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BAT PRESENCE / ABSENCE SURVEY

At

Bridgeway Centre
Bridge Road
Wrexham
LL13 9QS

NGR: (SJ) 337766 349382

Prepared for:	Emily Armstrong, FI Real Estate Management Ltd
Written by:	Alasdair Grubb, UES Ecologist
Approved by:	Toby Hart, UES Managing Director
Date:	17th November 2020
UES reference:	UES03012/03

CONTENTS

EXECUTIVE SUMMARY

A bat presence / absence survey was undertaken at the Bridgeway Centre, Wrexham by United Environmental Services (UES) Ltd in September 2020.

The objective of this survey was to establish whether or not bats are using the buildings on site to roost, and if so to assess the type and importance of roosts in order to inform the planning process. The surveys were carried out to recognised guidelines, timings and weather conditions, with particular reference to Natural Resources Wales (NRW) and Bat Conservation Trust (BCT) publications. The proposals include the demolition of eight existing commercial units and construction of ten commercial units within the same site boundary with associated landscape and car parking.

The Bridgeway Centre is situated within Wrexham Industrial Estate, located to the south-east of Wrexham. The habitats on site include several buildings, associated car parking and access roads, areas of amenity grassland and introduced shrub. There is also a small area of plantation woodland and scrub located within the southern section of the site. The lighting across the site is predominantly comprised of motion-activated security lighting. Consequently, the majority of the site is un-lit through the night, which improves the site's suitability for foraging and commuting bats.

There are ten buildings at the Bridgeway Centre, eight of which are due to be demolished under the proposed development plans. A bat scoping survey conducted by UES in July 2020 (see report reference UES03012/02) assessed four of the buildings due to be demolished as having low potential to support roosting bats. As such, a single presence / absence survey was conducted in September 2020, in order to determine whether or not bats are using these buildings to roost.

Four species of bat were recorded during the survey: common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared (BLE) bat *Plecotus auritus* and noctule *Nyctalus noctula*.

A total of two bat roosts were observed across two of the buildings on site. Roost 1 in Building 1 was used by a single common pipistrelle whilst Roost 2 in Building 2 was used by a single BLE bat. The two roosts are considered to be day / transitional roosts used by individual bats. The bats present are likely to be males, non-breeding females or juveniles. It is considered unlikely that bats are using the buildings for hibernation purposes.

The presence / absence survey was conducted in September, after the core bat maternity season has ended. However, bats were observed to be active and bats were observed to be roosting within two buildings on site. Given the results of the bat scoping survey, the low suitability of the buildings, lack of loft voids and the results of the survey, the presence / absence survey is considered to be sufficient to determine the roosting status of bats using the site to inform a planning decision. Due to the presence of roosting bats within Buildings 1 and 2, works to these buildings will be completed under a European Protected Species (EPS) mitigation licence, issued by NRW. This licence can only be applied for once planning permission has been granted. An additional bat presence / absence survey will need to be undertaken during the peak survey season (May to August inclusive) in order to inform the EPS mitigation licence application to NRW. This further survey and the EPS licencing can be secured by a suitably worded panning condition.

A bat method statement will also need to be produced for submission with the planning application. This document outlines bats throughout the duration of development.

This report should be read in conjunction with appendices 1 to 5, which provide visual representations of the survey results and statutory and planning context.

1 INTRODUCTION

1.1 Author, surveyors and qualifications

This report is compiled and written by Alasdair Grubb BSc and UES Ecologist. Other surveyors include:

- Emily Clark BSc PGdip ACIEEM, UES Ecologist. Emily is licensed by NRW to disturb, take and handle all species of bats under licence number S087701/1.
- Paul Cassidy ACIEEM, UES Ecologist. Paul is licensed by NRW to disturb, take and handle all species of bats under licence number 75145:OTH:CSAB:2017.
- Jack Bamber, UES Graduate Ecologist.

All surveyors have the knowledge, skills and experience identified within CIEEM's "Competencies for Species Survey: Bats" (2013), or were under the supervision of a surveyor with the required competencies.

1.2 Survey objectives

UES was commissioned in August 2020 to conduct site surveys which include the following activities:

- Conduct internal and external building inspections to look for field signs of bats
- Confirm bat presence or likely absence by conducting an emergence survey of the buildings
- Assess the type and importance of the roost(s), if present
- Recommend appropriate mitigation and compensation, if applicable

1.3 Proposed development

The proposals include the demolition of eight existing commercial units and construction of ten commercial units within the same site boundary with associated landscape and car parking.

1.4 Structure of the report

This report sets out the methodology, results, and recommendations in relation to a specific bat survey. Recommendations are in line with statutory legislation and planning policy objectives.

The report should be read in conjunction with appendices 1 to 5, which give visual representations of the survey results.

2 METHODOLOGY

2.1 General

All surveys were carried out to recognised guidelines, timings and weather conditions, with particular reference to NRW and BCT publications (see references for further information).

The habitats on site and in the surrounding area were assessed during a walkover survey and through studying aerial photographs, in order to gauge their suitability to support roosting, foraging and commuting bats.

2.2 Building inspections

The buildings on site were searched both externally and internally for bat presence and features associated with bat activity, as detailed in BCT guidance (Collins, 2016). This was conducted on 24th June 2020 by Emily Clark as part of a bat scoping survey (see report reference UES03012/02). Prior to the presence / absence survey on 22nd September 2020, an updated external inspection was conducted by Paul Cassidy and Alasdair Grubb to conditions on site had not changed since the original inspection.

