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| <b>Report Title</b>   | <b>Proposed Development on land at the Buck House Hotel, High Street, Bangor-on-Dee, Wrexham – Preliminary Ecological Appraisal</b> |
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**Quality Assurance****Survey/ Assessment Work Schedule**

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**The evaluation and assessment provided in this report is specific to the iteration of the proposal detailed in *Section 1*. It would no longer be valid should the layout be changed in anyway, should the report be used for a different proposal at the same site or should it be used a maximum of 12 months after the date of issue.**

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*Figure 1 – Extended Phase 1 Habitat Survey*

## **1 INTRODUCTION**

### **1.1 Project Background**

1.1.1 Marches Ecology was commissioned by HDS Architectural Services to undertake a Preliminary Ecological Appraisal of land at the Buck House Hotel, High Street, Bangor-on-Dee, Wrexham (approximate OS Grid Ref. SJ 388 455). This Preliminary Ecological Appraisal (PEA) comprised an Extended Phase 1 Habitat Survey. This report is provided as supporting information to a planning application for the conversion of an existing garage into holiday accommodation.

1.1.2 This report has three key aims:

- to provide an initial appraisal of the ecological value of the site and local ecological resource and thereby identify ecological constraints relevant to the proposal;
- to identify further surveys that may be required; and
- to identify potential mitigation/ compensation measures where possible along with opportunities to deliver ecological enhancement.

The structure of this Preliminary Ecological Appraisal Report (PEAR) is based on the guidance provided in the Chartered Institute of Ecology and Environmental Management (CIEEM) documents CIEEM (2017a) and CIEEM (2017b).

### **1.2 Report Author**

1.2.1 This report was produced by Tom Knight of Marches Ecology. Tom Knight is an ecologist with over twenty years of consultancy experience and has undertaken Extended Phase 1 Habitat Surveys on a wide range of sites. His relevant academic qualifications and professional memberships are as follows:

- Chartered Environmentalist (Society for the Environment).
- Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM).
- PgDip Conservation Management.
- BSc (Hons) Environmental Studies.
- C&G Biological Surveying.

### **1.3 Site Description and Context**

1.3.1 The survey site is a single small relatively flat land parcel extending to approximately 160 m<sup>2</sup>. The site includes an existing detached double garage, part of the existing car park associated with the Hotel, a small area of ephemeral/ ruderal vegetation and boundary walls. It is located on the northern edge of the car park at the rear of the Buck House Hotel. It is situated on the northwest edge of the village of Bangor-on-Dee.

1.3.2 The survey site is bordered to the south by the car park and buildings along the High Street. To the east there is residential housing while to the north there is a single residential dwelling with a large associated garden. To the west there is a small area of amenity grassland, part of an agriculturally improved grassland field and the River Dee.

## 1.4 The Proposal

- 1.4.1 The proposal concerns the conversion of the existing garage into holiday accommodation. It includes a small extension to the existing building on the northern elevation. It would be divided into two units.
- 1.4.2 The proposed development is presented on two HDS Architectural Services plans as follows:
- 'Floor Plan and Elevations as Proposed', Dwg. no. BH/PD/02, dated November 2018.
  - 'Block Plan and Location Plan', Dwg. no. BH/PD/03, dated August 2018.
- 1.4.3 No further detailed information regarding the proposed development has been provided.

## 1.5 Planning Policy

### Introduction

- 1.5.1 This section provides a brief summary of key national and local planning policies. It is not a comprehensive review of all such planning policy, the intention being to identify those considered to be of most relevance to ecology and provide context for the proposal.

### Wales

#### *Planning Policy Wales*

- 1.5.2 Planning Policy Wales (PPW) sets out national land use planning policies. Chapter 6 is of particular relevance (though it is complementary to other themes within the document) and is entitled 'Distinctive and Natural Places'. With specific reference to development proposals the following key statement is made:

*'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'.*

Furthermore, it states that:

- *'It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals'.*
- *'The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement'.*

- *'Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission'.*

Use of the mitigation hierarchy is emphasised:

*'Planning authorities must follow a stepwise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible'.*

- 1.5.3 Areas that Chapter 6 covers include biodiversity and resilience of ecosystems duty, designated sites, maintain and enhancing biodiversity, protected species, specific habitats/ areas, sustainable drainage systems (SuDS) and de-risking development.

*Technical Advice Note 5*

- 1.5.4 PPW is supplemented by a series of Technical Advice Notes (TAN). TAN 5 covers 'Nature Conservation and Planning' (Welsh Government 2009). It provides advice to local planning authorities on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. It includes chapters covering the key principles of planning for nature conservation; the preparation and review of development plans; nature conservation in development control procedures; the conservation of internationally and nationally designated sites, habitats and local sites; and the conservation of protected and priority habitats and species.

- 1.5.5 In paragraph 2.4 it states that *'...when deciding planning applications that may affect nature conservation, local planning authorities should:*

- *pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective (PPW 2.2.1<sup>1</sup>);*
- *contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment (PPW 2.3.2);*
- *promote the conservation and enhancement of statutorily designated areas and undeveloped coast (PPW 2.3.2);*
- *ensure that appropriate weight is attached to designated sites of international, national and local importance (PPW 5.3.2);*
- *protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans (PPW 5.2);*
- *ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation (PPW paragraphs 5.5.1 and 5.5.2);*
- *ensure that the range and population of protected species is sustained (PPW 5.2.3, 5.5.11 and 5.5.12);*
- *adopt a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation; where there may be significant harmful effects local planning authorities will need to be satisfied that any reasonable*

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<sup>1</sup> References to the relevant part of PPW.

