Border Retail Park

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241684

Tree Inspection

SJ 33957 50551

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Revision 1

Table of Contents

1. Summary 2
2. Introduction 3
2.1. Purpose 3
2.2. Site Description and Location 3
2.3. Proposals 5
3. Methodology 6
3.1. Field survey 6
3.2. Limitations/Constraints 6
4. Results and Interpretation 7
5. Recommendations 10
6. References 11
Appendix I. Development Plans 12
Appendix II: Planning Policy and Species Legislation Summary 13

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In line with Chartered Institute of Environmental and Ecological Management (CIEEM) recommendations the findings of this survey are deemed valid for 18 months from the date of the survey.

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1. Summary

Purpose	Planning permission is being sought for the erection of a drive thru coffee shop, including associated landscaping, at Border Retail Park in Wrexham, reference P/2024/1174. A Preliminary Ecological Appraisal carried out on the site by Ecus Ltd during January and May 2024, reference 21955, identified two trees with bat and bird boxes (TN6 & TN7) and a single tree that displayed Potential Roost Features (TN4). A further inspection of the trees was commissioned to support the application for planning permission.
Results	Three trees were identified as providing potential for bats during the Preliminary Roost Assessment, trees T10, T12 and T16. Tree T10 displayed no Potential Roost Features but supported a single bat box. No bat field signs were identified in the box during the survey. Tree T12 displayed no Potential Roost Features but supported a single bat box and a single bird box. No bats field signs were identified in the bat box, the bird box displayed an old nest with no signs of recent activity at the time of the survey. Tree T16 displayed several Potential Roost Features with a thorough inspection of all of the features not carried out as part of this survey. Therefore, the tree was assessed to provide FAR (Further Assessment Required) suitability to support roosting bats.
Recommendations	It is recommended that a further inspection of the bat box on T12 is carried out by a suitable licenced individual immediately prior to the relocation of the box to a tree elsewhere on the site. In the event that bats are present in the box at the time of the inspection works should cease and a Natural Resources Wales licence should be obtained. It is recommended that the bird box on T12 is relocated outside the nesting season, including the box being cleaned out at the time of the relocation. It is recommended that trees T10 and T16 remain undisturbed by the works or that further surveys of the trees are carried out prior to the works commencing.

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2. Introduction

2.1. Purpose

2.1.1. Planning permission is being sought for the erection of a drive thru coffee shop, including associated landscaping, at Border Retail Park in Wrexham, reference P/2024/1174.

2.1.2. A Preliminary Ecological Appraisal (PEA) carried out on the site by Ecus Ltd during January and May 2024, reference 21955, identified two trees with bat and bird boxes (TN6 & TN7) and a single tree that displayed Potential Roost Features (PRF) (TN4).

2.1.3. A further inspection of the trees was commissioned to support the application for planning permission.

2.2. Site Description and Location

2.2.1. The site comprises three trees at Border Retail Park in Wrexham. The location of the trees on site is shown in Figure 1, which is an extract from the arboricultural report for the site, reference 21955.

