

HAWKESWOOD ECOLOGY

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PRELIMINARY ECOLOGICAL ASSESSMENT AND BAT SURVEY AT 15 CAE RHYS DDU, CIMLA, NEATH, SA11 1JB.

**ON BEHALF OF
MR MIKE ROBERTS**

April 2018

Ref: HE/78/2017

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We confirm that in preparing this Report we have exercised reasonable skill and care, taking into account the project objectives, the agreed scope of the work, prevailing site conditions and the degree of manpower and resources allocated to the project.

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SUMMARY

Hawkeswood Ecology carried out a Preliminary Ecological Assessment and Bat Survey of the grounds and buildings at 15 Cae Rhys Ddu, Cimla, Neath.

The Site is dominated by amenity gardens, hard standing, some disturbed ground and buildings. The Site is largely isolated from the surrounding area and habitats by a large wall and solid fencing; there is a mature cypress hedge on the southern boundary. The buildings were once Local Authority greenhouses and potting sheds and are now in a state of poor repair. They offered very limited potential for roosting bats and are not considered to be a particular issue in relation to any development. The gardens are maintained as formally mown lawn and dug over vegetable areas.

The Site does not support any important habitats and has very little potential to support protected species, although should the cypress hedge be removed in any development, it should be removed outside the breeding bird season or carefully assessed for the presence of nesting birds beforehand.

It is concluded that there are no apparent ecological reasons that would prevent a proposed development of the Site going ahead.

The conclusions of this report are considered valid for two years from the survey date noted in Section 1 of the report.

1 INTRODUCTION

- 1.1 Hawkeswood Ecology was instructed to carry out a Preliminary Ecological Assessment and Bat Survey of grounds and buildings in land belonging and immediately adjacent to 15 Cae Rhys Ddu, Cimla, Neath, SA11 1IB; approximate central Grid Reference SS 75959 96121, on behalf of Mr Mike Roberts. It is proposed to develop the Site for residential purposes.
- 1.2 The Site is dominated by gardens and old greenhouses with associated hard standing and disturbed ground which form part of the estate of 15 Cae Rhys Ddu which to the east of the proposed development Site with open countryside to the west.
- 1.3 The buildings on Site date from around the 1950's and are all in poor condition with one of the glasshouses partially collapsed. They are currently used for storage although some clearance of old stored material has taken place. The Gardens are still managed and looked after by Mr. Roberts.
- 1.4 The objectives of the survey are:
 - To ascertain the habitats and species present within the Site;
 - To assess the ecological and nature conservation value of the Site;
 - To assess the potential value of buildings on Site for the presence of roosting bats;
 - To assess the potential ecological impacts of the proposed works;
 - To provide recommendations to mitigate the proposed works.
- 1.5 The Preliminary Ecological Assessment and Daytime Bat Scoping Survey and were carried out on 13th March 2018.

2 SURVEY TEAM EXPERIENCE

- 2.1 The lead surveyor and report author is Eric Hawkeswood. Eric has many years experience of broad habitat and detailed botanical and species surveying. Eric has been an active member of the Brecknock Bat Group since 1999 and been involved in a number of long running surveys within the county. He is a Natural Resources Wales (NRW) licensed bat worker (no. 74244a:OTH:CSAB:2016) and has extensive experience of roost inspections and emergence work. He has been a professional in the nature conservation field for twenty nine years formerly working as Reserves Manager and Conservation Officer at Gwent Wildlife Trust and Woodland Manager for the Ruperra Conservation Trust. Eric has worked as an Ecological Consultant as joint proprietor of Hawkeswood Ecology since 2001.

3 METHODOLOGY AND CONSTRAINTS

Desktop Study

- 3.1 The South East Wales Biodiversity Records Centre (SEWBReC) were asked to carry out a bat and roof nesting bird search in accordance with Bat Conservation trust Guidelines. Given the urban location of the Site, this was considered to be a commensurate level of search.