*alternative sites that would result in less or no harm have been fully considered (PPW 5.2.2, 5.2.7 and 5.5.2).*

### **Wrexham**

- 1.5.6 Local planning authorities will consider biodiversity/ nature conservation issues in accordance with adopted policies and plans. The following are considered of particular relevance to the proposal.

#### *Wrexham Unitary Development Plan*

- 1.5.7 The Wrexham Unitary Development Plan (UDP) was adopted in February 2005. It will be replaced (currently scheduled for adoption in 2018) by the Local Development Plan. The UDP '*...provides a framework for local decision making and the reconciliation of development and conservation interests...*'.

Relevant strategic and general development policies include:

- *Policy PS2. Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.*
- *Policy PS11. Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the land will be protected and enhanced.*
- *Policy GDP1f). Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.*
- *Policy GDP1h). Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.*

Section 5 of the UDP concerns 'Environment and Conservation'. The relevant policies listed are as follows:

- *Policy EC4. Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.*
- *Policy EC6. 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.*
- *Policy EC13. Development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.*

- *Policy EC14. Development which would have an unacceptable adverse impact upon the capacity, flow, quality or availability of controlled waters and associated land will not be permitted.*

#### *Local Planning Guidance*

- 1.5.8 Wrexham County Borough Council (WCBC) has produced a series of supplementary planning guidance documents which set out detailed advice on the way in which Development Plan policies will be applied. Supplementary planning guidance is a material consideration in the determination of planning applications for development. The following Local Planning Guidance (LPG) notes are of particular relevance:
- LPG 17 Trees and Development. Adopted September 2000, Updated December 2012. Provides further advice in relation to UDP policy EC4.
  - LPG 32 Biodiversity and Development. Adopted March 2011. Provides further advice in relation to UDP policies PS2, PS11, EC4 and EC6. Of particular importance it details the requirements for ecological survey and reporting.
- 1.5.9 The Wrexham Biodiversity Action Plan (WBAP) is listed as supplementary planning guidance on the WCBC website. This reference is out-of-date, the WBAP has been archived and is no longer available.

## **1.6 Legislation**

### **Introduction**

- 1.6.1 This sub-section provides a brief summary of key legislation relevant to ecology/ nature conservation and the proposal. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation but summarises the salient points. Further information on how this legislation affects the protection of particular species is provided in *Appendix 1*.

### ***The Conservation of Habitats and Species Regulations 2017 (The Regulations)***

- 1.6.2 Transposes the *EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora 1992* into UK law. The Regulations provide for the protection of sites in the UK that support habitats and species of European importance (e.g. Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)). The Regulations also provide full protection for certain species which are frequently referred to as European Protected Species (EPS). EPS of potential relevance to the site include bats and Great Crested Newt (*Triturus cristatus*).

### ***The Wildlife and Countryside Act 1981, as amended (WCA)***

- 1.6.3 The WCA strengthened protection for nature conservation sites of at least national importance and provides varying levels of protection for a number of species within the UK. This protection may include prohibition of some or all of: killing, injuring, disturbing, taking, sale/barter or possession of species and also protection of breeding/ sheltering places. The following species/ species groups that receive some level of protection under the WCA and are of potential relevance to the proposal include Badger (*Meles meles*), bats, Great Crested Newts and birds. The WCA also prohibits the spread of certain non-native invasive species.

***The Countryside and Rights of Way Act 2000 (The CRoW Act)***

- 1.6.4 The CRoW Act includes legislation in relation to the Biodiversity Action Plan; more stringent management, protection and consenting measures for SSSIs; greater penalties for wildlife crime; and greater protection for species listed in the WCA. Some of this legislation was superseded by the NERC Act.

***The Natural Environment and Rural Communities Act 2006 (The NERC Act)***

- 1.6.5 *Sections 40 to 42* of the NERC Act replace *Section 74* of the CRoW Act. *Section 40* of the NERC Act extends to all public authorities (including local planning authorities) the existing *Section 74* duty to have regard to biodiversity as far as is consistent with the proper exercise of their functions. In addition, *Sections 41* (England) and *42* (Wales) provide a list of species and habitats of principal importance for conservation of biological diversity. Government has a statutory duty to promote steps “to further the conservation” of habitats and species listed in *Sections 41* and *42*.

***Environment (Wales) Act 2016***

- 1.6.6 The Environment Act enhances and replaces the current NERC Act (*Section 40*) 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’. *Section 7* of the Environment Act provides a list of the living organisms and habitats of principal importance for the purpose of maintaining and enhancing biodiversity in Wales. This list replaces that previously provided in *Section 42* of the NERC Act.

***The Protection of Badgers Act 1992 (The Badgers Act)***

- 1.6.7 The Badgers Act provides for the protection of Badgers and their setts. This legal protection is provided for welfare rather than the conservation value of the species.

