

LISTED BUILDING PLANNING APPLICATION ASSESSMENT

OUTBUILDING, PENTRE SAESON FOUNDRY.

Site: Outbuilding
Pentre Saeson Foundry
Brymbo Road
Brymbo
Wrexham
LL11 5LU

Clients: Mr Glyn Wright
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Job Ref.: 1034-Outbuilding Pentre Season Foundry Report-V1

1.0 INTRODUCTION

EDC has been instructed to carry out a Bat and Bird Survey with regards to alteration works to a listed outbuilding at Pentre Saeson Foundry, Brymbo. The report will address the requirements as set out in Planning Policy Wales-Edition 1, 2021, Environment (Wales) Act 2016, (Section 6 Duty) and (Section 7) and the Welsh Assembly Government Technical Advice Note 5, 'Nature Conservation and Planning' and local development policy, to enable an assessment of impacts and mitigation to negate impact as a consideration, material to the determination of planning consent and active protected species and habitat legislation at the time of survey

2.0 SUMMARY

- The remnants of the outbuilding have little to no potential to support roosting bats.
- No active or historic use by nesting birds.
- No major adverse impacts on species or habitats have been identified.
- No further surveys are being recommended
- No INNS species are recorded within the development area.

3.0 SITE

The outbuilding is the remains of a former foundry on the site. The remnants of the outbuilding stand in the grounds of Pentre Saeson Foundry, Brymbo Road, Brymbo. The outbuilding is positioned centrally to the formal gardens which are dominated by large areas laid to lawns and hard standings. The outbuilding consists of solid masonry walling formed in a 9" brick garden wall bond and lime mortars, only the walling remains on site with the remnants of the building fully open to the elements. The southern boundary of the site is onto Brymbo Road, the western boundary is onto a disused railway bed which has become overgrown with self-generated shrubs and trees. The northern and eastern boundaries are onto paddocks, which are heavily grazed to a short sward.



Fig 1 – Position of Outbuilding.

4.0 EXISTING DATA

AMPHIBIAN: - 2 water bodies are located to the north east of the outbuilding suitable to support a breeding population. The nearest pond located at approximately 150 m from the building records a positive record for GCN uploaded to the data base circa 1992. No other records or water bodies are recorded within 500 m of the outbuilding.

REPTILES: - No records or previous data is available for the site or within 1km of the site for this taxon group at the time of writing the report.

MAMMAL: -

Badger, *Mele mele* – No records or evidence of use recorded within the site or within 500 m of the site.

Bat *Chiroptera* – No specific records are available for this taxon group within the survey area.

The following species are recorded at both local and at a county level:-

Pipistrelle *Pipistrellus pipistrellus/pygmaeus*
Brown Long-eared *Plecotus auritus*
Lesser Horseshoe *Rhinolophus hipposideros*
Daubenton's *Myotis daubentonii*
Whiskered/Brandt's *Myotis mystacinus/brandtii*
Natterer's *Myotis nattereri*
Noctule *Nyctalus noctula*

Hedgehog *Erinaceus europaeus* – this species is likely to be under recorded locally, with only a single record being available for this species approximately 815 m to the north west of the outbuilding.

Habitats – The outbuilding stands within an area of formal garden with no connectivity to the old rail track. The formal gardens consist of areas of mown grass maintained at a short sward and herbaceous borders. The site is generally considered to be species poor. The only boundary of merit is the western boundary onto the overgrown rail track which gives connectivity north and south.

Statutory, Non-Statutory Designated Sites –

No statutory or non-statutory sites are recorded within 500 m of the site boundaries. No water bodies or habitat features directly link the site to any sites recorded locally.

The nearest sites are:-

Statutory –

Coedwig Ffosil Brymbo Fossil Forest SSSI stands 1.6 km to the east of the site.

Ruabon/Llantysilio Mountains and Minera SSSI stands 1.9 km to the south west of the site.

5.0 SURVEY AREAS

As outlined in Fig 1

6.0 LEGAL PROTECTION

Under the 1981 Wildlife & Countryside, and the 2000 Countryside Rights Of Way (CROW) Act, it is an offence to “intentionally” or “recklessly” kill, injure or take any legally protected species. In some cases, even the species' habitat and places of shelter are protected.

6.1 GREAT CRESTED NEWT/BAT:

Both British and European laws protect the species and its habitat. In Britain it is protected under Section 9 (Schedule 5) of the Wildlife & Countryside Act 1981 (as amended), and by The

European Union's "Habitats Directive" (Council Directive 92/43/EEC (a) on the Conservation Of Natural Habitats and of Wild Fauna and Flora. The Habitats Directive is implemented in Britain by the Conservation Regulations 1994. Under this legal protection (and with the minor amendments of the CROW Act 2000 in England & Wales), to be superseded by the introduction of "The Conservation of Habitats and Species Regulations 2010" which came into force on the 1 April 2010, it is an offence to:

- Intentionally or deliberately capture, kill or injure.
- Intentionally or recklessly disturb them in a place used for shelter or protection.
- Damage or destroy a breeding site or resting place.
- Intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection.
- Possess an animal, or any part of it, unless acquired legally.
- Sell, barter, exchange or transport or offer for sale or parts of them.

