



## Preliminary Roost Assessment

The Bath House, Overton Road, Wrexham, LL14 6LL

Pat Kearsley

| Status   | Issue | Name                                                    | Date       |
|----------|-------|---------------------------------------------------------|------------|
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## Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

## Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, paragraph 174 of the National Planning Policy Framework for England.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

## Executive Summary

Arbtech Consulting Limited was instructed by Pat Kearsley to undertake a Preliminary Roost Assessment (PRA) at The Bath House, Overton Road, Wrexham, LL14 6LL (hereafter referred to as “the site”). The survey was required to inform a planning application for the conversion of an existing garage into a dwelling (hereafter referred to as “the proposed development”).

The following is work you will need to commission to comply with planning policy and legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 5 of this report.

| Building                     | Survey Results Summary                                                                                                                                                                                      | Impact Assessment                                                                                                                                                                                                                                                  | Recommendations                                                                                                                                                         |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Roosting bats (B1)           | Building 1 has negligible value for roosting bats due to a lack of potential roost features.                                                                                                                | Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on roosting bats as a result of the renovations to this building.                                                                              | In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice. |
| Foraging and commuting bats  | Surrounding woodland, grassland and the pond on site could be used by local bat populations for foraging and commuting. These could also be used by bats dispersing from nearby roosts outside of the site. | The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.<br>The proposed development will result in additional lighting onto the property that may spill on to surrounding bat foraging habitat. | A low impact lighting strategy will be adopted for the site during and post-development.                                                                                |
| Nesting birds (B1)           | The building offers no opportunities for nesting birds.                                                                                                                                                     | None.                                                                                                                                                                                                                                                              | None.                                                                                                                                                                   |
| Other ecological constraints | None identified.                                                                                                                                                                                            | N/A                                                                                                                                                                                                                                                                | N/A                                                                                                                                                                     |

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## 1.0 Introduction and Context

### 1.1 Background

Arbtech Consulting Limited was instructed by Pat Kearsley to undertake a Preliminary Roost Assessment (PRA) at The Bath House, Overton Road, Wrexham, LL14 6LL (hereafter referred to as “the site”). The survey was required to inform a planning application for the conversion of an existing garage into a dwelling (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.

The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2023).

No previous ecology reports have been produced for this site by Arbtech Consulting Ltd or, to the author’s knowledge, by any other consultancy.

### 1.2 Site Location and Landscape Context

The site is located at National Grid Reference SJ 31036 43343 and has an area of approximately 3ha comprising of a grade II listed residential dwelling, small outbuildings with amenity grassland, and surrounded by woodland. It is surrounded by agricultural land with tree and hedgerow boundaries. To the southwest of the site is Bathground wood, a deciduous woodland that connects to the following woodlands further south: Sheephouse wood, Preynela wood, Halton wood and Hopyard wood. The site is approximately 7km south of Wrexham city centre. A site location plan is provided in Appendix 2.

### 1.3 Scope of the Report

This report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation. To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken, including an inspection of built structures, to determine the presence or the suitability of any features which bats could use for roosting and to assess the suitability of the site’s bat foraging and commuting habitat.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

## 2.0 Methodology

### 2.1 Desk Study

The desk study included a 2km radius review of the magic.gov.uk database for statutory designated sites with bat qualifying interests and suitable bat foraging and commuting habitat. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

### 2.2 Field Survey

The survey was undertaken by Kayleigh Davies, Graduate Ecologist (Accredited Agent Natural Resources Wales Licence: S092694/1) on 30/02/2024.

The PRA focussed on one built structure (garage) which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging, and commuting habitat.

For any surveyed buildings:

A non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the building for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. An internal inspection of the building was also made, including the living areas and any accessible roof spaces, using a torch and ladders. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, lintels above doors and windows, and carried out a detailed search of numerous features within the roof space.

### 2.3 Breeding Birds and Other Incidental Observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls.

### 2.4 Suitability Assessment

Built structures were categorised according to the likelihood of bats being present and the types of roost that the identified features could support. This is summarised in Table 1 below. Roost suitability is classified as high, moderate, low and negligible and dictates any further surveys required before works can proceed.