## 2 METHODOLOGY

### 2.1 Field Survey

#### Extended Phase 1 Habitat Survey

- 2.1.1 The Extended Phase 1 Habitat Survey was carried out on 4<sup>th</sup> February 2019 by Tom Knight of Marches Ecology. The Extended Phase 1 Habitat plan is provided as *Figure 1*. The survey focussed on land within the site boundary (henceforth referred to as the 'survey site', refer to *Figure 1*). Immediately adjacent habitat was considered where deemed appropriate and viewed from the survey site boundary where possible. The weather during the survey was 20% white cloud with spells of bright sunshine and a light breeze.
- 2.1.2 Phase 1 Habitat Survey involves identifying areas or features of particular interest either in terms of their botanical interest, and/or habitat potential for protected or other notable species that are likely to occur in the region and within the survey site. The Phase 1 Habitat Survey has been adapted in this instance as an 'extended' Phase 1 Habitat Survey, where more information has been obtained to inform site assessment. The methods used centre on the Phase 1 Habitat Survey approach (JNCC 2010) as extended for use in Environmental Impact Assessment (Institute of Environmental Assessment 1995). Extended Phase 1 Habitat Survey involves the following elements:
- Habitat mapping using a set of standard colour codes to indicate habitat types on a Phase 1 Habitat map.
  - Description of features of ecological or nature conservation interest in notes relating to numbered locations on the Phase 1 Habitat map, called target notes.
- 2.1.3 In addition to the habitat map and target notes, a plant species list was compiled (provided in *Table 1, Section 7*). Plant nomenclature in this report follows Stace (2010). February is outside the accepted survey period for Extended Phase 1 Habitat Surveys. Some flowering species would not be evident at this time. It is unrealistic to suppose that walk-through surveys can generate completely exhaustive species lists at any time of year. It is considered that the list in this report indicates the character of the vegetation and the ecological value of the area inspected.
- 2.1.4 Further information describing the assessment conducted during the Extended Phase 1 Habitat Survey for particular species is provided briefly below:
- Badger. Areas within the survey site that might be used by Badger for foraging and sett building were assessed. Incidental foraging signs, tree scratching, paths, latrines and setts were recorded if found (Harris *et al.*, 1989).
  - Bats. The potential value of the habitat for foraging/ commuting and roosting was assessed in accordance with *Table 4.1* provided in Collins (2016).
  - Great Crested Newts. The assessment of terrestrial habitat was based on information provided in Langton, *et al.* (2001) while the assessment of aquatic habitat was based on the Habitat Suitability Index (Oldham, *et al.* 2000).
  - Birds. The habitat within the survey site was assessed for its potential value for breeding birds based on guidance provided in e.g. JNCC (2004).

## **2.2 Survey Limitations**

### **2.2.1** The following may be considered survey limitations:

- The Extended Phase 1 Habitat Survey was undertaken outside the accepted optimal period for such surveys. Many plants may not be visible at this time of year.
- Access permission was not provided to private land beyond the survey site boundary for the Extended Phase 1 Habitat Survey.
- While access was provided inside the garage a detailed inspection of all parts of the interior was prevented due to a number of stored items.
- Dense Ivy obscured the view of some features within the survey site.

## **2.3 Evaluation**

**2.3.1** The ecological importance (value) of habitats and/or species is often assessed according to a number of widely used criteria of which perhaps the most frequently used are naturalness, extent, rarity, and diversity. For the purpose of this report the ecological importance of the habitat and species present on the site has been determined using the approach detailed in CIEEM (2018). Geographical context is used as a frame of reference for identifying the importance of ecological features. The frame of reference has the following categories: International/ European - National - Regional - Metropolitan/County/Vice-county/ other local-authority wide area - Local. Within this report Local is defined as relating to district or parish; less than local refers to features of value at a Site level

**2.3.2** Broadly speaking habitat importance should be determined by identifying designated sites, 'priority habitats' (as defined in CIEEM, 2017a) or by using published, ideally local, site selection criteria. The ecological importance of a species considers its distribution and legal or conservation status, the latter is mostly due to inherent rarity. 'Priority species' are also defined in CIEEM (2017a) and include legally protected species as well as those identified on various conservation lists.

### 3 BASELINE ECOLOGICAL CONDITIONS

#### 3.1 Habitats and Flora

##### *Introduction*

- 3.1.1 The Extended Phase 1 Habitat map is provided as *Figure 1*. The Target Notes (numbered 1 to 5) are provided in *Section 5* and shown on *Figure 1*.

##### *Ephemeral and Tall Ruderal Vegetation*

- 3.1.2 There is an enclosed yard area at the rear (northern side) of the garage which is characterised by various stored items and accumulated leaf litter/ organic matter (*Target Note 1*). This yard extends around the eastern and western sides of the garage. There is currently no pedestrian access to this area as it is enclosed on two sides by walls, and on the remaining side by the garage and a timber fence. This area supports a range of scattered short and tall ruderals. *Hedera helix* agg. (Ivy) is locally abundant around the edge.



**The rear yard at *Target Note 1*.**

##### *The Garage*

- 3.1.3 The garage is a single storey block-built structure with rendered elevations and a pitched, tiled roof (*Target Note 4*). It is used to store various items (not cars). It has a suspended ceiling which appears to be of mdf board sheets. There is a loft access though it was not possible to access this due to the stored items. One sheet of the suspended ceiling is coming down which provided a limited view of the roof 'void'.



**Internal view of garage (Target Note 4)**

- 3.1.4 The external elevations are denoted A to D on *Figure 1*. There are no external lights on Sides A, B and C.
- 3.1.5 Side A (east): The render is generally sound. There are no gaps at the top of the wall and there are no holes in the barge boards. The roof appears to be in a good condition. Mortar seals the edge of the tiles and the end of the ridge-tiles.



**Side A, Target Note 4.**

- 3.1.6 Side B (north): The render is generally sound. There are no gaps at the top of the wall and there are no holes in the soffit box. The roof consists of close-fitting concrete tiles which appear to be relatively new. There are no missing, cracked or lifting tiles. The ridge tiles and associated mortar are sound.