Preliminary Ecological Assessment

- 3.2 The Preliminary Ecological Appraisal (PEA) was carried out in line with the guidance issued by The Chartered Institute for Ecology and Environmental Management (2013) and consisted of a walk-over survey of the proposed Site taking into account features within and adjacent to it. Habitats were categorised according to the Phase 1 Habitat Survey guidelines (JNCC, 2010) and annotated onto a map (Figure 1). Plant assemblages were described using the DAFOR scale of cover abundance (Appendix 1) and each habitat was recorded using Target notes (Appendix 2); a species list of plants identified during survey is given in Appendix 3 and photographs are given in Appendix 4.

Bats - Buildings

- 3.3 The principal aim of the daytime inspection was to survey the main structures of the building for the presence of bats and their roost sites. An external examination was made of the design and structure of the buildings to assess the suitability for use by bats and for potential access points followed by a thorough internal search. Evidence such as bat droppings (faeces) or urine staining on windows, doors, walls or other surfaces was looked for.
- 3.4 The daytime inspection was carried out with the aid of close focusing binoculars, endoscope, night vision scopes, ladders and a 1,000,000 candlepower spot lamp.

Constraints

- 3.5 No constraints to the surveys were noted.

4 DESK TOP STUDY FINDINGS

- 4.1 SEWBReC reported 95 records from the 2 kilometre search buffer; the nearest records are of pipistrelle species bats and common pipistrelle both from approximately 100 metres distance from the Site. Other species recorded within 1 kilometre of the Site include soprano pipistrelle, noctule and Daubenton's bats. Other species recorded at a distance greater than 1 kilometre from Site include lesser horseshoe bat, noted at a Site approximately 1.5 kilometres to the west, and Natterer's bat
- 4.2 Roof nesting bird species recorded in the search buffer of 150 metres are Jackdaw, herring gull, swift, house martin, peregrine falcon, kestrel, swallow, pied wagtail, house sparrow, wren and starling.
- 4.3 The Site does not fall within 10 kilometres of any nationally or internationally designated sites notified for the presence of bats.
- 4.4 SEWBReC data is confidential and cannot be released in to the public domain without prior permission in writing from SEWBReC. Hawkeswood Ecology holds the data on the client's behalf for one year (in accordance with conditions) in case of further query. SEWBReC have given this data search a unique reference number, 0178-613, which should be quoted in any communications with them.

5 FIELD SURVEY FINDINGS

Preliminary Ecological Assessment

- 5.1 The Site sits in Cimla area on the boundary of the urban developed area adjacent to Eaglesbush Valley to the immediate west. It is dominated by managed gardens, garden buildings and hard-standing. See Figure 1, Phase 1 map and Appendix 4 for photographs.
- 5.2 The garden areas consist of formally mown grass with some shrubs and a large area of dug over vegetable garden (Target Note 1). There is an area of disturbed land (Target Note 2) adjacent to the former glasshouses where material has been stored and dumped, which contains some bare ground, ruderal plants and piles of soil and plant debris.
- 5.3 The Site is largely surrounded by brick and stone walls (Target Note 3) and solid metal sheet fencing and is largely isolated from the surrounding habitats by them. At the southern boundary is a mature cypress hedge (Target Note 4) to approximately 4.5 metres height.

Fauna

- 5.4 No faunal species were noted on site during the survey but common garden birds such as robin, jackdaw, dunnoek and blackbird were heard and seen flying in the local area. There was no evidence of breeding birds using the buildings but there is potential for the cypress trees to be used by nesting birds.

Surrounding Area

- 5.5 The Site sits on the edge of the built up area of Cimla with Eaglesbush Valley and open countryside to the immediate west. It is separated from the adjacent countryside by a track leading to another property.

Bat Roost Daytime Assessment

- 5.6 There is a complex of former glasshouses and sheds on the Site which was formerly owned by the Local Planning Authority. These are now largely in disuse and used mainly for general storage. All are in a state of disrepair with the roof having partially collapsed on the main glasshouse.
- 5.7 The building locations are shown and numbered in Figure 1 and details are given in Table 1 below. The main glasshouse and sheds from one built unit with pitched roofs and consist of single skin brick walls which are generally at least partially glazed, these are all described under building 1 and further divided in section a - c. All sections except one small storage area (building number 1c) have windows. The buildings probably date to the 1950's.

