

HAWKESWOOD ECOLOGY

Specialists in Ecological Survey and Assessment

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PRELIMINARY ROOST ASSESSMENT AND OBSERVATION SURVEY, TIRLAN COTTAGES, CILFREW, NEATH.

On behalf of

CATRIN STEPHENS

September 2020

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Issue 1

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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 and prevailing site conditions.

All habitat and protected species surveys present a ‘snapshot’ of conditions existing and species present, or considered having potential to be present, at the time of survey. Many species are mobile and distributions can vary across time. Results and findings presented in this report should be considered with these factors in mind.

Protected species surveys are recognised as having a ‘shelf life’ of two years maximum. Surveys older than this are unlikely to be accepted by a Local Planning Authority or Natural Resources Wales as viable documentation.

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SUMMARY

Hawkeswood Ecology was instructed to carry out a daytime Preliminary Bat Roost Assessment (PRA) and observation surveys at Tirlan Cottages, Cilfrew, Neath to determine the presence of, or potential for the building to support, roosting bats. The building was also assessed for breeding birds during the survey. It is proposed to restore the building as holiday lets.

Tirlan cottages are now used as a stable block and general storage area. Parts of the original stone walls survive at each gable end but the whole building is basically adapted with block walls and a new steel roof. The PRA found limited potential for the building to support bats on the remaining original wall tops and also access to the building interior.

Subsequent observation surveys recorded bats foraging around the block and the adjacent area by what appeared to be a maximum of two animals. No roosting activity was observed.

Swallows were using the structure for nesting with two active nests noted during the survey period.

Given the finding of the surveys it is considered there are no apparent ecological reasons that would prevent the development proceeding with recommendations made in the report to ensure no harm to protected species occurs.

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 by Catrin Stephens to undertake a Preliminary Roost Assessment (PRA) of a barn/stable block known as Tirlan Cottages, at Tirlan Farm, Cilfrew. Following the PRA, observation surveys were undertaken as the building was considered to be of low to medium potential for supporting roosting bats. It is proposed to re-furbish the building for holiday let use.
- 1.2 The building is based around the former cottages which were stone and rubble construction with a slate roof. Currently, only parts of the gable walls remain, the remainder of the structure being rebuilt with block walls and a metal profile roof with polycarbonate ‘lights’. The building sits in open countryside to the north of the settlement of Cilfrew.
- 1.3 The objectives of the survey were to:
 - To establish whether the building is currently used by bats or shows potential for them to occupy it;
 - To assess the potential impacts on bats of the proposed works;
 - To provide mitigation proposals in the case of bats being found.
- 1.4 The PRA was carried out on 7th July 2020; the subsequent observation surveys were undertaken on 7th July and 6th August 2020. Any evidence of breeding birds using the building was also looked for during the surveys.

2. METHODOLOGY

Desktop Study

- 2.1 The South East Wales Biological Records Centre (SEWBReC) were asked to provide records of bats and roof nesting birds within search buffers of 2 kilometres and 150 metres respectively.

Field Survey

- 2.2 The study methodology followed accepted guidelines set out in the Bat Conservation Trust documents ‘*Bat Surveys for Professional Ecologists, Good Practice Guidelines*’ 2016.
- 2.3 The principal aim of the daytime inspection was to survey the main structures of the building for the presence of, and potential to support roosting bats. Firstly, an external examination was made of the design and structure of the building to assess the suitability for use by bats and for potential access points. Indications such as droppings, staining and potential access points were searched for.
- 2.4 The daytime inspection was carried out with close focusing binoculars, an endoscope, ladders and a 1,000,000 candlepower spot lamp available.
- 2.5 Observations involved two observers and covered all aspects of the building. Machines used were Echo Meter 3 Real Time Expansion units and Anabat Express passive

recorders placed inside the building. The observers carried two way radios. Locations of the observers are shown in Figure 1.

- 2.6 The Anabat Express units were deployed inside the stables and were placed overnight prior to the dawn re-entry observation.
- 2.7 Recordings were made continuously on the EM3 and Anabat Express machines. The recordings were analysed using AnalookW software, by use of which it is possible to separate most species present from the sonograms produced.