2.2.1 External inspection

The external inspections of the buildings were carried out from ground level using binoculars, and also using ladders and an endoscope to investigate suitable gaps. The objective of the survey was to find and record any signs of bat use, for example:

- Bat droppings
- Feeding remains
- Grease staining / urine marks
- Corpses or skeletons

The bat signs listed above are visible from the outside of a building. The following areas were searched, where present:

- Roof and ridge tiles
- Lead flashing
- Eaves
- Boxed soffits
- Fascia and barge boards
- Window sills and panes
- Walls
- Gaps under felt
- Cracks / holes in woodwork or behind cladding
- Gaps in brickwork and mortar
- Air bricks
- Grills
- Vents

2.2.2 Internal inspection

The internal inspections covered all of the accessible rooms and roof spaces within the buildings.

Bats regularly utilise specific areas within roof spaces, which were searched for any field signs of bats using high-powered torches and an endoscope, where considered necessary by the licenced ecologist. The following features were searched, where present:

- Roof beams and junctions
- Gaps under felt
- Dividing walls
- Chimney breasts
- Gaps in brickwork and mortar
- Cracks / holes in woodwork
- Floor or other surfaces on which droppings could accumulate

2.3 Emergence and re-entry surveys

Potential roost access points were identified during the building inspections. These points were covered by a surveyor during the dusk emergence period on the 22nd September 2020.

Bat echolocation, flight and habitat characteristics were recorded where possible, in order to determine the species. The level and type of bat activity was also recorded to establish how bats are using the site.

A camera and infra-red illuminator was used to record emergences in order to get a more accurate count of individuals leaving the roost; BLE bats in particular, leave the roost in very low light levels and can be difficult to count accurately.

2.3.1 Equipment

BATLOGGER M bat detectors and recorders were used during the surveys. This device records bat echolocation calls across the full spectrum, with a sensitivity range of 10 – 150 kHz. The integrated heterodyne live monitoring also allows the observer to hear the echolocation calls in real time, with automatic tuning. The recordings are individually time/date, GPS and temperature stamped, and are of high enough quality to produce time expansion quality sonograms.

An Anabat Walkabout bat detector was used during the surveys. This allowed the observer to hear bat echolocation calls and see the sonograms in real time, aiding identification. All registrations were automatically recorded onto a memory card and time/date stamped. The device can record and display both zero crossing and full spectrum bat echolocation calls and has a built-in GPS and mapping system.

A Batbox Griffin bat detector was also used during the surveys. This device records bat echolocation calls across the full spectrum, with a sensitivity range of 16 – 190 kHz. All registrations were automatically recorded onto a memory card and time/date stamped. The integrated heterodyne live monitoring also allows the observer to hear the echolocation calls in real time.

A Canon XA11 Professional Video Camera was used in conjunction with an infra-red LED illuminator to monitor part of the building during the surveys. Footage of the survey is recorded and reviewed post-survey. This allows for more accurate counting of individuals, especially for species (such as BLE) which are known to leave roosts in low light levels.

2.3.2 Weather conditions

Table 1 - Weather conditions and survey timings

DATE	SURVEY TYPE	TIMINGS	SUNSET / SUNRISE	TEMP.	WIND	RAIN	CLOUD COVER
22/09/20	Emergence	18:54 – 20:39	19:09	16°C	Moderate breeze	Dry	100%

2.4 Survey limitations

All buildings were occupied at the time of the building inspections, so full internal inspections were not possible. However, none of the buildings on site contain loft spaces and inaccessible areas within the buildings are limited to working areas where the presence of roosting bats would be unlikely and would very likely be known. External inspections and part internal inspections were undertaken and sufficient information was gathered to make a robust assessment as to the potential for the buildings to support roosting bats.

The presence / absence survey was conducted in September, after the core bat maternity season has ended. However, bats were observed to be active and bats were observed to be roosting within two buildings on site. Given the results of the bat scoping survey, the low suitability of the buildings, lack of loft voids and the results of the survey, the presence / absence survey is considered to be sufficient to determine the roosting status of bats using the site to inform a planning decision. An additional bat presence / absence survey will need to be undertaken during the peak survey season (May to August inclusive) in order to inform the EPS mitigation licence application to NRW. This further survey and the EPS licencing can be secured by a suitably worded panning condition.

3 RESULTS

3.1 Habitat assessment

Bridgeway Centre is situated within Wrexham Industrial Estate, located to the south-east of Wrexham. The habitats on site include several buildings, associated car parking and access roads, areas of amenity grassland and introduced shrub. There is also a small area of plantation woodland and scrub located within the southern section of the site. The lighting across the site is predominantly comprised of motion-activated security lighting. Consequently, the majority of the site is un-lit through the night, which improves the site's suitability for foraging and commuting bats.

The immediate surrounding area is similar in composition, with light industry present in all directions. However, the industrial sites are intersected with pockets of woodland and an unnamed watercourse. These are connected to larger areas of woodland, rough grassland, waterbodies and the River Clywedog, which is located approximately 450m south of the site. These habitats will provide moderate quality foraging, commuting and roosting opportunities for bats in the local area.

In the wider surrounding area, the habitats are similar in composition; light industry intersected by woodland and watercourses. Habitats beyond the industrial estate improve in quality with hedge lined pasture fields, numerous waterbodies and blocks of woodland. These habitats will provide higher quality foraging, commuting and roosting opportunities for bats.

