

Protected Species Survey at

Tintern, Pistyll Hill,

Marford, Wrexham.

LL12 8LE

GR SJ 36198 55359

On 15th April 2018

V2 24.6.18

Survey by:

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for Worsfold and Bowen
of Springfields, Station Road,
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Summary

A protected species survey at Tintern, Pistyll Hill, Marford, Wrexham LL12 8LE was carried out on 15th April 2018 by Susan Worsfold for Worsfold and Bowen of Springfields, Station Road, Llanymynech, Shropshire SY22 6ED.

The areas investigated are shown in Annexes 1-2.

Evidence of protected species, specifically bats and birds, was searched for at the request of Blueprint Architectural Services, Office 3K4, Redwither Business Tower, Wrexham LL13 9XT in relation to proposed demolition of the house and proposed construction of two dwellings. Details of the survey methods and findings are included. The findings are supported by photographic evidence.

Birds

The impact on birds should be minimal as long as no birds are nesting at the time of the work. See pages 5 and 17.

Bats

The house and garage have moderate potential for use by bats. Therefore, in accordance with *Bat surveys for professional ecologists: Good Practice Guidelines (3rd Edn)* (Collins 2016) between two and three activity surveys should be carried out between the beginning of May and the end of August to establish whether the buildings are being used by bats.

Other protected species

There was no evidence of any other protected species on the site or within 30 m of the site.

Personnel

Susan Worsfold (SW) BSc Hons Grad CIEEM

Licensed bat worker and VBRV, registration numbers 72725:OTH:CSAB:2016 (NRW) and CLS0895 2015-12555-CLS-CLS (CL15 Bat Roost Visitor Level 1) and CLS 0895 2015-12556-CLS-CLS (CL18 Bat Survey Level 2) (NE);

Licensed great crested newt worker, registration number 72936-OTH-SA:2016 (NRW) and 2015-8194-CLS-CLS (NE)

Scope

A protected species survey at Tintern, Pistyll Hill, Marford, Wrexham LL12 8LE was carried out on 15th April 2018 by Susan Worsfold for Worsfold and Bowen of Springfields, Station Road, Llanymynech, Shropshire SY22 6ED at the request of Blueprint Architectural Services, Office 3K4, Redwither Business Tower, Wrexham LL13 9XT in relation to demolition of the house and proposed construction of two dwellings. Evidence of the presence of protected species was sought as defined in:

The Conservation of Habitats and Species Regulations 2017 and listed in:

Schedule 2. European protected species of animals

Schedule 5. European protected species of plants

The protection of Badgers Act 1992

Protected species which might be associated with such a site include bats, owls and other breeding birds. The area around the site might be used by badgers, dormice, amphibians and reptiles, and might contain protected plant species.

Procedures and equipment

The house and adjoined garage were examined to establish the presence of or evidence of use by protected species of animals. A visual inspection was carried out to assess the potential or actual use by bats, of the interior and exterior. The building was searched systematically for any signs of bats, including droppings, rub marks and urine stains at entrances to roosts and insect remains, such as moth or butterfly wings. Crevices were checked where possible.

Powerful lamps (LED Lenser P14) were used for examination of interiors and under eaves. Binoculars were used to examine parts which were not otherwise accessible. Photographs were taken of all areas and those of relevance are shown in Annex 4.

Annexes:

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Environment

Elevation	55 m
Nearest town & distance	Wrexham, 3 km south west
Situation	Suburban
Nearby woodland	Large areas of mixed woodland within 500 m
Nearby ponds	Nearest apparent pond 450 m north east
Rivers etc	River Alyn 1.2 km north west
Hedges	Domestic and agricultural, some trees
Nearest designated site	Marfod Quarry SSSI (Wales) 400 m north west

Findings

Description of the house and signs of use or potential for use by protected species

The house is of two storeys, with a loft. It is currently in use as a dwelling. The walls are of brick, probably with a cavity. Windows were glazed and intact. Doors and frames appear to be of PVC apart from the garage door and frame which seem to be metal and wood. Doors are intact. The roofs are of tile, pitched, with a wooden frame and bitumastic hessian lining. There was also a dormer with windows. There were no loose or missing tiles or ridge tiles. There were wooden verge boards at the gable ends and fascias and soffits at the eaves.