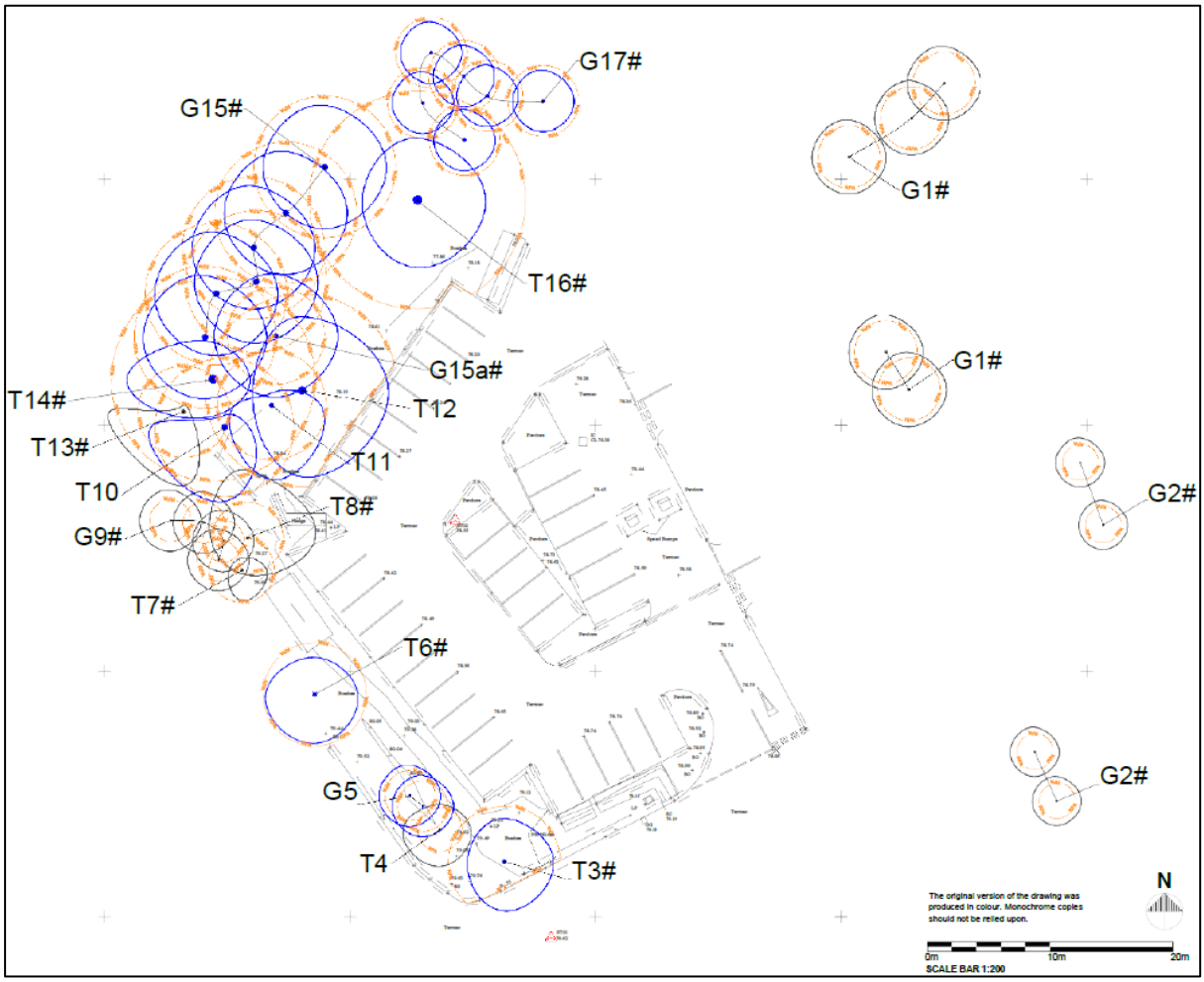


Figure 1: Extract from the arboricultural report showing the tree locations, T10, T12 & T16.

2.2.2. The trees covered by the survey comprise trees T10 (Ecus TN7), T12 (Ecus TN6) and T16 (Ecus TN4).

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2.2.3. The trees comprise two early mature sycamore (*Acer pseudoplatanus*), T10 and T12, and a mature oak (*Quercus sp.*), T16.

2.2.4. Tree T10 was identified to support a single bat box with tree T12 supporting a bat and a bird box.



Figure 2: Tree T10.



Figure 3: Tree T12.

2.2.5. The PEA report noted that tree T16 displayed a 'split trunk' and assessed the tree to display PRF-M (suitable for multiple bats) suitability, although no details of the height or location of the feature were included in the report.



Figure 4: Tree T16.

2.2.6. The land immediately surrounding the trees comprises the car park associated with the Border Retail Park to the south, Stryt Holt to the north and a line of trees to the east and west, comprising landscaping associated with the Border Retail Park.