3.2 Building inspections

There are ten buildings at the Bridgeway Centre, eight of which are due to be demolished under the proposed development plants. These buildings have been numbered for the purposes of the report (see Appendix 1 – Site plan).

Building 1 is used multi-purpose single-storey commercial building, used for offices and retail. The building is an 'L' shape and is constructed from brick with a flat roof lined with 1F bitumen roofing felt. The brickwork and roof are in excellent condition. There is a small amount of wooden cladding present on the eastern and western aspects of the building which is tightly sealed. Metal boxed soffits are also present on several aspects of the building. There is one gap in the brickwork immediately below the boxed soffit on the southern aspect of the building (see Appendix 3, Photographs, Photograph 3). The windows have a mixture of wooden window frames and UPVC, all of which are in good condition. There is a small extension on the south eastern aspect of the building. The extension is constructed of corrugated metal with a flat roof lined with 1F bitumen roofing felt.

Building 2 is a similar design but is rectangular in shape and has been painted white. There are wooden barge boards present on all aspects of the building, which are mostly in good condition. However, the fascia board on the western aspect is broken and lifted (Photographs 9 and 10) which leaves the bitumen roofing felt exposed, and a gap is present beneath.

Building 3 is a single storey rectangular building used for offices. It is constructed of corrugated metal with a flat roof lined with 1F bitumen roofing felt. Most of the roof is in good condition and tightly sealed. However, there is one small section which is lifted on the southern aspect (Photograph 13). However, this was fully inspected, and the gap is superficial and does not provide suitable roosting opportunities for bats. Furthermore, no evidence of roosting bats

was recorded within the feature. The windows are modern UPVC whilst the doors are metal. All windows and doors are in excellent condition.

Building 4 is a single storey rectangular building. The walls are constructed of breeze block with wooden cladding. The cladding is in excellent condition and tightly sealed. There is an extension on the eastern aspect of the building which is constructed of brick. All roofs are flat and lined with 1F bitumen roofing felt. Wooden barge boards are present on all aspects of the building. There is a gap on the fascia board on the eastern aspect where some wood has come away (Photograph 15). The barge board on the southern aspect of the brick extension is also slightly lifted (Photograph 16). The window frames are a mixture of wooden and UPVC, but all are in excellent condition. The doors are also in excellent condition and tightly sealed.

Building 5 is a single storey rectangular building used as both offices and a workshop. The walls are constructed of breeze block with corrugated metal cladding. There is a small extension on the eastern aspect which is a similar design. The roofs are lined with 1F bitumen roofing felt that is in excellent condition and tightly sealed. There are two metal roof lanterns present in the centre of the building. There is lead flashing present around the lanterns which is tightly sealed. The windows frames are wooden, and windows are single glazed. The windows are in poor condition but no suitable cracks or crevices for bats were recorded.

Building 6 is a brick built rectangular building that is a similar design to Building 2. Building 6 is currently unoccupied. The roof, wooden barge boards and brick work are in excellent condition.

Building 7 is a brick built rectangular building that is a similar design to Building 2. There is a small extension on the western aspect which is constructed of corrugated metal. The roof and walls are in excellent condition. The wooden barge board on the eastern aspect is slightly lifted which is a PRF for roosting bats.

Building 8 is a brick built rectangular building that is a similar design to Building 2. Building 8 is currently unoccupied and the windows are boarded with chipboard which is tightly sealed. The roof, wooden barge boards and brick work are in excellent condition.

Building 9 is a similar design to Building 2 and is currently used as a garage for repairing cars. The roof, wood barge boards and brick work are in excellent condition.

Building 10 is a small square brick built local electricity sub-station. The roof is flat and lined with 1F bitumen roofing felt. The brick work and roof are in excellent condition with no gaps or crevices recorded.

No bats or bat field signs were recorded during the external building inspection.

3.2.2 Internal inspection

The buildings do not have any internal roof voids or loft spaces.

3.3 Emergence and re-entry surveys

Table 2 – Survey results

DATE	SURVEY TYPE	SPECIES	NUMBER OF INDIVIDUALS	ROOST LOCATION	ACCESS POINT	TIMINGS
22/09/20	Emergence (Building 1)	Common pipistrelle	1	Western aspect of building, at corner of L-shape. (see Appendix 1, Site Plan – Roost 1)	Beneath lead flashing on northern side of porch (see Photograph 4)	19:47
22/09/20	Emergence (Building 2)	Brown long eared bat	1	North-western aspect between roofing felt and fascia board - Roost 2	Between roofing felt and wooden fascia board (Photograph 8)	19:48
22/09/20	Emergence (Building 4)	None	N/A	N/A	N/A	N/A
22/09/20	Emergence (Building 7)	None	N/A	N/A	N/A	N/A

3.4 Activity summary

Table 3 – Bat activity summary

DATE	SURVEY TYPE	SPECIES	NOTES
22/09/20	Emergence Building 1	Common pipistrelle	An individual bat was recorded emerging from the long western aspect of the building (Roost 1).
		Noctule	Two individual bats were recorded flying over the site from west to east.
22/09/20	Emergence Building 2	Noctule	Two individual bats were recorded flying over the site from west to east.
		BLE	One individual bat recorded emerging from Roost 2. Flew directly west.
		Soprano pipistrelle	Single bat was recorded flying over the site.
		Common pipistrelle	A single bat was recorded socialising.
22/09/20	Emergence Building 4	BLE	Individual bat recorded on two occasions socialising over the roof of the building
22/09/20	Emergence Building 7	Common pipistrelle	Three individual bats recorded. The bats were heard but not seen.