*Table 1: Features of a building that are correlated with use by bats.*

| <b>Classification</b> | <b>Feature of building and its context</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Negligible            | No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.                                                                                                                                                                                                                                                                                                  |
| Low                   | A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats). |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Moderate | A structure with one of more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed). |
| High     | A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts e.g. maternity or classic cool/stable hibernation site.                                        |

### ***2.5 Limitations***

It should be noted that whilst every effort has been made to describe the features on site in the context of their suitability for roosting bats, this does not provide a complete characterisation of the site. This survey provides a preliminary view of the likelihood of bats being present. This is based on suitability of the habitats on site and in the local area, the ecology and biology of bats as currently understood, and the known distribution of bats as recovered during the desk study. Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

A search for historical bat records has not been undertaken. However, given the small-scale development, it is not anticipated that the purchase of historical records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

These limitations have been considered during the evaluation of the site and requirement for further surveys and mitigation.

### 3.0 Results and Evaluation

#### 3.1 Designated Sites

Details of any statutory designated sites with bat qualifying interests or suitable bat foraging and commuting habitat within a 2km radius of the site, including their reasons for notification, are provided in Table 2 below.

Table 2: Statutory designated sites with bat qualifying interests or suitable bat foraging and commuting habitat within 2km radius of the site.

| Designated site name                                      | Distance from site  | Reasons for notification from Natural Resources Wales                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stryt Las a'r Hafod (Site of Special Scientific Interest) | 1,550m to the north | <i>"The Bettisfield Formation feldspathic sandstone and coal measures underlie the site, and a number of capped mine shafts are present within the boundaries of the site. Where present, natural soils are of over consolidated till (boulder clay) origin. The majority of the water bodies originated following the cessation of mineral extractive industries including coal mining and quarrying for clay and associated industrial developments."</i> |
| Afon Dyfrdwy (SSSI and Special Area of Conservation)      | 1633m to the south  | <i>"Afon Dyfrdwy (River Dee) is of special interest for its fluvial geomorphology, Carboniferous geology, range of river habitat types, saltmarsh transition habitats, ... brook lamprey Lampetra planeri, river lamprey Lampetra fluviatilis, sea lamprey Petromyzon marinus, club-tailed dragonfly Gomphus vulgatissimus and other aquatic invertebrates."</i>                                                                                            |

#### 3.2 Field Survey Results

The weather conditions recorded at the time of the survey are shown in Table 3. The results of the field survey are detailed in Table 4 and illustrated in Appendix 3.

Table 3: Weather conditions during the survey

|             |            |
|-------------|------------|
| Date:       | 30/01/2024 |
| Temperature | 7°C        |
| Humidity    | 72%        |
| Cloud Cover | 30%        |
| Wind        | 4mph       |
| Rain        | None       |

Table 4 PRA Results

| Feature                            | Description                                                                                                                                                                                                                                                                                                            | Photographs                                                                                                                 |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Bat foraging and commuting habitat | <p>The woodland, grassland and pond on site and immediately surrounding the site offers high value habitat for foraging and commuting local bat populations.</p> <p>The site is also immediately surrounded by further woodland and grassland which further supports foraging and commuting local bat populations.</p> |  <p>Figure 1 - the habitats on site.</p> |

|                         |                                                                                                                                                                                                                                                                                            |                                                                                                                                |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| B1 - overview           | <p>B1 is a ~25-year-old, gable ended building, currently utilised as a garage/storage space. The building is constructed of brick with a slate tile roof, with UPVC guttering and wooden soffits. The windows and doors are of wooden construction. There is one loft space within B1.</p> |  <p>Figure 2 - overview of B1.</p>          |
| B1 – southern elevation | <p>The southern elevation is in good condition with no roosting features noted. The soffits are in good condition, with no gaps or crevices noted. The bricks are all in good condition with no damage observed.</p>                                                                       |  <p>Figure 3 - the southern elevation.</p> |

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| B1 – eastern elevation  | <p>The eastern roof structure is in good condition with no lifted or damaged tiles. The brick walls and soffits are also in good condition with no damage observed.</p>                                                                                                                                                                                                                                                   |  <p>Figure 4 - eastern elevation.</p>       |
| B1 – northern elevation | <p>Damaged tiles are observed near to the north gable end. Although there is slight damage to these tiles, they do not create a gap or allow access into the internal void of the building for bats, and therefore not roosting features.</p> <p>No gaps were noted under the tiles or any access into the internal void of B1. The soffits and the walls are also in good condition with no roosting features noted.</p> |  <p>Figure 5 - the northern elevation.</p> |

|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                      |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |   |
| B1 – western elevation | <p>The western roof structure is in good condition with all tiles present and in good condition. No gaps or crevices are noted on this elevation. The soffits and the walls are in good condition with no roosting features noted. There is slight damage noted to the mortar under the ridge tiles of B1, but this damage does not create further access under tiles due to intact mortar surrounding the damaged section, and therefore not considered a bat roosting feature.</p> |  |

Figure 6 - damaged tile visible on the northern elevation.

