Bat Survey Report

Tyler Grange

Caewern House

29th August 2024

TG Report No. 17259_R01_HM

1.

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Summary

S.1. This report has been prepared by Tyler Grange Group Ltd (TGGL) for Tarbed Ltd and sets out the findings of a Ground Level Tree Assessment (GLTA) and Aerial Potential Roost Feature (PRF) inspection at Caewern House, Dwr Y Felin Road, Caewern SA10 7RH (hereafter referred to as 'the site'. The site is currently under determination by Neath Port Talbot County Borough Council (Planning Reference P2024/0301) in relation to a planning application for demolition of Caewern House and construction of 36 no. affordable residential flats in five 3-storey blocks with associated infrastructure and landscaping.

S.2. In June 2024, Natural Resources Wales (NRW) raised concerns that despite a number of trees requiring removal, an assessment of their potential to support roosting bats had not been undertaken and therefore further assessment would be required before determination.

S.3. A GLTA and Aerial PRF survey of trees to be affected by the proposals was undertaken on the 22nd August 2024. The GLTA identified one tree (T11) which required further inspection as a branch cavity was notable from the ground. T11 was subject to an aerial PRF inspection. The feature could be fully inspected and was recorded as being PRF-I only therefore no further surveys are required. However, it is recommended that a pre-works inspection of T11 prior to any tree work being carried out on or within the vicinity of the tree is undertaken by a suitably qualified ecologist.

S.4. Furthermore, it is recommended that bat boxes such as Schwegler 3FF or similar are installed on retained trees around the site.

S.5. None of the other trees to be affected by proposals offered anything other than negligible potential to support roosting bats and therefore no further survey work or mitigation is required in relation to bats for these trees.

S.6. With the implementation of the mitigation and enhancement strategy described, the proposed development of the site will accord with relevant legislation and planning policy.

Section 1: Introduction

1.1. This report has been prepared by Tyler Grange Group Ltd (TGGL) for Tarbed Ltd and sets out the findings of a Ground Level Tree Assessment (GLTA) and Aerial Potential Roost Feature (PRF) inspection at Caewern House, Dwr Y Felin Road, Caewern SA10 7RH (OS Grid Reference: SS 74627 98354), hereafter referred to as 'the site'. See **Figure 1** for the indicative site boundary.

Figure 1.1: Indicative Site boundary shown by a red line (© Google Aerial Imagery 2024)

1.2. The site is currently under determination by Neath Port Talbot County Borough Council (Planning Reference P2024/0301) in relation to an application for demolition of Caewern House and construction of 36 affordable residential flats in five 3-storey blocks together with access, parking, footpaths, drainage, open space, landscaping and associated works including electric vehicle charging points, bin/cycle storage, pv solar arrays and air source heat pumps.

1.3. The planning application was submitted in May 2024 and in June 2024 Natural Resources Wales (NRW) provided comments which requested that a preliminary bat roost inspection should be completed of all trees that require removal to facilitate the development and further surveys of those with potential to be undertaken as required (**Appendix 1**).

1.4. The purpose of this report is to provide NRW with the information required to satisfy their concerns in relation to the bat potential of trees to be lost as part of the development.

Section 2: Methodology

Ground Level Tree Assessment (GLTA)

2.1. The Arboricultural Impact Assessment (AIA) undertaken for the site (**Appendix 2**) identified a number of trees to be removed for both arboricultural and development reasons which includes T1, T2, T3, T4, T5, T6, T7, T11, T12, T15, T18, T22, T24, T28, T39, T41, T42, T43, T45, T51, T52, G29, G38 and G40.

2.2. A GLTA was undertaken on all trees subject to removal identified in the AIA. The assessment was undertaken on 22nd August by Adam Young (NRW Licence No. S093511/1). All surveys were daytime inspections and the conditions for all surveys was considered optimal. All trees were inspected from the ground using binoculars, high powered torch, digital camera and endoscope for accessible features. Potential Roosting Features (PRFs) of interest are detailed in **Table 2.1** below.

Table 2.1: PRF Types that can be Exploited by Bats and How they Form - adapted from Collins, 2023[1].

PRFs formed by disease anddecay	PRFs formed by damage	PRFs formed byassociation
woodpecker holes squirrel holes knot holes pruning cuts tear outs wounds cankers compression forks butt rots	lightning strikes hazard beams subsidence cracks shearing cracks transverse snaps welds lifting bark desiccation fissures frost cracks	fluting ivy

2.3. The potential of trees to support roosting bats was assessed using the criteria shown in **Table 2.2** below.

Table 2.2: Assessment of Tree Suitability Criteria - adapted from Collins, 2023.

