



Preliminary Roost Assessment

6 James Street, Pontardawe, Swansea, SA8 4LR

Windsor Patania Architects

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

This approach is enshrined in Government planning guidance, for example, Planning Policy Wales Paragraph 6.4.3.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Limited was instructed by Windsor Patania Architects to undertake a Preliminary Roost Assessment (PRA) at 6 James Street, Pontardawe, Swansea, SA8 4LR (hereafter referred to as “the site”). The survey was required to inform a planning application which details the conversion and renovation of a disused pub to provide six residential dwellings (hereafter referred to as “the proposed development”).

The following is work you will need to commission to obtain planning permission and to comply with legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 5 of this report.

Feature	Foreseen impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies.</i>
Roosting Bats	Building B1 is assessed to provide negligible value to roosting bats. Bats are highly unlikely to be roosting within B1. No impacts to roosting bats are therefore anticipated as a result of the proposed development.	No further surveys are recommended to inform the planning application. However, the following precautionary working methods should be considered during development works: • In the unlikely event that a bat or evidence of bats is discovered during the proposed development, all work must stop and a bat licensed ecologist contacted for further advice. • No external lighting that may illuminate the proposed bat box will be installed to ensure the roosting feature is not subject to artificial light disturbance.
Foraging and Commuting Bats	None.	None.
Nesting Birds	None.	None.
Designated sites	None.	None.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Windsor Patania Architects to undertake a Preliminary Roost Assessment (PRA) at 6 James Street, Pontardawe, Swansea, SA8 4LR (hereafter referred to as “the site”). The survey was required to inform a planning application which details the conversion and renovation of a disused pub to provide six residential dwellings (hereafter referred to as “the proposed development”). The proposed development plans are provided in **Appendix 1**.

The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2016).

No previous ecology reports have been produced for this site by Arbtech Consulting Limited or by any other consultancy to the knowledge of the Author.

1.2 Site Context

The site is located at National Grid Reference SN 72069 04092 and has an area of under 0.1ha. The site is characterised by a disused pub. The site is located within Pontardawe Town Centre and is enclosed by urban infrastructure on all aspects. A site location plan is provided in **Appendix 2**.

1.3 Scope of the Report

This report provides a description of all features suitable for roosting, foraging, and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.

To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A field survey has been undertaken, including an external survey and internal inspection of built structures and a ground level assessment of trees where possible, to determine the presence or the suitability of any features which bats could use for roosting and to assess the suitability of the site’s bat foraging and commuting habitat.
- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

2.0 Methodology

2.1 Desk Study

The desk study included a 2km radius review of statutory designated sites with bat qualifying interests on the magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

2.2 Field Survey

The survey was undertaken by Jonathan Stuttard BSc (Hons) MSc (Senior Consultant) on 07/09/2022. Jonathan Stuttard holds Natural England Bat Licence **2022-10409-CL17-BAT**. The PRA focussed on a single building that will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging, and commuting habitat.

2.3 Suitability Assessment

The PRA comprised an assessment of each building to be impacted by the proposed development for potential to support roosting bats. The survey was led by an experienced ecologist and was based on current best practice guidelines (Collins, 2016). All features that are likely to be impacted by the proposed development were assessed for their potential to support roosting bats. The surveyor systematically surveyed all features suitable for-bats and signs of bat activity.

The PRA included a visual inspection (including the use of binoculars and torches where required) of the exterior and interior of each building for evidence of bat use (e.g. droppings, scratch marks, staining and sightings). Factors considered whilst undertaking the PRA comprised internal conditions, presence of features suitable for use by roosting bats, proximity to foraging habitats or cover and potential for disturbance. Notes were made relating to relevant characteristics of features providing potential access points and roosting opportunities for bats. **Table 1** below details the rationale for determining bat roost potential of buildings subject to the PRA.

Table 1: Rationale for assigning bat roost potential

Assigned Bat Roosting Potential	Description/ Rationale
Confirmed roost	Evidence of roosting bats within the building.
High	A building with one or more Potential Roost Features (PRFs) that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Medium	A building with one or more PRFs that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only).
Low	A building with one or more PRF that could be used by individual bats opportunistically. However, these PRFs do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).
Negligible	Negligible features on site likely to be used by roosting bats.