Figure 7 - the western roof structure.

|  |  |
|--|--|
|  |  |
|--|--|



Figure 8 - damaged tile towards the northern gable is shown to still be present and does not create a roosting feature.



Figure 9 - the soffits in good condition.

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>B1 – interior</p> | <p>The interior of B1 is utilised as garage and storage and is regularly used. The loft space to the south of the property is visible with no ceiling present. The loft space to the north of the property is boarded and separated from the below room.</p> <p>The bitumen felt lining is in good condition with no sagging or damage noted. The beams are wooden and in good condition. No sunlight is visible entering the loft space, no access points for bats were noted in the loft space.</p> <p>Due to the lack of ceiling between the southern loft space and the room below, there are high levels of sunlight from the windows of the property and high levels of disturbance due to the use of the space.</p> |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



Figure 10 - overview of the interior of B1.



Figure 11 - the section of loft towards the south of B1.

|                             |                                                                                                                                                                                                                                             |                                                                                     |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|                             |                                                                                                                                                                                                                                             |  |
| B1 – suitability assessment | <p>B1 has negligible value for roosting bats due to the lack of roosting features present on the building.</p> <p>Furthermore, due to the lack of access to the internal void of the building, B1 is unsuitable for void dwelling bats.</p> | <p><i>Figure 12 - the section of loft to the north of B1.</i></p>                   |

#### 4.0 Conclusions, Impacts and Recommendations

Taking the desk study and field survey results into account, Table 5 presents an evaluation of the value of the site for bats and also details any other ecological constraints identified such as nesting birds in relation to the proposed development which will comprise the conversion of an existing garage into a dwelling.

*Table 5: Evaluation of the site for bats and any other ecological constraints*

| Building                    | Survey Results Summary                                                                                                                                                                                      | Impact Assessment                                                                                                                                                                                                                                               | Recommendations                                                                                                                                                                                                                                                                                                                                 | Biodiversity Enhancement Opportunities <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Roosting bats (B1)          | Building 1 has negligible value for roosting bats due to a lack of potential roost features.                                                                                                                | Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on roosting bats as a result of the renovations to this building.                                                                           | In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice.                                                                                                                                                                         | The installation of two bat boxes at the site will provide additional roosting habitat for bats.<br>The bat boxes will be installed on retained trees on site or B1 post development.<br>Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.<br>The bat boxes will be a specification suitable for crevice dwelling bats such as the Beaumaris Bat Box or a similar alternative brand. |
| Foraging and commuting bats | Surrounding woodland, grassland and the pond on site could be used by local bat populations for foraging and commuting. These could also be used by bats dispersing from nearby roosts outside of the site. | The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats. The proposed development will result in additional lighting onto the property that may spill on to surrounding bat foraging habitat. | A low impact lighting strategy will be adopted for the site during and post-development, which will include the following measures: <ul style="list-style-type: none"> <li>• Light spill on to surrounding trees should be avoided.</li> <li>• Use narrow spectrum light sources to lower the range of species affected by lighting.</li> </ul> | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

<sup>1</sup> The Local Planning Authority has a duty to ask for enhancements under the Planning Policy Wales (2021).

|                    |                                                         |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                    |
|--------------------|---------------------------------------------------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    |                                                         |       | <ul style="list-style-type: none"> <li>• Use light sources that emit minimal ultra-violet light.</li> <li>• Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature &lt;4,200 kelvin.</li> <li>• Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal.</li> <li>• Light spill will be reduced via the use of low-level lighting used in conjunction with hoods, cowls, louvers and shields. Lights will also be directional to ensure that light is directed to the intended areas only.</li> <li>• External lighting will be on PIR sensors that are sensitive to large objects only (so that they are not triggered by passing bats) and will be set to the shortest time duration to reduce the amount of time the lights are on.</li> </ul> <p>Wall lights and security lights will be 'dimmable' and set to the lowest light intensity settings. There are several products on the market that allow the control of the light intensity and the duration that the lights are on. All lighting on the developed site will make use of the most up to date technology available.</p> |                                                                                                                                                                                                                                                                    |
| Nesting birds (B1) | The building offers no opportunities for nesting birds. | None. | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | The installation of a minimum of two bird boxes on mature trees around the site boundaries or on retained buildings will provide additional nesting habitat for birds e.g. Schwegler No 17 Swift Nest Box (buildings)<br>Schwegler 1SP Sparrow Terrace (buildings) |

|                              |                  |     |     |                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------|------------------|-----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              |                  |     |     | Woodstone Nest Box (buildings or trees)<br>Or a similar alternative brand.<br>Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole. |
| Other ecological constraints | None identified. | N/A | N/A | N/A                                                                                                                                                                                                                                                                                                                                                                            |