Roost Suitability	Description of Roosting Habitat
NONE	Either no PRFs in the tree or highly unlikely to be any
FAR	Further assessment required to establish if PRFs are present in the tree
PRF	A tree with at least one PRF present

[1] Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition. The Bat Conservation Trust, London. ISBN-978-1-7395126-0-9.

Tree Climbing Assessments

2.4. Following the Ground Based Assessment of trees on sites on 22nd August 2024 of the trees due to be removed, only one (T11) was identified as FAR and therefore was subject to an aerial inspection using an endoscope to further assess its suitability for roosting bats. These inspections were completed by Adam Young, a qualified tree climber holding an NRW bat licence with an assistant present suitably qualified in tree climbing and aerial rescue. Information on the features identified from the ground assessment was gathered from within the tree allowing confirmation on dimensions and exposure to rain. After the inspection, the suitability of the potential roosting feature was re-evaluated.

Limitations

2.5. The site is currently very overgrown; however, access was possible to all trees on-site therefore there were no significant limitations to the surveys.

Section 3: Results

Ground Level Tree Assessment (GLTA)

3.1. The GLTA only identified T11, a goat willow *Salix caprea* as FAR and therefore requiring further survey (see Photograph 1).

Photograph 1: Goat willow (T11) identified as FAR during the GLTA.

3.2. All other trees on site were recorded as having negligible potential to support roosting bats and therefore no further survey or mitigation is required.

Tree Climbing Assessments

3.3. The aerial inspection identified a branch cavity approximately 4m up on the north aspect of T11 (see Photograph 2). The feature could be fully inspected and was found to be partially exposed with some debris present. No signs of bats using the feature were identified.

Photograph 2: PRF-I identified on T11 during the aerial inspection.

3.4. The feature was classed as a PRF-I which means it is only suitable for individual or very small numbers of bats and in line with the guidance[2], no further survey is required. It is however, recommended that a pre-works climbing inspection is undertaken of the tree prior to any works taking place to the tree or in the vicinity in order to confirm that bats are not present within the feature. This should be undertaken by a licensed bat ecologist and tree climber. Assuming that no bat signs are recorded, work can proceed without any further mitigation in relation to bats.

3.5. If bats are identified using the feature then a licence from NRW will be required before the tree can be removed.

3.6. It is recommended that, to compensate for the loss of a PRF, bat boxes such as Schwegler 3FF or similar are installed in line with manufacturers recommendations on retained trees around the site.

[2] Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition. The Bat Conservation Trust, London. ISBN-978-1-7395126-0-9.

Section 4: Conclusions

4.1. The aerial inspection identified a branch cavity approximately 4m up on the north aspect of T11, a full inspection was completed and determined it to be a PRF-I only, as a result, no further surveys are recommended. However, a pre-works inspection by a suitably qualified ecologist prior to the tree being removed and works within the vicinity should be undertaken to confirm that roosting bats are not using the feature. If bats are identified, a licence from NRW will need to be sought prior to the tree being removed.

4.2. Furthermore, it is recommended that Schwegler 3FF or similar boxes are installed on retained trees.

4.3. All other trees were considered to have no more than negligible potential to support roosting bats so no further survey is recommended.

4.4. With the implementation of the mitigation and enhancement strategy described, the proposed development of the site will accord with relevant legislation and planning policy.

Appendix 1: Natural Resources Wales (NRW) Consultation Response to Planning Application P2024/0301

Cyfoeth Naturiol Cymru
Natural Resources Wales

Ein cyf/Our ref: CAS-257292-J9M4
Eich cyf/Your ref: P2024/0301

Neath Port Talbot County Borough Council
The Quays
Briton Ferry
SA11 2GG

Dyddiad/Date: 26 June 2024

Annwyl Syr/Madam/Dear Sir/Madam,

BWRIAD/PROPOSAL: DEMOLITION OF CAEWERN HOUSE AND CONSTRUCTION OF 36 NO. AFFORDABLE RESIDENTIAL FLATS IN FIVE 3-STOREY BLOCKS TOGETHER WITH ACCESS, PARKING, FOOTPATHS, DRAINAGE, OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS INCLUDING ELECTRIC VEHICLE CHARGING POINTS, BIN/CYCLE STORAGE, PV SOLAR ARRAYS AND AIR SOURCE HEAT PUMPS

LLEOLIAD/LOCATION: CAEWERN LODGE, DWR Y FELIN ROAD, CAEWERN, SA10 7RH

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 30 May 2024.