**View of underside of soffit box on Side B. It is well sealed.**



**View of Side B. The roof tiles are in good condition.**

- 3.1.7 Side C (west): Side C is in similar condition to Side A with one exception; at the southwest corner the downpipe is missing which may have caused the adjacent barge board to rot. There is an approximate 3 cm by 10 cm hole in the barge board which provides a potential access point beneath the tiles into the soffit box, or under the roofing felt (bitumen type). There is a pedestrian door near the southwest corner with a light above it. This door is sealed with a metal security door. There are no gaps around this door.



**Hole in barge board, corner of Side C and Side D.**

- 3.1.8 Side D (south): The render is generally sound. There are no gaps at the top of the wall and there are no holes in the soffit box. This elevation includes two timber garage doors. There are no gaps around these doors except at the base where they have rotted and there is a 5-7 cm gap. There is a large floodlight mounted between these garage doors. The roof on this side is also sound.



**View of Side D with Side C on the left of the view. The hole in the barge board is at the corner of Side C and Side D.**

*Other Habitat*

- 3.1.9 To the front (south) of the garage there is an area of hard-standing which forms part of the existing pub car park.
- 3.1.10 The survey site is bounded on two sides (eastern and western) by walls (*Target Notes 2 and 3*) which meet at an apex to the north of the rear yard.
- 3.1.11 The wall at *Target Note 2* extends to approximately 1.1 m to 1.5 m high. It is rendered and painted on the survey site side. Dense Ivy grows along the top of the wall.



**Part of the wall at *Target Note 2*.**

- 3.1.12 The wall at *Target Note 3* is constructed of brick and extends to approximately 2.2 m to 2.5 m high. Dense Ivy grows along the top of the wall and hangs down the sides.



**Part of the wall at *Target Note 3*.**

- 3.1.13 There are a small number of young trees/ saplings within the survey site but no large trees. The survey site is overhung by a few young and semi-mature trees on the opposite side of the boundary walls. It was not possible to view these trees in detail.
- 3.1.14 There is a semi- mature *Acer pseudoplatanus* (Sycamore) tree located immediately outside the survey site at *Target Note 5*. It has an approximate diameter at breast height (dbh) of 0.5 m. The trunk is covered in dense Ivy which extends well into the canopy. An old bird nest was noted in the Ivy on the main trunk.



**The Sycamore tree at *Target Note 5*.**

## **3.2 Species/ Species Groups**

### **Badger**

- 3.2.1 No setts were recorded within the survey site and there are no opportunities for sett excavation within the survey site.
- 3.2.2 No confirmed evidence of Badger activity was recorded within the survey site. The survey site does not provide any potential foraging habitat. This species will not be considered further in this report.

### **Bats**

- 3.2.3 The garage (*Target Note 4*) is described above. There is one potential access point into the building for bats: the hole in the barge board on Side C. This hole is located at the corner of Side C and Side D. There is a floodlight mounted on Side D and two further floodlights mounted on poles in the adjacent Hotel car park along with several other lights. There is also a pedestrian light above the door in Side C. This area is likely to be well illuminated

during the hours of operation of the Hotel and also busy due to the presence of cars and people. While this hole does provide a potential access point this building is considered to be of negligible<sup>2</sup> potential value for roosting bats.

- 3.2.4 The wall at *Target Note 3* contains some small gaps in the mortar work but they generally appear to be not very deep. Both walls within the survey site (*Target Notes 2 and 3*) support extensive dense Ivy. This could obscure features of potential value for roosting bats as well as providing some opportunities for individual roosting bats. These walls are of negligible/ low potential value for roosting bats.
- 3.2.5 There are no trees within the survey site that contain any features of potential value for roosting bats. The semi- mature Sycamore tree at *Target Note 5* is located outside the survey site but does overhang it. It was not possible to view most of the trunk or limbs for features of potential value to roosting bats. This tree is of at least low potential value for roosting bats.
- 3.2.6 The habitat that characterises the survey site (particularly as it is likely to be well illuminated) is of negligible potential value for foraging/ commuting bats. To the north of the survey site there is a large garden associated with a private residential property. To the west there is an area of amenity grassland bordered by scattered shrubs and trees. Further to the west there is a farm field and the River Dee. These adjacent areas of habitat are likely to be of at least moderate potential value for foraging/ commuting bats.

#### **Great Crested Newts**

- 3.2.7 There is no aquatic habitat within the survey site.
- 3.2.8 An initial review of the OS map 1:25, 000 scale and relevant internet-based mapping including aerial photography<sup>3</sup> indicates that there are no waterbodies within approximately 500 m of the survey site (excluding ditches/ watercourses). No detailed pond scoping exercise has been undertaken.
- 3.2.9 The survey site is largely characterised by a building and areas of hard-standing. This terrestrial habitat is of negligible potential value for Great Crested Newts. It is also enclosed on three sides by boundary walls. On the fourth side it forms part of an existing car park. These features will form something of a barrier to the movement of amphibians. This species will not be considered further in this report.

#### **Birds**

- 3.2.10 Thirteen species of bird were recorded during the Extended Phase 1 Habitat Survey either within the survey site or flying over it. The Dunnock (*Prunella modularis*) and Starling (*Sturnus vulgaris*) are priority species<sup>4</sup>. The Dunnock could nest within the Ivy on the walls at *Target Notes 2 and 3*. The Starling could potentially nest in the garage via the hole in the barge board on Side C. The survey site generally provides few nesting opportunities for birds other than the Ivy on the walls and the hole into the garage.

