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**The Stables at Smithy Cottage, Sontley, Wrexham, LL13 0YW
(Grid Reference SJ 33070 46904)**

Dusk Survey Results in Relation to Bats

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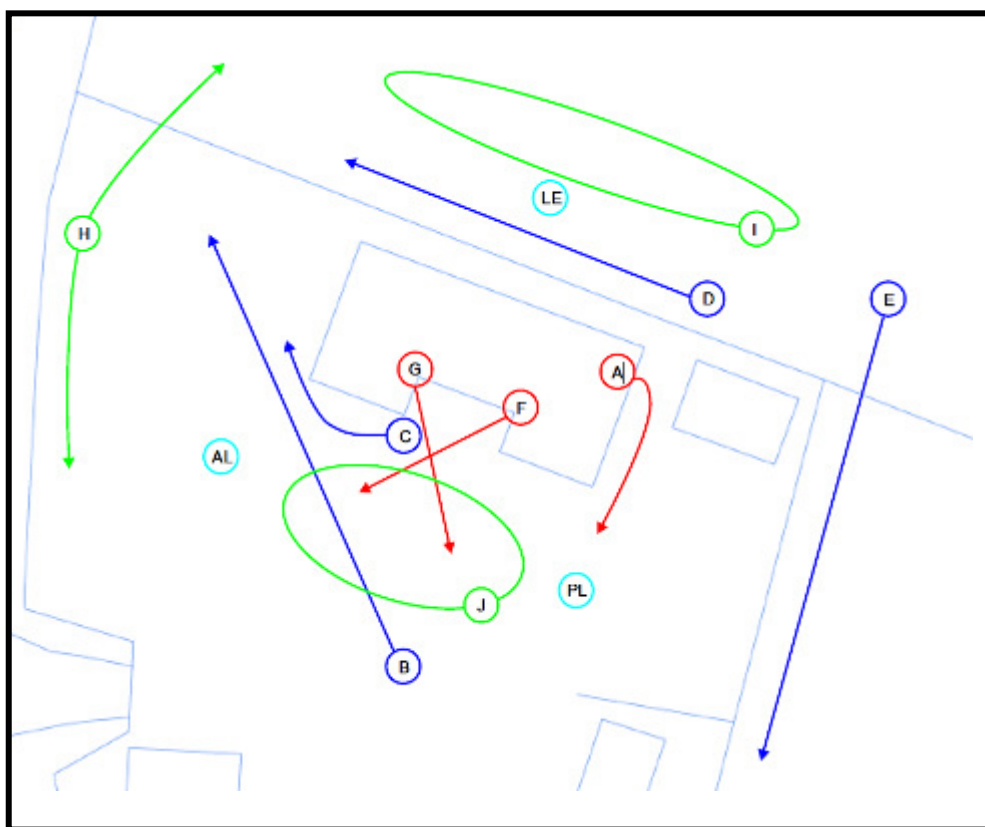
1.0 Background & Introduction

- 1.1 As part of a proposed planning application regarding the conversion of the stables at Smithy Cottage, Sontley, Wrexham, previous dusk surveys were undertaken by Access Ecology during September 2016 which resulted in the following:-

The dusk emergence survey commenced at 18:40, 26 minutes before sunset at 19:06. At 19:33 a single bat (species unidentified) was seen emerging from the eastern elevation of the building. At 19:43, 5 bats (species unidentified) were seen emerging from southern elevation of the building. The species of bat emerging was not identified as the bats were not echo-locating or echo-locating too quietly to be picked up by the surveyor's bat detectors.

*Between 19:44 and 19:46 a total of 7 bats, 5 of which were identified as brown long-eared *Plecotus auritus* and 1 Soprano Pipistrelle, (*Pipistrellus pygmaeus*) emerged from a different roost location on the southern elevation of the building.*

Figure 1: Shows emergence points annotated in red (Access Ecology)

