally or recklessly damage or destroy any structure or place used for shelter or protection*
 - *Intentionally or recklessly disturb an Otter in a place used for shelter or protection, or deliberately disturb Otters in such a way as to be likely significantly to affect (i) the ability of any significant group of Otters to survive, breed, rear or nurture their young, or (ii) the local distribution or abundance.*
 - *Intentionally or recklessly obstruct access to a place used for shelter or protection.*
 - *Possess an Otter (alive or dead), or any part of an Otter*
- Schedule 5 of the Wildlife and Countryside Act 1981 (as amended by the CROW [Countrywide Rights of Way] Act 2000) fully protects otters, making it **an offence to:-**
 - *Intentionally or recklessly disturb any otter while it is occupying a structure or place which it uses for shelter or protection*
 - *Intentionally or recklessly obstructs access to any structure or place used by an otter for shelter or protection*
 - *Sell, offer or expose for sale any otter*

6.1.3 For any disturbance to occur a derogation or **EPS licence** must be gained from Natural Resources Wales. To gain an EPS Licence from Natural Resources Wales (NRW), NRW must be satisfied that;

- i. granting the licence would not be detrimental to the Favourable Conservation Status (fcs) of the populations of species concerned within its natural range.
- ii. the derogation (licence) is in the public interest of Health and Safety or for other reasons of over-riding public interest, including those of a socio-economic nature or will have a benefit of primary importance to the environment.
- iii. there is no satisfactory alternative to the derogation which would allow the described development to proceed but which would avoid or reduce the need for any adverse impact to the species.

6.1.4 Otters are also protected by;

- Natural Environment and Rural Communities Act 2006 and now the Environment (Wales) Act 2016.
- Annex II Habitats Directive (protection through Special Areas of Conservation)
- UK Biodiversity Action Plan Priority Species and Species of Principal Importance in Wales

6.2 Bats and the Law

6.2.1 Bats are protected by the following pieces of legislation:

- Schedule 5 and 6 of the Wildlife and Countryside Act 1981 (as amended by the CROW [Countryside Rights of Way] Act 2000)
- The Environmental Damage (Prevention & Remediation) Regulations 2009 – A protected species and its habitat is protected under this legislation as well as others.
- The Conservation of Habitats and Species Regulations 2017 (regulation 42) fully protects all bats and their roosts, making it **an offence** *to deliberately kill, injure or capture* (take) bats; *to deliberately disturb bats; damage or destroy bat roosts* or resting places (this is considered an “Absolute Offence” as damage and destruction may detrimentally effect the Continuous Ecological Functionality of that roost / resting place); possess or transport a bat or any part of a bat; sell (or offer for sale) or exchange bats or parts of bats.
- For any disturbance to occur a derogation or **EPS licence** must be gained from Natural Resources Wales. To gain an EPS Licence from Natural Resources Wales (NRW), NRW must be satisfied that;
 - i. the licence would not be detrimental to the Favourable Conservation Status (fcs) of the populations of species concerned within its natural range.
 - ii. the derogation (licence) is in the public interest of Health and Safety or for other reasons of over-riding public interest, including those of a socio-economic nature or will have a benefit of primary importance to the environment.
 - iii. there is no satisfactory alternative to the derogation which would allow the described development to proceed but which would avoid or reduce the need for any adverse impact to the species.

6.2.2 Bats are also protected by;

- Appendix III of the Bern Convention
- Appendix II of the Bonn Convention (including the Convention's Agreement on the conservation of Bats in Europe)
- Natural Environment and Rural Communities Act 2006 and now the Environment (Wales) Act 2016.

- All bats are listed in Annex IV of the EC Habitats Directive and the British species listed in Schedule 2 of the Habitats Regulations 1994 (as amended) and are therefore designated as *European Protected Species*. These *protected* species are afforded enhanced protection and more stringent licensing provisions than those protected by the Wildlife and Countryside Act (WACA) alone.

6.3 The Hazel Dormouse and the Law

6.3.1 The hazel dormouse is a European Protected Species (EPS). It is against the law to damage or destroy a dormouse breeding site or resting place (summer or hibernation nest), or deliberately to capture, kill, injure or disturb a dormouse.