No evidence of use by bats or birds was found internally or externally. There was considered to be moderate potential for use by bats. There was some small damage to a corner of the garage soffit and potential gaps at the eaves and gable ends.

No evidence of use by bats or birds was seen.

Conclusions and Impact Assessment

Birds

1. The impacts which the proposed development might have on birds should be minimal, providing that no nests are occupied or being built at the time the work is done.
2. In the interest of biodiversity enhancement it is recommended that one woodcrete nests suitable for small birds such as robin, blackbird, tit species and sparrow should be incorporated into each new building, and one woodcrete nests suitable for swallows.

House Sparrow Terrace - Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs. To be placed under the eaves of buildings or incorporated into walls. Entrance holes: 32mm diameter. Dimensions: H310 x W370 x D185mm. Also suitable for tits, redstarts and spotted flycatchers. Place at least 2 m from the ground.

Swallow nest - H110mm x W250mm x D140mm. The nest should be placed inside an enclosed outbuilding or shed, porch or garage leaving a distance of at least 6cm between the top of the nest and the ceiling. There must be access for the birds through an open window or sky-light. A car port or refuse bin shelter, or an outbuilding with a permanently open window or half door, or simply a space over the door, would suffice. Under the eaves of the buildings would be acceptable but less suitable.

Other designs of nest boxes may also be suitable.

3. If birds should gain access to the buildings and begin building nests before or during the work, then the work in that area will have to stop until the young have left the nests.

Bats

4. The house and garage have moderate potential for use by bats. Therefore, in accordance with *Bat surveys for professional ecologists: Good Practice Guidelines (3rd Edn)* (Collins 2016) between two and three activity surveys should be carried out between the beginning of May and the end of August to establish whether the buildings are being used by bats.

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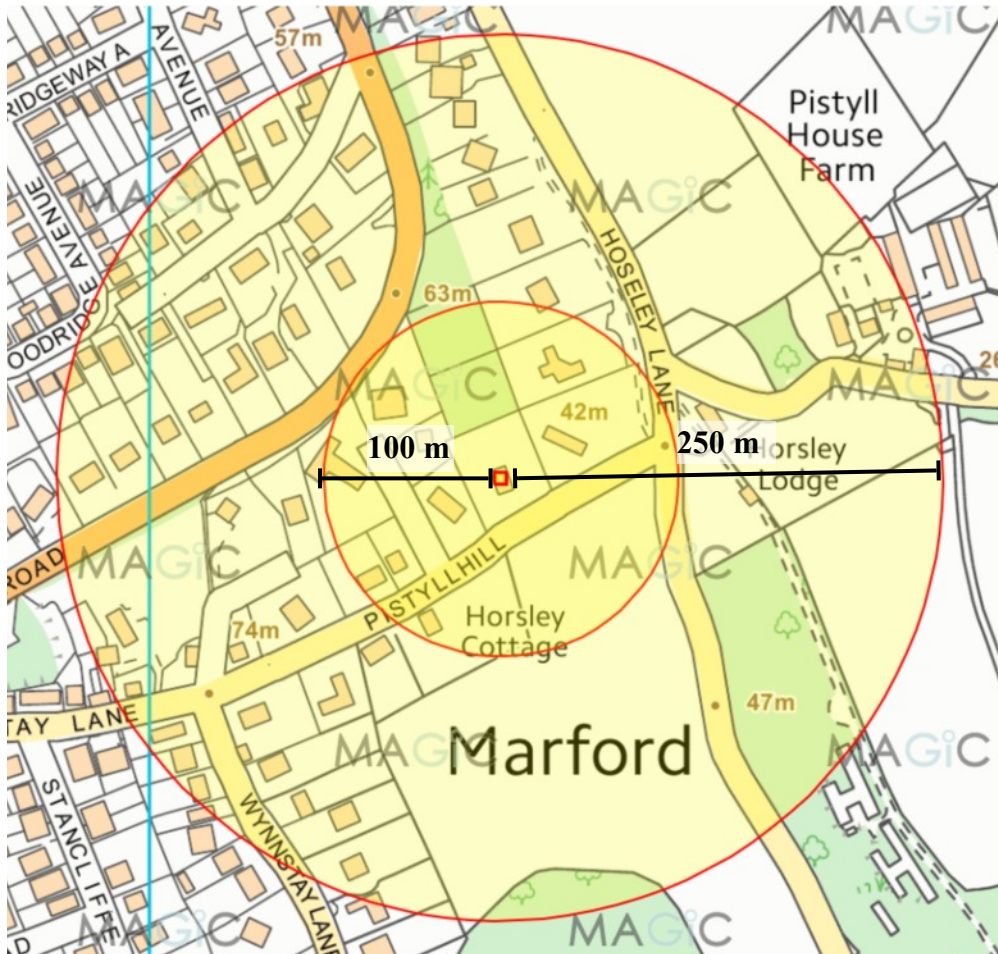
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Natural Resources Wales available at: <https://naturalresources.wales/?lang=en>

