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BAT APPRAISAL



WOODVILLE GARAGE, 14 GRESFORD ROAD, LLAY,

LL12 0NW

Roof Plus Ltd

20 October 2022

Sambrook Associates Ltd

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This report has been prepared by Sambrook Associates Ltd on behalf of Roof Plus Ltd in connection with the demolition and replacement of the current property and takes into account their particular instructions and requirements. It is not intended for, and should not be relied on, by any third party and no responsibility is undertaken to any third party.

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1 INTRODUCTION

1.1 Background Information

- 1.1.1 Sambrook Associates Ltd was instructed by Roof Plus Ltd to undertake a Bat Appraisal in relation to the proposed demolition and replacement of the current buildings at Woodville Garage, Gresford Road, Llay. The site comprises a single storey former car garage, a single storey bungalow and associated hardstanding car parking areas and small garden. The following comments were received from the local planning authority during the pre-application consultation:

Ecology

There is an existing building on site which has the potential for bats. A bat suitability assessment of the building, carried out by a qualified ecologist, is required and if recommended by the ecologist, the submission of bat activity survey are also required.

Welsh Government Planning Policy Wales and subsequent letter to LPAs requires development to provide a net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped. As scheme of enhancements must also be submitted in support of this application.

- 1.1.2 As part of the Appraisal, a site walk-over of the Site was undertaken in addition to an external and internal inspection of the buildings. This report provides the results of these, as well as an appraisal of the potential effects the proposed development may have on bats, and recommendations for further survey, mitigation and enhancement, where required.
- 1.1.3 The aim of the appraisal is to provide sufficient ecological information for the local planning authority to determine the associated planning application. The objectives of the study were to:
- Provide baseline information on the current bat features both on-site and in the immediate surrounding area (up to 30m where accessible);
 - Identify the presence or potential presence of bats and provide an appraisal of any potential effects that the proposed development may have on these; and
 - Provide recommendations for further pre-construction survey work and / or mitigation measures if required and present opportunities for biodiversity enhancement.

1.2 Site Description

- 1.2.1 The Site is located within a suburban setting, on the edge of the village of Llay. The site is surrounded by housing and a supermarket. The site comprises a former and derelict garage, derelict roofless bungalow, hard standing and driveway. There is a very small garden to the rear which is overgrown.
- 1.2.2 The proposed development is hereby referred to as the Site and comprises the land within the red-line boundary. The walk-over survey covered an area greater than this (where access permitted) to look at how nearby habitats may influence the use of the buildings by bats.

2 LEGISLATION AND PLANNING POLICY

- 2.1.1 Many sites, animals and plants are protected by European and/or UK legislation either because of their decline across Europe and the UK or due to the persecution they have placed upon them by negligent or illegal acts such as baiting or trade. Legislation is also in place to prevent the spread of introduced or non-native invasive species and harmful weeds. When undertaking an appraisal of a proposed development, such legislation is taken into account as follows.
- **European:** Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'); and Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (codified version of Directive 79/409/EEC as amended) (the 'Birds Directive').
 - **UK (England & Wales):** The Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitat Regulations') which transposes the Habitats Directive in UK law. Since 1st January 2021, the UK is no longer a member of Europe but since the Habitats Directives are embedded into UK statute, The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 was published and still applies in England and Wales; The Wildlife and Countryside Act 1981 (as amended); the Countryside and Rights of Way Act (CROW) 2000; the Protection of Badgers Act 1992; the Natural Environment and Rural Communities Act (NERC) (2006) and the Environmental Protection Act (EPA) 1990.
- 2.1.2 Species such as bats, great crested newts, otter, water vole, reptiles, birds and badgers are all protected to varying degrees under this legislation.
- 2.1.3 The Environment (Wales) Act 2016 introduced an enhanced biodiversity¹¹⁹ and resilience of ecosystems¹²⁰ duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. The Nature Recovery Action Plan supports this legislative requirement to reverse the decline in biodiversity, address the underlying causes of biodiversity loss by putting nature at the heart of decision-making and increasing the resilience of ecosystems by taking specific action focused around the 6 objectives for habitats and species.
- 2.1.2 Under the NERC Act, local authorities (and other public bodies) have a duty to conserve biodiversity. The Act confers responsibility on the local authority to take the protection of priority habitats and species (as listed in Section 41) into consideration when making a planning decision. Habitats listed in this section include eutrophic standing waters, rivers, lowland meadows and lowland mixed deciduous woodland. Species listed in this section include great crested newt *Triturus cristatus*, sky lark *Alauda arvensis*, hedgehog *Erinaceus europaeus*, otter *Lutra lutra*, soprano pipistrelle *Pipistrellus pygmaeus* and red squirrel *Sciurus vulgaris*. Full habitats and species' lists can be found at the Natural History Museum website, nhm.ac.uk or jncc.defra.gov.uk.
- 2.1.4 In addition to legislation, there are also national and local planning policies pertaining to the protection of biodiversity. Planning Policy Wales (PPW) Edition 11 (February 2021) 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. 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.’