6.3.2 Dormice are fully protected by the following pieces of legislation:

- The Conservation of Habitats and Species Regulations 2017 (regulation 42) fully protects dormice, making it **an offence to:-**
 - *Intentionally or deliberately capture, injure or kill a dormouse.*
 - *Damage or destroy a breeding or resting place of a dormouse, or intentionally or recklessly damage or destroy any structure or place used for shelter or protection*
 - *Intentionally or recklessly disturb a dormouse in a place used for shelter or protection, or deliberately disturb dormouse in such a way as to be likely significantly to affect (i) the ability to survive, breed, rear or nurture their young, and includes in the case of animals of a hibernating or migratory species, to hibernate or migrate or (ii) the local distribution or abundance.*
 - *Intentionally or recklessly obstruct access to a place used for shelter or protection.*
 - *Possess a dormouse (alive or dead), or any part of a dormouse*
- Schedule 5 of the Wildlife and Countryside Act 1981 (as amended by the CROW [Countrywide Rights of Way] Act 2000) fully protects dormice, making it **an offence to:-**
 - *Intentionally or recklessly disturb any dormouse while it is occupying a structure or place which it uses for shelter or protection*
 - *Intentionally or recklessly obstructs access to any structure or place used by a dormouse for shelter or protection*
 - *Sell, offer or expose for sale any dormouse*

6.3.3 For any disturbance to occur a derogation or **EPS licence** must be gained from Natural Resources Wales. To gain an EPS Licence from Natural Resources Wales (NRW), NRW must be satisfied that;

- i. granting the licence would not be detrimental to the Favourable Conservation Status (fcs) of the populations of species concerned within its natural range.

- ii. the derogation (licence) is in the public interest of Health and Safety or for other reasons of over-riding public interest, including those of a socio-economic nature or will have a benefit of primary importance to the environment.
- iii. there is no satisfactory alternative to the derogation which would allow the described development to proceed but which would avoid or reduce the need for any adverse impact to the species.

6.3.4 Dormice are also protected by;

- Natural Environment and Rural Communities Act 2006 (England) and the Environment (Wales) Act 2016.
- Annex II Habitats Directive (protection through Special Areas of Conservation)
- UK Biodiversity Action Plan Priority Species and Species of Principal Importance in Wales

6.4 Reptiles and the Law

- 6.4.1 All of the UK native reptiles are protected by law. The common species of reptiles found in this locality are common lizard, slow-worm, adder and grass snake. It is illegal to intentionally kill or injure these species under Section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).
- 6.4.2 All native UK reptiles are considered of 'principle importance' under Section 7 of the Environment (Wales) Act 2016. This places a duty on every public authority, in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.
- 6.4.3 Under the National Planning Policy Framework (NPPF April 2012), the presence of any Protected Species (which includes all reptiles species) are a material planning consideration. The ODPM 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System, provide additional advice and support the NPPF.

6.5 Amphibians and the Law

- 6.5.1 All of the UK native amphibians are protected by law. The common species of amphibians in this locality are common frog, common toad, smooth newt and palmate newt. It is illegal to intentionally kill or injure these species under Section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).
- 6.5.2 The common toad is considered of 'principle importance' under Section 7 of the Environment (Wales) Act 2016. This places a duty on every public authority, in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

- 6.5.3 Under the National Planning Policy Framework (NPPF April 2012), the presence of any Protected Species (which includes the Common Toad) are a material planning consideration. The ODPM 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System, provide additional advice and support the NPPF.

6.6 Birds and the Law

- 6.6.1 All species of bird are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). Protection was extended by the Countryside and Rights of Way (CRoW) Act 2000. Under the above legislation it is an offence to intentionally:
- kill, injure or take any wild bird;
 - take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
 - take or destroy an egg of any wild bird.
- 6.6.2 Certain species are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and receive protection under Sections 1(4) and 1(5). The protection was extended by the Countryside and Rights of Way (CRoW) Act 2000. There are special penalties where the offences listed above are committed for any Schedule 1 species and it is also an offence to intentionally or recklessly:
- disturb any such bird when it is building its nest or while it is in or near a nest containing dependant young; or
 - disturb the dependant young of any such bird.