4 EVALUATION AND RECOMMENDATIONS

4.1 Evaluation of results

Bridgeway Centre is situated within Wrexham Industrial Estate, located to the south-east of Wrexham. The habitats on site include several buildings, associated car parking and access roads, areas of amenity grassland and introduced shrub. There is also a small area of plantation woodland and scrub located within the southern section of the site. The lighting across the site is predominantly comprised of motion-activated security lighting. Consequently, the majority of the site is un-lit through the night, which improves the site's suitability for foraging and commuting bats.

Four species of bat were recorded during the bat presence / absence survey: common pipistrelle, soprano pipistrelle, BLE bat and noctule. Activity was generally low and restricted to bats commuting over the site. This is considered to be due to the poor quality foraging habitat on site. A small number of bats were recorded socialising over the site. The two bats that were recorded roosting in Buildings 1 and 2, flew away from the site immediately after emerging.

In total, two individual bats (of two species) were found to be roosting across two roosting locations on site: one common pipistrelle was found within Building 1 and one BLE bat was found within Building 2. Each roost is characterised in section 4.2.

4.2 Roost assessment

Roost 1 is located beneath the lead flashing of a corrugated plastic porch, on the western aspect of the L-shaped Building 1 (close to the corner of the L-shape) – see Appendix 3, Photographs - Photograph 4). A single common pipistrelle was recorded to be using the roost. Due to the small dimensions of the roosting feature and the singe bat recorded, it is considered likely that the roost is used as a day / transitional roost on a casual basis, by an individual bat.

Roost 2 is located on the western aspect of Building 2. An individual BLE bat was recorded emerging from between the raised roofing felt and the damaged wooden fascia board. The structure of this roost (a small crevice) makes it unsuitable for a large number of this species of bat (usually found free hanging in larger loft voids). Therefore, it is considered likely that the roost is used as a day / transitional roost on a casual basis, by an individual bat.

The environmental conditions (humidity, temperature etc.) and roosting features within the buildings are of poor suitability to support hibernating bats. It is considered unlikely that bats are using the building for hibernation purposes.

4.3 Mitigation and compensation measures

4.3.1 Bats

The presence / absence survey was conducted in September, after the core bat maternity season has ended. The results of this survey have confirmed presence of bats roosting within two buildings on site. Therefore the development will be required to be completed under a European Protected Species (EPS) mitigation licence, issued by NRW. This licence can only be applied for after the roost has been characterised by conducting further surveys during the core maternity season (May-August inclusive). However, it is considered that the results of the

surveys detailed within this report are sufficient to inform a planning decision, and the further surveys and EPS licencing can be prescribed by a suitably worded panning condition.

The presence / absence survey was conducted in September, after the core bat maternity season has ended. However, bats were observed to be active and bats were observed to be roosting within two buildings on site. Given the results of the bat scoping survey, the low suitability of the buildings, lack of loft voids and the results of the survey, the presence / absence survey is considered to be sufficient to determine the roosting status of bats using the site to inform a planning decision. Due to the presence of roosting bats within Buildings 1 and 2, works to these buildings will be completed under a EPS mitigation licence, issued by NRW. This licence can only be applied for once planning permission has been granted. An additional bat presence / absence survey will need to be undertaken during the peak survey season (May to August inclusive) in order to inform the EPS mitigation licence application to NRW. This further survey and the EPS licencing can be secured by a suitably worded panning condition.

A bat method statement will also need to be produced for submission with the planning application. This document outlines the mitigation and compensation measures required in order to safeguard protected species throughout the duration of development.

5 CONCLUSION

The Bridgeway Centre is situated in an area that presents moderate habitat for foraging, roosting and commuting bats. The habitats on site offer relatively low foraging opportunities, however the low level of lighting provides good communing opportunities across the site. The buildings on site offer a low number of potential roosting features for bats, with predominantly external PRFs such as gaps behind fascia boarding and raised felt.

A total of two individual bats (of two species) were found to be roosting across two roosting locations on site. The two roosts are considered to be day / transitional roosts used by individual bats. The bats present are likely to be males, non-breeding females or juveniles. It is considered unlikely that bats are using the building for hibernation purposes.

The presence / absence survey was conducted in September, after the core bat maternity season has ended. However, bats were observed to be active and bats were observed to be roosting within two buildings on site. Given the results of the bat scoping survey, the low suitability of the buildings, lack of loft voids and the results of the survey, the presence / absence survey is considered to be sufficient to determine the roosting status of bats using the site to inform a planning decision. Due to the presence of roosting bats within Buildings 1 and 2, works to these buildings will be completed under a EPS mitigation licence, issued by NRW. This licence can only be applied for once planning permission has been granted. An additional bat presence / absence survey will need to be undertaken during the peak survey season (May to August inclusive) in order to inform the EPS mitigation licence application to NRW. This further survey and the EPS licencing can be secured by a suitably worded panning condition.

A bat method statement will also need to be produced for submission with the planning application. This document outlines the mitigation and compensation measures required in order to safeguard protected species throughout the duration of development.

6 REFERENCES

Chartered Institute of Ecology and Environmental Management (2013). *Competencies for Species Survey: Bats*.

Ministry of Housing Communities and Local Government (2019). *National Planning Policy Framework.*

Collins, J. (ed.) (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines.* (3rd ed.) The Bat Conservation Trust, London.

Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines.* English Nature.

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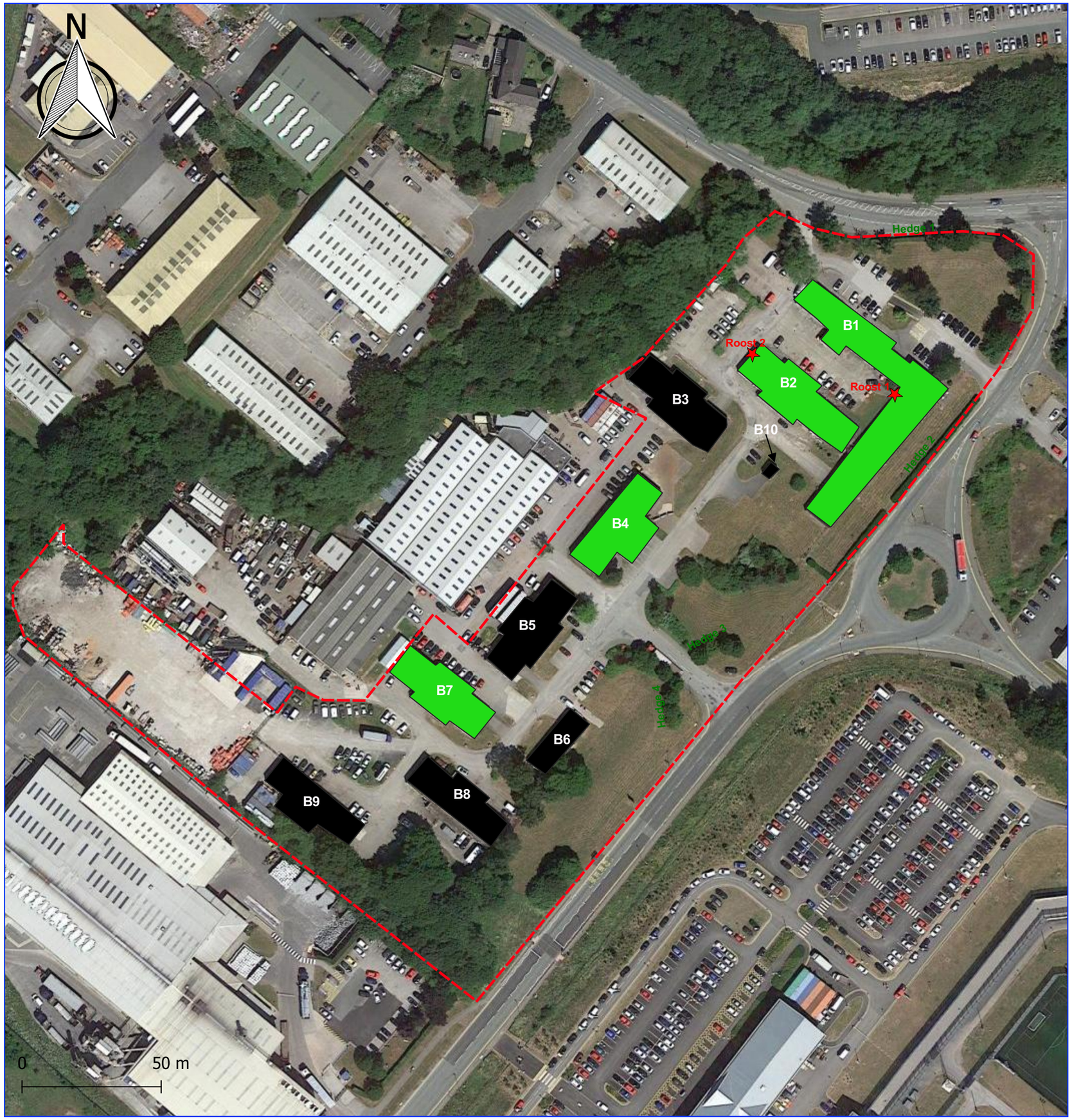
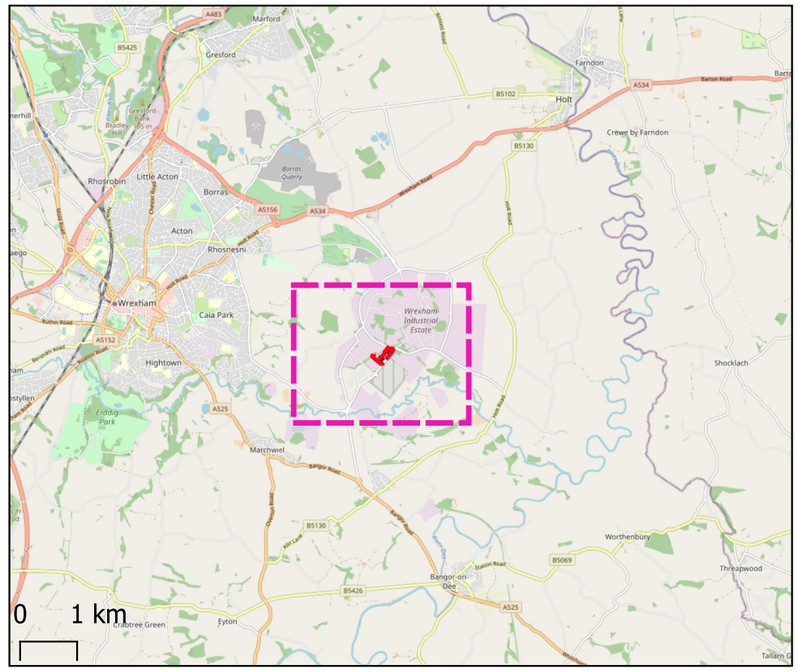
APPENDICES

