



Preliminary Roost Assessment

Arddyn Barn, Nantyr, Llangollen, Wrexham, LL20 7DH

Paul Turner

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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 Paul Turner to undertake a Preliminary Roost Assessment (PRA) at Arddyn Barn, Nantyr, Llangollen, Wrexham, LL20 7DH (hereafter referred to as “the site”). The survey was required to inform a planning application for a two-storey extension on the northern elevation of B1 (survey building) (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 4 of this report.

Feature	Survey Results Summary	Impact Assessment	Recommendations
Roosting bats (B1)	B1 has low value for roosting bats. This is based on the one feature present around B1, the rest of the building is in very good condition.	The proposed development will result in the renovation of this building. This will result in the obstruction of the identified soffit gap on the northern elevation and could cause disturbance, death or injury to bats.	One bat emergence or re-entry survey is required during the active bat season (optimal May to August, suboptimal September) to confirm the presence or likely absence of a bat roost in the building. Further details can be found in Table 4 of this report.
Foraging and commuting bats	Nearby vicinity trees 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 may include the use of lighting which could spill onto bat roosting, foraging, or commuting habitat and deter bats from using these areas.	A low-impact lighting strategy will be adopted for the site during and post-development, which is detailed in Table 4 of this report.
Nesting birds (B1)	The building contains evidence of nesting birds (including a swallow’s nest located in the eaves on the eastern elevation of the building).	The proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	Works should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the building should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Paul Turner to undertake a Preliminary Roost Assessment (PRA) at Arddyn Barn, Nantyr, Llangollen, Wrexham, LL20 7DH (hereafter referred to as “the site”). The survey was required to inform a planning application for a two-storey extension on the northern elevation of B1 (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, 2016).

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 22302 38867 and has an area of approximately 0.3ha comprising a dwelling, private garden, and associated land. It is surrounded by farmland with a prominent section of broadleaved woodland to the east of the site. The wider landscape comprises rural areas with the English-Welsh boundary to the east of the site, and the settlement of Wrexham to the northeast of the site. 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. 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 Jessica Sibley (Accredited Agent on Natural Resources Wales Bat Licence Number: S091515/1) on 25/05/2023.

The PRA focussed on one built structure 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

Classification	Feature of building and its context
High	Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars. Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by commuting bats e.g. river and or stream valleys and hedgerows. Site is proximate to known or likely roosts (based on historical data). Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.
Moderate	Buildings or structures with one or more features suitable for more regular roosting due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation value such as maternity or hibernation roosts. Continuous habitat connected to the wider landscape which could be used by bats for commuting such as lines of trees, linked gardens. Foraging habitat in the surrounding area such as trees, scrub, grassland or water.
Low	Buildings or structures with one or more features suitable for use sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators. Habitat suitable for foraging in close proximity, but largely isolated in the landscape. Or an isolated site not connected by prominent linear features.
Negligible	Unsuitable for use by bats.

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 the suitability of the habitats on site and in the local area, the ecology and biology of bats as currently understood. 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.

There were no specific limitations to the survey.

3.0 Results and Evaluation

3.1 Designated Sites

No statutory designated sites with bat qualifying interests were identified within 2km of the site.

3.2 Historical Records

No bat records have been returned by Cofnod - North Wales Environmental Information Service (Cofnod) within 2km of the site, within the past 10 years.

3.3 Field Survey Results

The weather conditions recorded at the time of the survey are shown in Table 2. The results of the field survey are detailed in Table 3 and illustrated in Appendix 3.