Table 1: Description of Buildings

No	Wall Structure	Roof structure and loft space	Comments	Assessment of Bat Roost Potential
1a	Single Skin brick wall, western wall is boundary of Site. Wooden fascia on outside wall, tight to wall.	Mono-pitch, east facing, open to roof internally. Roofing materials a mix of wood, metal profile sheets and clear polycarb sheets.	Brick construction, solid walls, roof well sealed with no access for bats, no underfelt. Direct evidence of bats: none Potential for roosting bats: Very limited access to the building through open doors and window, no potential roost sites noted internally.	None - Low
1b	Low single skin brick walls, eastern wall partially glazed.	Double pitch roof forms valley with roof of building 1a, open to roof, western section is wood roofed with no underfelt, southern is glass and has partially collapsed. Some areas have been recovered with metal profile sheets. Ridge partially covered with metal sheet.	Brickwork is generally in sound condition with some rooted wood. The glass roof is partially collapsed and the building in a dangerous condition. Direct evidence of bats: None Potential for roosting bats: As above, some of the metal has lifted on the ridge, possible opportunistic roost opportunities but no easy flight access to them.	None - Low
1c	Single skin brick wall, one small window. Low to a maximum height of 1.8 metres.	Asbestos roof.	Basically a shed attached to building 1b western wall. Former coal shed. Direct evidence of bats: None Potential for roosting bats: None	None
2	Single skin brick shed, large window.	Flat roof, covered with corrugated zinc sheet.	Well used tool shed attached to building 3. Direct evidence of bats: None Potential for roosting bats: None	None
3	Concrete panelled shed, large window.	Flat concrete slab roof with felt cover.	Attached to shed (building 2) and used for tool storage. Some water ingress and seals in the concrete roof failing. Direct evidence of bats: None Potential for roosting bats: None	None

- 5.8 None of the buildings were considered to hold serious potential for supporting roosting bats although there were limited features present such as the lifted ridge sheets which may offer some opportunistic roost potential. Bats could clearly access the majority of the former glasshouse and shed complex through open doors but there was no evidence to suggest this happens in any regular manner; although the assessment was undertaken in the non activity season, there was enough material stored in the sheds to retain any accumulation of droppings.
- 5.9 The sheds, buildings 2 and 3, showed no evidence or potential for bats to use them as a roost.

6. DISCUSSION AND IMPACT ASSESSMENT

Preliminary Ecological Assessment

- 6.1 The Site is generally formally managed with little biodiversity interest. The only part of the Site with any naturalness is the area around the former glasshouse complex which has been used for dumping and storage of materials. Even here, much of the growth indicated the garden nature of the Site with Spanish bluebells, raspberry, garden daffodils and crocus much in evidence. Other species noted were abundant bramble and common nettle along with locally frequent red fescue and rarely occurring male fern.
- 6.2 Otherwise the Site is dominated by hard standing and buildings and of no biodiversity value.
- 6.3 It is considered the loss of the buildings and grounds are considered to be of **no significance** in a local or regional context.

Protected Species

- 6.4 There is potential for birds to use the cypress hedge for breeding purposes and also in the buildings although no evidence was noted during survey, but other than this the Site is considered to be of little value for protected species. There is very limited potential for bats to use the Glasshouse but this is thought unlikely; it is considered that further survey such as observations is unlikely to add to current knowledge and should bats use the buildings, it would be on an opportunistic basis only.
- 6.5 There is limited potential for reptiles in the areas around the buildings, however the Site is isolated from the surrounding area by walls severely limiting access the Site, the open areas are small and also largely shaded by the hedge and walls restricting available basking sites. As such, their presence is considered to be very unlikely. The Site does not support suitable habitat for other protected species.
- 6.6 It is considered that the loss of the buildings and grounds is of **no** significance for protected species. However some compensation should be made in relation to breeding birds should the cypress hedge be removed (see Section 8, Recommendations).