2.4 Breeding Birds and Other Incidental Observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds.

2.5 Limitations

It should be noted that whilst every effort has been made to describe the features on site in the context of their suitability for roosting bats, this does not provide a complete characterisation of the site. This survey provides a preliminary view of the likelihood of bats being present. This is based on suitability of the habitats on site and in the local area, the ecology and biology of bats as currently understood, and the known distribution of bats as recovered during the desk study. Bats are highly mobile animals that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

A biological records data search was not commissioned from the local biodiversity records centre. The location of historic bat records and non-statutory designated sites have therefore not been factored into this report. However, due to the small scale of the development and the level of data collected during the site visit, it is not anticipated that the purchase of biological records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

3.0 Results and Evaluation

3.1 Desk Study Results

A summary of desk study results is provided below.

3.2 Designated Sites

The site is not subject to any statutory designations. A single statutory designated site is located within 2km comprising a Site of Special Scientific Interest (SSSI). Details of this statutory designated site including reasons for notification are provided in **Table 2** below.

Table 2: Statutory designated sites with bat qualifying interests within 2km radius of the site.

Designated site name	Distance from site (approx.)	Reasons for notification from Natural Resources Wales
Frondeg SSSI	1.68km north	Frondeg is of special interest for its neutral grasslands, fen meadows and wet grassland, which are host to several uncommon plant species. Such vegetation is now increasingly scarce in the lowlands, most having been lost to agricultural improvement.

3.3 Landscape

A review of aerial photographs (Google Earth), the magic.gov.uk database and OS maps has been undertaken. Collated, the potential value of the wider landscape for bats is described below: The site is located within Pontardawe Town Centre and is enclosed by urban infrastructure of highly limited value to bats on all aspects. Although the landscape beyond this infrastructure to the north and east is dominated by additional urban infrastructure, the wider landscape to the west and south contains habitats of potential high value to bats. Specifically, the Upper Clydoch River and associated riparian vegetation is located to the west and there are significant sections of deciduous woodland and agricultural land to the east and south. These habitats are likely to provide foraging, commuting and roosting opportunities for bats. Some connectivity to the site from habitats in the wider landscape is likely to be present via vegetated linear features including the Upper Clydoch River and associated riparian features. However, connectivity is likely to be significantly limited due to the proximity of James Street and adjacent residential and commercial properties, which will result in extensive artificial light and noise disturbance that may deter bats from the immediate vicinity.

3.5 Field Survey Results

The PRA focussed on a single building that will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging, and commuting habitat. The results of the field survey are illustrated in **Appendix 3**. The weather conditions recorded at the time of the survey are shown in **Table 3**. The results of the PRA are shown in **Table 4**.

Table 3: Weather conditions during the survey

Date: 07/09/2022	
Temperature	19.5°C
Humidity	60%
Cloud Cover	0%
Wind	5mph
Rain	None.

Table 4: Preliminary Roost Assessment results

Feature	Description and potential value to roosting bats	Photographs
Building B1 – External	Building B1 is a detached, disused pub. B1 is likely to be stone-built and is fully rendered throughout with a multi-pitched roof clad with concrete tiles. Multiple timber framed and uPVC windows and doors are present on all building aspects. Extensions protrude from B1 on the east aspect comprising both a two-storey and single storey extension. The two-storey extension retains a perpendicular pitched roof clad with concrete tiles and contains residential accommodation. The easternmost single storey extension has a mono-pitched roof clad with corrugated steel sheets and houses a small toilet block. An additional extension is present to the north which houses an undercover smoking area; this extension is poorly constructed using a mix of timber framing and uPVC panels and retains an inverted roof clad with plastic sheeting. Narrow timber and uPVC fascia and soffits are present throughout enclosing the eaves. Although B1 is showing signs of dilapidation, most damage is cosmetic only and there are no significant structural defects. As a result, all render, windows, and doors are in good condition with no gaps or crevices suitable to provide access into the building or into an external cavity suitable to support crevice dwelling bats. Furthermore, the roof appears to be in good structural condition with no evidence of subsidence and an absence of lifted slipped, and missing tiles. Although there are a small number of gaps underneath uPVC fascia boards and a small hole in a timber soffit on the north aspect, these features face directly towards streetlights and are thus subject to extensive artificial light disturbance. This significantly reduces the potential value of these features to support a bat roost. No evidence indicating the presence of roosting bats was recorded externally during the PRA. It is noted that no evidence indicating the presence of nesting birds was recorded and the building does not provide any significant nesting opportunities externally.	 Figures 1 & 2: Left – Southwest aspect of B1. Right – Northeast aspect of B1.

