

Undertaking Research within the Brecon Beacons National Park –

Checklist of constraints and permissions required

21st August 2019

Plan ahead!

The following is intended to provide potential researchers with a feel for the logistic, risk management and legislative constraints that need to be planned for, when designing field-based research and sampling. Some projects may take very little time to implement whereas those on private land and/or requiring protected site permission may require up to 4 months. Hence, appropriate planning needs to be factored into the project initiation stage of any research project.

As a matter of courtesy and of conservation management, we ask that you share your research with us when it is complete. As a minimum we would like receipt of any dissertations or reports generated as part of your research. Ideally you would share your data with the Biodiversity Information Service (see links below) and, if possible, present your findings to relevant staff and partners at the end of the project.

Constraint	Where to get further information	Who to contact/timescale	Done ✓
Landowner permission – large landowners, statutory bodies, public bodies	In order for you to conduct research or do any sort of sampling, you will need landowner permission in the first instance. BBNPA do retain some information regarding land ownership for public bodies and major landowners such as Natural Resources Wales. If you could send a map of potential sampling sites and/or grid references to your BBNPA lead, that person would be able check if the site(s) is on BBNPA-owned land or that of any known owners.	BBNPA lead contact; allow 2-3 weeks lead time to give officers sufficient time to address your query.	
Landowner permission – private landowners	Unfortunately, we do not have information with respect to landownership on many sites, particularly those below the hill fence line as they are privately owned.	This is available through the Land Registry for a fee (https://www.gov.uk/government/organisations/land-registry). Immediately available upon paying for the online search.	
Protected sites permission (Special Area of Conservation, Site of Special Scientific Interest, National Nature Reserve) – OLDSI consent	SSSI or OLDSI (operations likely to damage site interests) consent from Natural Resources Wales if the locations fall within a SSSI. Note that technically the <u>landowner</u> has to apply for consent on behalf of the researcher, hence the need to get landowner permission first. https://naturalresources.wales/permissions/working-in-protected-areas/?lang=en .	Natural Resources Wales permitting team. BBNPA lead can help link to NRW. NRW have up to four months to respond to any request for SSSI consent, though they tend not to take this long.	
European Protected species licences	Until issues are re-aligned post-Brexit, you may need a licence from NRW if your work impacts European Protected species. Terrestrial animals include: Bats (all species), Dormouse, Great	Natural Resources Wales permitting team https://naturalresources.wales/permissions/protected-species-	

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	Crested (or Warty) Newt, Natterjack Toad, Otter, Sand Lizard. Plants include: Fen Orchid, Floating Waterplantain, Killarney Fern, Shore Dock.	licensing/european-protected-species-licensing/?lang=en . NRW have up to four months to respond to any request for licence requests, though they tend not to take this long.	
UK protected species licences e.g. Wildlife & Countryside Act Schedule 6 small mammals – shrews, hedgehogs, water vole	https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/small-mammal-licensing/?lang=en https://naturalresources.wales/permits-and-permissions/protected-species-licensing/information-on-uk-protected-species-licensing/?lang=en	Natural Resources Wales permitting team NRW have up to four months to respond to any request for licence requests, though they tend not to take this long.	
Other species trapping permissions e.g. crayfish, eels, elvers, salmon, sea trout, lamprey, smelt	http://naturalresources.wales/guidance-and-advice/business-sectors/fisheries/fishing-with-nets-and-traps/?lang=en	Natural Resources Wales permitting team NRW have up to four months to respond to any request for licence requests, though they tend not to take this long.	
Ordinary water course consent	Works on or near a watercourse may require ordinary watercourse consent. The main concern is to ensure that your work does not contribute to flood risk. Most activities will not require this consent unless you are building physical structures on or near watercourses.	Main rivers: Natural Resources Wales All others: see local authority. Powys: https://en.powys.gov.uk/article/4661/Ordinary-Watercourses-Applying-for-consent-for-works Monmouthshire: https://www.monmouthshire.gov.uk/flood-risk-management/watercourse-regulation/ Carmarthenshire: https://www.carmarthenshire.gov.wales/home/council-services/emergencies-and-community-safety/flooding/flood-defences/#.XKHuaJhKhPY	
Planning constraints	Small-scale activities (e.g., use of field meters, trail cameras, vegetation surveys) are unlikely to be considered development such as a material change of use of land or as a building or engineering operation. These will not require planning permission.	Brecon Beacons National Park Authority Planning Team Initial consultation can be done over the phone or in person. Planning permission can take up to 8 weeks to determine.	