Constraints

- 2.8 No constraints to the survey were noted.

3. SURVEYOR EXPERIENCE

- 3.1 The surveyor and report author is Eric Hawkeswood. 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 Resource Wales (NRW) and Natural England licensed bat worker (nos. S085546-1, 2018 and 2017-28420-CLS-CLS respectively) and has extensive experience of roost inspections and emergence work. He has been a professional in the nature conservation field for thirty one 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.
- 3.2 Assistant surveyor on the evening observation was Liam Kelly. Liam has worked for Hawkeswood ecology since 2012 and has considerable experience of undertaking emergence, re-entry and activity survey.

4 DESKTOP STUDY FINDINGS

- 4.1 SEWBReC reported 12 records of bats from the 2 kilometre search area with no records being closer than approximately 1500 metres. Species reported were common and soprano pipistrelle, brown long-eared, noctule and Natterer's bats. Four of the records were not identified to species and were designated *Pipistrellus* and *Myotis* species bats.
- 4.2 Eleven roof nesting bird records were reported involving six species of bird. The records were based on 1 kilometre squares and were of blue and great tit, swift, swallow, house martin and starling. No records were associated directly with the building.

5 FIELD SURVEY

- 5.1 Tirlan Cottages sit in the Tirlan Farm complex. The building was formerly residential with photographs showing it in original condition in the 1950's although it is not clear if they were still inhabited at that time. Tirlan sits on the eastern flanks of Mynydd Marchywel overlooking the Dulias valley to the east. Photographs of the building are given in Appendix 1.
- 5.2 The cottages were originally stone and rubble built with a slate roof. The only remaining parts of the original structure appear to be at the gable needs and a small part of one elevation where some of the stonewalls remain. Only the south eastern gable is nearly complete to roof level, and it appears that the roof level has been lowered. The remaining wall structure is block.
- 5.3 The roof has been completely replaced and consist of metal profile sheets supported on trusses; there are polycarbonate light panels in the roof. There are large gaps between the roof and wall top which would allow bat and bird access but also allowed draughty conditions through the roof space. The main door is open and sealed only with a metal five bar gate. Guttering is UPVC fixed to wooden boards and the roof gable ends are sealed with metal verges.
- 5.4 Internally, the building has two small storage compartments but is otherwise open throughout; there is no loft space with the truss structure exposed. The cottages are currently used for general storage and as stabling for horses.

Surrounding area

- 5.5 The cottages sit in open countryside approximately 2 kilometres north of Cilfrew. The majority of grassland around the Site is agriculturally improved and hedgerows are unmanaged and gappy. The cottage itself is relatively isolated in the landscape with poor linear connectivity to the surrounding fields although an area of planted woodland and scrub lies approximately 60 metres to the west.

Evidence and Potential for roosting Bats

- 5.6 The PRA found no direct evidence (i.e. droppings, staining or animals) of bats using the building and only limited potential for them to do so via access to the wall tops and in masonry cracks in the original walls. The building was considered to be of low/medium potential to support roosting bats and as such dawn and dusk observation survey was recommended.

Observation

- 5.7 Dusk and dawn observation surveys were undertaken on 7th July and 6th August 2020 respectively; this was aimed to observe any roosting activity in the building and assess activity across the Site. Conditions at the time of the surveys are shown in Table 1 below, the location of the observers is shown in Figure 1:

Table 1: Weather conditions for dusk observations:

Date	Survey type	Times	Weather conditions
7 th July 2020	Evening emergence	21.15 – 23.00 (sunset 21.30)	14-12.5°C, ~90% cloud variable. Light showers 21.25 to 21.35 then dry, good visibility, F2 SW breeze.
6 th August 2020	Dawn re-entry	03.55 - .5.55 (sunrise 04.45)	15-14°C, 100% cloud breaking, occasional light showers, mist clearing but good visibility, F1 SW breeze.