Table 2: Weather conditions during the survey

Date:	25/05/2023
Temperature	15°C
Humidity	82%
Cloud Cover	45%
Wind	6mph
Rain	None

Table 3: PRA Results

Feature	Description	Photographs
Bat foraging and commuting habitat	There are some scattered trees in the nearby vicinity of the site, and there is a patch of broadleaved woodland to the east of the site. These habitats are likely suitable for local foraging and commuting bats.	N/A
B1 - overview	B1 is a two-storey stone-built building with a pitched and gabled roof clad in artificial slate roof tiles. The mortar in the stonework is intact. The doors and windows are wooden framed and look to be in good condition. There is one extension on B1 which is a one-storey rendered old section of barn joining the building (on the northern elevation). The eaves have wooden soffits and the bargeboards around B1 are wooden. There is a modern metallic log burner chimney on the northern elevation of B1.	

B1 – northern elevation	On the northern elevation, the roof tiles look to be intact and in excellent condition (pictured below), with no lifts/gaps or crevices suitable for roosting bats to enter the roof space. Furthermore, the mortar is intact. In the eaves of the section where the proposed extension will take place is a small gap (pictured below), which may allow the ingress of bats onto the wall tops of the building. Other sections on this elevation of the building including the extension are in very good condition with no further suitable features identified (see below).	
B1 – northern elevation – roof tiles	The roof tiles on B1 are in excellent condition.	

B1- northern elevation - gap	There is a small gap between the stonework and the soffit on this elevation which may be suitable for roosting bats on the wall tops.	
B1 – northern elevation - chimney	The chimney on this elevation is metallic, unsuitable for roosting bat entry. Furthermore, the tiles surrounding the chimney are neat and intact with no suitable features.	

B1 – northern elevation – soffits	The soffits on this elevation look intact and there are no holes or gaps within them which could be used by bats for entry into the soffits.	
B1 – western elevation	On the western elevation, the mortar is intact and without gaps or crevices suitable for roosting bats (pictured below). The roof tiles are in excellent condition. The ground-floor windowsills and doorframes throughout the building were searched for evidence of bats, such as droppings, however no evidence was found. There is a very small gap on this elevation which is unlikely to be suitable for roosting bats due to its small size (i.e., <1cm) (pictured below).	

B1 – western elevation – mortar and window	The mortar around B1 is in excellent condition and without gaps large enough for roosting bats. The window frames also look to be well sealed, with no gaps for bat entry.	 A close-up photograph of a window set into a rough-hewn stone wall. The window has a dark wooden frame and a clear glass pane. The mortar around the window is thick and appears well-maintained. To the right of the window, a small, ornate black metal light fixture is mounted on the wall.
B1 – western elevation – windowsill	The ground floor windowsills were searched for evidence of bats, such as droppings, however, no evidence was found.	 A close-up photograph of a windowsill in a stone wall. The sill is made of a light-colored material, possibly concrete or stone, and is set into the wall. The wall itself is made of rough-hewn stones with visible mortar. The window frame is visible above the sill.

B1 – western elevation – small gap	There is a very small gap on this elevation which is likely unsuitable for roosting bats as it is very small (i.e., <1cm).	
B1 – eastern and southern elevations	The eastern and southern elevations are similar to the rest of the building. The roof tiles are in excellent condition and the mortar is intact. Furthermore, the windowsills have no evidence of bats such as droppings and are well sealed to the structure with no crevices.	

B1 – interior	There is one very small loft space within B1 which lies in the centre of the building. Internally, the space is very small and used as storage. Internally are cobwebs which may indicate a lack of flying activity within the space by void dwelling species of bat. No evidence of bats such as bat droppings was found within the space. The roof is lined with insulation board. This space will not be impacted by the proposed development. Approximate internal dimensions: 2m long x 2m wide x 1m high (floor to ridge height). Internal conditions: temperature 20.6°C, humidity 58.2%.	
B1 – suitability assessment	B1 has low value for roosting bats. This is based on the one feature identified on B1. The rest of the building is in very good condition.	N/A

B1 - breeding birds and other incidental observations	A swallow's nest was found in the eaves on the eastern elevation.	
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4.0 Conclusions, Impacts and Recommendations

Taking the desk study and field survey results into account, Table 4 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 a two-storey extension on the northern elevation of B1.