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	<p>Where longer term or permanent activities that change the character of the use of the land are undertaken, these can be carried out for up to 28 days in any given calendar year without the need for planning consent. The land must return to its normal use following the temporary use. This may also apply to temporary moveable structures.</p> <p>Any development, that changes the use of land and takes place longer than 28 days or involves engineering or building works (e.g., erecting weather stations or excavating pits for soil analysis) are likely to require planning permission. Further planning restrictions may apply in sensitive areas such as Sites of Special Scientific Interest; Special Areas of Conservation; Scheduled Ancient Monuments and their settings; and Listed Buildings and their settings. As a general rule no permitted development can take place where the works would obstruct the view of persons using a highway used by vehicular traffic. As with other forms of permission, this assumes the researcher has land owner permission.</p> <p>When in doubt, it is worth consulting with the National Park Authority's planning team regarding the details of your particular activity or proposal.</p>	<p>https://www.beacons-mpa.gov.uk/planning/; planning.enquiries@beacons-mpa.gov.uk</p>	
<p>Access, getting kit to remote locations</p>	<p>BBNPA staff may be able to assist with getting equipment to remote locations, particularly the Ecology and Warden Teams.</p>	<p>BBNPA lead contact;</p> <p>The more lead time that can be provided, the better. Allow at least 2-3 weeks if not longer to make arrangements, but ideally this would be flagged up during the project planning stages.</p>	
<p>Archaeology/ Heritage resources</p>	<p>All programmes of fieldwork affecting archaeological sites within the National Park will require landowner permission. For sites within the Brecon Beacons National Park Authority's land ownership, on or near sites of archaeological interest, permission should be sought from the Heritage</p>	<p>Heritage Officer (Archaeology), or the Heritage Manager, BBNPA</p> <p>Timescales: it is recommended that an archaeological project design is</p>	

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	<p>Officer (Archaeology), or the Heritage Manager, BBNPA.</p> <p>In addition to landowner permissions, all project proposals will need to have demonstrated that all statutory considerations have been taken into account. Over 350 ancient monuments and archaeological sites in the National Park are given statutory protection as Scheduled Ancient Monuments under the terms of the Archaeological Areas and Ancient Monuments Act 1979 as amended and updated by the Historic Environment (Wales) Act 2016. Any works that will affect the site of a Scheduled Monument will require Scheduled Monument Consent, obtained from Cadw, the Welsh Government's historic environment service.</p>	<p>submitted in support of any request, to facilitate a quick response.</p> <p>Timescale: Variable.</p>	
Liaison with Commoners	<p>Any project taking place on common land should seek the involvement of the local commoners/graziers association, particularly if there will be any physical works or equipment left on the common for any length of time.</p>	<p>BBNPA lead contact can assist you with contacting the local commoners/ graziers association.</p>	
Livestock – farming calendar, potential disturbance of kit left in situ by livestock	<p>Researchers should be aware of seasonal farming activities such as lambing, turning stock on the hill, gathering, etc. Certain activities may be seen as stressful to livestock. Equally equipment may be subject to disturbance by livestock if left unattended in the field. It is also common courtesy to inform local farmers of any activity on land they own or manage. They may actually be a great source of knowledge as well as having an interest in your research. Every individual in the countryside is also required to follow the Countryside Codes: https://bit.ly/2G0SVxY.</p>	<p>BBNPA lead contact can assist you with contacting the local farmers, commoners/ graziers association.</p>	
Best practice relating to invasive species and control of spread	<p>The movement of invasive, non-native organisms throughout the countryside is becoming an increasingly difficult issue to manage. However, with appropriate foresight and biosecurity best practice, risks can be minimised.</p>	<p>BBNPA INNS Officers, Bev Lewis and Dai Jermyn.</p> <p>The GB INNS website has useful information as well (http://www.nonnativespecies.org/index.cfm?sectionid=58).</p>	
Data sharing	<p>We ask that you share your research with BBNPA and relevant partners. As a minimum we would like receipt</p>	<p>We ask that all biological records are shared with the Biodiversity Information Service</p>	

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	<p>of any dissertations or reports generated as part of your research. Ideally you would share your data with the Biodiversity Information Service and, if possible, present your findings to relevant staff and partners at the end of the project. The Biodiversity Information Service for Powys and the Brecon Beacons National Park (BIS) is an important resource for records of species and habitats across the National Park.</p>	<p>(https://www.bis.org.uk/). Contact your BBNPA lead for further information.</p>	