- 2.1.5 To accompany the PPW, Technical Advice Note 5 (TAN5) demonstrates how local authorities, developers and stakeholders can deliver sustainable development that does not result in losses to biodiversity and takes the opportunity to protect and enhance it. The Local Planning Authority also has its own guidance and local policy to promote ecological resilience in its decision making.
- 2.1.3 The RSPB’s Birds of Conservation Concern 3’ (Eaton et al., 2009) is also taken into consideration when undertaking this appraisal.
- 2.1.4 Because of the type of development proposed, it is usual that bats are the most likely protected species affected and so the legislative and licensing obligations pertaining to bats are described in more detail below.
- 2.1.5 All bat species are protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The species is also protected under Annex II of the Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (the EC Habitats Directive). This has been transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (as amended) in England and Wales. Bats are referred to as European Protected Species (EPS).
- 2.1.6 It is an offence to deliberately capture, injure or kill a bat; intentionally or recklessly disturb in a way that would affect their local distribution or abundance, or affect their ability to survive, or breed. It is also an offence to damage or destroy a bat roost and to possess, advertise, control, transport, sell, exchange or offer for sale/exchange any live or dead bat or any part of a bat.

- 2.1.7 If you wish to undertake works that would affect an EPS then you will need a licence. Natural Resources Wales (NRW), in exercise of the powers conferred under regulation 53(1) and 56(3) (a) of the Conservation of Habitats and Species Regulations 2010, may issue licences for the following purposes:
- Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
 - Preventing the spread of disease;
 - Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property or to fisheries; to allow people to carry out activities which would otherwise be illegal;
- 2.1.8 Before issuing a licence under the Habitats Regulations, the licensing authority must be satisfied that “there is no satisfactory alternative” to the work as proposed and, that the proposed actions “will not be detrimental to the maintenance of the population of the species at a favourable conservation status (FCS)”.
- 2.1.9 To ensure these requirements are met, the licensing authority must have enough information to complete an assessment of the application. This includes sufficient survey data so that the roost and how it is used by bats is understood and impacts upon the roost are appropriately assessed so that mitigation and/or compensation can be designed into the proposed development that will ensure the bat population can be incorporated and maintained in the long term.

3 METHODOLOGY

3.1 Introduction

- 3.1.1 To inform this Ecological Appraisal, a desk-top study, site walk-over survey and bat scoping survey were conducted in October 2022.
- 3.1.2 Rebecca Sambrook BSc. (Hons) MCIEEM led surveys of the Site. Rebecca is a Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and adheres to that organisation's Code of Professional Conduct. Rebecca has a Natural England Bat Level 1 ref: 2022-10249-CL17-BAT (an NRW licence is currently being applied for). Rebecca has gained over 20 years-experience as a professional ecologist, conducting surveys and authoring reports including PEAs, Ecological Impact Assessment chapters, Habitat Regulations Assessments, Biodiversity Management Plans and other specialist technical reports, including mitigation design.

3.2 Desk-top Study

- 3.2.1 The desktop study involved a search for statutory sites and any other pertinent information regarding habitats and bat species within 500m radius of the Site. The centre of the Site (Ordnance Survey Grid Reference SJ33395622) was used for the search.
- 3.2.2 The following sources were searched for information about the Site:
- Defra's 'MAGIC' website;
 - Google Earth;
 - Bing Maps;
 - Wrexham CBC website.

3.3 Walk-over Survey

- 3.3.1 The walk-over survey comprised recording of habitats within the Site. The survey also included potential for protected and notable species, and invasive species such as Japanese knotweed *Fallopia japonica* and Himalayan balsam *Impatiens glandulifera*. The purpose of the survey was to determine:
- the habitats present;
 - any potential constraints to development;
 - legally protected species potentially present;
 - the presence of invasive plant and animals; and
 - any requirement for additional ecological surveys.
- 3.3.2 The walk-over survey was conducted on 14 October 2022. The weather was mild with an average temperature of 14°C.