Table 4: Evaluation of the site for bats and any other ecological constraints

Building	Survey Results Summary	Impact Assessment	Recommendations	Biodiversity Enhancement Opportunities ¹
Roosting bats (B1)	B1 has low value for roosting bats. This is based on the one feature present around B1, the rest of the building is in very good condition.	The proposed development will result in the renovation of this building. This will result in the obstruction of the identified soffit gap on the northern elevation and could cause disturbance, death or injury to bats.	One bat emergence or re-entry survey is required during the active bat season (optimal May to August, suboptimal September) to confirm the presence or likely absence of a bat roost in the building. Infra-red cameras should be used as an aid. Three surveyors are required to provide full coverage of the building. If bat roosts are confirmed in the building two additional surveys may be required to characterise the roost and to inform an EPSL application to Natural Resources Wales. Surveys should be a minimum of two weeks apart. The EPSL application requires that surveys have been undertaken within the most recent active bat season and planning permission must have been granted and all relevant wildlife-related conditions have been discharged prior to submission.	To be confirmed upon completion of the surveys.
Foraging and commuting bats	Nearby vicinity trees 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 may include the use of lighting which could spill onto bat roosting, foraging, or commuting habitat and deter bats from using these areas.	A low-impact lighting strategy will be adopted for the site during and post-development, which will include the following measures: • Light spill onto nearby trees should be avoided. • Use narrow spectrum light sources to lower the range of species affected by lighting. • Use light sources that emit minimal ultra-violet light. • Avoid white and blue wavelengths of the light spectrum to reduce insect attraction and where	The following habitat creation and enhancement opportunities could be incorporated into the proposed development which would be beneficial for foraging bats: • Planting of native tree, shrub and hedgerows to increase foraging opportunities.

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

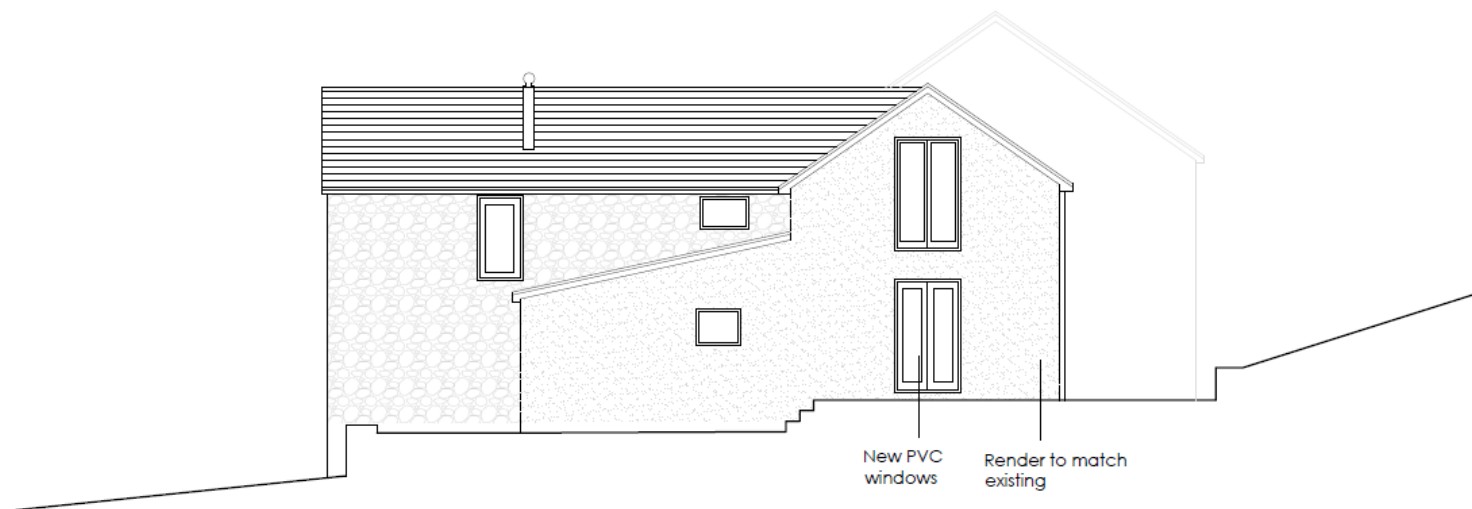
			white light sources are required in order to manage the blue shortwave length content they should be of a warm / neutral colour temperature <4,200 kelvin. • Not use bare bulbs and any light pointing upwards. The spread of light will be kept in line with or below the horizontal. • Light spill will be 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. • 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. • Wall lights and security lights will be 'dimnable' 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.	
Nesting birds (B1)	The building contains evidence of nesting birds (including a swallow's nest located in the eaves on the eastern elevation of the building).	The proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	Works should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the building should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.	The installation of a minimum of one bird box on site buildings will provide additional nesting habitat for birds e.g. • Vivara Pro WoodStone Swift Nest Box • House Sparrow Terrace FSC Nest Box • Swallow Nest Bowl Or a similar alternative brand.