## 5.0 Bibliography

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- The Wrexham Local Development Plan 2 (LDP2) 2013 to 2028: <file:///C:/Users/Kayleigh%20Davies/Downloads/Wrexham%20LDP%20Adopted%20December%202023.pdf>
- The Wrexham Biodiversity and Development: <https://www.wrexham.gov.uk/sites/default/files/2023-04/lpg-32e.pdf>

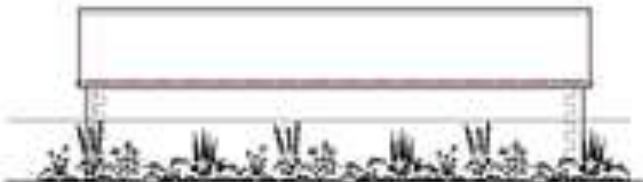
Appendix 1: Proposed Development Plan



Front elevation 1:100



Side-01 elevation 1:100



Rear elevation 1:100



Side-02 elevation 1:100

As Proposed

|                                                                                       |                                                                    |                       |                  |                   |
|---------------------------------------------------------------------------------------|--------------------------------------------------------------------|-----------------------|------------------|-------------------|
|  | Project:<br>The Bath House Conversion Project<br>Wrexham, LL14 6LL |                       | Drawn By:<br>HDS | Date:<br>01/10/20 |
|                                                                                       | Scale:<br>1:100                                                    | Scale (Alt):<br>1:100 | Revisions:       |                   |

Appendix 2: Site Location Plan



Appendix 3a: PRA Plan



## Appendix 4: Legislation and Planning Policy Related to Bats

### LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

#### ***Regulation 43: Protection of certain wild animals - offences***

(1) A person is guilty of an offence if they:

- (a) Deliberately captures, injures or kills any wild animal of a European protected species,
- (b) Deliberately disturbs wild animals of any such species,
- (c) Deliberately takes or destroys the eggs of such an animal, or
- (d) Damages or destroys a breeding site or resting place of such an animal,

(2) For the purposes of paragraph (1) (b), disturbance of animals includes in particular any disturbance which is likely—

- (a) To impair their ability:
  - (i) To survive, to breed or reproduce, or to rear or nurture their young; or
  - (ii) In the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- (b) To affect significantly the local distribution or abundance of the species to which they belong.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

### NATIONAL PLANNING POLICY

#### ***Environment (Wales) Act 2016 and the Biodiversity Duty***

The Environment (Wales) Act 2016 introduces a new biodiversity duty, which highlights biodiversity as an essential component of ecosystem resilience. This new duty replaces the biodiversity duty in the Natural Environment and Rural Communities Act 2006 (referred to as the NERC Act). Part 1 of the Act deals with Sustainable management of natural resources including Biodiversity and Resilience of Ecosystems Duty. The Environment Act enhances the current NERC Act duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”. As under the NERC Act the new duty will apply to a range of public authorities such as the Welsh Ministers, local authorities, public bodies and statutory undertakers. This ensures that biodiversity is an integral

part of the decisions that public authorities take in relation to Wales. It also links biodiversity with the long-term health and functioning of our ecosystems, therefore helping to align the biodiversity duty with the framework for sustainable natural resource management provided in the Act.

### ***Planning Policy Wales (2021)***

Paragraph 6.4.3 of the document refers to Biodiversity and Ecological Networks and states:

The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve biodiversity and the resilience of ecosystems. Information contained in SoNaRR, Area Statements and species records from Local Environmental Record Centres should be taken into account. Development plan strategies, policies and development proposals must consider the need to:

- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
- ensure statutorily and non-statutorily designated sites are properly protected and managed;
- safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.

### ***Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty)***

Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. Planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects:

- a) Diversity between and within ecosystems;
- b) The connections between and within ecosystems;
- c) The scale of ecosystems;
- d) The condition of ecosystems (including their structure and functioning); and
- e) The adaptability of ecosystems.

