

Hazel Grove & Derwent Crescent

Land Adjacent 38 And 40 Hazel Grove &
Land Adjacent 35 Derwent Crescent, Wrexham, LL12 7YN

BAT RAMS: Reasonable Avoidance Method Statement

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Produced by



www.wildbanksconservation.com

Report Version	Completed by: Date	Checked by: Date	Approved by: Date
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The information we have prepared is true and we confirm that the opinions expressed are our true and professional bona fide opinions.

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Extracted from *Marches Ecology Proposed Development, Derwent Crescent, Wrexham – Preliminary Ecological Appraisal 27/7/21*

1.0 EXECUTIVE SUMMARY

- 1.1 Two small parcels of land adjacent to 38 and 40 Hazel Grove (Site A) and 35 Derwent Crescent (Site B), Wrexham, LL12 7YN, are being developed into residential properties (Wrexham County Borough Council (WCBC) planning permission references P/2022/0903 & P/2022/0902 respectively).
- 1.2 Site A largely comprises an area of hard-standing with some amenity grassland and ornamental trees. Site B comprises an area of hard-standing with some garages. The wider area surrounding both Sites is comprised of predominantly residential housing (Figure 1). This Reasonable Avoidance Method Statement is applicable to both sites, as agreed by WCBC, due to their close proximity to each other and that they consist of a similar habitat and with the same potential for use by bats. Hereafter all recommendations are for both Sites unless specifically stated otherwise.
- 1.3 During initial inspections by Marches Ecology in July 2021, (*Proposed Development, Derwent Crescent, Wrexham – Preliminary Ecological Appraisal, Marches Ecology 27/07/21*) both Sites were deemed to have negligible potential for roosting bats. The garages and trees are of no/ negligible potential value for roosting bats due to any potential features being too small for bats or otherwise covered in cobwebs or the presence of wasp nest. The habitat within the proposed development site is of negligible potential value for foraging/ commuting bats. A group of trees of “limited potential value (at most)” for roosting bats are located on the boundary of Site A and outside the survey site and would be retained during the development (Target notes 3 and 4,4a &4b *PEA, Marches Ecology 27/07/21*).
- 1.4 Based on the small-scale of the development proposal it is considered unlikely that the loss of this habitat and demolition of the garages would result in a significant impact on bats. As a precautionary approach, and in order to protect bats in the unlikely event that any are present; and to avoid disturbance to bats during the works; Reasonable Avoidance Measures (RAMS) should be followed at all times during all works.
- 1.5 This Method Statement produced by Wildbanks Conservation details RAMS to ensure that bats are safeguarded throughout the works period.

2.0 RATIONALE

- 2.1 All of Britain's bat species and their roosts are protected under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) and Section 9 of the Wildlife and Countryside Act 1981 (as amended) (Appendix A1). Under this legislation, EPS licences from Natural Resources Wales are required for any works resulting in the loss or damage to a roosting site or for any works likely to result in disturbance or harm to roosting bats.
- 2.2 Due to the potential for the works to contravene legislation, it is necessary to identify the suitability of the structures and trees to support bats, the likelihood of bats being present and hence how the proposed works may affect them.
- 2.3 The two small parcels of land adjacent to Hazel Grove and Derwent Crescent in Wrexham, largely comprise of hard-standing with some amenity grassland, ornamental trees and garages. The area surrounding both Sites comprises of predominantly residential housing. As part of the PEA by Marches Ecology in July 2021 the garages and trees were categorized as having negligible bat potential, no further survey work was required and the development gained planning permission without the need for further consideration to bats.
- 2.6 Wildbanks Conservation staff hold NRW and NE bat licenses and have considerable experience in delivering Bat mitigation licenses. Wildbanks Conservation were commissioned by Marches Ecology to prepare a set of RAMS to enable the proposed works to proceed minimising the chance that they may disturb bats or their roosts.

3.0 DETAILS & IMPACTS OF PROPOSED DEVELOPMENT WORKS

- 3.1 The sites will be part of a small residential development, and as such removal of shrubs and trees/ demolition of the garages will be undertaken. These works shall take place in accordance with the precautionary methods of works detailed within 4.0. Timings of works are unknown at this time.

Short-term impacts - Negligible

- 3.2 Very limited potential roost features were found at either Site. Therefore, the loss of these features within the landscape will not have a significant impact upon the availability of effective local roosts and the conservation status of any bat species within a local, regional or national context.

Long-term impacts - Negligible

- 3.3 The loss of any (all be it very limited) roosting potential provided by the Sites will not have any long-term impact upon the conservation status of bat species locally, regionally or on a national scale due to the unsuitable nature of the habitat/trees and buildings on Site that will be lost through the development.

4.0 REASONABLE AVOIDANCE MEASURES

Pre-works Site Inspection

- 4.1 A Pre-works Site Inspection will take place to reassess any potential roost features and confirm the negligible status of Site A and B has not changed, with regards bats, since the Preliminary Ecological Assessment by Marches Ecology in July 2021. This pre-works site inspection should be carried out in advance of works starting so that if the status of either Site has changed then any additional survey work can be carried out
- 4.2 If during the Pre-work Site Inspection features suitable for roosting bats are found, then further consultation between Wildbanks Conservation, Marches Ecology and WCBC will be required. Further surveys and/or additional RAMs may be required.