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2.3. Proposals

2.3.1. The proposals are to construct a new drive thru coffee shop on the adjacent car park, which will include the removal of tree T12.

2.3.2. The plan in Appendix I of this report comprises a development plan taken from the arboricultural report for the site, showing the proposed development and tree removal.

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3. Methodology

3.1. Field Study

3.1.1. A field survey was carried out by Steven Whitcher on 19th August 2024. The survey was carried out in accordance with the Bat Conservation Trust Good Practice Guidelines, 4th edition (*2023*) and was also advised by BTHK Bat Roosts in Trees - A Guide to Identification and Assessment for Tree-Care and Ecology Professionals (*2018*) and BRHK Bat Roosts in Rock – A Guide to Identification and Assessment for Climbers, Cavers & Ecology Professionals (*2021*).

3.1.2. The survey comprised a further ground assessment of the trees followed by a close inspection of the bat boxes, bird boxes and PRF from ladders.

3.1.3. The weather at the time of the survey was fine and clear with a light breeze (BWS-1) and a temperature of 19°C.

3.1.4. During the survey the trees were thoroughly searched for bat roosting potential or evidence of existing roosts, including:

- Checking trees for cracks, voids or other Potential Roost Features (PRF),
- Looking for signs of staining or worn areas indicating a roost entrance,
- Searching for droppings, foraging remains such as wings or other field signs,
- Checking bat and bird boxes for signs of current or previous use.

3.1.5. Where accessible, PRF identified were thoroughly inspected using a torch and, where applicable, an endoscope.

3.2. Limitations/Constraints

3.2.1. The inspection was carried out by a single surveyor accessing the trees from ladders. Therefore, only accessible PRF were inspected with an endoscope. Where PRF were identified higher in the canopy of the trees a thorough inspection was not carried out, which is taken into consideration in the classification of the trees.

3.2.2. This survey was carried out during August, when foliage was present on the trees. Therefore, the presence of foliage may have obscured PRF in the canopy of the trees. This is considered a constraint to the findings of the survey, although not a significant constraint due to the nature of the tree surveyed.

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4. Results and Interpretation

4.1. The three trees, T10, T12 and T16, were inspected from the ground and from ladders, where appropriate. The findings for each tree are included below.

4.2. Tree T10

4.2.1. Tree T10 was inspected from the ground and no PRF were identified. A single bat box was identified at a height of 4m on the eastern side of the tree.

4.2.2. The bat box was inspected and no bat field signs were visible. Large numbers of slugs were present in the top of the bat box at the time of the inspection.



Figure 5: The bat box on T10.



Figure 6: Slugs present in the top of the bat box.

4.3. Tree T12

4.3.1. Tree T12 was inspected from the ground and no PRF were identified. A single bat box was identified at a height of 4m and a single bird box was identified at 3.5m, both located on the eastern side of the tree.



Figure 7: The bat and bird box on T12.



Figure 8: The nest present in the bird box on T12.

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4.3.2. The bat box front could not be removed during the survey and therefore the interior was inspected with an endoscope. No bat field signs were identified and the box was also found to contain high numbers of slugs.

4.3.3. The bird box was inspected and an old nest structure was present in the box. No recent activity was noted at the time of the survey.

4.4. Tree T16

4.4.1. Tree T16 was inspected from the ground and was found to show signs of previous pollarding, or significant pruning, which has caused the presence of several large limb ends throughout the canopy.

4.4.2. Four PRF were visible in the tree during the survey, with the potential for further PRF to be present higher in the canopy.

4.4.2.1. PRF1 was identified as an area of decay along the top of a limb extending southwest from the main stem at 3.5m. The feature was inspected and no significant cavities were identified, therefore the feature was assessed to provide PRF-I (suitable for individual bat) suitability.