Appendix 1 – Site plan

Site plan

Site: Bridgeway Centre, Wrexham
NGR: (SJ) 337766 349382
Author: Alasdair Grubb
Date: 02/10/2020





KEY:

- Survey boundary

Buildings

- Low bat roost potential
- Negligible bat roost potential
- Roost

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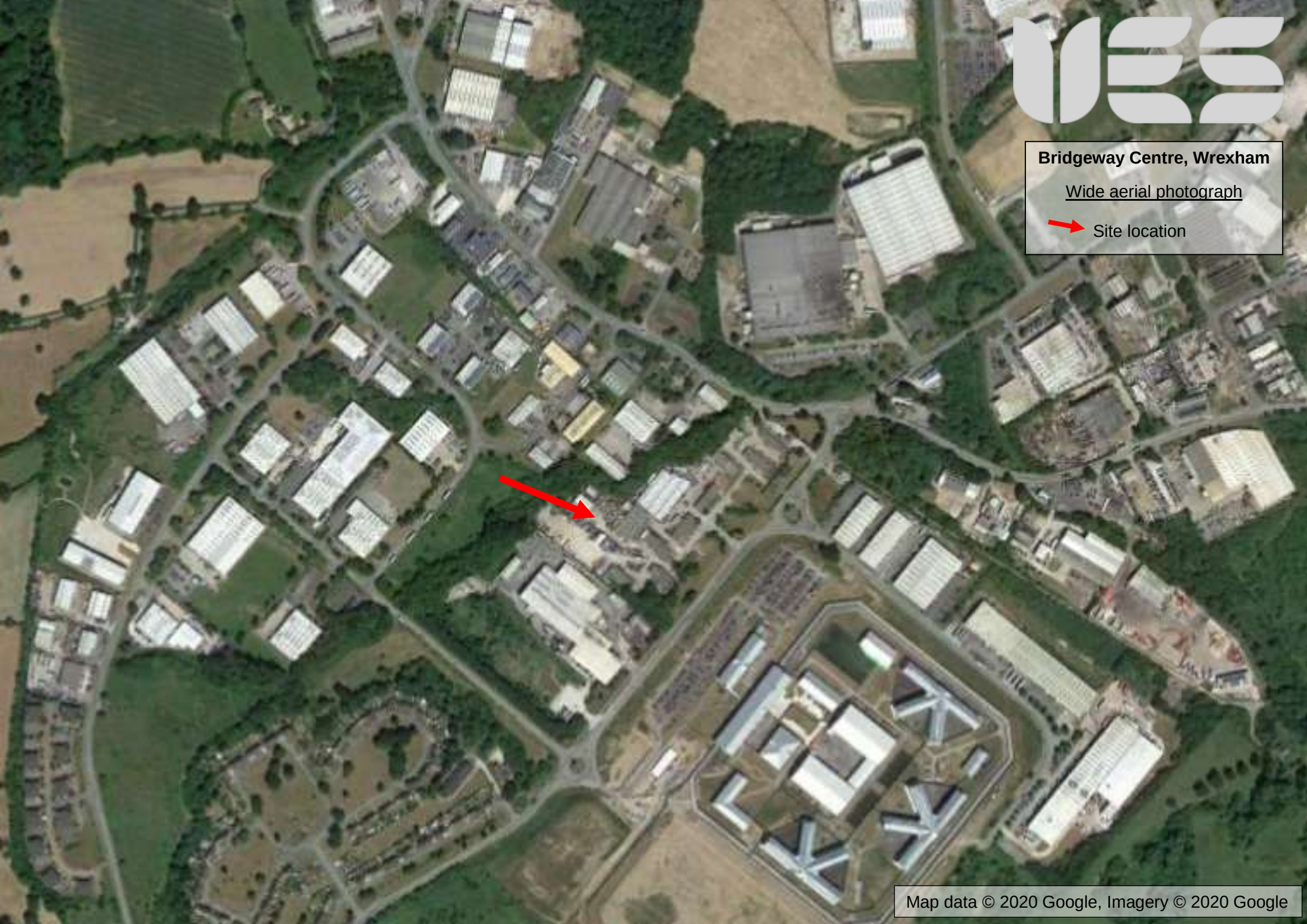
Appendix 2 – Aerial photographs


Bridgeway Centre, Wrexham
Close aerial photograph
Development boundary
Map data © 2020 Google, Imagery © 2020 Google


Bridgeway Centre, Wrexham
Wide aerial photograph
Site location
Map data © 2020 Google, Imagery © 2020 Google

Appendix 3 – Photographs

Photograph 1 – Eastern aspect of Building 1.


Photograph 2 – Southern aspect of Building 1.

Photograph 3 - Gap in brickwork on southern aspect of Building 1.

Photograph 4 – Red arrow shows location of gap in brickwork. Yellow arrow shows the location of Roost 1; beneath the lead flashing of the porch.

Photograph 5 – Southern aspect of Building 1.

Photograph 6 – Northern aspect of Building 1.

Photograph 7 – Northern aspect of Building 2.

Photograph 8 – Western aspect of Building 2. Arrow showing the location of Roost 2.

Photograph 9 – Broken fascia board on Building 2, western aspect.