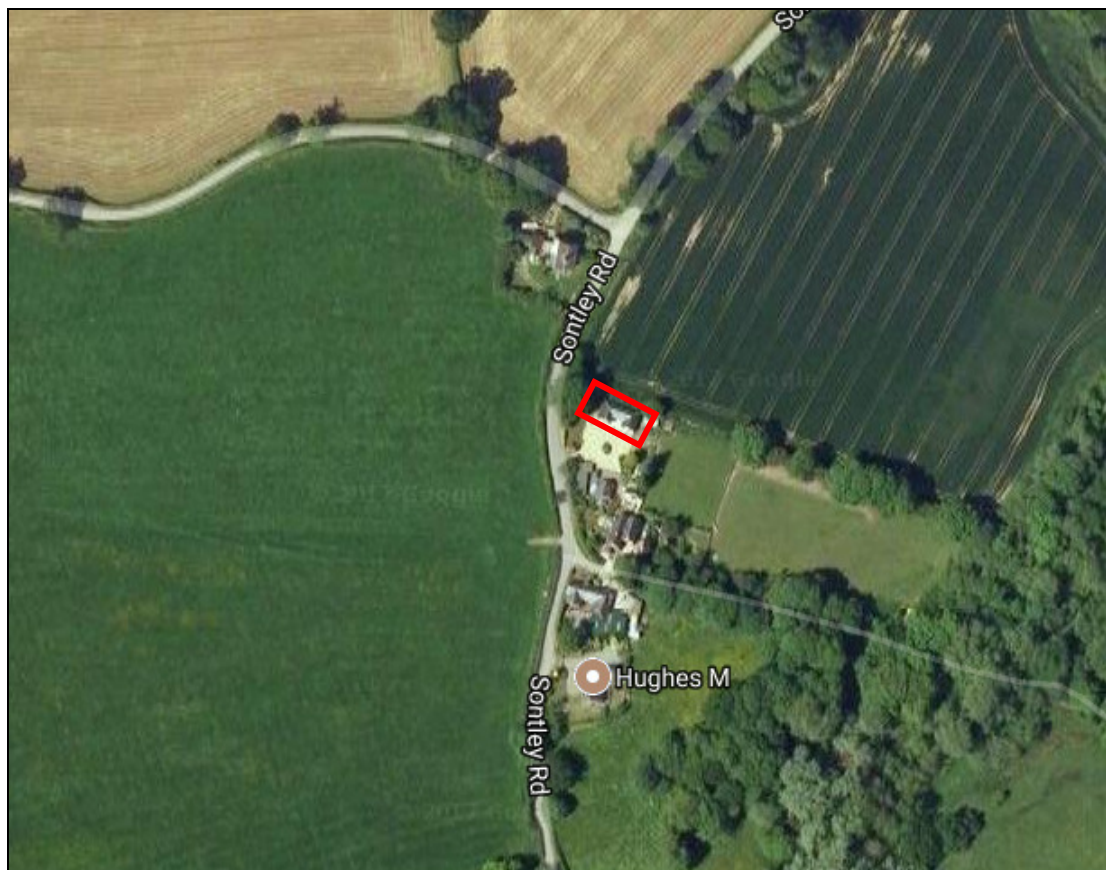


The report went on to recommend that additional surveys are undertaken in order to gather more information.

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- 1.2 As per the recommendations contained within the Access Ecology report, two additional dusk surveys were undertaken on 3rd and 31st May 2017, which is within the optimum time for such surveys.



Location of the stables at Smithy Cottage within the immediate habitat

2.0 Protected Species and their Requirements

- 2.1 All British bats and their **roosts are afforded protection under the 1981 Wildlife & Countryside Act (as amended) and are listed in Schedule 2 of the Conservation of Habitats & Species Regulations 2010 (as amended). When dealing with cases where a European Protected Species (all UK bats) may be affected, a planning authority is a competent authority within the meaning of the Regulation 7 of the 2010 Regulations and therefore has a statutory duty to have due regard to the provisions of the Regulations in the exercise of its functions.
- 2.2 Planning Policy Wales (PPW) (2002) sets out the land use planning policies of the Welsh Government (WG). It is supplemented by a series of Technical Advice Notes (TANs). Procedural advice is given in National Assembly for Wales / Welsh Office circulars. PPW, Ministerial Interim Planning Policy Statements (MIPPS), TANs and circulars together comprise national planning policy to which local planning authorities in Wales must have regard in the preparation of development plans. Detailed advice on the preparation of unitary development plans (UDPs) is contained in Unitary Development Plans Wales, 2001.

Technical Advice Note (TAN 5 2009) provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. This guidance note should be read in conjunction with Planning Policy Wales (2002), in particular with Chapter 5 Conserving and Improving the Natural Heritage and Coast which sets out the Assembly Government's objectives for the natural heritage and the land use planning policies which support these.

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:-

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused

2.3 Use of Buildings by Bats

- a) Summer breeding roost.
- b) Hibernation.
- c) Transitional or temporary roost.