- 3.3.3 The survey was not a full Phase 1 Habitat survey; due to the built-up nature of the site, this was considered unnecessary. The Site and immediately adjacent areas (up to 30m) were searched for evidence of bats.
- 3.3.4 Photographs are included within this report. Plant names follow the third edition of the New Flora of the British Isles (Stace, 2010). The common name of the plant is stated first and is followed by the Latin name, on the first occasion that it is used. Only the common name is used subsequently.

3.4 Bat Scoping Survey

- 3.4.1 The survey followed the methodology set out in the Bat Conservation Trust's Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, 2016). The survey was carried out by Rebecca Sambrook on 14 October 2022.
- 3.4.2 Both buildings were inspected externally and the main garage building was inspected internally for evidence of the presence of bats. The survey started with an examination of the external parts of the buildings to locate potential roosting features such as lifted/missing roof material, gaps around soffits, barge boards and similar. Evidence such as staining, droppings, urine splashes and individuals were also searched for. With no evidence externally, an internal inspection of the garage was undertaken, searching for the same evidence. Ten minutes was also spent listening (detector and ear) for squeaking noises that bats make when in their roost. The bungalow was not searched internally due to it being in a poor state of repair.

3.5 Limitations

- 3.5.1 No significant limitations were encountered during the survey. The bungalow was not inspected internally due to it being in a poor state of repair but this did not affect the validity of the survey given it was roofless and completely open to the elements.

4 RESULTS

4.1 Introduction

- 4.1.1 This section provides a commentary on the data collected during the desk-top study and survey undertaken in 2022.

4.2 Desk-top Study

- 4.2.1 A search of MAGIC, Google Earth and Bing Maps revealed there to be no pertinent information within 500m that may influence the assessment.
- 4.2.2 The local authority planning portal did not reveal any pertinent information and there do not appear to be any current adjacent developments that would likely cause any in-combination effects with the proposed Site.

4.3 Walk-over Survey

- 4.3.1 The Site comprises a former car mechanics garage (B1) and a bungalow (B2) which were surrounded by hardstanding with a small overgrown garden to the rear. Site boundaries comprise a Heras fence to the road frontage, a low timber fence with conifer hedging to the southern boundary, a mid-height timber fence and Heras fencing to the northern boundary and overgrown shrubbery on the western boundary.
- 4.3.2 The plant species identified were typical of derelict sites that have been left unmanaged and included: grasses, buddleia *Buddleja davidii*, dandelion *Taraxacum sp.*, dock *Rumex sp.*, ragwort *Senecio jacobaea*, thistle *Cirsium sp.*, willowherb *Epilobium sp.*, common horsetail *Equisetum arvense*, ivy *Hedera sp.* and pendulous sedge *Carex pendula*. Scattered around the site were saplings and slightly larger examples of oak *Quercus robur*, sycamore *Acer pseudoplatanus*, field maple *Acer campestre*, willow *Salix sp.*, silver birch *Betula pendula* and hawthorn *Crataegus monogyna*. The garden to the rear couldn't be fully accessed but was observed through a window – this supported mature hawthorn, oak, sycamore and field maple.
- 4.3.3 No evidence of non-native invasive species such as Japanese knotweed or Himalayan balsam was identified during the survey.

Table 4.1: Photographs of the Site

Photograph	Description
	Main site
	Road frontage
	Road frontage from inside the site



Southern boundary



Northern boundary



Northern boundary

	Rear garden
	Rear garden

4.4 Bat Scoping Survey

- 4.4.1 Both buildings scheduled for demolition were fully assessed for potential to support bats. Both buildings were considered to be **Negligible** for bats.

Table 4.2: Photographs of the Buildings

Building 1	Description
	Painted breezeblock building with asbestos roof, and barge boards to the front. Timber windows with lintels above. Corrugated metal doors. All in reasonable condition. No gaps or crevices present. Internally, the ground floor is bright with no roosting opportunities. No evidence of bats.
	