				General-purpose bird boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Swift and sparrow boxes should be positioned at the eaves of a building and can be incorporated into the fabric of the building during construction.
Other ecological constraints	None identified.	N/A	N/A	N/A

5.0 Bibliography

- Collins, J. (2016). Bat Surveys for Professional Ecologists —Good Practice Guidelines, 3rd edition, Bat Conservation Trust, London.
- Garland, L. & Markham, S. (2008) Is Important Bat Foraging and Commuting Habitat Legally Protected? <http://biodiversitybydesign.co.uk/cmsAdmin/uploads/protection-for-bat-habitat-sep-2007.pdf>
- Google Earth. Accessed on 25/05/2023.
- Institution of Lighting Professionals (2018). Guidance Note 08/18 Bats and Artificial Lighting in the UK. Bats and the Built Environment Series Publication: http://www.bats.org.uk/news.php/406/new_guidance_on_bats_and_lighting.
- Magic Database. <http://www.magic.gov.uk/MagicMap.aspx> Accessed on 25/05/2023.
- Mitchell-Jones, A.J. (2004). Bat Mitigation Guidelines. English Nature, Peterborough.
- Natural Resources Wales Designated Sites Search. <https://naturalresources.wales/guidance-and-advice/environmental-topics/wildlife-and-biodiversity/protected-areas-of-land-and-seas/find-protected-areas-of-land-and-sea/?lang=en> Accessed on 25/05/2023.
- Wray, S., Wells, D., Long, E., Mitchell-Jones, T (2010) Valuing Bats in Ecological Impact Assessment. IEEM In-Practice. Number 70 (December 2010). Pp. 23-25.
- Wrexham City Borough Council (2005). Wrexham Unitary Development Plan 1996-2011. <https://www.wrexham.gov.uk/service/development-plans-and-other-planning-policy/wrexham-unitary-development-plan>