- 5.8 The first bat noted during the evening observation was a common pipistrelle seen following the drive to the buildings from the east at 21.58. This animal then foraged around the cottages for a few minutes before leaving to the south east. At 22.03 a common pipistrelle came from the west and again foraged around the cottages and farmhouse for a number of minutes before last being heard at 22.08. Further sporadic passes and periods of foraging continued throughout the observation. At all times it was considered only one animal was present.
- 5.9 The dawn observation was generally quieter but again there was sporadic activity throughout. The first bat noted was a common pipistrelle pass at 04.08 followed by a soprano pipistrelle pass at 04.12. A soprano pipistrelle was then foraging around the cottages and yard between 04.18 to 04.22. At 04.27 a common pipistrelle entered the Site and foraged around the yard until 04.50. Both species were making social calls but there was no interactivity.
- 5.10 At 05.12 a soprano pipistrelle passed from the west to east with the final pass noted a common pipistrelle at 05.32, the bat flying in from the west and towards the adjacent farmhouse, although no entry was seen.

Birds

- 5.11 Swallows nests were present in the building and two nests were active at the time of survey.

6 RELEVANT LEGISLATION

Birds

- 6.1 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).

- 6.2 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.
- 6.3 The Conservation of Habitats and Species Regulations 2017 has strengthened the protection of wild birds and their habitats. The amendment is “To help preserve, maintain and re-establish habitats for wild birds.”
- 6.4 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

- 6.5 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).
- 6.6 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.
- 6.7 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.
- 6.8 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.
- 6.9 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).

- 6.10 The introduction of the Conservation of Habitats and Species Regulations 2017 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.

- 6.11 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.

- 6.12 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.

- 6.13 A duty is placed on the Local Authority by the Welsh Assembly Government to maintain and enhance populations of species listed in Section 7.

Securing Biodiversity Enhancements

- 6.14 Planning Policy Wales Technical Advice Note (TAN) 5, Nature Conservation and Planning, provides advice on how the planning system should contribute to biodiversity protection and enhancement. TAN 5 recognises the importance of biodiversity and the enjoyment of it. TAN 5 requires Local Planning Authorities (LPAs) to protect and enhance biodiversity during the planning process and to encourage sustainable developments. It also requires LPA's to ensure that protected Sites are properly accounted for within the planning system.
- 6.15 The Chief Planning Officer sent a letter to LPAs (dated 23rd October 2019) following the refusal of a planning application. This letter has provided clarification on the Welsh Governments approach to Paragraph 6.4.5 of Planning Policy Wales 10 which sets out that *“planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity”*.
- 6.16 The purpose of this letter was to clarify that in light of the legislation and Welsh Government policy outlined above, where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise it will be necessary to refuse

permission. Biodiversity enhancement therefore will need to be included in any future planning application.

7 DISCUSSION AND IMPACT ASSESSMENT

7.1 The daytime inspection of the building found no direct evidence of bats but potential for them to gain access to the building and to the wall tops. The location of the cottages was fairly isolated within the landscape but derelict hedgerows running east to west and the farm drive provided a potential commuting route to nearby scrub. The pasture is mainly sheep and horse grazed and appeared to be agriculturally improved but would provide suitable foraging for pipistrelle species bats.

7.2 Both common, in both observations, and soprano during the dawn observation, pipistrelle bats utilised the area around the cottages for foraging, probably due to the presence of horses attracting prey items locally. No other species were recorded during the surveys.

7.3 Despite the activity around the barn, no records were made on the Anabat Express inside the building overnight prior to the dawn survey.

Assessment of Potential Impacts on Bats

7.4 It is considered that the building does not support roosting bats and shows no evidence of having done so. Its use for hibernating bats is considered unlikely given the structure and exposed location. It is considered that the proposals will have **no negative impact** upon the favourable conservation status of bats within the local or wider area.

Birds

7.5 Swallows were nesting within the cottage and the proposed works will result in the loss of the Site to breeding swallows. Without mitigation this is considered to be of **minor negative significance** for breeding birds in a local context. Recommendations are made in Section 8 in relation to this and if implemented should reduce the potential impact of the works.