	Negligible



 	
Building 2	Description
	Single storey former derelict bungalow. No roof so entire footprint is open to the elements. Ivy cover on north-eastern corner – inspected but no real sheltering opportunities for bats. No suitable roosting opportunities. Negligible



- 4.4.2 The Site and surrounding habitats provide poor foraging and commuting habitat for bat species; the residential nature of the area would support roosting, commuting and foraging bats but opportunities are generally low.
- 4.4.3 Trees within the rear garden were assessed for their potential to support bats but none were considered substantial enough to support bats; and the garden is too cluttered to offer foraging habitat.

4.5 Appraisal of Potential Effects

- 4.5.1 Overall, the Site itself offers very limited opportunities to bats; perhaps the occasional commuting or foraging bat may be recorded. The proposal includes the demolition of the buildings and construction of three new dwellings; boundary features will remain in-situ.
- 4.5.2 **Habitats:** The loss of hard standing is of no ecological consequence. Commuting bats will still be able to commute, if they are present in the wider area. The mature boundary vegetation in the rear garden should be retained and protected throughout the course of construction.
- 4.5.3 As a minimum, good site management should be implemented in line with the Considerate Constructors Scheme, Code of Considerate Practice. Key principals of good management to protect habitats include:
- Being organised, clean and tidy; always net skips to prevent materials and rubbish from blowing around the site and onto adjacent habitats.
 - Identifying, managing and promoting environmental issues.
 - Seeking sustainable solutions, and minimising waste, carbon footprint and resources.
 - Minimising the impact of vibration, and air, light and noise pollution.

- Protecting the ecology, the landscape, wildlife, vegetation and water courses.

4.5.4 No long-term effects on habitats are anticipated.

4.5.5 **Bats:** no bat roosts or signs of bats have been identified and the buildings offer no more than Negligible suitability for bats. The surrounding landscape offers suitable foraging and commuting opportunities but these will be retained in situ and no effects on bats or their habitats are anticipated.

4.5.6 **Enhancement:** The proposed scheme includes the installation of bat and bird boxes which will provide a net gain in roosting and nesting opportunities. The following boxes are proposed:

- 3no. Schwegler 1B nest box or similar, comprising a mix of 32mm, 26mm and oval holes. These are to be installed on vegetation to the boundaries, at least two metres off the ground to reduce risk of predators and human interference.
- 3no. Beaumaris Woodstone bat box or similar to be installed, one on each of the new dwellings on the southern or eastern elevations.

4.5.7 The landscaping scheme should include the planting of native species, preferably of local provenance, and species that provide a good nectar source for invertebrates.

4.5.8 The existing boundary vegetation in the rear garden is to be protected during construction and 'tidied up' so that it forms a controlled but biodiverse boundary in the long term.

4.5.9 **Site contractors, directors, owners, other personnel and their agents are reminded that many species and habitats are protected by law, and to kill, injure or harm such species and their habitats is a criminal offence. Custodial sentences and/or large financial penalties are expected if you break the law.**

5 CONCLUSION & RECOMMENDATIONS

5.1.1 The Site has been subject to assessment in 2022, it is concluded that the proposed development is unlikely to result in significant effects on habitats or species.

5.1.2 The following recommendations are made.

5.1.3 The avoid effects on boundary habitats the following is recommended.

- **Recommendation:** good site management is implemented in line with the Considerate Constructors Scheme, Code of Considerate Practice.
- **Recommendation:** barrier fencing is installed at the outset of site works to protect boundary features along the western boundary.

5.1.4 The following recommendation is made in respect of birds.

- **Recommendation:** to prevent impacts on nesting birds, vegetation pruning/trimming shall occur outside of the nesting bird season i.e. not during the months of March through to August inclusive. If vegetation removal is required during this time, the vegetation shall first be checked by a competent Ecologist and only if no nests are found can vegetation be removed. If nests are found, they will remain in-situ and undisturbed until the young have fledged.

5.1.5 The enhancement scheme comprises the following measures:

- **Recommendation:** install bird and bat boxes as per the specification detailed above in Section 4.
- **Recommendation:** the landscaping scheme should include retention and management of existing boundary vegetation on the western boundary, and the planting of native species, preferably of local provenance, and species that provide a good nectar source for invertebrates.

5.1.6 Taking into consideration these recommendations, long term negative effects on biodiversity are not anticipated and the proposed development actually gives rise to biodiversity enhancement opportunities within the Site, improving biodiversity at a local level. No further surveys are required.

6 REFERENCES

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