In fulfilling this duty, planning authorities must have regard to:

- a) The list of habitats of principal importance for Wales, published under Section 7 of the Environment (Wales) Act 2016;
- b) The State of Natural Resources Report (SoNaRR), published by NRW; and

- c) Any Area Statement that covers all or part of the area in which the authority exercises its functions.

Planning Authorities should also refer to up to date ecological survey information (where appropriate).

A proactive approach towards facilitating the delivery of biodiversity and resilience outcomes should be taken by all those participating in the planning process. In particular, planning authorities should demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

The broad framework for implementing the duty and building resilience through the planning system includes addressing:

- Diversity: to ensure mechanisms are in place to minimise further loss and that circumstances allow for species' populations to expand and recolonise their natural range (former range) or adapt to future change. This means development should provide a net benefit for biodiversity, and at the very least, with no significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity;
- Extent: to ensure mechanisms allow for the maintenance of existing assets and networks and promote the restoration of damaged, modified or potential habitat and the creation of new habitat. This means that planning choices should incorporate measures which seek the creation and restoration of green networks and linkages between habitats and maintaining and enhancing other green infrastructure features and networks;
- Condition: Ecosystems need to be in a healthy condition to function effectively, to deliver a range of important ecosystem services. Planning decisions should not compromise the condition of ecosystems. By taking an integrated approach to development, for example, which considers both direct and wider impacts and benefits it should be possible to make a positive contribution. Planning for the long-term management of retained habitats is key to maintaining condition through for example, the use of planning obligations.
- Connectivity: to take opportunities to develop functional habitat and ecological networks within and between ecosystems and across landscapes, building on existing connectivity and quality and encouraging habitat creation, restoration and appropriate management. The opportunities could include enlarging habitat areas, developing buffers around designated sites or other biodiversity assets or corridors, including transport and river corridors, and the creation of 'stepping stones' which will strengthen the ability of habitats and ecological networks to adapt to change, including climate change; and
- Adaptability to change primarily in the form of climate change, for both species (diversity) and ecosystems requires action to protect the extent, condition and connectivity of habitats, features, and ecological networks. Development plans, planning proposals and applications which build on protecting designated sites and securing and enhancing green infrastructure will be keyways of addressing the attributes of ecosystems resilience identified in the Environment Act as well as facilitating social and economic resilience aspirations of the Well-being of Future Generations Act.

#### ***Good Practice Guide GPG 3 (October 2015) NRW Approach to Bats and Planning***

As explained in Planning Policy Wales (Chapter 5 - Conserving and Improving Natural Heritage and the Coast), the presence of a European protected species is a material consideration for a development proposal that would be likely to result in disturbance or harm to the species or its breeding sites or resting places. Planning Policy Wales also explains that planning authorities

should seek the advice of Natural Resources Wales for all planning applications likely to result in disturbance or harm to bats and should always consult them before granting permission. Local Planning Authorities address this by screening applications to identify when there is a reasonable likelihood that bats may be present and, therefore, when to require a bat survey and report that will confirm if bats are present and if they likely to be disturbed or harmed by the proposal. The overall requirement on Local Planning Authorities, Natural Resources Wales and developers is to avoid harm or disturbance to bats and their breeding sites and resting places, unless Natural Resources Wales has given a licence to allow the harm or disturbance. Natural Resources Wales may only give a licence if the requirements for derogation are met, including that disturbance or harm to individual bats (or to their breeding sites and resting places) would not be detrimental to the maintenance of the population.

## LOCAL PLANNING POLICY

### ***Wrexham Local Development Plan 2 (LDP2) 2013 to 2028 (2013)***

The *Wrexham Local Development Plan 2 (LDP2) 2013 to 2028* can be viewed here:

<file:///C:/Users/Kayleigh%20Davies/Downloads/Wrexham%20LDP%20Adopted%20December%202023.pdf>

The following planning policies have implications for developers in relation to bats:

- Policy SP14 - Protection, conservation and enhancement of the natural environment will allow for appropriate development in line with the principles of sustainability and wellbeing - to balance environmental, economic, cultural, and social needs. Appropriate development will need to conserve and enhance valued countryside, landscapes, wildlife, and significant geological sites, minimise harmful impacts on biodiversity and landscape character and identify and provide, where possible, mitigation and compensation for environmental losses.

### ***Biodiversity and Development***

The *Biodiversity and Development* can be viewed here: <https://www.wrexham.gov.uk/sites/default/files/2023-04/lpg-32e.pdf>

All bat species are included in the plan.

## EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural Resources Wales will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);

- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

1. include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
2. scientific and educational purposes;
3. ringing or marking; and,
4. conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.