Ecological Resilience

7.6 Under the Environment (Wales) Act 2016 Local Planning Authorities (LPA's) and other public bodies must seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems. LPA's are directed to consider the resilience of ecosystems early in the planning process to aid assessment of the impacts of any proposed development upon biodiversity.

7.7 NRW consider there are five attributes that are 'building blocks' of ecosystem resilience, these are:

- Diversity
- Extent
- Condition

- Connectivity
- Adaptability

- 7.8 Given the nature and location of the building and the works effectively being constrained to the existing footprint having no impact upon the surrounding area, it is considered that in this instance the Ecological Resilience of the Site remains completely unaffected by the proposed works if the recommendations made in Section 8 are implemented.

8 RECOMMENDATIONS

- 8.1 The proposals will prevent future nesting of swallows within the building and there are no apparent alternative opportunities for them on the Site. We would recommend the construction of a lean-to on the side of the building, i.e. for garden equipment storage. This could be of wooden construction with a waterproof roof and preferably to the height of the eaves of the refurbished building. The front should not be sealed allowing swallows access for nest building inside.
- 8.2 No direct impacts on bats are foreseen from the works to the building itself. However, to comply with the requirements of the Chief Planning Officer, there should be a net biodiversity gain. In this instance, if possible, integral bat and bird boxes should be fitted to the building exterior. In this location it is considered that for birds a house martin nest would be most suitable. Examples of boxes are shown in Figure 2, various types are available. The location of the integral bat box is shown in Figure 3.
- 8.3 Should a bat be found at any time during the works, an appropriately licensed bat ecologist will be called to Site to advise on how best to continue. In this instance, it may be necessary to obtain a Derogation Licence to comply fully with the Regulations.

9 CONCLUSIONS

- 9.1 There is no evidence to suggest that bats use the building for roosting purposes.
- 9.2 The building supports breeding swallows and recommendations are made to mitigate this.
- 9.3 The works can proceed without need for a derogation licence being sought. However, should a bat be found at any stage, works will cease immediately and a licensed bat ecologist called to Site to advise on correct procedures.

10 BIBLIOGRAPHY

Bat Conservation Trust (2016), *Bat Surveys for Professional Ecologists – Good Practice Guidelines*. Bat Conservation Trust, London.

Mitchell Jones, A J & Robertson C J (Eds) (2004), *Bat workers Manual*, 3rd Edition, Joint Nature Conservation Committee.

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

The Conservation of Habitats and Species Regulations, 2017, HMG.

The Wildlife and Countryside Act 1981 (as amended).

The Environment Act (Wales) 2016

FIGURE 1
LOCATION OF OBSERVERS

Preliminary Roost Assessment, Tirlan Cottages, Cilfrew.
Hawkeswood Ecology – September 2020