Building B1 – External

Figure 3 shows a close view of the single storey toilet block. Note the mono-pitched roof clad with corrugated steel sheets. This building section provides no suitable roosting features for bats.

Figure 4 shows the poorly construction extension on the north aspect of B1. This building section provides no suitable roosting features for bats.



Figures 3 & 4:

Left – A close view of the toilet block on the east building aspect.

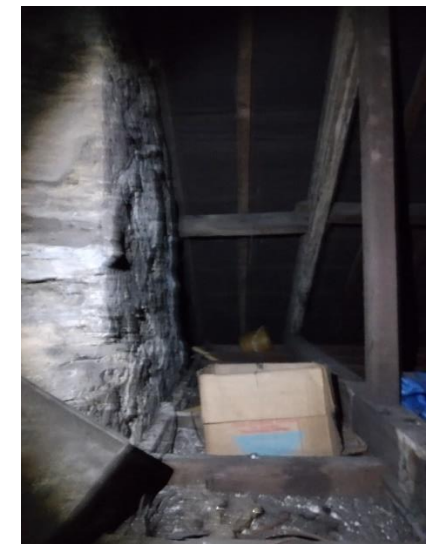
Right – A close view of the extension on the north building aspect.

Building B1 – Internal

Internally, the ground and first floor within B1 were occupied until recently and are unsuitable to support roosting bats due to an absence of internal access opportunities and high lux levels during daylight hours.

The loft space within B1 is fully enclosed from the first floor. An enclosed loft is located within the roof space of all pitched roof sections and they are interconnected internally. All lofts are constructed using a number of timber trusses, beams, and supports. A bitumen roof felt has been neatly fitted underneath all roof tiles. There is an absence of insulation throughout and all joists and plasterboard ceilings are exposed. No evidence indicating the presence of roosting bats was recorded during the PRA and no visible access opportunities into the loft space for bats were recorded.

It is noted that no evidence indicating the presence of nesting birds was recorded within B1 and the building does not provide any significant nesting opportunities internally.



Figures 5 & 6:

Left – Internal view of the loft space facing west.

Right – Internal view of the loft space facing north.

4.0 Conclusions, Impacts and Recommendations

4.1 Informative Guidelines

A summary of the relevant legislation and planning policies is provided in **Appendix 4**.

Bats

Bats are protected under the Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017 (amended by the Conservation of Habitats and Species Regulations (amendment) (EU Exit) Regulations 2019).

There are three possible outcomes of this survey, each with specific recommendations. These are outlined below:

Confirmed bat roost

Best practice survey guidelines (Collins, 2016) recommend additional surveys for confirmed roosts. Three further surveys are required to characterise the bat roost present including species, roost type and access points to inform an EPSL application to Natural Resources Wales. Surveys must be completed during the active bat season (May – September). At least two of the surveys should be completed during the optimal survey period mid-May to August, and at least one of the surveys should be a dawn re-entry survey.

Low, moderate or high likelihood of a bat roost present

Best practice survey guidelines (Collins, 2016) recommend additional surveys for features assessed as having low to high suitability for roosting bats. One, two or three further surveys are required to confirm presence or likely absence of a bat roost, based on a low, medium or high roost likelihood evaluation. Surveys must be completed during the active bat season (May – September). If more than one survey is recommended, at least one of them should be completed during the optimal survey period mid-May to August, and at least one of the surveys should be a dawn re-entry survey. If two or one further survey is recommended these surveys must be completed during the optimal survey period (mid-May to August). For low and moderate roost likelihood evaluation the survey effort recommended at this stage is iterative and if bats roosts are confirmed in the building, a further survey will be required to provide sufficient information to inform an EPSL application to Natural Resources Wales.

Negligible likelihood of a bat roost present

Buildings assessed as comprising negligible suitability for roosting bats do not normally require further surveys. However, if bats are found during any stage of the development, work should stop immediately, and a suitably qualified ecologist should be contacted for further advice.

Birds

Legislation protects all wild birds whilst they are breeding, and prohibits the killing, injuring or taking of any wild bird or their nests and eggs. Certain species of bird, including the barn owl, are subject to special provisions; it is an offence to disturb any bird or their young during the breeding season.