6.2 *BIRDS:*

All British birds, their nests and eggs are protected in law. It is an offence under Part 1 of The Wildlife & Countryside Act 1981 *as amended* (and with the minor amendments of the CROW Act 2000 in England & Wales) to intentionally or recklessly kill or injure any wild bird or to take, damage, or destroy any nest or egg of any wild bird. However, Schedule 1 of the Act provides an additional tier of protection so that rare species (e.g., barn owl) are specially protected by increased penalties and cannot be intentionally or recklessly disturbed when nesting.

6.3 *MAMMALS:*

All of the British species of bat are protected under the W&C Act 1981 (as amended). This protection is also extended to the otter (*Lutra lutra*), and the water vole (*Arvicola terrestris*). The badger (*Meles meles*) is protected under the Protection of Badgers Act 1992. Included in the Act it is an offence to damage any part of a sett or destroy it; obstruct access to any entrance of a sett; or to disturb a badger when it is in its sett.

7.0 **LIMITATIONS**

None that would be considered to vary the species and habitats as recorded.

8.0 **METHODOLOGIES**

8.1 *GREAT CRESTED NEWT:*

A walkover survey to identify any potential breeding pools and refugia sites within the survey area was conducted. This was followed up by a desktop survey to identify any local records for this species within 500m of the site.

8.2 *REPTILES:*

Walkover to identify any potential basking/foraging areas for this species, and visual sightings.

8.3 BADGER:

Search for field signs (paths, latrines, foraging) indicating the presence of this species and if discovered an extended search up to 30m beyond the survey boundary for the presence of a sett(s).

8.4 BATS:

Walkover to identify any potential roost or foraging habitat within the survey area.

8.5 WATER VOLE:

Walkover to identify any field signs, i.e., feeding stations, latrines, burrows etc. and an assessment of habitat suitability together with connectivity.

8.6 BIRDS:

An assessment of habitat suitability for nesting sites.

8.7 HABITATS:

The site was surveyed following the NCC (JNCC) methodology. Habitat types across the site were mapped and individual species found within the boundaries of the survey area were recorded including a biodiversity site assessment.

9.0 RESULTS

9.1 GREAT CRESTED NEWT:

The site does not record any water bodies suitable to support a breeding population. The outbuilding does stand within 150 m of a recorded site for GCN. The site is considered to be of low foraging values for this species due to the maintained short sward of the mown lawns and no direct floral connectivity to the old rail track.

9.2 BADGER:

None of the surveys to date have recorded evidence of use in the form of large mammal track, latrines or setts within or adjacent to the survey area at the time of survey.

9.3 BATS:

There are no records for the site or adjacent to the site for this taxon group. The remnants of the outbuilding consist of the outer walling and inner cross walling. The walls are constructed in 9" brick in an English garden wall bond with lime mortars. The walls are fully open to the elements. No roof structure is present on the outbuilding.

9.4 REPTILES

There are no records for the site or adjacent to the site for this taxon group. The habitats on site are considered to have a low potential due to the formal gardens and high levels of grass management resulting in short swards.

9.5 *BIRDS*

The survey recorded no evidence of active or historic nests within the remain elements of the structure. It is present condition the remaining elements have a low potential to support nest sites.

9.6 *HABITATS*

The immediate habitats to the outbuilding are the formal gardens, consisting predominantly of amenity grassland and herbaceous borders.

There are no mature trees adjacent to the outbuilding, the trees and shrubs along the old rail line are predominantly juvenile stock, sycamore, ash, birch etc.

INNS – no none native invasive species were recorded within the site boundary at the time of survey.

10.0 **RECOMMENDATIONS**

10.1 *GREAT CRESTED NEWT:*

It is considered that the site has a low potential to support this species due to the nature of the grass management on site. Some ruderal and tall grasses have developed at the base of the walling however this is considered to be of a low potential. The proposals are for the reinstatement of the roof structure, there are no proposals to alter the foundations or walling around the structure.

Due to the proximity of the GCN records a precautionary approach is still however advised as follows:-

- The immediate tall grasses and herbs are cut back and cleared around the base of the walling.
- The lawns and grassed areas are maintained at a short sward throughout the reinstatement and refurbishment works, i.e., maintain a sterile environment around and within the immediate work areas, so as to greatly reduce the potential of amphibians taking refuge in the works areas.
- Any materials are to be palletised to reduce the potential for amphibian refugia in the work area.
- If at any time a GCN is uncovered the works are to cease and further advise sort from a licensed ecologist or NRW Buckley office.