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding bats, a European protected species. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, a condition regarding land contamination should be attached to any planning permission granted. Without the inclusion of this condition, we would object to this planning application.

European Protected Species

From the tree survey, we note that several trees on site require felling/works to facilitate the development, therefore, a preliminary bat roost inspection should be undertaken to assess their potential to support roosting bats.

For any trees categorised as having moderate to high potential for supporting bats, further surveys (climbing inspections and/or activity surveys) will be required in accordance with

best practice. A detailed plan should be included prior to determination which outlines which trees require felling/ pruning, and their potential to support roosting bats.

We have reviewed the supporting bat report *('Bat Survey Report for Linc-Cymru Housing – Caewern House, Dŵr Y Felin Road, Caewern, Neath, Neath Port Talbot, SA10 7RH' by I & G Ecological Consulting, dated 17/11/2022, report reference: IG2022CaewernHouse*) which has identified that bats are present at the application site.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

i. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
ii. There is no satisfactory alternative and
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied. Please note, for the purposes of providing advice at the planning application stage, our comments are limited to compliance with the third test only.

Therefore, in line with the 'Dear CPO' letter issued by Welsh Government on 1st March 2018, we request that the following informative is attached to any planning permission granted by your Authority:

Warning: A European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at https://naturalresources.wales/permits-and-permissions/species-licensing/when-you-need-to-apply-for-a-protected-species-licence/?lang=en*.*

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified activity/development to go ahead.

Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

Contaminated Land

We have reviewed the submitted report *('Former Caewern Care Home, Neath – Geo-Environmental and Geotechnical Assessment' by Earth Science Partnership, dated August 2021, Report Reference: ESP.7828b.3558 (Draft))* and note that the risk to groundwater is low. We agree with this conclusion and request that the following condition is imposed on any planning permission granted.

Condition 1
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason
To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development during construction and operation, and we recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to commencement of development. Please refer to our website for further details.

Advice for the Developer

Ground Stabilisation by Grouting

It is not clear from the submission whether grout is to be used in the application. If grout is to be used, an Environmental Permit may be required – please contact our Permitting team for more advice and permit application requirements.

The information below is provided as advice regarding the use of grout.

1. Vulnerability Survey
Identify all surface and groundwater features and users in the vicinity of the site including old or existing mine adits and mine-workings, drains and culverted features. In addition, all

relevant historic documents held by the appropriate local planning authority should be used to identify any natural or man-made structures beneath or in the vicinity of the site.

It is important for a walk-over survey to be carried out to validate the vulnerability survey and identify any features not included in the formal records, i.e., disused adits or mine-workings etc.

To notify abstractors in case of grout break-out licensed surface water abstractions and private water supplies downstream of a site need to be identified. For a main river this would typically be a few km's; NRW can supply this information.

2. Procedure

- Location of the area to be grouted.
- Check area against vulnerability survey and historic land-use records.
- Nature of any structures to be grouted, cavities in the sub-strata, mine-workings etc.
- Is grouting to take place above or below the water table?
- Method of grout injection, i.e., as part of an inner/outer "curtain" or individual injection boreholes etc.
- Type of grout to be used, i.e., ratio of cement, water, other material (e.g., PFA) - this should take into consideration whether grouting is to take place above or below water table.
- Thixotropy of the grout, i.e., how far will the grout extend into the cavity when injected. Again, this should take into consideration whether the works are above or below water table.
- Duration of grouting works.
- How much grout is to be injected into both individual points and as a total quantity.

3. Monitoring

- Identification of sites grouting material could emerge, i.e., adits/drains into water courses etc.
- Proposals for monitoring such features during the work, i.e., which ones, frequency of monitoring.
- Confirm details of monitoring with Natural Resources Wales local Environmental Protection Officer prior to the commencement of workings.
- Agree suitable mitigation measures with the local Environmental Protection Officer should any impact on any feature occur during to the workings.

4. Management

- Keep daily records of the following:
- Review previous days grouting operations (where grouted, how much grout used etc).
- Location of areas to be grouted.
- Boreholes used for grouting.
- Times of injection into each borehole.
- Quantities of grout to be injected into each borehole (both projected and actual).
- Records if quantity of grout "lost" in a borehole.
- Pressure used in grouting at a borehole.
- Type of grout used.
- Review of monitoring.
- Details of any breakouts of any grout.
- Details of any clean-up of grout at monitoring sites.