6.7 Badgers and the Law

- 6.7.1 The protection of Badgers Act 1992 makes it illegal to kill, injure or take a badger, or interfere with a sett. In addition, they are listed on Schedule 6 of the Wildlife & Countryside Act 1981, which prohibits certain methods of killing and capture.

6.8 Water Voles and the Law

- 6.8.1 Water voles are listed under Schedule 5 of the Wildlife & Countryside Act 1981, receiving full protection since 2008. The Wildlife & Countryside Act 1981 (as amended), lists the following offences:-
- Intentionally kill, injure or take water voles (Section 9 (1)).
 - Possess or control live or dead water voles or derivatives (Section 9 (2)).
 - Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection (Section 9 (4) (a & c)).
 - Intentionally or recklessly disturb water voles whilst occupying a structure or place used for that purpose (Section 9 (4) (b)).
 - Sell water voles or offer or expose for sale or transport for sale (Section 9 (5)).

- Publish or cause to be published any advertisement which conveys the buying or selling of water voles (Section 9 (5)).

6.9 Environment Act (Wales) 2016

- 6.9.1 This act has replaced the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty. It came into force in May 2016.
- 6.9.2 Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Under Section 6 public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience.
- 6.9.3 Section 7 of the Act places a duty on public authorities to take steps to maintain and enhance biodiversity. This section replaces the duty in section 42 of the NERC Act 2006. The Section 7 Priority Species under this act is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. The Section 7 Priority Habitats is a list of the habitats of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

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8. I&G Ecological Consulting Legal Disclaimer

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We confirm that in preparing this Report we have exercised reasonable skill and care, taking into account the project objectives, the agreed scope of the work and prevailing site conditions.

Advice in this report is based on the judgement of I&G Ecological Consulting and the interpretation of data gathered during the course of their survey on the property named in this document.

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9. Representative Species List

	Target note						
	TN1	TN2	TN3	TN4	TN5		
Pendulous sedge <i>Carex pendula</i>				O			
Hedge Bindweed <i>Calysegia sepium</i>			O	F	A		
Creeping buttercup <i>Ranunculus repens</i>			O				
Cleavers <i>Galium aparine</i>			O		O		
Wood dock <i>Rumex sanguineus</i>			O		O		
Enchanter's nightshade <i>Circaea lutetiana</i>		O		O			
Hedge woundwort <i>Stachys sylvatica</i>			O				
Herb Robert <i>Geranium robertianum</i>				O			
Hogweed <i>Heracleum sphondylium</i>					O		
Ivy <i>Hedera helix</i>	D	F	D	F			
Nettle <i>Urtica dioica</i>		F	O	F	A		
Ragwort <i>Jacobaea vulgaris</i>					O		
Tutsan <i>Hypericum androsaemum</i>			R				
Broad leaved willowherb <i>Epilobium montanum</i>		F		O	F		
Great willowherb <i>Epilobium hirsutum</i>	O			O	F		
Rose-bay willowherb <i>Chamerion angustifolium</i>			R				
Upright hedge parsley <i>Torilis japonica</i>			O				
Red valerian <i>Centranthus ruber</i>	O						
Wood Avens <i>Geum urbanum</i>			O	O			
Ash <i>Fraxinus excelsior</i>	F	R	O				
Beech <i>Fagus sylvatica</i>	R						
Bramble <i>Rubus fruticosus agg</i>	A	A	O	A			
<i>Buddleja sp</i>	F	A		F	A		
Dogwood <i>Cornus sanguinea</i>			R				
Elder <i>Sambucus nigra</i>			O				
Holly <i>Ilex aquifolium</i>	O	R	A	O			
Horse chestnut <i>Aesculus hippocastanum</i>			O				