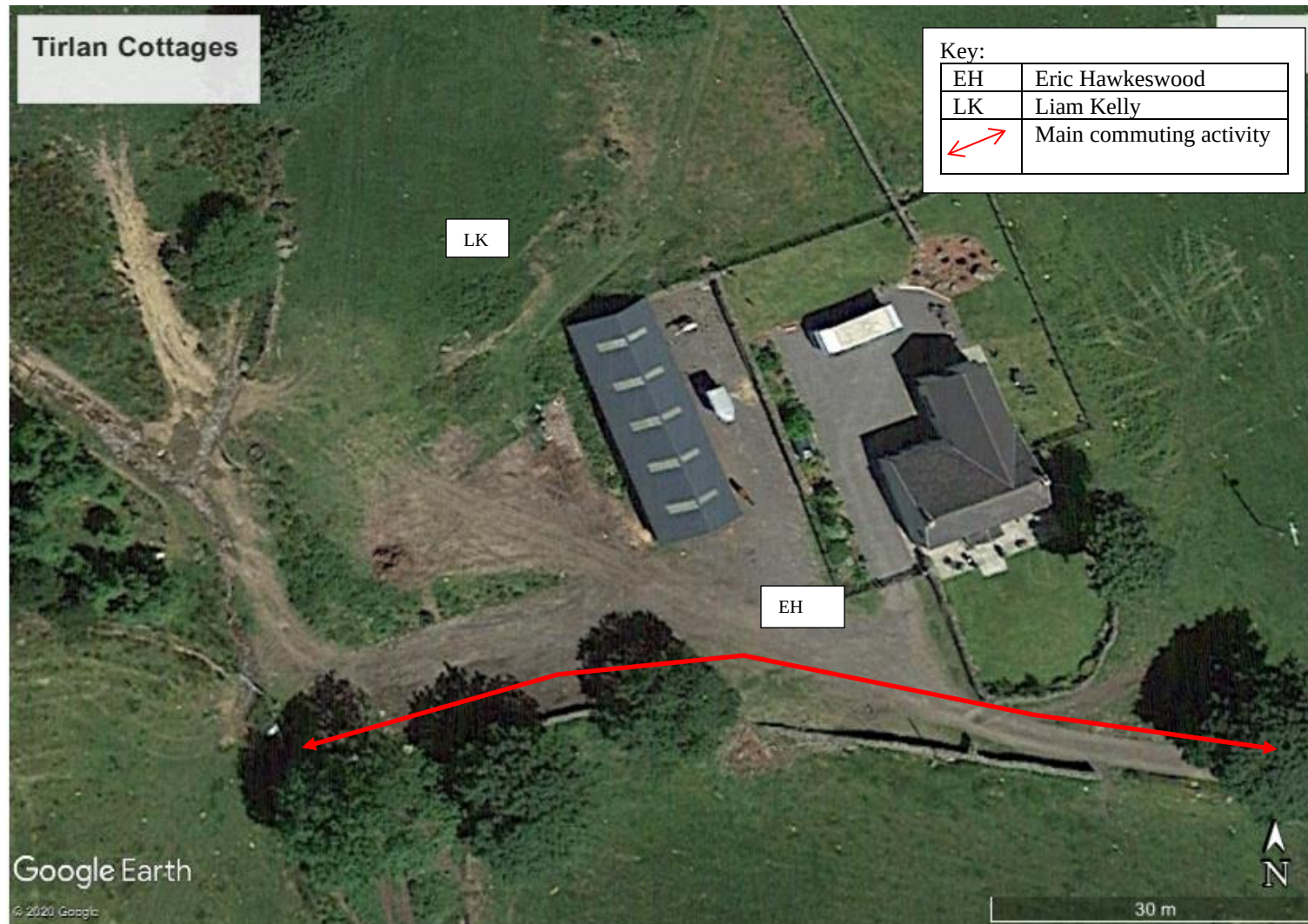


FIGURE 2
TYPICAL INTEGRAL BAT AND BIRD BOXES

Figure 2, Typical Integral Bat and Bird Boxes



House martin nests



Free Access Bat Box A

- Available in all brick types
- Discrete single bat brick
- Easy to install
- Allows bats to create a natural home habitat within the cavity of the building



Enclosed Bat Box B

- Designed specifically for the pipistrelle bat
- Available in all brick types
- Discrete home for bats
- Various sizes
- Several roosting zones are created inside the box
- Bats are contained within the bat box itself
- Maintenance free with entrance at the base
- Ideal for new build & conservation work