Annex 1.1: Location Map



Annex 1.2: Location Map



Annex 2: Aerial Photograph



Annex 3: Proposed Site Plan



Cross Section Z-Z 1:100



Site Plan 1:250



Location Plan 1:1250



Proposed	Existing
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Project	
Proposed Development at Tintern, Pistyll Hill, Marford, Wrexham, LL12 8LE	
Title	Scale (A1)
Proposed Development Plan & Cross Section	1:100, 1:250 & 1:1250
Drawn By	Date
S M Eithan	Mar 2018
Drawing No	Sheet
H105/003	1 of 1
blueprint architectural services	
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Annex 4.1: Photographs of the Site and House Exterior

View from the north west



View from the north east



View from the south west



View from the south east



Annex 4.2: Photographs of the Loft



Annex 5: Bats and the Law

Taken together, the Wildlife and Countryside Act 1981 (WCA) (as amended), the Countryside and Rights of Way Act 2000 (CRoW), and the The Conservation of Habitats and Species Regulations 2017 make it illegal to:

- intentionally or deliberately kill, injure or capture (or take) bats;
- deliberately disturb bats (whether in a roost or not);
- recklessly disturb roosting bats or obstruct access to their roosts
- damage or destroy bat roosts;
- possess or transport a bat or any part of a bat, unless acquired legally;
- sell (or offer for sale) or exchange bats, or parts of bats.

The word 'roost' is not used in the legislation, but is used here for simplicity.

The actual wording in the legislation is 'any structure or place which any wild animal ...uses for shelter or protection' (WCA) or 'breeding site or resting place' (Conservation of Habitats & Species Regulations).

Because bats tend to re-use the same roosts after periods of vacancy, legal opinion is that the roost is protected whether or not the bats are present at the time.

Enforcement

The police are the main enforcement body for wildlife offences, and in some cases local authorities may also take action.

Section 24(4) of the 1981 Act gives Natural England (or, in Wales, NRW (Natural Resources Wales)) the function of providing advice or assistance to the police in respect of alleged offences.

Note: Fines may be imposed in relation to each offence committed, so operations involving many animals or repeated offences can potentially accrue large fines.

In addition, items which may constitute evidence of the commission of an offence may be seized and detained.

The CRoW Act 2000 also amends the Police and Criminal Evidence Act 1984 to render Section 9 offences 'arrestable', giving the police significant additional powers.

The use of a Natural Resources Wales licence in respect of bat species

A NRW licence is a licence which permits an action that is otherwise unlawful,

To ensure that no illegal activities are undertaken during the course of a development, it is recommended that a licence is applied for if, on the basis of survey information and specialist knowledge, it is considered that

- the site in question is demonstrably a breeding site or resting place for bats
- the proposed activity is reasonably likely to result in an offence

No licence is required if the proposed activity is unlikely to result in an offence.

Annex 6: Birds and the Law

All birds, their nests and eggs are protected by law and it is an offence, with certain exceptions, To:

- a) intentionally kill, injure or take any wild bird
- b) intentionally take, damage or destroy the nest of any wild bird while it is in use or being built
- c) intentionally take or destroy the egg of any wild bird
- d) have in one's possession or control any wild bird (dead or alive) or part of a wild bird which has been taken in contravention of the Wildlife and Countryside Act 1981 or the Protection of Birds Act 1954
- e) have in one's possession or control an egg or part of an egg which has been taken in contravention of the Act
- f) have in one's possession or control any birds of a species occurring on Schedule 4 of the Act unless registered and ringed in accordance with the Secretary of State's regulations.
- g) intentionally (or recklessly, in England and Wales only) disturb any wild bird listed on Schedule 1 while it is nest building or is at (or near) a nest with eggs or young; or disturb the dependent young of such a bird.