7 RELEVANT LEGISLATION AND POLICIES

Birds

- 7.1 Part I of the Wildlife and Countryside Act 1981 (as amended) makes it an offence (with certain limited exceptions and in the absence of a licence) intentionally to kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst being built or in use, or to take or destroy its eggs. Consequently, even common birds such as blackbirds or robins, and their nests and eggs are protected in this way. Any works involving removal or other management of trees or shrubs must be undertaken outside the breeding bird season (March- August).
- 7.2 Further, section 1(5) of Part 1 of the W&C Act states any person intentionally disturbing any wild bird included in Schedule 1 whilst it is building a nest or is in or near a nest containing eggs or young or disturbs the young of such a bird is committing an offence and liable to a special penalty.
- 7.3 Amendments to The Conservation of Habitats and Species Regulations 2010 made in 2012 have effectively strengthened the protection of wild birds and their habitats. The amendment is “To help preserve, maintain and re-establish habitats for wild birds.”
- 7.4 Under the amended Regulations, Local Planning Authorities (as well as national statutory conservation bodies such as Natural Resources Wales) are required to protect and create bird habitat.

Bats

- 7.5 British bats are protected under the Wildlife and Countryside Act 1981 (as amended). Schedule 5 of this act made it illegal to intentionally kill, injure or take any British bat. It is also an offence to intentionally damage or destroy their place of rest (the roost).
- 7.6 Further all bat species are protected under Annex IV of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora (The Habitats Directive) as amended which requires the United Kingdom government to provide bats with strict protection. Lesser horseshoe bats are also protected under Annex II of the Habitat Regulations which requires the national government to identify Special Areas of Conservation to protect and enhance core populations of Annex II species.
- 7.7 The Habitats Directive is transcribed into England and Wales Law by The Conservation of Habitats and Species Regulations 2017, this legislation consolidates amendments made to the earlier 2010 act. This legislation states in Part 3, Protection of Species, paragraph 43(1) that a person who:
- (a) deliberately captures, injures or kills any wild animal of a European protected species,
 - (b) deliberately disturbs wild animals of any such species,
 - (c) deliberately takes or destroys the eggs of such an animal, or
 - (d) damages or destroys a breeding site or resting place of such an animal,
- is committing an offence.
- 7.8 Further, with regard to disturbance of EPS, Paragraph 43(2) that disturbance is an act which is likely to:
- (a) to impair their ability—

- (i) to survive, to breed or reproduce, or to rear or nurture their young, or
- (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- (b) to affect significantly the local distribution or abundance of the species to which they belong.

- 7.9 In the case of a development involving the loss or modification of a building which may affect bats the above legislation must be considered and it may be necessary to apply to Natural Resources Wales for a European Protected Species Licence (EPSL).
- 7.10 The introduction of the Conservation of Habitats and Species Regulations 2017 (as amended), has removed the defence of killing or injuring a protected species during a lawful operation, thus even in an instance where planning permission is granted, the presence of bats must be considered and mitigated for prior to commencement of works. Under the above regulations, a WAG licence can only be given if three tests are satisfied:
- The action proposed is in the interest of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment;
 - That there is not a satisfactory alternative;
 - That the action proposed will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 7.11 Failure to satisfy the regulations and obtain an EPSL where required is likely to result in prosecution and can lead to severe fines of up to £5000 per bat and possible imprisonment.
- 7.12 Eight species of bat are listed under section 7 of the Environment Wales Act (2106). Section 7 of the Act provides a list of living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. This is a list of species considered at threat within Wales and in need of conservation management to maintain and enhance population numbers.
- 7.13 A duty is placed on the Local Authority by the Welsh Assembly Government to maintain and enhance populations of species listed in Section 7.

Reptiles

- 7.14 All common reptiles are protected under the Wildlife and Countryside Act 1981 (as amended) schedule 5, from deliberate injury or killing (Section 9(1)) and sale (Section 9(5)).
- 7.15 A Welsh Government licence is not required to handle or disturb slow worms or common lizards but there must be proper consideration of the presence of these animals on site and mitigating measures implemented to minimise any impacts on them.
- 7.16 All British reptiles are listed under section 7 of the Environment Wales Act (2106). Section 7 of the Act provides a list of living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales. A duty is placed on the Local Authority by the Welsh Assembly Government to maintain and enhance populations of species listed in Section 7.