Appendix 1: Proposed Development Plan



Proposed North Elevation 1:100 @ A4

Arddyn Barn

Nantyr

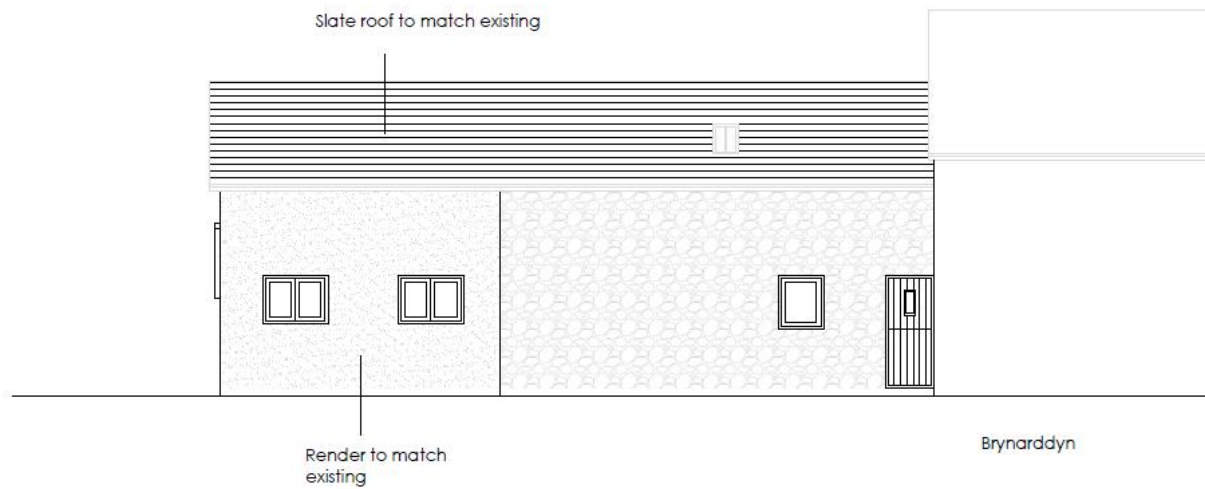
Llangollen

LL207DH

Date - 19.02.2023

Drawing No 26-10- A

Rev A - Amended 25.03.2023



Proposed East Elevation 1:100 @ A4

Arddyn Barn

Nantyr

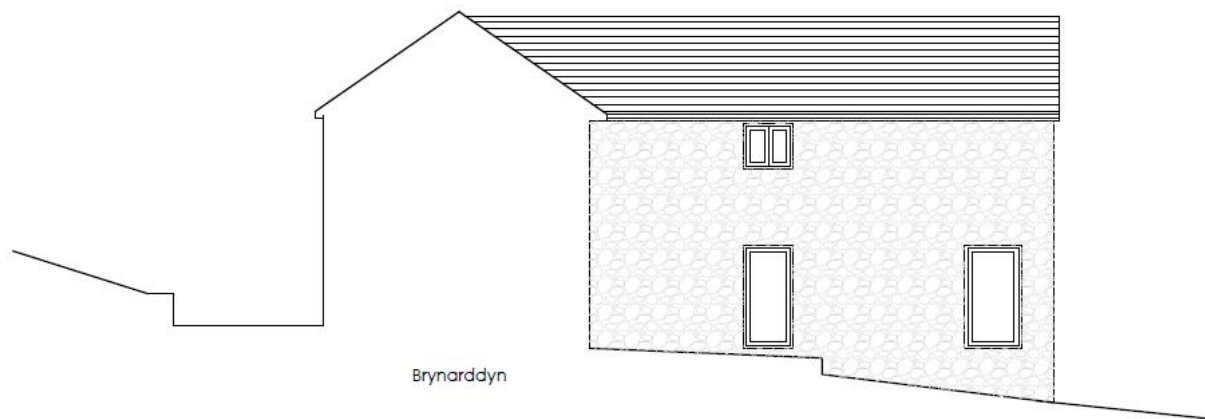
Llangollen

LL207DH