Timing of Works

- 4.3 Subject to the Pre-works Site Inspection maintaining the negligible potential for bats within the Sites, the proposed works can be carried out at any time of year due to the negligible impact on potential roosting or foraging bats.

Toolbox Talk

- 4.4 A toolbox talk (TBT) will be given to all personnel involved in the works prior to works commencing. The TBT will cover the following points;

- Introduction of the ecologist
- Explanation of why this talk is needed, including legal protection of bats
- What to look for
- Working approach
- What to do if bats are found
- Sign in sheets to confirm contractors have gone through TBT

A copy of the Method Statement must remain available on site at all times on Site.

Watching Brief

- 4.5 Subject to the Pre-works Site Inspection confirming the negligible potential for bats within the Sites, an ecologist is not required to be present during the works. Instead, a watching brief for roosting bats or evidence of bats should be maintained by site personnel throughout the demolition of the garages (information for which will be delivered within the TBT). The requirements of these RAMs should be detailed during all site inductions.

Unexpected discoveries

- 4.6 In the unlikely event that bats or evidence of bats is discovered during works, all works will stop, and a licensed ecologist consulted immediately. A European Protected Species Licence may then be required from Natural Resources Wales before works can continue.

Lighting

- 4.7 All external lighting at the proposed development site should follow guidance provided by The Bat Conservation Trust and Institution of Lighting Professionals Guidance Note 8/23 'Bats and Artificial Lighting at Night'. Lighting that reduces vertical and horizontal light spillage should be used. In locations where light spill cannot be avoided considerations should be given to timing, and temperature colour of lighting in order to reduce disturbance levels.

Protection of Trees

- 4.8 Marches Ecology PEA July 2021 identified that the Willow trees at Target Notes 4,4a & 4b are to be protected during the development. If they are to be pruned or felled during the development they should be subjected to ground level tree assessment and/or aerial inspection prior to works to confirm their potential for roosting bats by bat ecologist following BCT guidance 2023.

5.0 REFERENCES

- Bat Conservation Trust (2023). Guidance Note 08/23: Bats and Artificial Lighting at Night.
- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6

A1 APPENDIX 1 – RELEVANT LEGISLATION & PLANNING POLICY IN RELATION TO BAT SPECIES

Relevant Legislation

- A1.1 Due to recent declines in bat species’ populations within the United Kingdom, all bat species and their roost sites in Britain are protected under the Wildlife and Countryside Act 1981 (as amended). They are also included on Annex IV of Council Directive 92/43/EEC of 21st May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the Habitats Directive). As a result of the United Kingdom ratifying this directive, all British bats are protected under The Conservation of Habitats and Species Regulations 2010. Under this legislation it is an offence to intentionally kill, injure or capture or intentionally (or recklessly in England and Wales) disturb bats or obstruct access to, damage or destroy bat roosts.
- A1.2 Under the law, a bat roost is any structure or place used for shelter or protection e.g. a building, bridge or tree. Bats use many roost sites and feeding areas throughout the year and since they tend to re-use the same roosts for generations these sites are protected whether bats are present or not.
- A1.3 Any activity resulting in a contravention of the legislation described above would require a licence from Natural Resources Wales (NRW) to avoid committing an offence. NRW issue licences for the purposes of:
- “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial”.
- A1.4 The National Planning Policy Framework sets out how the planning system should contribute to and enhance nature conservation and the local environment. This is to be achieved through a combination of local planning policies as well as through the determination of planning applications with the aim of minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- A1.5 As such it is essential that the presence or otherwise of protected species, and the extent to which they are affected by proposals is established prior to planning permission being granted. Furthermore, where protected species are present and proposals may result in harm to the species or its habitat, steps should be taken to ensure the long-term protection of the species, such as through attaching appropriate planning conditions for example.

Natural Environment and Rural Communities Act 2006 (NERC Act)

A1.6 *Biodiversity: Section 40*

Under this legislation all local authorities have a legal duty to have regard to the purpose of conserving biodiversity (as defined in the Town and Country Planning Act (1990), Part 11). It also further refines the definition of biodiversity conservation, stating that it includes restoring or enhancing a population or habitat.

- A1.7 Out of the eighteen bat species known to occur in the UK, seven of those species are listed as Species of Principal Importance, these include; Barbastelle bat *Barbastella barbastellus*, Bechstein's bat *Myotis bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared *Plecotus auritus*, greater horseshoe bat *Rhinolophus ferrumequinum*, and lesser horseshoe bat *R. hipposideros*.

- A1.8 Defra has produced guidance for local authorities on the implementation of biodiversity duty. This document echoes policies set out in Planning Policy Statement 9, the accompanying good practice guide and PAS2010. Of relevance to developers is that it encourages local planning authorities to:

- (i) provide screening advice to developers prior to the submission of a planning application;
- (ii) require relevant biodiversity information to be submitted with a planning application in order for the application to be considered valid;
- (iii) use of planning conditions and obligations to impose mitigation and enhancement measures if such measures are not included at an appropriate level in the development proposal;
- (iv) monitor the implementation of planning conditions and obligations relating to biodiversity conservation and to take action if these conditions are not met; and

- (v) actively seek opportunities to enhance biodiversity, in addition to statutory requirements to protect designated sites, habitats and species.