Roost selection is often closely correlated to suitable foraging habitat within a reasonable commuting distance from the roost and different sites are used depending upon insect densities and abundance, climatic conditions can also affect their ability to successfully forage. All British bats are insectivorous.

** The term roost is generically referred to as a place that bat/s use for the any of the above reasons, however it should be noted that under the Conservation of Habitats & Species Regulations 2010 (Regulation 41) the term roost is not used but refers to "a breeding site or resting place of such an animal" and is afforded legal protection. The roost, breeding site or resting place of bats, which ever terminology is used is legally protected whether or not bats are in occupation.

3.0 Protected Species in North Wales

- 3.1 Up to eleven bat species have been regularly recorded in North Wales, most of which use built structures, notably occupied residential properties, for roosting. The most frequently encountered species is the Pipistrelle bat (*Pipistrellus pipistrellus*) and its abundant status in North Wales is reflected throughout the UK.

4.0 Survey Methodology

- 4.1 BCT Good Practice Guidelines 2016 3rd edition state:-

The guidelines do not aim to either override or replace knowledge and experience. It is accepted that departures from the guidelines (e.g. either decreasing or increasing the number of survey carried out or using alternative methods) are often appropriate. The guidelines should be interpreted and adapted on a case-by-case basis according to site-specific factors and the professional judgement of an experienced ecologist. Where examples are used in the guidelines, they are descriptive rather than prescriptive.

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- 4.2 Relative to the above the survey protocol has been determined using the collective and long standing experience of The Tyrer Partnership, the specific nature of the site. The timing of the inspection of the surveys is within the main active period and breeding season of bats when maternity colonies are forming and bats are in a highly active and social stage.
- 4.3 Mr S Irwin, who is a highly experienced bat ecologist and holder of a Natural Resources Wales bat license, undertook the two dusk emergence surveys on the 3rd & the 31st May 2017. (73156:OTH:CSAB:2016) Mr H Green – an experienced surveyor in addition to being an accredited agent on the above license and Mrs J Taylor who is highly experienced bat surveyor were the additional surveyors. The number of surveys and surveyors were adequate relative to the roost potential that was identified i.e. moderate
- 4.4 Prior to the dusk surveys an inspection of the stable was undertaken to establish the presence/absence of droppings and if present to compare the number that were found during the Access Ecology 2016 surveys.
- 4.5 Surveyors were located in positions that allowed unrestricted views of the identified roost potential and previous emergence points that were identified during the 2016 surveys. The surveys were aided with Anabat, Elekon Batlogger electronic bat detectors that enable the locating and recording of the high frequency calls that are emitted by bats; echolocation calls were then analysed with computer software to verify field observations. Other equipment took the form of a Camcorder with inbuilt and additional infrared lamp that was used to monitor the south elevation of the stables.

5.0 Constraints

- 5.1 During both surveys no constraints were experienced that would prevent the gathering of information on which to base conclusions and recommendations.