- Reporting of information needs to be agreed with NRW prior to the commencement of workings.
- In cases of an unpredicted loss of grout, emergency procedures should be agreed with NRW to include an increase in the frequency of monitoring of any identified surface water features.
- Notification of the local Environmental Protection Officer should either any outbreak or an unpredicted loss of grout occurs.
- Notification of identified downstream surface water abstractors in the event of an emergency, i.e., if there was any outbreak of grout into a surface watercourse.

Waste

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the *CL:AIRE Definition of Waste: Development Industry Code of Practice*. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Pollution Prevention

Construction and demolition activities can give rise to pollution and so it is important that appropriate provisions are in place to manage dust, silt, surface water and the storage of waste during the construction phase. You should take any precaution to prevent contamination of surface water drains and local watercourses. All works at the site must be carried out in accordance with GPP5, 'Works and maintenance in or near water' and PPG6, 'Working at construction and demolition sites' which is available on the following website: http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

A Fracchiolla
Cynghorydd - Cynllunio Datblygu/Advisor - Development Planning
Cyfoeth Naturiol Cymru/Natural Resources Wales

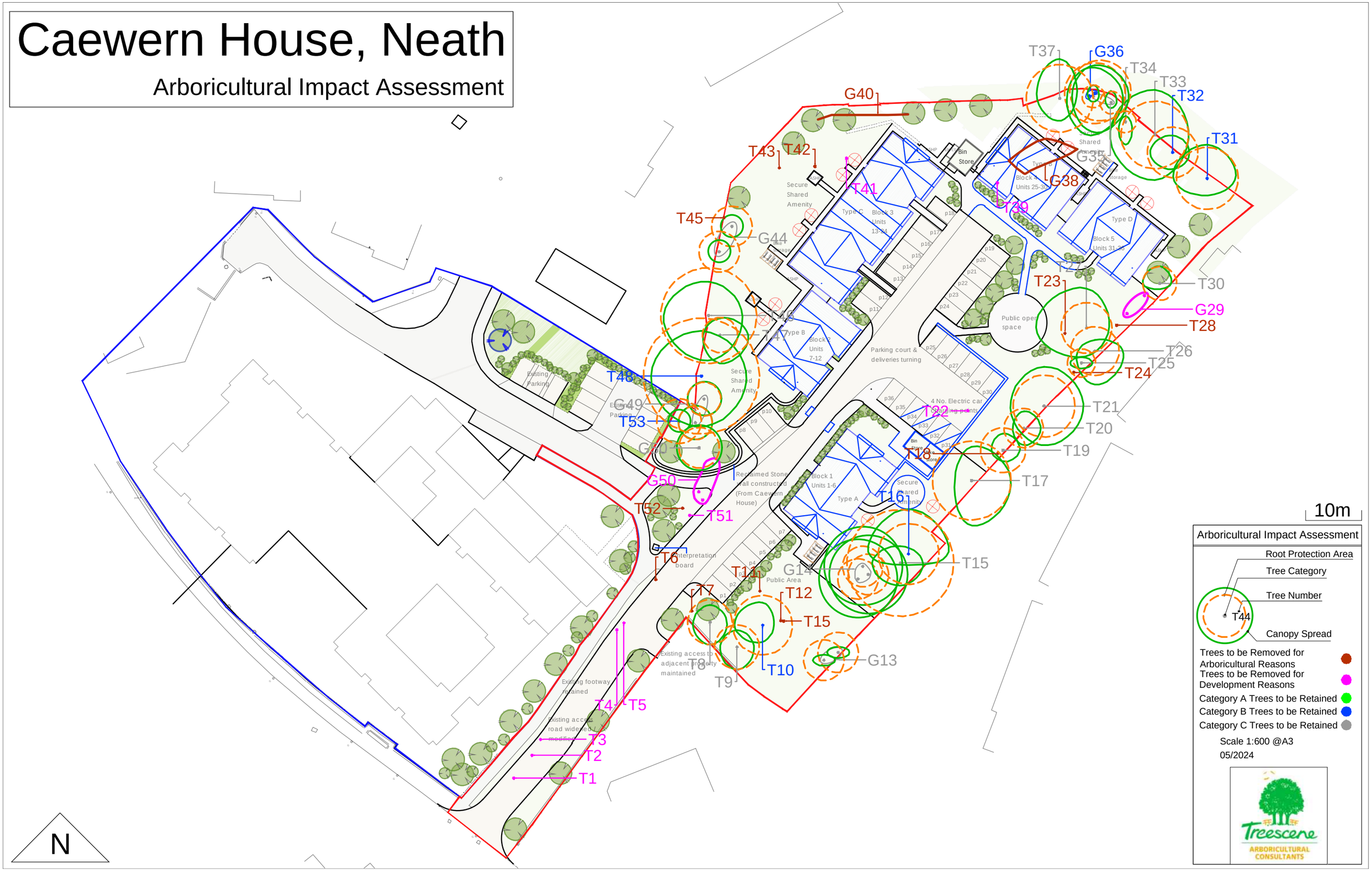
E-bost/E-mail: swplanning@cyfoethnaturiolcymru.gov.uk