Date - 19.02.2023

Drawing No 26-11- A

Rev A - Amended 25.03.2023



Proposed South Elevation 1:100 @ A4

Arddyn Barn
Nantyr
Llangollen
LL207DH
Date - 19.02.2023
Drawing No 26-12- *



Proposed West elevation 1:100 @ A4

Arddyn Barn

Nantyr

Llangollen

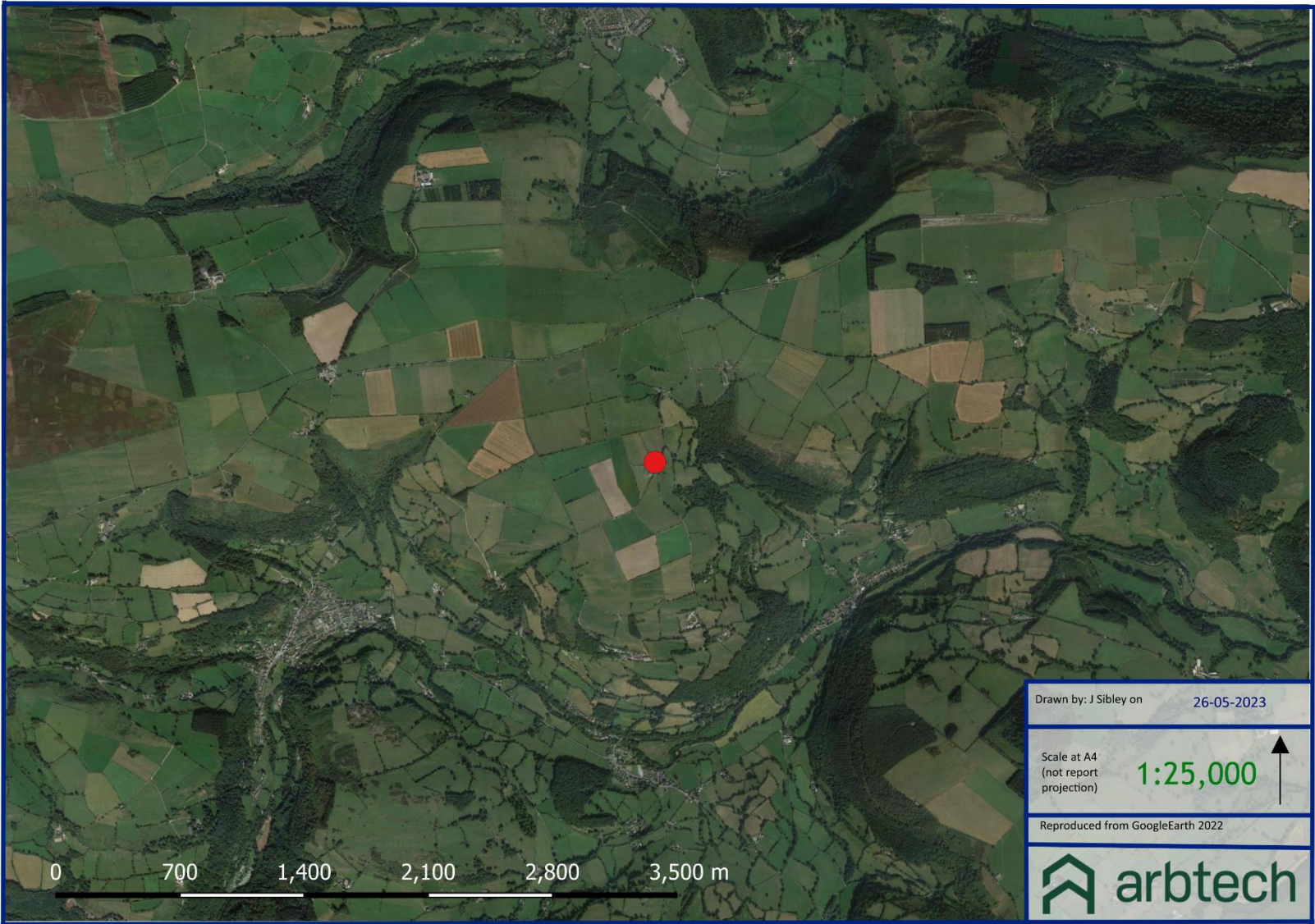
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Date - 19.02.2023