Hawthorn <i>Crataegus monogyna</i>			O	O			
Cherry Laurel <i>Prunus laurocerasus</i>			O	R			
Small leaved lime <i>Tilia cordata</i>			F				
Snowberry <i>Symphoricarpos albus</i>			R				
Sycamore <i>Acer pseudoplatanus</i>	F	A		A			
Apple <i>Malus spp.</i>	O						
Hart's tongue Fern <i>Asplenium scolopendrium</i>			O	O			
Soft shield fern <i>Polystichum setiferum</i>			O	O			

10. WWBIC Data Search

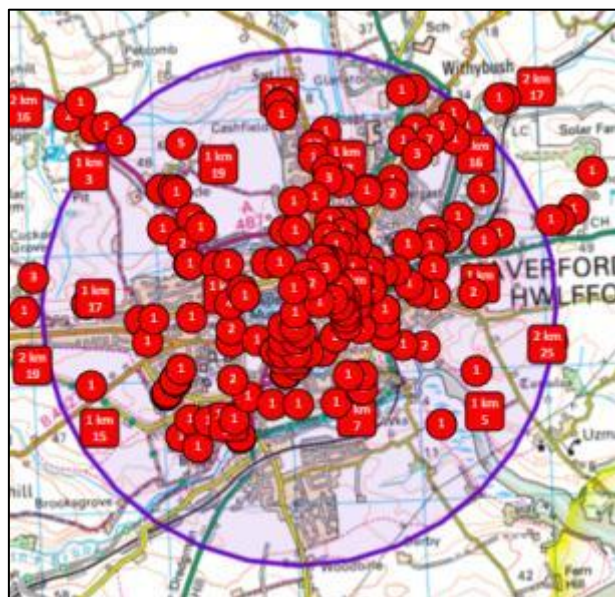
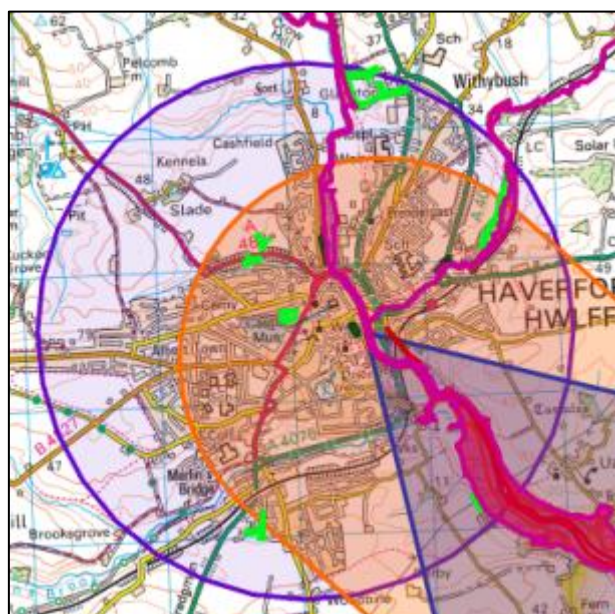


Fig. 12. Protected Species



Site Type	Key	Number of sites	Category	Intersection Area	Percentage of search area	Display clipped	Display full
Special Area of Conservation		2	International - Statutory	372,841 m ²	2.98%	☐ Off	☒ On
Site of Special Scientific Interest		3	National - Statutory	345,909 m ²	2.77%	☐ Off	☒ On
Site of Special Scientific Interest (Bats)		1	National - Statutory	191,846 m ²	1.54%	☐ Off	☒ On
Ancient Semi Natural Woodland		3	Priority Area	11,724 m ²	< 0.01%	☐ Off	☒ On
Restored Ancient Woodland Site		8	Priority Area	64,310 m ²	0.51%	☐ Off	☒ On
NRW Priority Area (Coastal Saltmarsh)		1	Priority Area	1,515,236 m ²	12.13%	☐ Off	☒ On
B-Lines		1	Local - Non-statutory	7,028,760 m ²	56.27%	☐ Off	☒ On

Fig. 13. Protected Sites & Priority Areas

Fig. 14 Phase 1 Habitat Plan.

Colour	Code	Description
	A1.1.1	Broadleaf Woodland
	C3.1	Tall ruderal
	J2	Amenity Grassland
	J4	Introduced shrub

Phase 1 Habitat Code Key:



Former Dew Street Library & Car Park, Haverfordwest