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<sup>2</sup> In accordance with Collins (2016).

<sup>3</sup> <https://www.google.co.uk/maps/place/Bangor-on-Dee,+Wrexham/@53.0031125,-2.9115948,172m/data=!3m1!1e3!4m5!3m4!1s0x487abf6e7b8956af:0x265eb02269989320!8m2!3d53.004035!4d-2.909421>

<sup>4</sup> As defined in CIEEM (2017a).

## 4 EVALUATION, ASSESSMENT AND RECOMMENDATIONS

### 4.1 Introduction

4.1.1 Brief details regarding the proposal are provided in *Section 1.4*. An assessment of ecological issues based on the information provided is detailed below and considers:

- potential ecological constraints relevant to the proposal;
- further survey requirements; and
- potential mitigation/ compensation measures along with opportunities for ecological enhancement.

These are dealt with in turn for habitats and flora, and specific species groups in the section below. Potential impacts have been considered with reference to the plans/ information provided only.

### 4.2 Evaluation, Assessment and Recommendations

#### Habitat

4.2.1 The survey site includes the following habitat resources:

- Ephemeral/ tall ruderal vegetation;
- Bare ground/ hard-standing;
- A building; and
- Walls with dense Ivy.

4.2.2 Due to the size, quality and geographical location of the habitat resources listed above they are considered to be of no more than site value<sup>5</sup>. No further survey of the habitat within the survey site is deemed necessary and no mitigation measures are proposed.

4.2.3 General best practice measures should be implemented during the construction phase to avoid any indirect impacts (e.g. dust, diffuse and water-borne pollution, etc) on adjacent habitat.

#### Flora

4.2.4 No species of plant listed in categories (above Least Concern) in the most recent Vascular Plant Red Data List for Wales (Dines 2008) or in Williams (2014) were recorded from the survey site. No plants listed in *Schedule 9 to the Wildlife and Countryside Act 1981* (as amended) were recorded. No further survey of the flora within the site and no specific mitigation measures are currently considered necessary.

#### Fauna

##### Bats

##### The Garage

4.2.5 The existing garage contains a single potential access point that could be used by bats. However, this building has been assessed as being of negligible value due to the high levels of illumination at this location, regular pedestrian access into the garage, the noise/ activity that is likely to be associated with the operation of the Hotel and its car park, and as the immediately surrounding habitat (within the survey site) is of negligible potential value for

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<sup>5</sup> In accordance with CIEEM (2016).

foraging/ commuting bats. It is also likely that the walls are single skin and therefore there would be no cavity. No further survey for bats at the garage is considered necessary.

- 4.2.6 It is currently not known what work will be required to convert the garage to holiday accommodation although it is assumed that there will be extensive work to the northern half of the roof to build the extension, the suspended ceiling would be removed and replaced with a different ceiling, and the barge board containing the rot-hole would be replaced. As such a precautionary approach implementing Reasonable Avoidance Measures (RAMs) is recommended.
- 4.2.7 The area of roof close to the hole in the barge board in Side C will be investigated by a suitably experienced and licensed bat ecologist (using an endoscope) prior to any work being undertaken on the garage. This investigation should be completed outside the bat hibernation period and the bird nesting season, so September/ October. If it cannot be completed in this period then it should be undertaken during the end of March/ early April but would need to be preceded by a check for nesting birds.
- 4.2.8 The investigation is likely to include the temporary stripping of tiles to investigate the void between the tiles and roofing felt, as well as the roof void above the suspended ceiling. If it can be confirmed that bat(s)/ evidence of use is absent, then these tiles can be immediately replaced (assuming that the existing roof is to be retained). On completion of this RAMs approach and confirmation that no bats are present the hole in the barge board should be sealed to prevent any subsequent access. Work on the conversion can then proceed as planned. The RAMs will be undertaken in a controlled and careful manner under the instruction of the bat ecologist.
- 4.2.9 If bat(s)/ and/ or evidence of bat(s) are/ is found during implementation of the RAMS or at any other time during the conversion works, then as a legal requirement all work at the site should immediately cease. The area/s should be made good to its/ their original condition and the bat/s if present left in situ. A suitably qualified bat ecologist should then be contacted for further advice.
- 4.2.10 It should be noted that where bat/ s or their roost/ place of rest/ shelter will be affected by the proposed works, then to allow work at the site to legally continue, it will be necessary to obtain a 'development' licence from Natural Resources Wales. As part of the licence procedure additional information would be required to establish species and status of the roost by undertaking dusk or/ and dawn surveys during the breeding season of bats i.e. May - August. Notwithstanding the granting of a licence, works that would affect a roost cannot take place if a maternity colony is in occupation.

#### Lighting

- 4.2.11 No information is currently available on external lighting with regards the proposal. The potential impact of lighting (both during construction and operation) on bats that may use the survey site/ adjacent habitat should be considered. Any external lighting at the proposed development site will follow guidance provided by The Bat Conservation Trust and Institution of Lighting Professionals (2018).