Drawing No 26-09- A

Rev A - Amended 25.03.2023

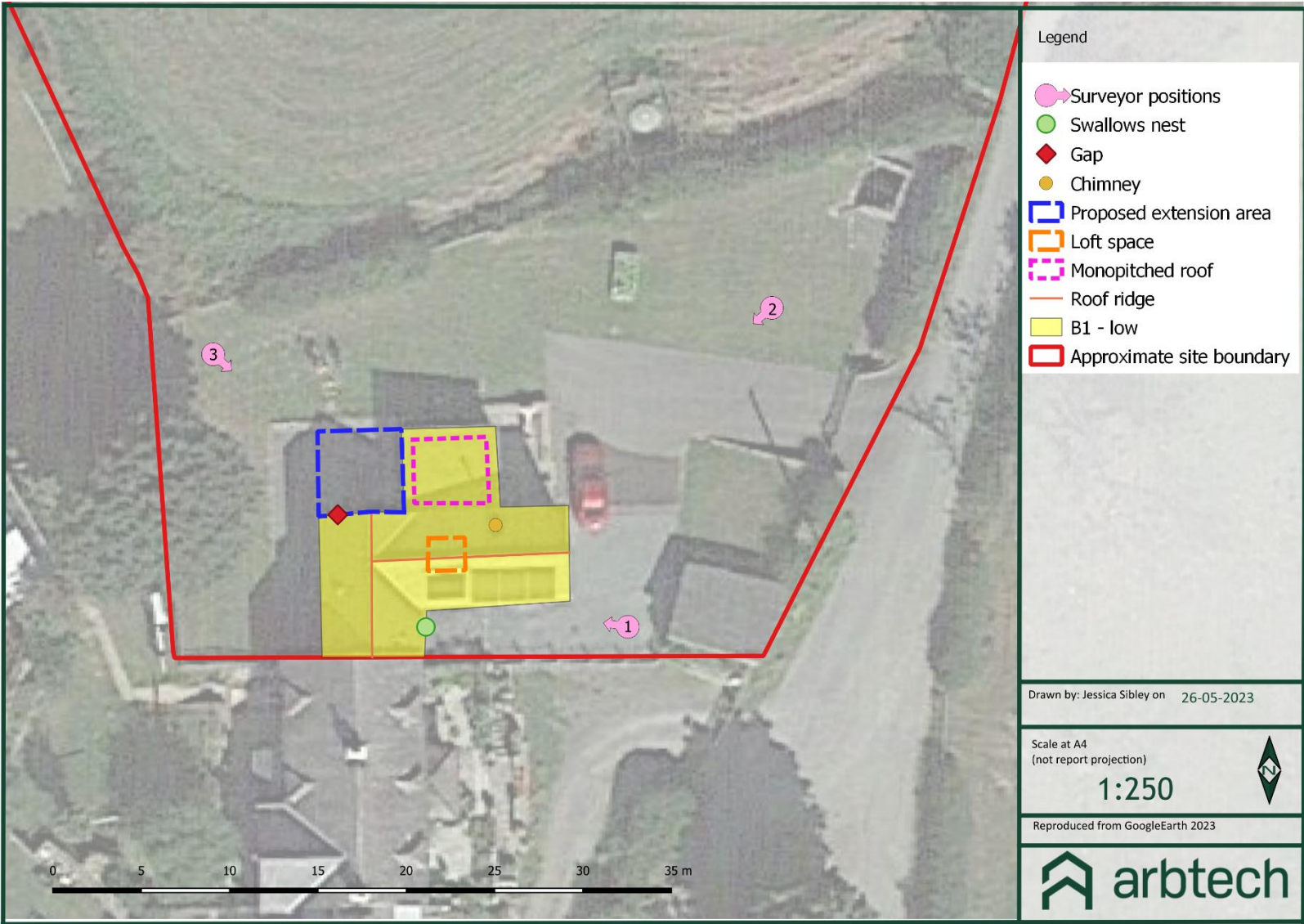
Appendix 2: Site Location Plan



Appendix 3a: PRA Plan



Appendix 3b: Proposed BERS 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 key ways 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 Unitary Development Plan 1996 - 2011 (February 2005)

The Wrexham Unitary Development Plan 1996 - 2011 can be viewed here: <https://www.wrexham.gov.uk/service/development-plans-and-other-planning-policy/wrexham-unitary-development-plan>

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

- Policy EC6: Biodiversity Conservation – Development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

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.