4.2 Evaluation

Taking the desk study and field survey results into account, **Table 5** presents an evaluation of the value of the site for bats and also details any other ecological constraints identified such as nesting birds in relation to the proposed development which will comprise summarise proposed development.

Table 5: Evaluation of the site for bats and any other ecological constraints

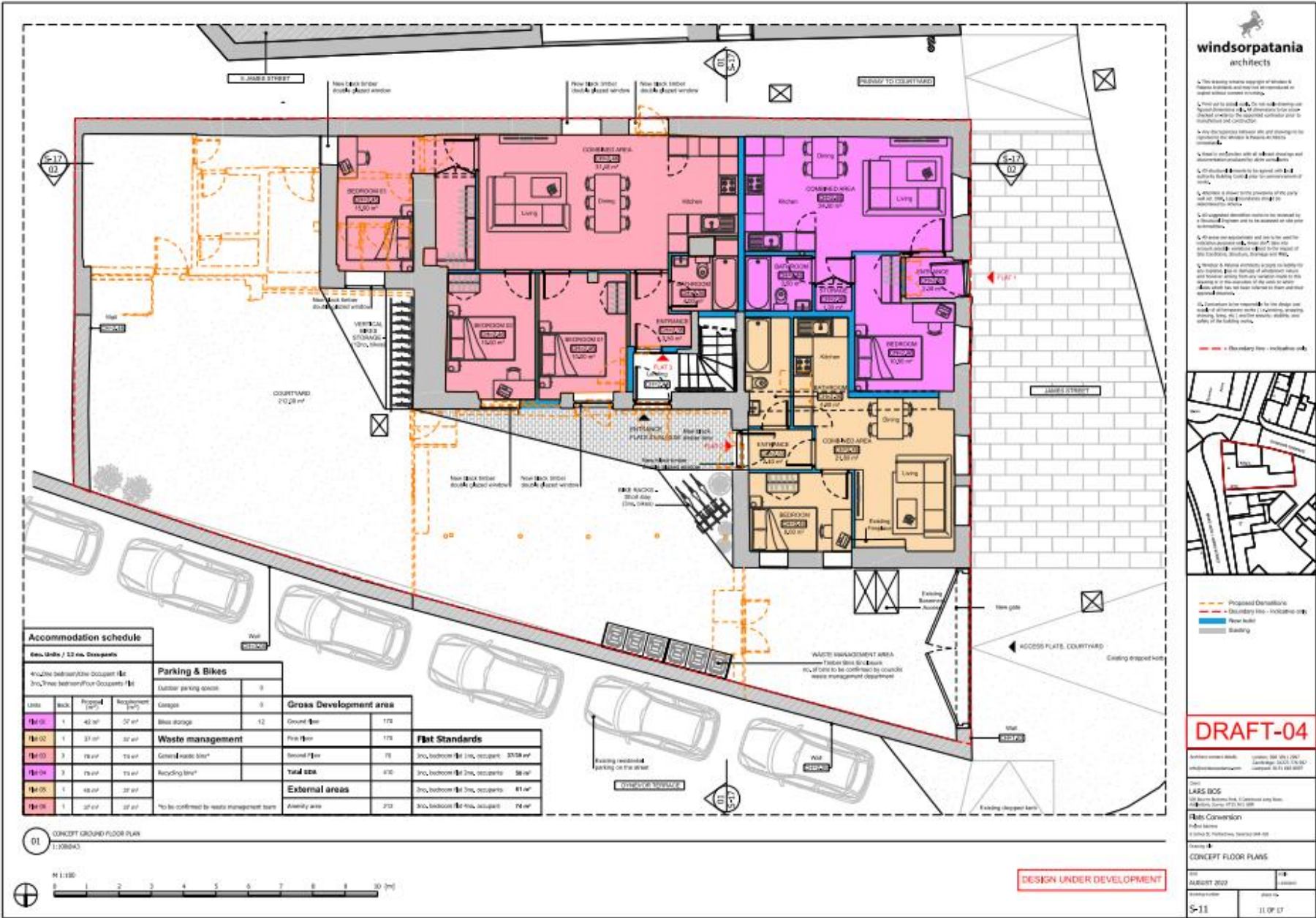
Feature	Survey conclusions	Foreseen impacts	Recommendations <i>Measures required to adhere to guidance, legislation and planning policies.</i>	Biodiversity Enhancements <i>The Local Planning Authority has a duty to ask for enhancements under Planning Policy Wales (2018) and local planning policy</i>
Roosting bats	Building B1 is assessed to provide negligible value to support roosting bats.	Bats are highly unlikely to be roosting within B1. No impacts to roosting bats are therefore anticipated as a result of the proposed development.	No further surveys are recommended to inform the planning application. However, the following precautionary working methods should be considered during development works: • In the unlikely event that a bat or evidence of bats is discovered during the proposed development, all work must stop and a bat licensed ecologist contacted for further advice. • No external lighting that may illuminate the proposed bat box will be installed to ensure the roosting feature is not subject to artificial light disturbance.	The installation of a single bat box or integrated bat brick should be incorporated into the proposed development. Recommended bat boxes/ bricks include: • 2F Schwegler Bat Box • 1FF Schwegler Bat Box • 2FN Schwegler Bat Box • Beaumaris Bat Box • Vivara Pro Woodstone Bat Box • Schwegler 1FR Bat Tubes Bat boxes can be installed retrospectively and attached to the outside of buildings. Bat bricks require material consideration and are integrated into the fabric of the building. The bat box should be positioned 3-5m above ground level facing a south, east, or west elevation with a clear flight path to and from the entrance, away from artificial light.
Foraging and commuting bats	Habitats recorded directly adjacent to building B1 are dominated by urban development of negligible ecological value including buildings and hardstanding. Although the Upper Clydoch River is located to the west of B1 on the opposite side of James Street which is likely to provide a foraging and commuting resource for bats, the road and enclosing stone wall are situated high over the river and riparian habitat, and it is	None.	None.	None.