Measures to avoid/ minimise light spillage will include:

- 'Warm white' LED lamps should be used;
- All luminaires should lack UV elements when manufactured and have an upward light ratio of 0%;

- All luminaires used will be fully directional (e.g. LED) and will point straight down to where the light is required. They will be mounted on the horizontal, i.e. no upward tilt. Lighting that reduces vertical and horizontal light spillage will be used;
- The number of poles/ bollards/ lamps installed will be kept to a minimum and will be as low (in height) as possible;
- Low wattage lamps (<70W) will be used;
- All external lighting will only be turned on when the area is in use wherever possible (and should be fitted with motion detectors, automatic timers and/ or dimmers); and
- Cows/ hoods/ baffles or similar will be used where the light spillage is likely to cause an unacceptable light level increase in adjacent retained habitat.

#### Roofing Felt

- 4.2.12 Modern breathable roofing membranes have been responsible for the entanglement and subsequent death of bats though the potential impacts of this are still being investigated at the present time. The use of such materials should be avoided. The garage roof is currently lined with bituminous roofing felt and this should be retained.

#### Timber Treatment Chemicals

- 4.2.13 Chemicals used for timber treatment and insecticide pest control in roofs can be toxic to bats that roost within that roof. However, there are timber treatment/ pest control products available that are suitable for use in bat roosts<sup>6</sup>.
- 4.2.14 Any new roofing timbers which bats might access must be non-treated or otherwise treated in accordance with the advice provided in the Natural England Technical Information Note TIN092 (Natural England 2013a) and Technical Information Note TIN146 (Natural England 2013b). Retained existing timbers should also only be treated, if required, in accordance with TIN092/ TIN146.

#### The Boundary Walls

- 4.2.15 The wall at *Target Note 3* does contain some small gaps in the mortar-work that could be used by individual roosting bats and is considered to be of negligible/ low potential. It is not known whether any work would be undertaken on this wall such as re-pointing but should this be the case then such features as may be used by bats should be investigated by a suitably experienced and licensed bat ecologist before any such work commences.
- 4.2.16 The Ivy on both walls at *Target Notes 2 and 3* does provide some opportunities for roosting bats. It is not known whether any work will be undertaken on this Ivy but it is assumed that it will be cut back to some extent. This work should be undertaken when bats are unlikely to be present (November to February inclusive). This cutting back should be limited to the free-hanging branches only. If the intention is to entirely clear the Ivy from these walls then it will be necessary for it to be investigated by a suitably experienced and licensed bat ecologist before any such work commences.

#### Overhanging Trees

- 4.2.17 The Sycamore tree at *Target Note 5* is of at least low potential value for roosting bats. It is not known whether any work would be undertaken on trees overhanging the site but it is likely that some pruning would be required. Should this be the case then such features as

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<sup>6</sup> <https://www.gov.uk/guidance/bat-roosts-use-of-chemical-pest-control-products-and-timber-treatments-in-or-near-them>

may be used by bats should be investigated by a suitably experienced and licensed bat ecologist before any such work commences.

#### *Birds*

- 4.2.18 The breeding bird assemblage supported by the survey site is likely to be of no more than site value. The proposal is likely to require the cutting back of the Ivy along the walls at *Target Notes* 2 and 3, as well as the overhanging branches of trees including that at *Target Note* 5. This would result in the loss of a small number of features of potential value for nesting birds. Any opportunities associated with the building are also likely to be lost. Based on the scale of the proposal it is considered unlikely that the proposal would give rise to a significant impact on local bird populations.
- 4.2.19 No further survey for birds is deemed necessary (other than a pre-work check should work be undertaken during the nesting season as detailed below).
- 4.2.20 The destruction of any bird nests that are in use is illegal. The simplest option to avoid issues arising from the presence of nesting birds is to schedule work that affects nesting habitat (e.g. cutting back of the Ivy and overhanging branches, work on the garage roof/ barge boards) outside the nesting period (March to August inclusive).
- 4.2.21 If it is not possible to clear vegetation/ prune trees/ work on the garage roof and barge boards outside the nesting season all such areas should be checked by a suitably qualified ecologist prior to commencement of works. If any active nests are found at this time a buffer zone (determined on the basis of the species concerned and the location of the nest in the context of the surrounding vegetation, but no less than 5 m) would be retained until it can be ascertained that the chicks have left the nest. The buffer zone will be appropriately fenced and signed.
- 4.2.22 Should any occupied nests be found during the construction phase when the ecologist is not present, a buffer zone as detailed above would be provided.
- 4.2.23 The proposal presents an opportunity to enhance the site for a priority species; the Starling. Three 3SV Schwegler nest-boxes<sup>7</sup> with 45 mm entrance holes (for Starlings) should be installed on trees in the grounds of the Hotel, away from the proposed holiday accommodation and the car park. These nest-boxes should be installed at over 3 m height, and ideally at least 5 m. These nest-boxes should be out of direct sunlight, preferably east-facing and at least 1.5 m apart. A suitably qualified ecologist can provide advice on installation.

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<sup>7</sup> <https://www.nhbs.com/3sv-schwegler-nest-box-with-predator-protection>

## 5 TARGET NOTES

*Target Note 1.* Enclosed yard area at rear of garage with various stored items. This area supports a range of scattered short and tall ruderals. *Hedera helix* agg. (Ivy) is locally abundant around the edge.

*Target Note 2.* A boundary wall to approximately 1.1 m to 1.5 m high. It is rendered and painted on the survey site side. Dense *Hedera helix* agg. (Ivy) grows along the top of the wall.

*Target Note 3.* A brick boundary wall to approximately 2.2 m to 2.5 m high. Dense *Hedera helix* agg. (Ivy) grows along the top of the wall and hangs down the sides. Some small gaps were noted in the mortar work but they are generally not very deep.