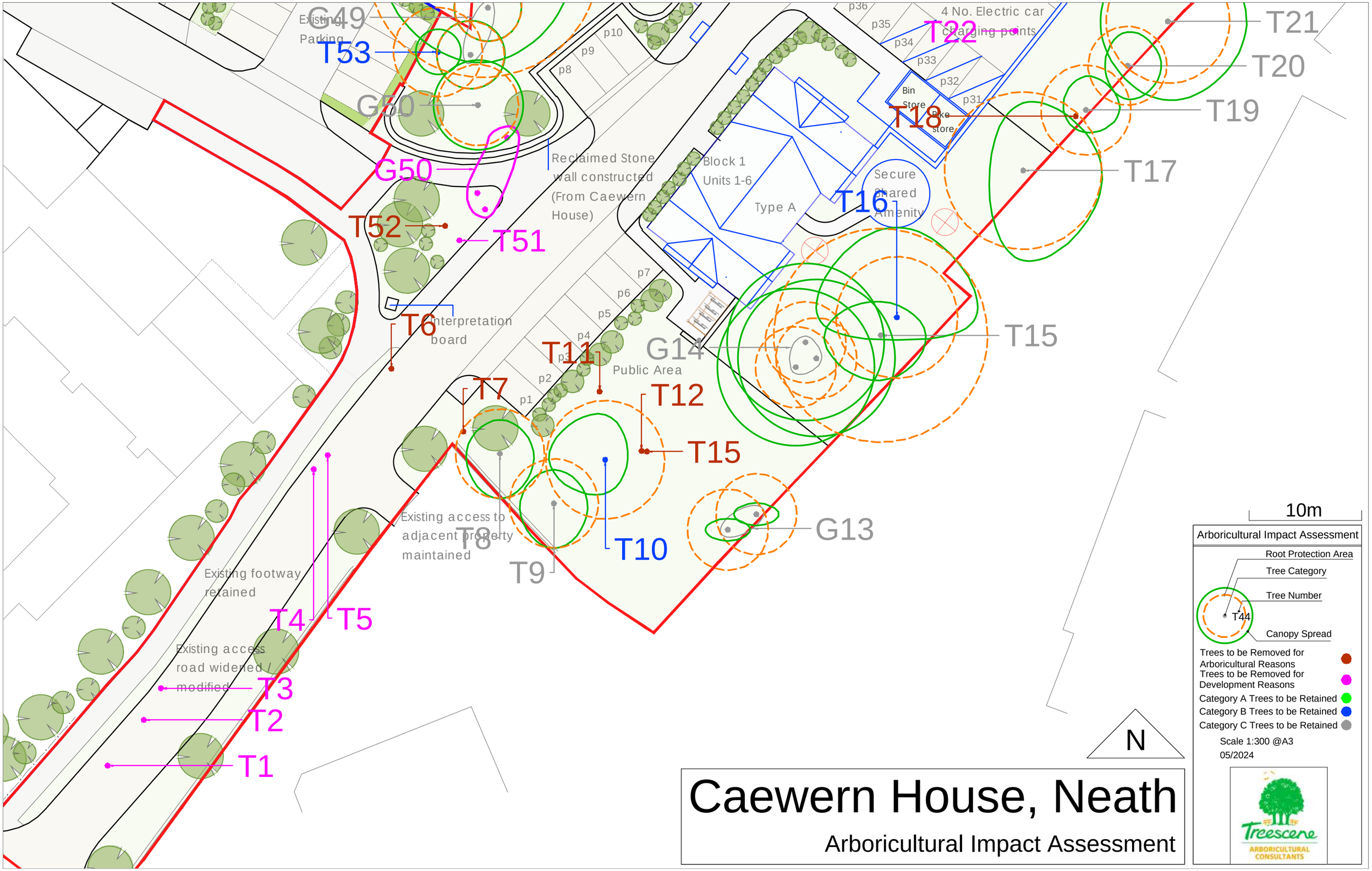
Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