	unlikely that bats will leave this riparian corridor for urban habitats adjacent to B1 for prolonged periods.			
Nesting birds	No evidence indicating the presence of nesting birds was recorded during the PRA and there are no significant nesting opportunities for birds associated with B1.	None.	None.	The installation of a single bird box or integrated bird brick could be incorporated into the proposed development. Recommended bird boxes/bricks include: • Schwegler No 17 Swift Nest Box • Schwegler 1SP Sparrow Terrace • Schwegler 1B Nest Boxes • Schwegler 2H Robin Boxes • Woodstone Nest Box Bird boxes and bricks should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole. Swift and sparrow boxes should be positioned at the eaves of a building and can be incorporated into the fabric of the building during construction.
Designated Sites	The site is not subject to any statutory designations. The nearest designated site comprises the Frondeg SSSI located 1.68km north. The location of non-statutory designated sites is currently unknown.	Given the urban nature of the site and small scale of the proposed development, impacts are assessed to be limited to the boundary of the site only. As such, no impacts to designated sites are anticipated.	None.	None.

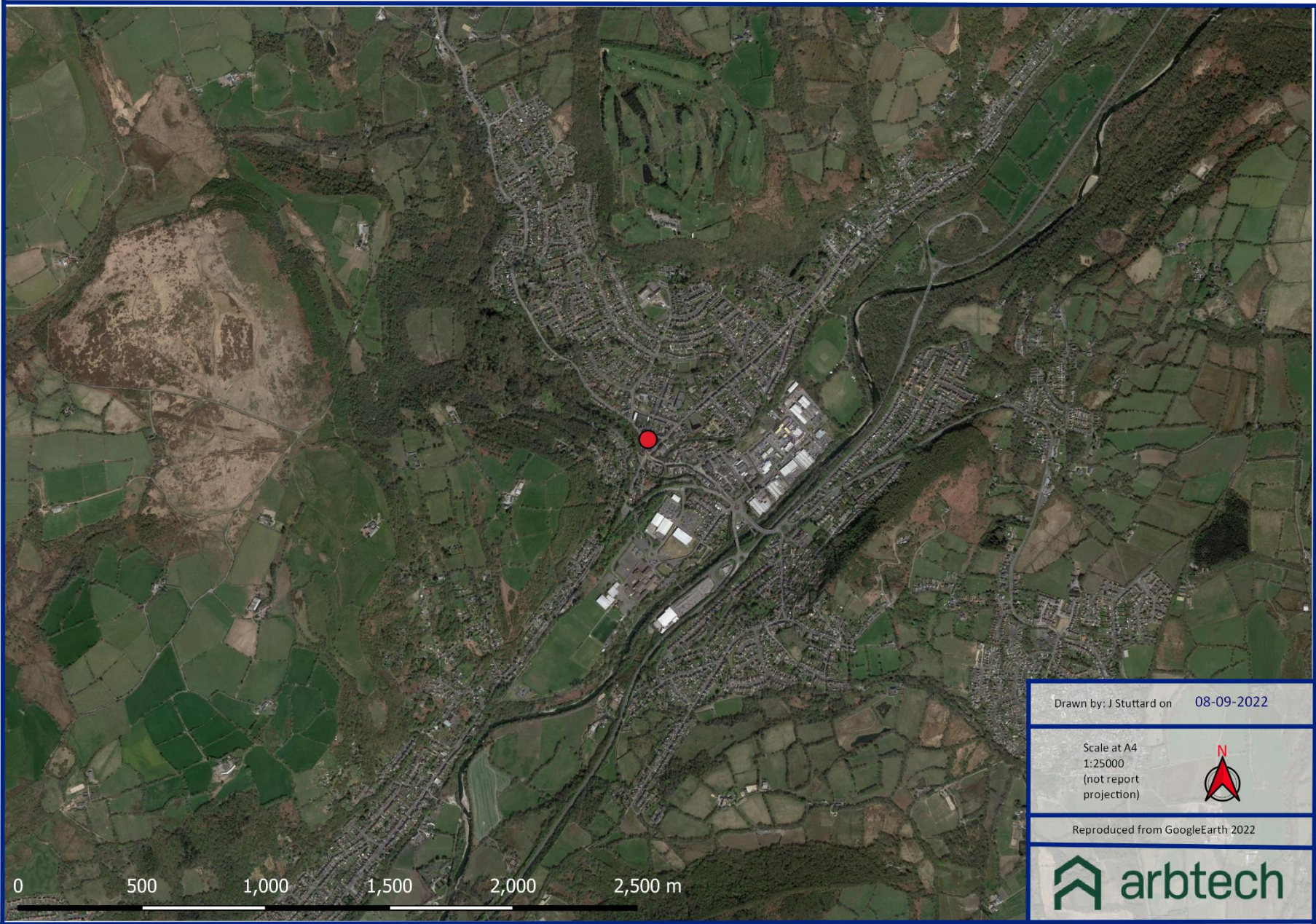
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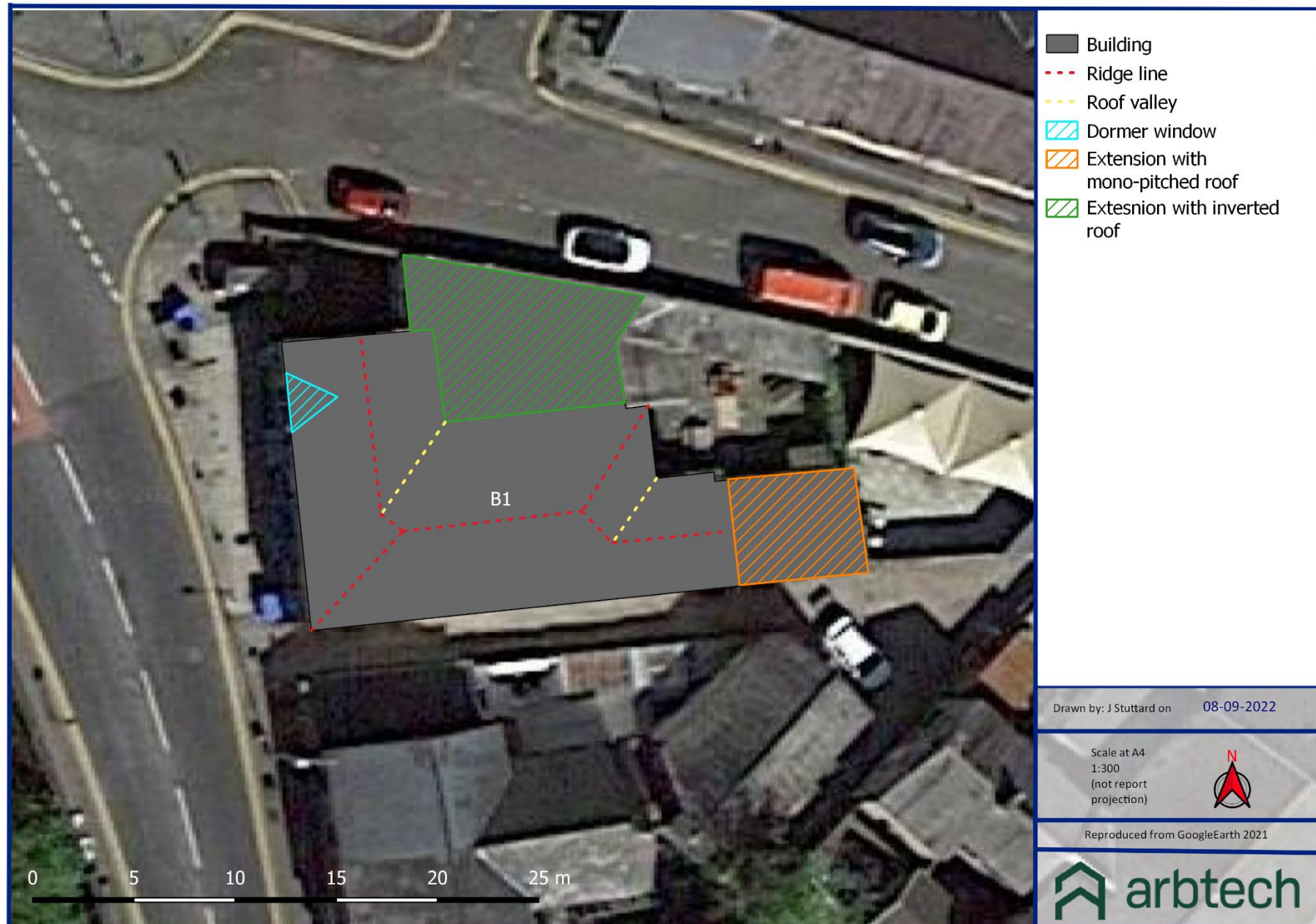
Appendix 1: Proposed Development Plan