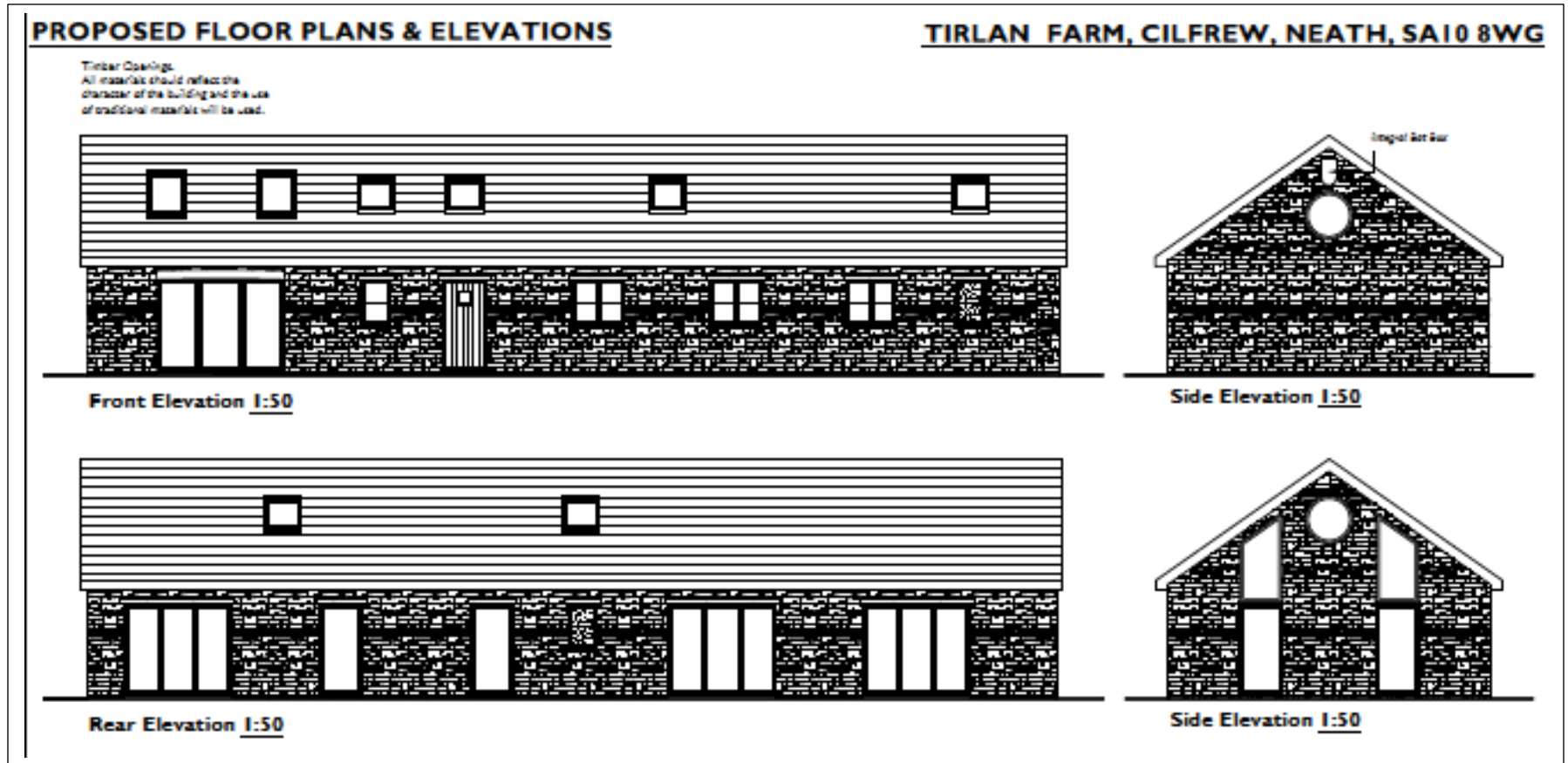


Enclosed Bat Box C with engraved motif

- Designed specifically for the pipistrelle bat
- Available in smooth blue, smooth gold & smooth red
- Attractive "bat" motif
- Discrete home for bats
- Various sizes
- Several roosting zones are created inside the box
- Bats are contained within the bat box itself
- Maintenance free with entrance at the base
- Ideal for new build & conservation work

Integral bat boxes

FIGURE 3
LOCATION OF INTEGRAL BAT BOX



From Prime Architecture Drawing No. 02, May 2021

APPENDIX 1
PHOTOGRAPHS



The south east gable and eastern elevation.



The north west facing gable



New truss roof structure



Metal profile roof showing polycarbonate light



Gap between the new roof and the walls



The building interior

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*Hawkeswood Ecology is an Ecological Consultancy based in South Wales
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range of clients.*