6.0 Dusk Survey Results

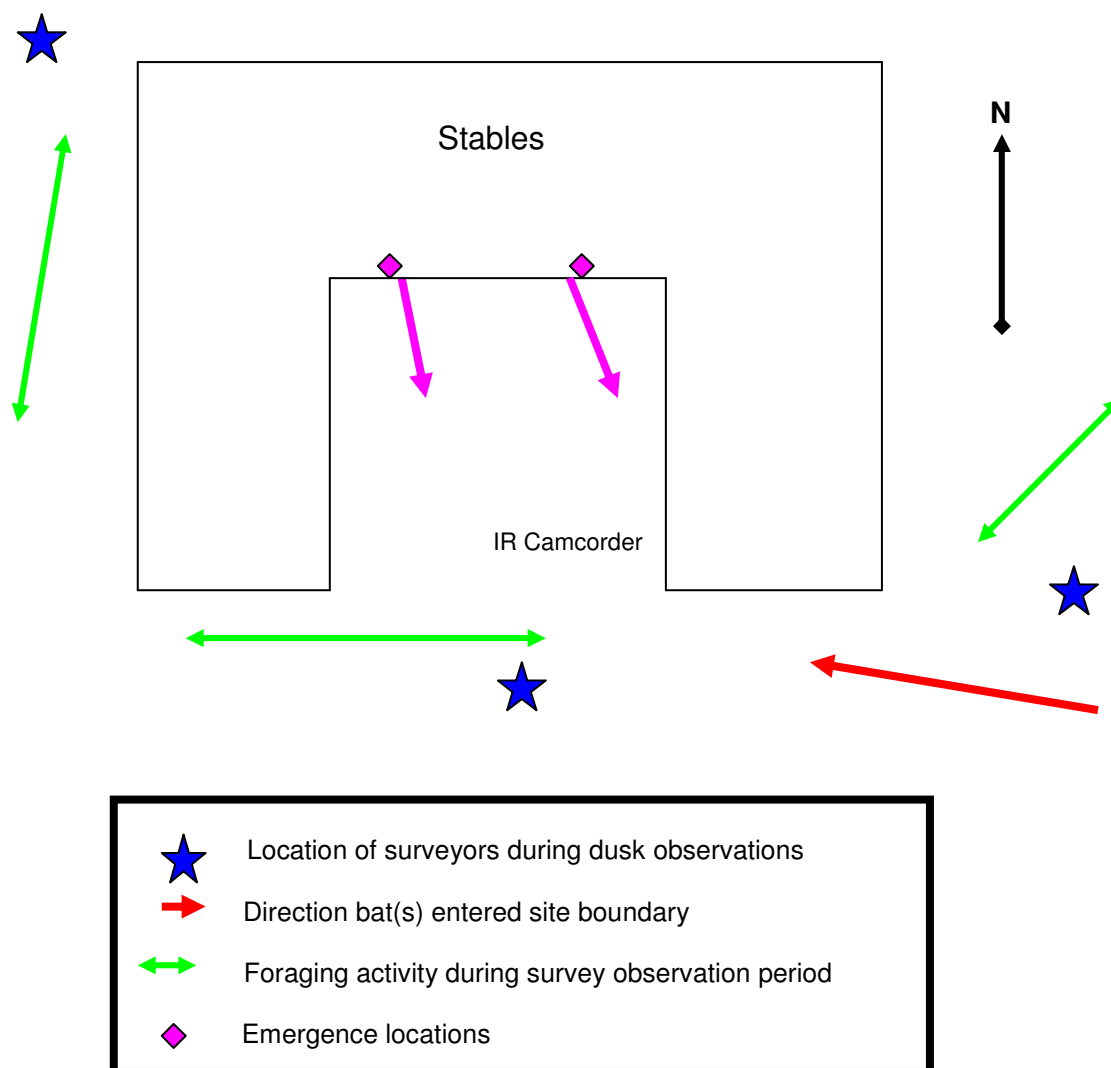
- 6.1 The pre-dusk inspection of the stables resulted in scattered droppings on the roof beams but no accumulations; the droppings were typically indicative of Long Eared bat. (*Plecotus*)
- 6.2 The tables below represent the activity over the two surveys which was greater on the second than over the first.

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Type of Survey	Date	Weather Conditions
Dusk survey	3 rd May 2017	Sunset: 2045: Dry, moderate breeze, 10% cloud cover Start temp: 12 ° C End temp: 10 ° C
Dusk survey	31st May 2017	Sunset: 2126: Shower then dry, light breeze, 100% cloud cover Start temp: 17 ° C End temp: 17 ° C

Dusk Survey	Time	Activity
3 rd May 2017	2020-2230	Summary: Bat emergence absent from the building during the observation period. 2113 hrs: Common Pipistrelle bat entered the site from an easterly direction 2118 hrs: Common Pipistrelle similarly passing from the east to the west 2130-2145 hrs: Common Pipistrelle foraging to the south of the site to the frontal aspect of the building. 2150 hrs: Common Pipistrelle foraging to the east & west of the building General activity comprised of a maximum of three Common Pipistrelle bats foraging around the site and land in general until 2150 hrs.
31 st May 2017	2105 - 2245	Summary: Total of 6 Brown Long Eared bats emerged from the southern elevation of the stables via open doors, emergence by other species absent 2200-2220 6 Brown Long Eared bats emerged from the southern elevation of the stables via two open doors. 2235 two Brown Long Eared bats flying around the front of the stables then commuted away General activity comprised of a maximum of three-four Common Pipistrelle bats foraging around the site for the duration of the survey observations.