Appendix 2: Site Location Plan



Appendix 3: PRA Survey Plan



Appendix 4: Legislation and Planning Policy Related to Bats

LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

Regulation 43: Protection of certain wild animals - offences

(1) A person is guilty of an offence if they:

- (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,

(2) For the purposes of paragraph (1) (b), disturbance of animals includes in particular any disturbance which is likely—

- (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.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

NATIONAL PLANNING POLICY (WALES)

Environment (Wales) Act 2016 and the Biodiversity Duty

The Environment (Wales) Act 2016 introduces a new biodiversity duty, which highlights biodiversity as an essential component of ecosystem resilience. This new duty replaces the biodiversity duty in the Natural Environment and Rural Communities Act 2006 (referred to as the NERC Act). Part 1 of the Act deals with Sustainable management of natural resources including Biodiversity and Resilience of Ecosystems Duty. The Environment Act enhances the current NERC Act duty to require all public authorities, when carrying out their functions in Wales, to seek to “maintain and enhance biodiversity” where it is within the proper exercise of their functions. In doing so, public authorities must also seek to “promote the resilience of ecosystems”. As under the NERC Act the new duty will apply to a range of public authorities such as the Welsh Ministers, local authorities, public bodies and statutory undertakers. This ensures that biodiversity is an integral

part of the decisions that public authorities take in relation to Wales. It also links biodiversity with the long-term health and functioning of our ecosystems, therefore helping to align the biodiversity duty with the framework for sustainable natural resource management provided in the Act.

Planning Policy Wales (2021)

Paragraph 6.4.3 of the document refers to Biodiversity and Ecological Networks and states:

The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve biodiversity and the resilience of ecosystems. Information contained in SoNaRR, Area Statements and species records from Local Environmental Record Centres should be taken into account. Development plan strategies, policies and development proposals must consider the need to:

- support the conservation of biodiversity, in particular the conservation of wildlife and habitats;
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats;
- ensure statutorily and non-statutorily designated sites are properly protected and managed;
- safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.

Biodiversity and Resilience of Ecosystems Duty (Section 6 Duty)

Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. Planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects:

- a) Diversity between and within ecosystems;
- b) The connections between and within ecosystems;
- c) The scale of ecosystems;
- d) The condition of ecosystems (including their structure and functioning); and
- e) The adaptability of ecosystems.