8 RECOMMENDATIONS

- 8.1 Removal of trees and shrubs should be undertaken outside the accepted bird breeding season of March to August. If this is not possible, the affected areas will be searched by a suitably experienced ecologist prior to commencement of works. There is no licence for the destruction of active bird nests and translocations invariably fail. Any nest will be protected by a buffer zone until such time as it is no longer in use.
- 8.2 Any new build should provide permanent nest sites for house nesting bird species such as house sparrow or swift. In this location, swift boxes on a western elevation, if suitable, would be well sited.
- 8.3 Removal of the garden complex building roofs (building 1) should be undertaken with care and by hand. Should bats be found during this operation, works will stop immediately and a suitably licensed ecologist or Natural Resources Wales contacted without delay to offer advice on how best to proceed. A Derogation Licence may need to be obtained in this instance.
- 8.4 Spanish bluebell has been identified on Site. This plant can readily hybridise with the common bluebell and is causing concern for the integrity of the native species. All soils removed from Site should be taken to an appropriate disposal site to prevent the spread of this species.
- 8.5 Site ground clearance should take account that the presence of reptiles cannot be fully ruled out in any situation. Clearance works should take place in a manner that allows any reptiles to escape, i.e. from the boundary walls to the open garden of 15 Cae Rhys Ddu.

9 CONCLUSIONS

- 9.1 The Site is presently dominated by the gardens and buildings, it is considered to be of very low biodiversity interest.
- 9.2 The Site was considered to be of low potential for protected species although the cypress hedge offers opportunities for nesting birds.
- 9.3 The buildings were considered to be of very low or no potential to support roosting bats, further observation surveys were considered unlikely to provide any relevant new information.

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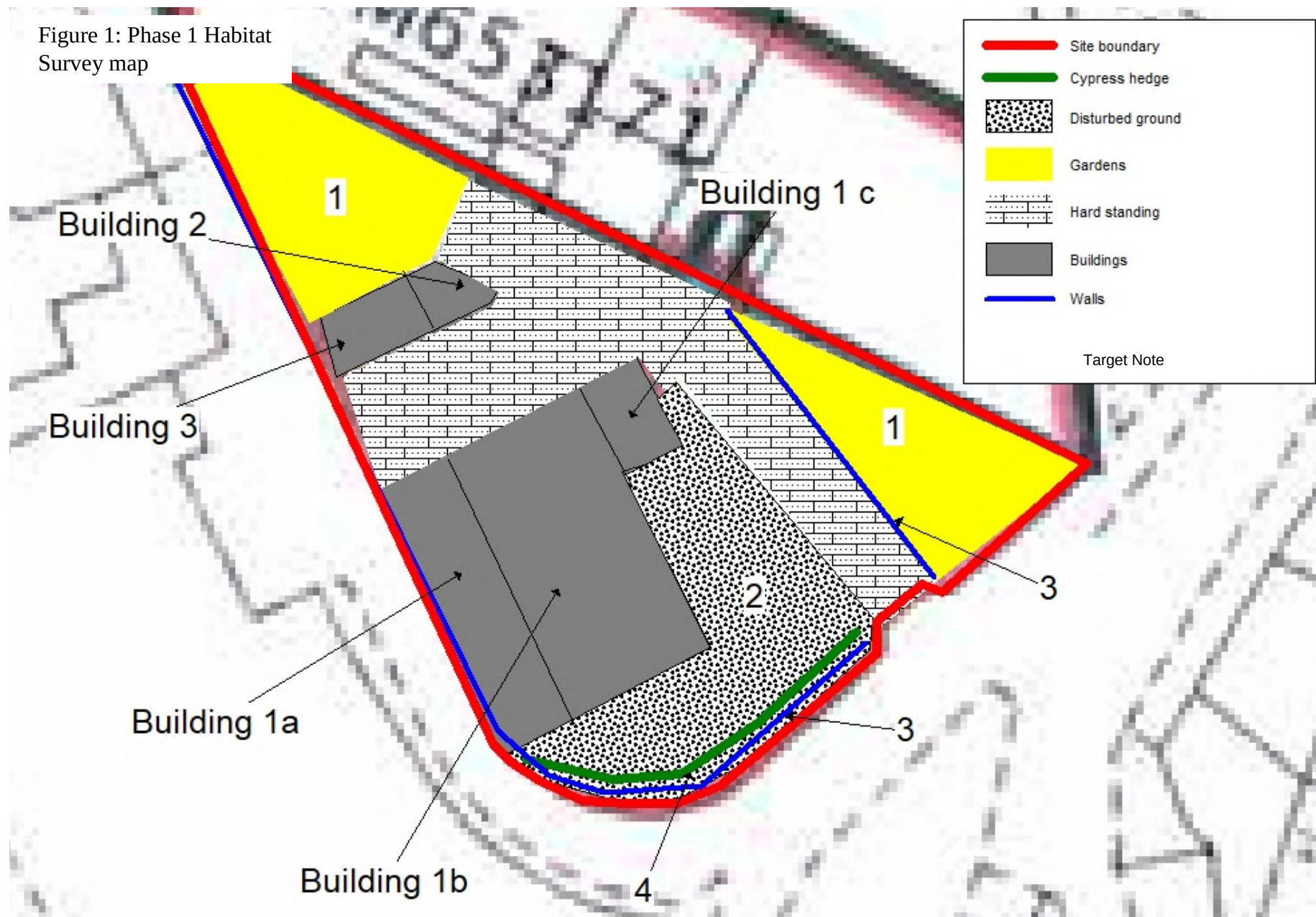
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FIGURE 1:
PHASE 1 HABITAT MAP AND LOCATION OF TREES ASSESSED