Photograph 10 – Gap between roofing felt and fascia board on Building 2, western aspect: the location of Roost 2.

Photograph 11 – Western and southern aspect of Building 2.

Photograph 12 – Western and southern aspect of Building 3.

Photograph 13 – Slightly lifted roofing felt on Building 3.

Photograph 14 – Eastern aspect of Building 4.

Photograph 15 – Gap in fascia on eastern aspect of Building 4.

Photograph 16 – Southern aspect of Building 4, arrow pointing to gap in barge board.

Photograph 17 – Close view of gap in barge board on southern aspect of Building 4.

Photograph 18 – Eastern aspect of Building 4.

Photograph 19 – Eastern aspect of Building 4.


Photograph 20 – Southern and eastern aspect of Building 5.

Photograph 21 – Western aspect of Building 5.

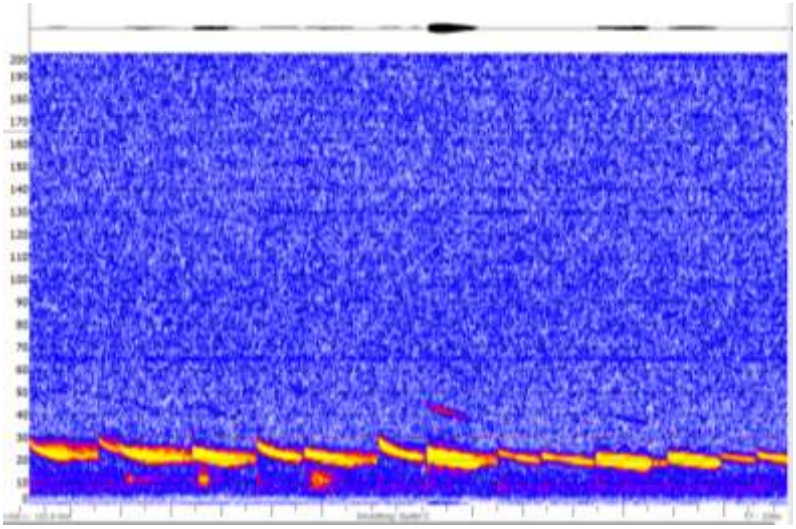
Photograph 22 - Southern and western aspect of Building 6.

Photograph 23 – Eastern aspect of Building 8.

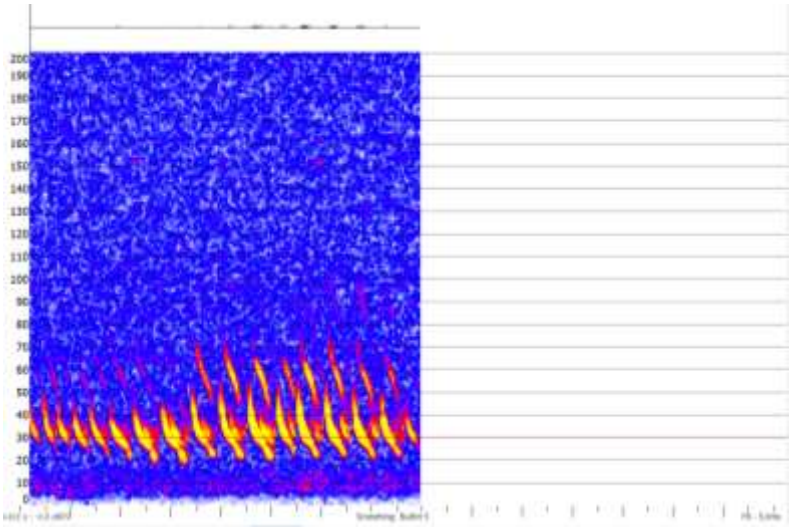
Photograph 24 – Northern aspect of Building 9.

Photograph 25 – Western and southern aspect of Building 10.