10.2 *BADGER:*

The site records no evidence of use by this species and the proposed works are unlikely to have any direct impacts, therefore no further recommendations are being given for this species

10.3 BATS:

The survey recorded a negative potential for use by this species in the remaining elements of the structure with no direct impact on this species locally.

Although the potential for use of the site is considered to have no potential for use the following recommendations are being put forward.

Lighting

Research with regards to impacts from lighting on bats has identified that lighting which emits ultra violet radiation attracts flying insects. This has been recorded as being potentially beneficial to some foraging species of bat, namely Pipistrelle, Noctule, Leisler's, however high levels of ultra violet radiation has been found to have an adverse impact on other bat species, Horseshoe, Myotis species, which forage in low light levels. Historically lights emitting low levels of ultraviolet radiation, SONS etc have been recommended but with the requirement for lighting on adoptable roads, lighting with a low carbon footprint and the movement towards promoting dark skies, lighting is moving towards the installation of LED lighting. Although this type of lighting is more efficient, it does emit a level of ultraviolet radiation

- Therefore shading, filtering, and directional lighting is to be promoted where feasible.
- Any lighting provided as part of the refurbishment scheme should be positioned facing the existing house. The lighting should be so placed so as to retain a dark corridor over the old railway line.
- Any fixed security lighting is to include automatic control to include timed and light sensitive switching, with an average illumination time of approximately 1 to 2 minutes, this approach is to be promoted to reduce the impact.

Conservation Gain

- Variation to grass sward and improved species enrichment will promote a greater diversity of foraging insect for bats.
- The introduction of Bat boxes on the brick elevations on completion of the works. The boxes are to be of the flat panel type, with one box per elevation. The attachment of the boxes is to be at the approval of the conservation officer.

This approach will ensure that the long-term favourable conservation status for this species is maintained and, in this case, enhance by the conservation gain proposed.

10.4 REPTILES:

The data sets did not record a presence for this taxon group on the site.

It is suggested that the habitats in this case offer low potential for this species and therefore no further recommendations are being offered for this taxon group.

10.5 BIRDS

The survey did not record any active or historic nest sites in the remaining elements of the outbuilding. The immediate work area records no trees or shrubs that require to be removed to enable the works to be undertaken bar a single shrub on the north western corner of the building. The potential for nesting is low but it is still recommended that any clearance works are undertaken outside of the nesting season as a precaution.

Generally, the guidance given within the UK with regards to the nesting season is set from March 1st to 31st July each year. Due to climatic change this advice is now seriously out of date. Nesting birds are now recorded as early as January through to late September and in some cases outside of this period. Owls, Doves, Pigeon, regularly nest outside of this period. Brood no's have also seen an increase, in the case of Swallow, Sparrow, 4 broods per year is now quite common.

As a general rule any tree, shrub, plant that retains leaves (evergreen) offers cover for nest sites and should be removed with care. A large percentage of British birds are ground nesting and choose to nest within, bramble, nettle, tall ruderal plants etc. these areas provide important nest sites and should also be cleared with care.

Due to the variants identified within the UK bird nesting season, a general walk over survey prior to vegetation clearance is advised. The pre works survey is to concentrate on the potential for early nesting birds, Blackbird, Thrush from January onwards. Specific emphasis to evergreen vegetation which has early nesting potential. Ground cover and leaf generally doesn't develop pre-March/April each season however seasonal variations occur.

If works are undertaken post March 1st, then it is recommended that advice from a suitably qualified ecologist must first be sought and secondary check surveys should be undertaken immediately prior to undertaking the works, i.e., within 24 hrs. to ensure no nests have been built since the survey.

Potential nesting areas, should **not** be protected by netting, this methodology is now condoned as many species can be inadvertently trapped.

10.6 HABITATS AND BIODIVERSITY:

The dominant habitats recorded on site are the formal gardens, there is no direct habitat loss proposed therefore no further recommendations are being stated in this case.

As a requirement of Planning Policy Wales-Edition 1, 2021 any loss of biodiversity habitats or species is to be offset by enhancement as a material requirement. As a general recommendation that where feasible the boundary areas of the grassland particularly abutting the old rail track are allowed to develop into more diverse grassland by reducing the cutting management and over seeding with yellow rattle to suppress the grass dominance and promote more wildflower.

The inclusion of nest boxes on the eastern elevations of the outbuilding, subject to listed building consent. To include a mix of, House Martin cups, Sparrow and Starling boxes.

11.0 CONCLUSION

It is the surveyor's opinion that the proposed refurbishment works are considered to have a negligible impact, but by implementing some of the recommendations given within the text would increase species diversity and show slight beneficial gain, resulting in, and maintaining and enhancing the favorable conservation status of locally recorded protected species.

Tim Hodnett
October 2021

12.0 APPENDICES

12.1 Photographs



Photo 1 – Outbuilding Looking North West



Photo 2 – New Dwelling Looking North East



Photo 3 – Rear of Outbuilding looking South East



Photo 4 – Looking South towards the Dwelling from the Outbuilding