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7.0 Dusk Conclusions

- 7.1 From the 2016 and 2017 dusk survey results it can be concluded that the stables at Smithy Cottage, due to the very restrictive truss roof design, is not the typical roost selection as this species generally shows a preference for more open traditional roof spaces. The maximum numbers that have been identified, i.e. 12, during 2016 is within the numbers that could be classified as a breeding colony relative to this species, but also could be classified as a “satellite” roost. Notwithstanding either classification, the proposed mitigation will be the same for either and in doing so will meet the requirements of the species and numbers involved. In addition, the stable is used as a day roost by a Soprano Pipistrelle bat. The presence and destruction/modification of a bat roost will need to be addressed from both a conservation and legal perspective along with the application of appropriate mitigation.

In order that the LPA can implement its obligations under the Habitat & Species Regulations 2010 (as amended) appropriate and proportionate mitigation will need to accompany the planning application which will demonstrate that the “*favourable conservation*” of the species concerned can be maintained.

8.0 Mitigation

- 8.1 From the evidence gained during the dusk observations, the use of the stables by bats could be classified as a “satellite”/ maternity roost. The proposed mitigation is proportionate to both classifications
- 8.2 The following procedures and mitigation are designed to allow the Local Planning Authority in association with their ecological adviser to determine a Planning Application where a European Protected Species has been identified and will be affected by the work for which the Planning Application seeks consent. In addition Local Planning Authorities in accordance with the obligations placed upon them by way of their duties under the Conservation of Habitats & Species Regulations 2010 (as amended) have to take into consideration the presence of a European Protected species before determination of an application where it/they have been identified.
- 8.3 The LPA need to consider the mitigation in relation to the potential success of a Natural Resources Wales (NRW) development licence application and/or if in their opinion the mitigation is considered as being appropriate or if it is over and above what is required. If they determine that the mitigation is appropriate then a Planning Condition should be attached requiring the mitigation to be installed. If the LPA consider that the mitigation is over what is necessary but require “enhancement” as part of Local Biodiversity Policies this should be included in the terms Consent. The acting bat ecologist deems the mitigation as appropriate and not over and above what is required.
- 8.4 Notwithstanding that Planning Consent is granted it does not absolve the applicant, site owner, developer or any other party involved with the work from ensuring that an application is made for a NRW development licence to legally undertake work that will affect bat(s) or their roost/place of shelter. If work is undertaken without a licence and bat/s or their roost/s is/are affected then a breach of current wildlife legislation will occur, for which penalties are high.
- 8.5 Under Regulation 53(1) and 56(3) (a) of the Conservation of Habitats & Species Regulations 2010,(as amended) a licence is required prior to disturbing bats or destroying any place that is used by bats as a breeding site or resting place; the licence is issued by the EPS Licensing Team of NRW.

Summary of Mitigation

- Work will commence outside of the breeding season, which is broadly May- end of August; however before the main work commences a ceiling will be installed throughout the stables to create an enclosed and non-illuminated loft space; access for bats into the loft will be created in three locations. Subject to NRW licence being approved then prior to any work being undertaken the bat ecologist will establish the presence/absence of bats during a detailed investigation of the stables at Smithy Cottage, which will include torchlight or endoscopic examinations wherever opportunities for bats exist.
- Two x 2F bat boxes are to be erected on suitable trees within the site boundary, which will act as a receptor if bats have to be captured during the conversion, they will be left in situ as a permanent feature for bats.

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- No foraging or commuting habitat will be lost as a result of the proposals nor will the new roosts be at any further distance from foraging places. The conversion of the building is an essential part of the owner's plans for the site, but it is acknowledged that the presence of bats needs to be addressed from both a legal and conservation perspective. The mitigation proposals are seen to be the most productive way forward that will retain opportunities for bats.
- The ecologist will supervise any dismantling of places identified as offering roost potential with strategies for safely removing bat(s).
- Work will be undertaken during appropriate climatic conditions.
- The ecologist will undertake induction on possible bat presence, NRW License & Method Statement to be kept on site for the duration of the work.
- Any external lighting is not to be greater than what exists and where proposed will be minimal and will be directed away from bat roost access points, flight paths and foraging areas.
- Mitigation is subject to the approval of Natural Resources Wales (NRW).
- The roost provision at the converted stables will be dedicated for bats, permanent and not used for any storage purposes
- In the unlikely event that bat/s is/are found outside of supervision time, then work will immediately cease and the ecologist contacted for further advice; contractors must not touch, handle or in anyway cause bats to move.

New Roost Creation:

A loft will be created by the installation of ceiling boards throughout the existing stables with no alteration occurring that would reduce the height of the current roof space.