*Target Note 4.* The garage is a single storey block-built structure with rendered elevations and a pitched, tiled roof. There are no lights on Sides A, B and C.

The garage is used to store various items (not cars). It has a suspended ceiling which appears to be of mdf board sheets. There is a loft access though it was not possible to access this due to the stored items. One sheet of the suspended ceiling is coming down which provided a limited view of the roof 'void'.

Side A (see *Figure 1*): The render is generally sound. There are no gaps at the top of the wall and there are no holes in the barge boards. The roof appears to be in a good condition. Mortar seals the edge of the tiles and the end of the ridge-tiles.

Side B: The render is generally sound. There are no gaps at the top of the wall and there are no holes in the soffit box. The roof consists of close-fitting concrete tiles which appear to be relatively new. There are no missing, cracked or lifting tiles. The ridge tiles and associated mortar are sound.

Side C: As Side A except at the southwest corner the downpipe is missing which may have caused the barge board to rot at this location. There is an approximate 3 cm by 10 cm hole in the barge board which provides a potential access point beneath the tiles into the soffit box, or under the roofing felt (bitumen type). There is a pedestrian door near the southwest corner with a light above it. This door is sealed with a metal security door. There are no gaps around this door.

Side D: The render is generally sound. There are no gaps at the top of the wall and there are no holes in the soffit box. This elevation includes two timber garage doors. There are no gaps around these doors except at the base where they have rotted and there is a 5-7 cm gap. There is a large floodlight mounted between these garage doors. There are two further floodlights mounted on poles in the adjacent pub car park along with several other lights. The roof on this side is also sound.

*Target Note 5.* A semi-mature *Acer pseudoplatanus* (Sycamore) tree located immediately outside the survey site. It has an approximate diameter at breast height (dbh) of 0.5 m. The trunk is covered in dense *Hedera helix* agg. (Ivy) which extends well into the canopy. It was not possible to view most of the trunk or limbs for features of potential value to roosting bats. An old bird nest was noted in the Ivy on the main trunk. This tree is of at least limited potential value for roosting bats.

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**7 DATA***Table 1 – Vascular plant species recorded within the survey site*

| Plant Species                                       |                                                            |
|-----------------------------------------------------|------------------------------------------------------------|
|                                                     | <i>Galium aparine</i> (Cleavers)                           |
| <i>Acer pseudoplatanus</i> (Sycamore)               | <i>Geranium robertianum</i> (Herb-robert)                  |
| <i>Ilex aquifolium</i> (Holly)                      | <i>Geum urbanum</i> (Wood Avens)                           |
| <i>Prunus laurocerasus</i> (Cherry-laurel)          | <i>Hedera helix</i> agg. (Ivy)                             |
|                                                     | <i>Lapsana communis</i> (Nipplewort)                       |
| <i>Aegopodium podagraria</i> (Ground-elder)         | <i>Myosotis arvensis</i> (Field Forget-me-not)             |
| <i>Arum maculatum</i> (Lords-and-ladies)            | <i>Poa annua</i> (Annual Meadow-grass)                     |
| <i>Cardamine hirsuta</i> (Hairy Bitter-cress)       | <i>Ranunculus repens</i> (Creeping Buttercup)              |
| <i>Cirsium arvense</i> (Creeping Thistle)           | <i>Rubus fruticosus</i> agg. (Bramble)                     |
| <i>Cyclamen coum</i> (Eastern Sowbread)             | <i>Senecio vulgaris</i> (Groundsel)                        |
| <i>Cyclamen hederifolium</i> (Sowbread)             | <i>Sonchus oleraceus</i> (Smooth Sow-thistle)              |
| <i>Epilobium montanum</i> (Broad-leaved Willowherb) | <i>Taraxacum</i> sect. <i>Ruderalia</i> (Common Dandelion) |
| <i>Erophila verna</i> (Common Whitlowgrass)         | <i>Veronica hederifolia</i> (Ivy-leaved Speedwell)         |
| <i>Euphorbia peplus</i> (Petty Spurge)              |                                                            |

## **8 APPENDIX 1 - SPECIES-SPECIFIC LEGISLATION**

### **8.1 Introduction**

8.1.1 The species-specific legislation below is presented here due either to the actual or suspected/ possible presence of each species on the site or within the zone of influence and is therefore considered to be relevant for this study.

8.1.2 This sub-section provides a brief summary of key relevant species legislation. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation, but summarises the salient points.

### **8.2 Badger**

8.2.1 The Badger is protected in Britain under the *Protection of Badgers Act 1992* and *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended). The legislation affords protection to Badger and Badger setts, and makes it a criminal offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so;
- interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a Badger sett; or
- to disturb a Badger when it is occupying a sett.

### **8.3 Bats**

8.3.1 All species of British bat are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. They are also listed as European Protected Species on *Schedule 2* of *The Conservation of Habitats and Species Regulations 2017* which gives them full protection under *Regulation 42(1)*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the *CRoW Act 2000*).

8.3.2 Under the above legislation it is an offence to intentionally or recklessly:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

8.3.3 Several species of bat are included on *Section 7* of the *Environment Act 2016*.

8.3.4 All species of British bat are also protected under *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended). This protection relates specifically to trapping and direct pursuit of the species.