4.4.2.2. PRF2 was identified to be an old pruning wound on the end of an upward facing limb low in the canopy of the tree. The pruning would displayed visible flaking bark and was assessed as likely to have an open collar around the pruning cut, potentially leading to cavities in the limb. A thorough inspection of the feature was not possible during the survey and therefore the feature was assessed to provide FAR (Further Assessment Required) suitability.



Figure 9: PRF1.



Figure 10: PRF2.

4.4.2.3. PRF3 was identified to be a dead limb extending from the main stem in the canopy of the tree at a height of approximately 5-6m. The limb displayed a northwest facing opening that may lead to a cavity within the limb. A thorough inspection of the feature was not possible during the survey and therefore the feature was assessed to provide FAR (Further Assessment Required) suitability.

4.4.2.4. PRF4 was identified to be an area of lifting bark at a height of 3m on the northwest side of the tree. The void was inspected and provided a small cavity under the bark suitable

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for individual or small numbers of bats, although no bat field signs were visible during the survey. Therefore, the feature was assessed to provide PRF-I suitability.

4.4.2.5. Additional tear outs and pruning wounds were also identified higher in the canopy of the tree, although the features could not be thoroughly inspected during the survey. Therefore, the tree was assessed to overall provide FAR suitability, based on the required for a further assessment to accurately assess the features present.



Figure 11: PRF 3.



Figure 12: Pruning wounds visible in the canopy.

5. Recommendations

5.1. The development plan indicates that tree T12 will be removed during the proposed development. As there are no signs that bats have previously used the bat box on the tree there is no requirement for a Natural Resources Wales (NRW) licence to cover the relocation of the bat box. It is however recommended that a further inspection of the bat box is carried out by a suitably licenced individual immediately prior to the relocation of the box to another tree elsewhere on the site.

5.2. In the event that bats are present in the bat box at the time of the inspection all works should cease prior to an NRW licence being obtained to cover the relocation of the box.

5.3. It is recommended that the bird box located on the tree is moved outside the nesting season, which is March to September. The box should be inspected prior to removal and should be cleaned out prior to being reinstalled elsewhere on the site.

5.4. Trees T10 and T16 are shown as being retained during the development and therefore no further inspection of the trees is required. It is however recommended that measures are put in place to ensure that there is no change in lighting or disturbance around the trees during the development.

5.5. If it is not possible to ensure that the development will not have a long-term impact on the trees through changes in light levels and disturbance it is recommended that the bat box on T10 is moved to a tree elsewhere on the site, following an additional inspection as outlined for T12. It is also recommended that further surveys are carried out on T16, in line with the Bat Conservation Trust Good Practice Guidelines (2023). The surveys should commence with a thorough aerial inspection of the tree, to identify and classify all PRF present.

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6. References

BTHK (2018). Bat Roosts in Trees – A Guide to Identification and Assessment for Tree-Care and Ecology Professionals. Exeter: Pelagic Publishing.

BRHK (2021). Bat Roosts in Rock – A Guide to Identification and Assessment for Climbers, Cavers & Ecology Professionals. Pelagic Publishing, Exeter.

Collins, J. (ed.)(2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London.

Bat Conservation Trust and Institute of Lighting Professionals (2023) Guidance Note 08/23: Bats and artificial lighting at night. ILP, Rugby

CIEEM (2017) Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.

Legislation and Policy.

Conservation of Habitats and Species Regulations 2017. Available at http://www.legislation.gov.uk/uksi/2017/1012/contents/made (Accessed 5th April 2022).

Countryside Rights of Way Act 2000. Available at http://www.legislation.gov.uk/ukpga/2000/37/contents (Accessed 5th April 2022).

The Habitats Directive. Available at http://www.ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm (Accessed 5th April 2022).

The Environment (Wales) Act 2016. Available at https://www.legislation.gov.uk/anaw/2016/3/contents/enacted (Accessed 26th February 2024)

Planning Policy Wales, Edition 12. Available at https://www.gov.wales/sites/default/files/publications/2024-02/planning-policy-wales-edition-12_1.pdf (Accessed 24th February 2024)

Natural Environment and Rural Communities (NERC) Act 2006. Available at http://www.legislation.gov.uk/ukpga/2006/16/contents (Accessed 5th April 2022).