Appendix 2: Arboricultural Impact Assessment

Caewern House, Neath

Arboricultural Impact Assessment





Caewern House, Neath

Arboricultural Impact Assessment

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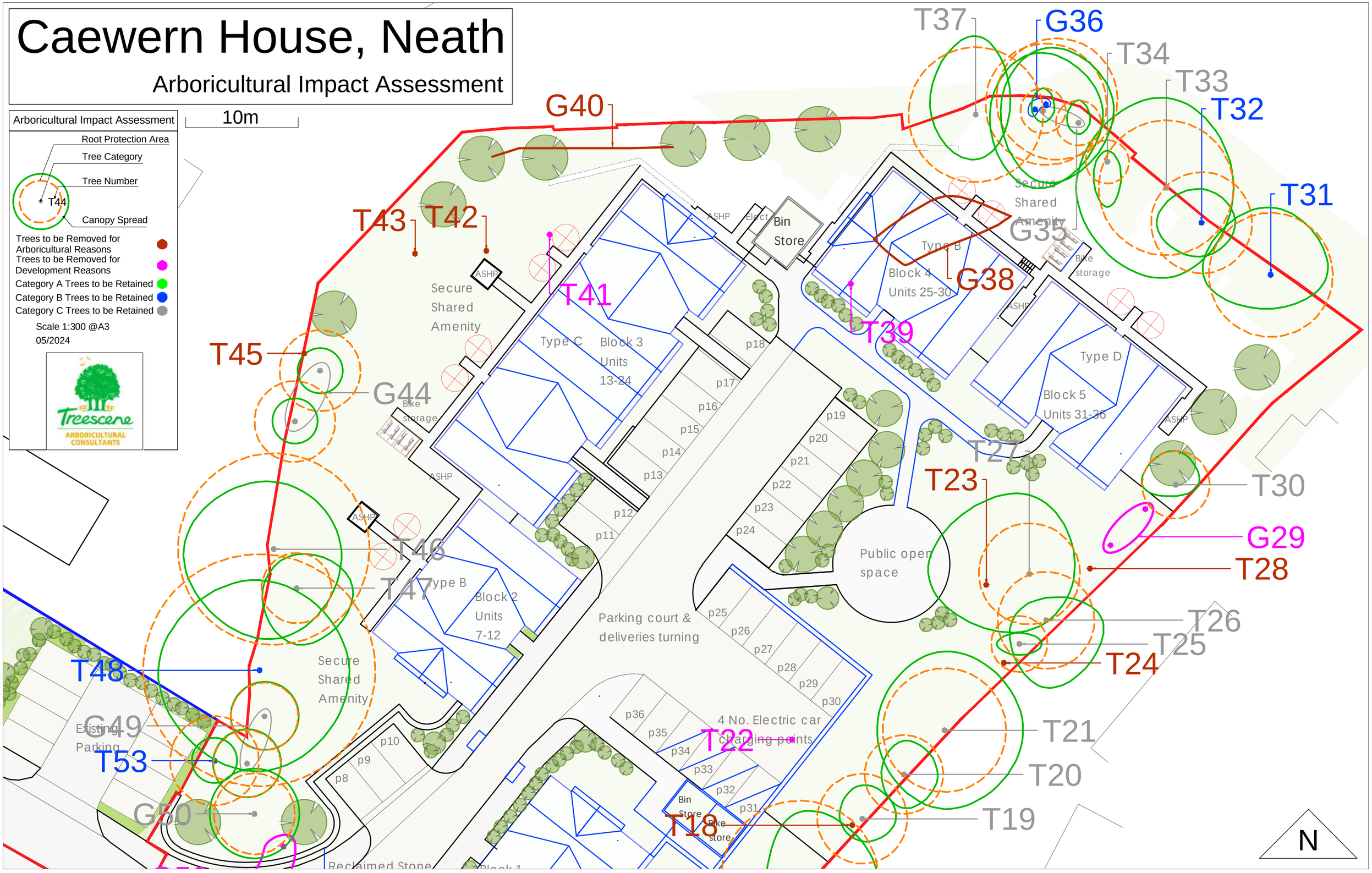

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