In fulfilling this duty, planning authorities must have regard to:

- a) The list of habitats of principal importance for Wales, published under Section 7 of the Environment (Wales) Act 2016;
- b) The State of Natural Resources Report (SoNaRR), published by NRW; and
- c) Any Area Statement that covers all or part of the area in which the authority exercises its functions.

Planning Authorities should also refer to up to date ecological survey information (where appropriate).

A proactive approach towards facilitating the delivery of biodiversity and resilience outcomes should be taken by all those participating in the planning process. In particular, planning authorities should demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.

The broad framework for implementing the duty and building resilience through the planning system includes addressing:

- **Diversity:** to ensure mechanisms are in place to minimise further loss and that circumstances allow for species' populations to expand and recolonise their natural range (former range) or adapt to future change. This means development should provide a net benefit for biodiversity, and at the very least, with no significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity;
- **Extent:** to ensure mechanisms allow for the maintenance of existing assets and networks and promote the restoration of damaged, modified or potential habitat and the creation of new habitat. This means that planning choices should incorporate measures which seek the creation and restoration of green networks and linkages between habitats and maintaining and enhancing other green infrastructure features and networks;
- **Condition:** Ecosystems need to be in a healthy condition to function effectively, to deliver a range of important ecosystem services. Planning decisions should not compromise the condition of ecosystems. By taking an integrated approach to development, for example, which considers both direct and wider impacts and benefits it should be possible to make a positive contribution. Planning for the long term management of retained habitats is key to maintaining condition through for example, the use of planning obligations;
- **Connectivity:** to take opportunities to develop functional habitat and ecological networks within and between ecosystems and across landscapes, building on existing connectivity and quality and encouraging habitat creation, restoration and appropriate management. The opportunities could include enlarging habitat areas, developing buffers around designated sites or other biodiversity assets or corridors, including transport and river corridors, and the creation of 'stepping stones' which will strengthen the ability of habitats and ecological networks to adapt to change, including climate change; and
- **Adaptability to change:** primarily in the form of climate change, for both species (diversity) and ecosystems requires action to protect the extent, condition and connectivity of habitats, features and ecological networks. Development plans, planning proposals and applications which build on protecting designated sites and securing and enhancing green infrastructure will be key ways of addressing the attributes of ecosystems resilience identified in the Environment Act as well as facilitating social and economic resilience aspirations of the Well-being of Future Generations Act.

Good Practice Guide GPG 3 (October 2015) NRW Approach to Bats and Planning

As explained in Planning Policy Wales (Chapter 5 - Conserving and Improving Natural Heritage and the Coast), the presence of a European protected species is a material consideration for a development proposal that would be likely to result in disturbance or harm to the species or its breeding sites or resting places. Planning Policy Wales also explains that planning authorities should seek the advice of Natural Resources Wales for all planning applications likely to result in disturbance or harm to bats and should always consult them before granting permission. Local Planning Authorities address this by screening applications to identify when there is a reasonable likelihood that bats may be present and, therefore, when to require a bat survey and report that will confirm if bats are present and if they likely to be disturbed or harmed by the proposal. The overall requirement on Local Planning Authorities, Natural Resources Wales and developers is to avoid harm or disturbance to bats and their breeding sites and resting places, unless Natural Resources Wales has given a licence to allow the harm or disturbance. Natural Resources

Wales may only give a licence if the requirements for derogation are met, including that disturbance or harm to individual bats (or to their breeding sites and resting places) would not be detrimental to the maintenance of the population.

LOCAL PLANNING POLICY

Neath Port Talbot Local Development Plan

The Neath Port Talbot Local Development Plan is the key document outlining the long-term spatial vision for the Borough. The current iteration of the Local Development Plan was adopted in 2011 and includes policies which relate to biodiversity and nature conservation which are relevant to this report. Such policies are detailed below:

Policy EN 6: “Important Biodiversity and Geodiversity Sites” states:

“Development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habitats or species will only be permitted where:

- 1. They conserve and where possible enhance the natural heritage importance of the site; or*
- 2. The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site.*

Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.”

Policy EN 7: “Important Natural Features” states:

“Development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows / field boundaries, watercourses or ponds will only be permitted where:

- 1. Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they are retained and protected wherever possible; or*
- 2. The biodiversity value and role of the relevant feature has been taken into account and where removal is unavoidable, mitigation measures are agreed.”*

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural Resources Wales will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

1. include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
2. scientific and educational purposes;
3. ringing or marking; and,
4. conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.