The Wildlife and Countryside Act 1981. Available at http://www.legislation.gov.uk/ukpga/1981/69 (Accessed 5th April 2022).

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Appendix I: **Development Plans**



Appendix II: Planning Policy and Species Legislation Summary

1. Planning Policy

1.1. Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales. Section 6.4 relates to biodiversity and ecological networks.

1.2. Paragraph 6.4.3 states:

'The planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and secure enhancement.'

1.3. Paragraph 6.4.11 states:

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

2. Legislation Summary

Site	Legislation
Locally Designated Sites	Locally designated sites are not covered by any statutory legislation but are protected by local development plans.
Statutory Sites	Statutory sites are protected in different ways depending on the reason for the sites designated with sites being covered by legislation including the Wildlife and Countryside Act 1981 and the Habitats Directive.
Species and Habitats or Principal Importance	Species and habitats of principal importance are covered by the Natural Environment & Rural Communities Act 2006.

Species	Legislation	Offences include
Badgers	Protection of Badgers Act 1992	○ Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so; ○ To intentionally or recklessly interfere with a sett (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).
Bats	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Deliberately kill, injure or capture a bat; ○ Deliberately disturb bats; ○ Damage or destroy a breeding site or resting place of a bat. ○ Obstruct access to any structure or place which any bat uses for shelter or protection; or ○ Disturb any bat while occupying a structure or place which it uses for that purpose.
Birds	Wildlife and Countryside Act 1981	○ Intentionally kill, injure, or take any wild bird; ○ Intentionally take, damage or destroy a nest of any such bird whilst it is in use or being built; or ○ Intentionally take or destroy an egg of any such bird.

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Crayfish	Wildlife and Countryside Act 1981	○ Obstruct access to any structure or place which a crayfish uses for shelter or protection; or ○ Disturb a crayfish while occupying a place which it uses for that purpose.
Great Crested Newts	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Intentionally or deliberately capture, injure, kill, or disturb the species; ○ Intentionally or recklessly damage, destroy or disturb a GCN in a place of shelter or protection, or obstruct access to such a place; or ○ Damage or destroy a breeding site or resting place.
Hazel Dormice	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Deliberately capture, injure or kill a dormouse; ○ Deliberately disturb dormice; ○ Damage or destroy a breeding site or resting place of a dormouse ○ Obstruct access to any structure or place which a dormouse uses for shelter or protection; or ○ Disturb a dormouse while occupying a structure or place which it uses for shelter or protection
Otters	Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981	○ Deliberately capture, injure or kill any wild otter; ○ Deliberately disturb wild otters; ○ Damage or destroy a breeding site or resting place of an otters. ○ Disturb an otters while it is occupying a structure or place which it uses for shelter or protection; or ○ Obstruct access to such a place.
Red Squirrels	Wildlife and Countryside Act 1981	○ Kill, injure or take a red squirrel; ○ Damage, destroy or obstruct access to any structure or place which a red squirrel uses for shelter or protection; or ○ Disturb a red squirrel while it is occupying a structure or place which is used for that purpose.
Reptiles (non EPS)	Wildlife and Countryside Act 1981	○ Intentionally kill or injure a reptile.
Water Voles	Wildlife and Countryside Act 1981 Natural Environment & Rural Communities (NERC) Act 2006	○ Intentionally capture, kill or injure water voles; ○ Intentionally or recklessly damage, destroy or block access to their places of shelter or protection; or ○ Disturb water voles while occupying a place of shelter used for that purpose.

Local authorities therefore have a duty to consider protected species as a material consideration when assessing planning applications. The ODPM Government Circular 06/2005 states: '*It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.*'

Appendix III: **Bat Activity Survey Locations**