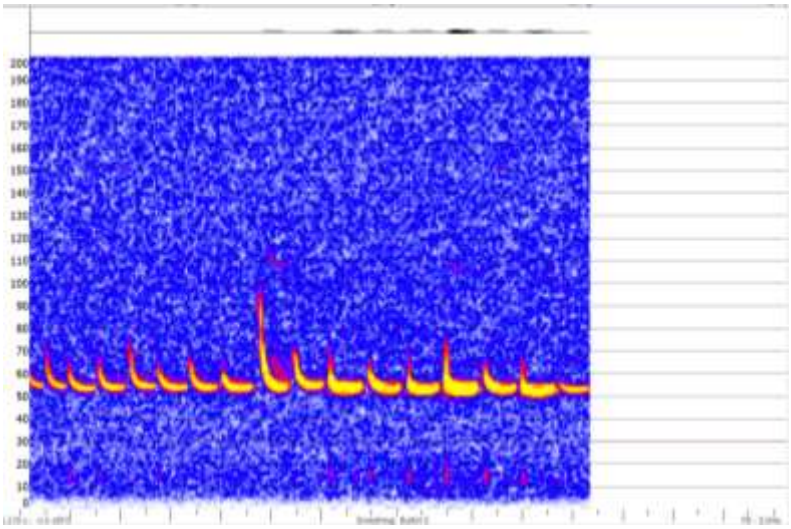
Appendix 4 – Sonograms



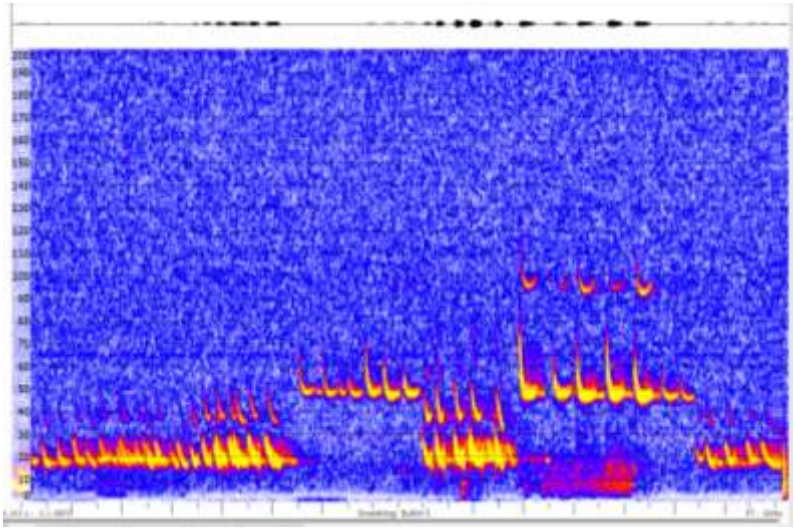
Sonogram 1. Showing the calls of a noctule bat recorded commuting high over the site (flying from west to east) at 19:40 during the emergence survey on 22nd September 2020.



Sonogram 2. Showing the calls of the brown long eared bat recorded emerging from Roost 2 at the western aspect of Building 1, at 19:49 during the emergence survey on 22nd September 2020.



Sonogram 3. Showing the calls of a soprano pipistrelle bat recorded passing over site during the emergence survey on 22nd September 2020 at 20:15.



Sonogram 4. Showing the calls of a common pipistrelle bat recorded passing over site during the emergence survey on 22nd September 2020 at 20:16. Note the array of social calls.

Appendix 5 – Statutory and planning context

STATUTORY AND PLANNING CONTEXT

Ecological assessments

Ecological assessments play an important part within the planning context; they include an initial assessment which highlights any specific interests of a site. From the initial site assessment, the surveyor assesses the suitability of habitats within the site to support protected species and makes recommendations for further survey works if required. The following paragraphs provide a brief interpretation of the legislative protection that is relevant to the findings of this report.

Habitats

Section 7 of the Environment Act (Wales) places a duty on Welsh Ministers to publish, review and revise lists of types of habitats and species in Wales which they consider are of key significance to sustain and improve biodiversity. The Welsh Ministers must also take all reasonable steps to maintain and enhance the habitats published in these lists, and encourage others to take such steps.

Bats

In the United Kingdom, all species of bat and their roosts are afforded full protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (known as the "Habitats Regulations"). The Wildlife and Countryside Act is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) and was amended by the Countryside and Rights of Way Act 2000. This makes it an offence to:

- Deliberately, intentionally or recklessly kill, injure or capture a bat
- Deliberately, intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection
- Deliberately, intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection (even if the bat is not present at the time)
- Keep, transport, sell or exchange, or offer for sale or exchange any live or dead bat, any part of a bat or anything derived from a bat

Under UK law, a bat roost is *any structure or place which any wild [bat] … uses for shelter or protection*. As bats often reuse the same roosts, legal opinion is that a roost is protected whether or not the bats are present at the time of the activity taking place.

Penalties for offences include unlimited fines (formerly up to £5000), plus up to six months imprisonment, for each offence committed.

If an activity is likely to result in any of the above offences, a licence can be applied for to derogate from the protection afforded. These licences must provide appropriate mitigation and are issued by NRW.

The Environment (Wales) Act 2016 also lists the following bat species as species of principle importance under Section 7:

- Barbastelle *Barbastella barbastellus*
- Bechstein's bat *Myotis bechsteinii*
- Noctule *Nyctalus noctula*
- Common pipistrelle *Pipistrellus pipistrellus*
- Soprano pipistrelle *Pipistrellus pygmaeus*
- Brown long-eared bat *Plecotus auritus*
- Greater horseshoe *Rhinolophus ferrumequinum*
- Lesser horseshoe *Rhinolophus hipposideros*

Birds

All wild birds, their nests and young are protected throughout England and Wales by the Wildlife & Countryside Act 1981 (as amended). It is illegal to kill, injure or take any wild bird, or damage or destroy the nest or eggs of breeding birds. The legislation applies to all bird species, common and rare.

In addition to the protection afforded to all wild birds, more vulnerable species listed on Schedule 1 of the Act receive enhanced protection when breeding. Schedule 1 species, including their dependent young, are protected from intentional or reckless disturbance whilst at or near the nest, in addition to the protection afforded the more common species.

The Environment (Wales) Act 2016 offers further protection to the nests of some species that regularly re-use their nests, even when the nests are not in use.

The leading governmental and non-governmental conservation organisations in the UK have reviewed the population status' of 244 UK bird species. "Birds of Conservation Concern 4: the Red List for Birds" is the most recent publication summarising their findings. Three lists, Red, Amber and Green, have been produced based on the most up-to-date evidence available and criteria include conservation status at global and European levels and, within the UK: historical decline, trends in population and range, rarity, localised distribution and international importance. These lists are a valuable resource when considering conservation priorities.

Planning Policy

National planning guidance is issued in the form of Planning Policy Wales (PPW - 2018). The most relevant sections are included in Chapter 6: Distinctive and Natural Places. This chapter details the policies on issues such as the protection of trees, woodlands, species, and designated sites. The document is free and available to view online