A1.9 The guidance also suggests that planning obligations could be used to secure financial payments to ensure improved and ongoing management of nature conservation sites as mitigation for habitat loss within the development site.



Plate 1: Site A showing hard-standing, amenity grassland and ornamental trees.



Plate 2: Site B showing hard-standing and garages.



Plate 3: Example trees found at Site A, but due to small size and lack of potential roost features for bats, have negligible value for roosting or foraging bats.



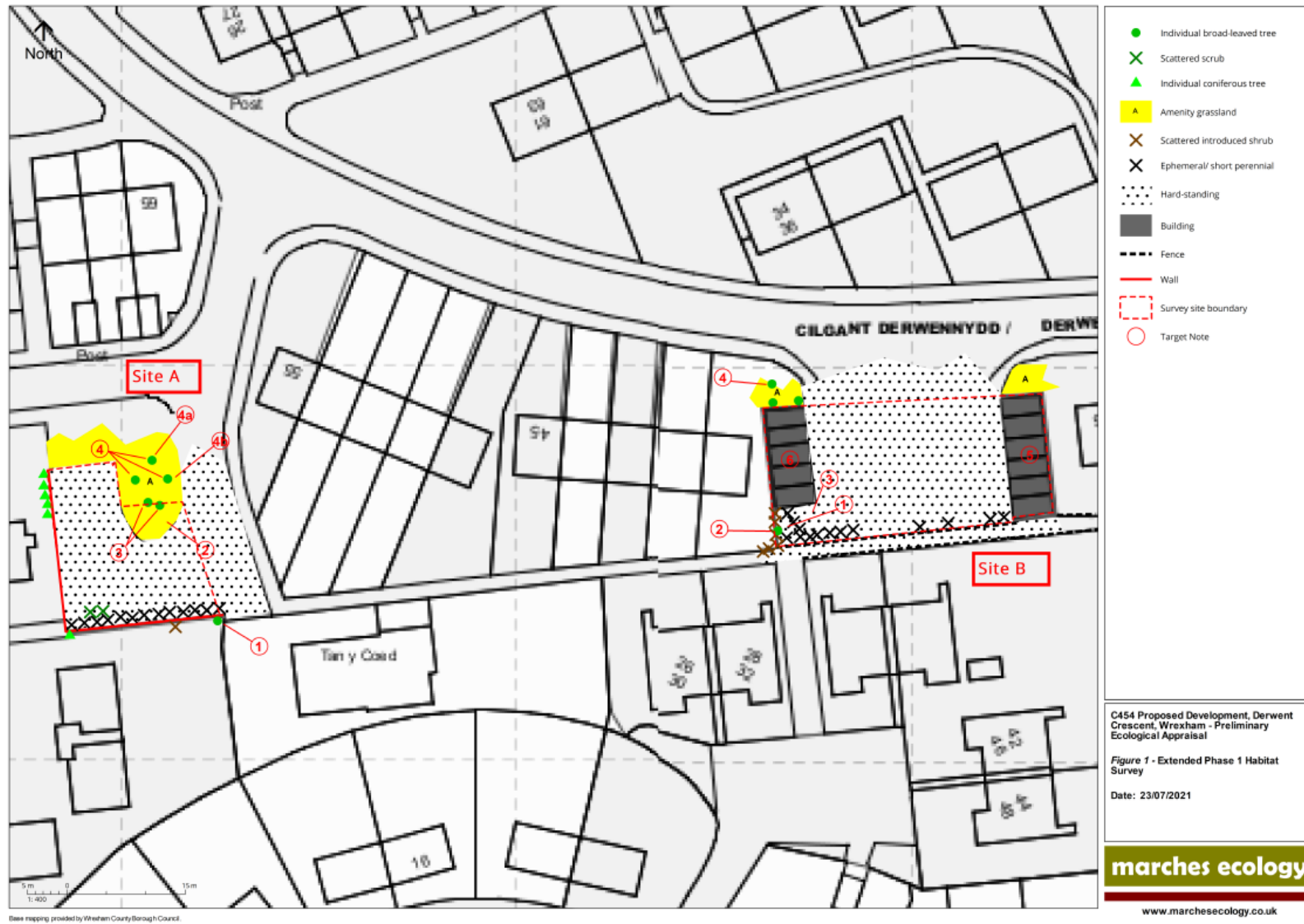
Plate 4: Single gap between wall and timber roof structure of the garages at Site B. Note presence of cobwebs indicating no bat has accessed the garage through this gap.

FIGURES

Figure 1: Site A and B location within the urban limits of Wrexham.



Figure 2: Extended Phase 1 Habitat Survey 27/7/23 conducted by Marches Ecology. Extracted from Marches Ecology Proposed Development, Derwent Crescent, Wrexham – Preliminary Ecological Appraisal 27/7/23



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