Figure 1: Phase 1 Habitat Survey map



APPENDIX 1

DAFOR SCALE OF COVER ABUNDANCE

The DAFOR scale is used as a simple measure of cover abundance for individual plant species within a habitat. The scale is as follows:

- D Dominant
- A Abundant
- F Frequent
- O Occasional
- R Rare
- (L Locally – sometimes used as a prefix to the above)

APPENDIX 2
PHASE 1 HABITAT SURVEY TARGET NOTES

1. Gardens, formally mown grass lawn with potted shrubs and dug over vegetable gardens.
2. Area of disturbed ground around building complex. Much bare ground and tipped materials, such as brick rubble, soil and plant debris. Species recorded were locally abundant bramble and common nettle, locally frequent Spanish bluebell, red fescue and raspberry, occasional dandelion and garden daffodil and rarely occurring male fern.
3. Dry stone wall and boundary brick walls.
4. Mature cypress hedge.

APPENDIX 3
LIST OF PLANT SPECIES RECORDED IN THE SURVEY

<i>Species</i>	<i>Scientific Name</i>
Bramble	<i>Rubus fruticosus</i> agg
Cocksfoot	<i>Dactylis glomerata</i>
Common dock	<i>Rumex obtusifolius</i>
Common nettle	<i>Urtica dioica</i>
Crocus	<i>Crocus</i> sp
Daffodil	<i>Narcissus</i> sp
Dandelion	<i>Taraxacum officinale</i> agg
Male fern	<i>Dryopteris filix-mas</i>
Raspberry	<i>Rubus idaeus</i> sp
Red fescue	<i>Festuca rubra</i>
Spanish bluebell	<i>Hyacinthoides Hispanica</i>
Yorkshire fog	<i>Holcus lanata</i>

APPENDIX 4
PHOTOGRAPHS



Mown lawn and stone wall (TN3)



Site walls and cypress hedge



Vegetable garden



Roof valley between building 1a and 1b



Showing buildings 1b



Building 1a interior



Building 1b interior



Partially collapsed glasshouse roof (building 1b)



The tool shed and concrete buildings (nos 2 and 3)

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