Access into the loft will be created at two south facing gable elevations in the form of two openings to dimensions of 20mm deep x 75mm long at the gable apexes. In addition, a third access point will be located at the rear roof pitch by way of a "bat slate". (See Figure 1 & 2)

Opportunities for Pipistrelle bat will be created at two ridge tiles on the main roof (See Figure 2) in addition to the two bat boxes that will be located on a tree within the site boundaries.

The roosts will be permanent for bats and cannot be used for any other purpose; management requirements at the roost are considered to be absent. It is acknowledged that some additional lighting may be required around the front door but it will be in the form of low-level illumination with motion activated sensors, lighting will not be directed at or close to the roost access points, nor will it affect foraging places or existing flight lines. Details of any proposed lighting will be submitted as part of the planning application and subsequent NRW licence application.

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Figure 1

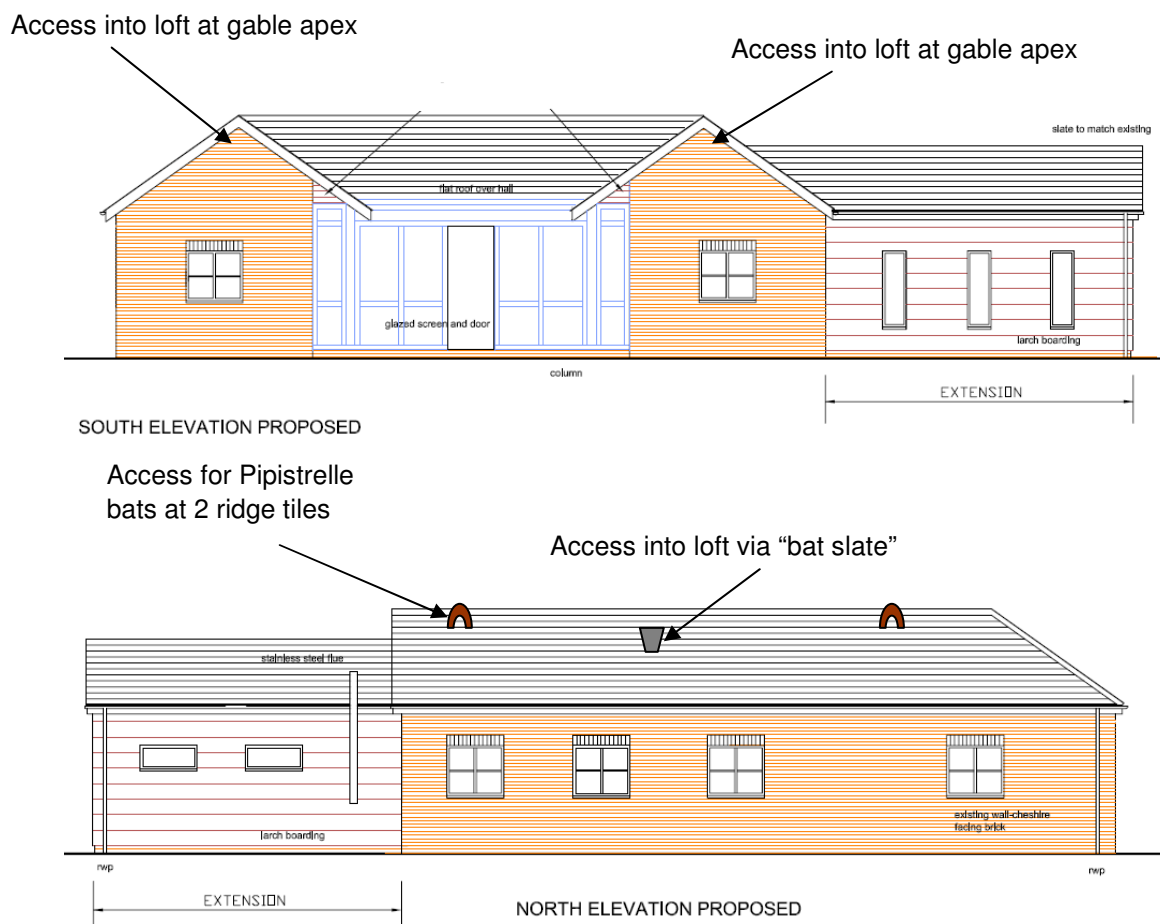


Figure 2



Bat slate



Access to underside of ridge tile 15-18mm deep x 75mm long
All debris to be removed from underside of the ridge tile