### **8.4 Great Crested Newt**

8.4.1 Great Crested Newts are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. The 1981 Act was amended by the *CRoW Act 2000* which further extends the protection. It is also listed on *Annexes II and IV* of the European Union Directive on Natural Habitats and Wild Fauna and Flora (*Council*

*Directive 92/43/EEC*), which is implemented in the UK by *The Conservation of Habitats and Species Regulations 2017*. It is included on *Schedule 2* of the *Habitats Regulations* which gives it full protection under *Regulation 42(1)*. The Great Crested Newt is therefore a so-called European Protected Species. The legislation applies to all life stages of the Great Crested Newt, including eggs, larvae, juveniles and adults.

8.4.2 Under the above legislation it is an offence to intentionally or recklessly:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

8.4.3 The Great Crested Newt is included on *Section 7* of the *Environment Act 2016*.

## **8.5 Birds**

8.5.1 All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the *CRoW Act 2000*.

8.5.2 The legislation makes it an offence to intentionally or recklessly:

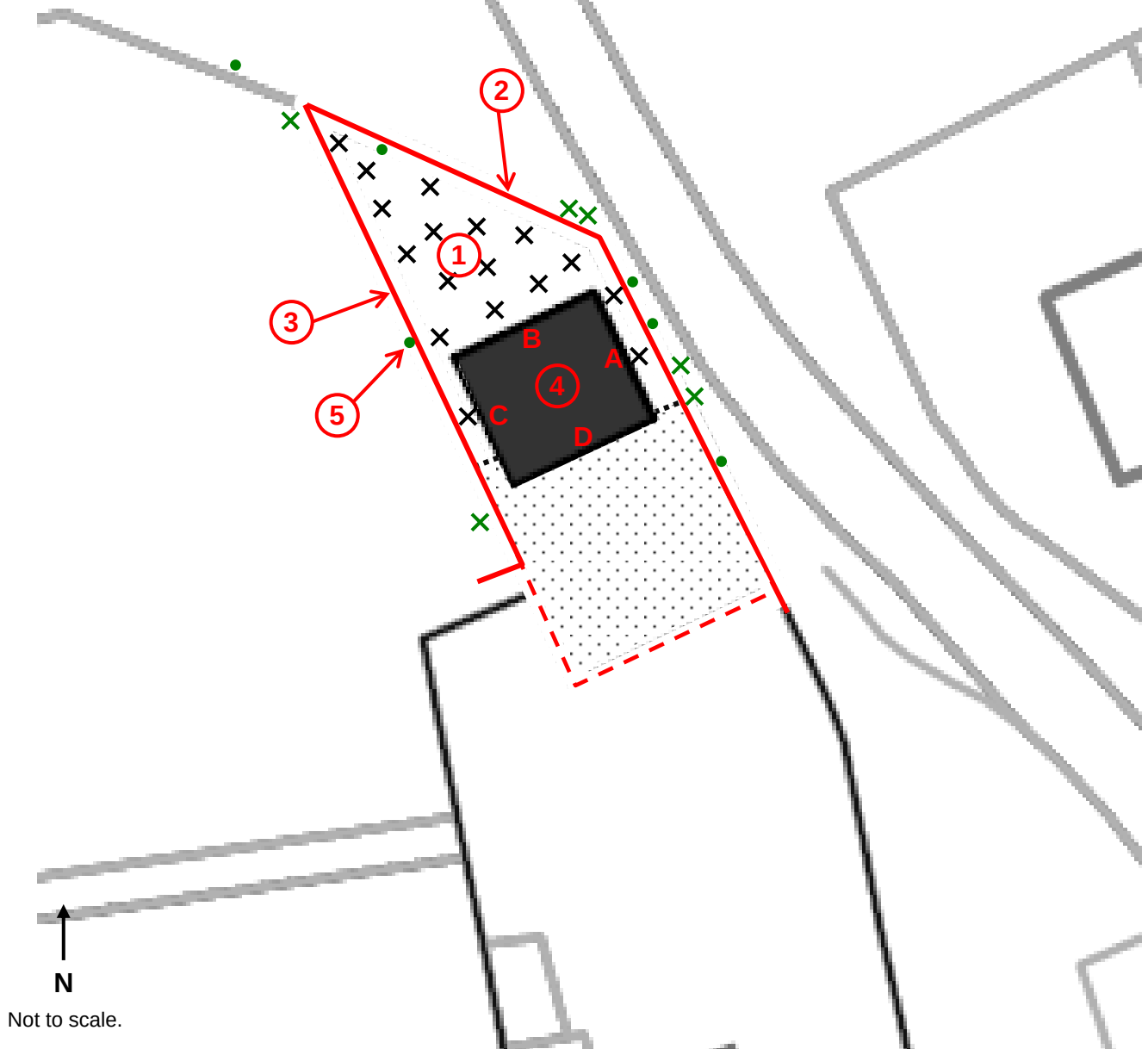
- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

8.5.3 Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The legislation confers special penalties where the above mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.

8.5.4 *Section 7* of the *Environment Act 2016* includes several birds.

# SCHOOL Mews



Base mapping provided by an HDS Architectural Services plan, drawing no. PH/BD/03, dated August 2018.

## marches ecology

**C388 Proposed Development on  
land at the Buck House Hotel, High  
Street, Bangor-on-Dee, Wrexham –  
Preliminary Ecological Appraisal**

**Figure 1 – Extended Phase 1 Habitat  
Survey**

Drawn by: ME  
Checked by: TK  
Date: 05.02.19

### Key

- Individual broad-leaved tree
- ✕ Scattered scrub
- ✕ Ephemeral/ short perennial
- ⋯ Hard-standing
- Building
- Wall
- ⋯ Fence

- ① Target Note
- - - Approximate survey site  
boundary (otherwise formed  
by the wall)