

The logo consists of the letters 'SA' in a bold, white, sans-serif font, centered within a dark blue square. A small, faint question mark is visible at the bottom left corner of the square.

**SA**

# **BAT AND BIRD APPRAISAL INCLUDING GREEN INFRASTRUCTURE STATEMENT**

6-8 NANT HALL ROAD, PRESTATYN

10 May 2024

## **Sambrook Associates Ltd**

5 Barnhill Grange | Old Coach Road | Barnhill | Broxton | Cheshire CH3 9JJ  
sambrookassociates.co.uk

Report prepared by	Rebecca Sambrook
Date	10-05-2024
Report Reference	R001
Version	V1
Status	Draft – not complete – requires results of final bat surveys before final appraisal can be relied upon

*This report has been prepared by Sambrook Associates Ltd on behalf of Cassidy and Ashton in connection with the refurbishment works at 6-8 Nant Hall Road and takes into account their particular instructions and requirements. It is not intended for, and should not be relied on, by any third party and no responsibility is undertaken to any third party.*

# Contents

<b>1</b>	<b>INTRODUCTION .....</b>	<b>4</b>
1.1	Background Information .....	4
1.2	Site Description .....	4
<b>2</b>	<b>LEGISLATION AND PLANNING POLICY .....</b>	<b>5</b>
<b>3</b>	<b>METHODOLOGY.....</b>	<b>8</b>
3.1	Introduction .....	8
3.2	Bat Scoping Survey .....	8
<b>3.3</b>	<b>Bat Activity Surveys – TO BE COMPLETED.....</b>	<b>8</b>
<b>3.4</b>	<b>Limitations – TO BE COMPLETED.....</b>	<b>9</b>
<b>4</b>	<b>RESULTS.....</b>	<b>10</b>
4.1	Introduction .....	10
4.2	Bat Scoping Survey .....	10
4.3	Bird Scoping Survey.....	13
<b>4.4</b>	<b>Bat Activity Surveys – TO BE COMPLETED.....</b>	<b>13</b>
<b>4.5</b>	<b>Appraisal of Potential Effects – TO BE COMPLETED.....</b>	<b>13</b>
<b>5</b>	<b>GREEN INFRASTRUCTRE STATEMENT – TO BE COMPLETED.....</b>	<b>15</b>
5.1	Assessed Losses.....	15
5.2	Proposed Biodiversity Net Benefit .....	15
<b>6</b>	<b>CONCLUSION &amp; RECOMMENDATIONS – TO BE COMPLETED.....</b>	<b>17</b>
<b>7</b>	<b>REFERENCES .....</b>	<b>18</b>

# 1 INTRODUCTION

## 1.1 Background Information

- 1.1.1 Sambrook Associates Ltd was instructed by Cassidy and Ashton to undertake a Bat and Bird Appraisal (BBA) in relation to the proposed works to the building at 6-8 Nant Hall Road, Prestatyn.
- 1.1.2 **This first draft of the report is provided to give an initial appraisal of the potential for bats and birds to be present. Nocturnal bat surveys are required to complete the appraisal, and these will be added into this report once completed in July 2024. Any text to be confirmed is either greyed or yellow highlight.**
- 1.1.3 As part of the Appraisal, a site walk-over comprising external and internal inspections of the building and **nocturnal bat surveys** were undertaken in 2024. This report provides the results of these, as well as an appraisal of the potential effects the proposed development may have on biodiversity, and recommendations for further survey, mitigation and enhancement, where required.
- 1.1.4 The aim of the appraisal is to provide sufficient ecological information for the local planning authority (LPA) to determine the associated planning application. The objectives of the study were to:
- Provide baseline information on the current bat and bird features within and on the building;
  - Provide an appraisal of any potential effects that the proposed development may have on these;
  - Provide recommendations for further pre-construction survey work and / or mitigation measures if required and present opportunities for habitat enhancement.
- 1.1.5 In consideration of the nature of the proposed work (principally partial demolition, extension and internal re-workings, including roof work), the assessment focuses on bats and birds. Other ecological receptors including protected sites, protected and notable habitats and fauna were reviewed upon initial scoping of the site but due to the limited extent of works, and the urban location of the building, other ecological receptors are highly unlikely to be present, or affected by the proposed works and are not considered further.

## 1.2 Site Description

- 1.2.1 The Site comprises a 2.5 storey building with 1.5 storey extension and car park, located within the centre of Prestatyn. The site is surrounded by residential properties, commercial and retail premises.
- 1.2.2 The proposed development is hereby referred to as the Site and comprises the redline boundary and immediately surrounding area, to look at how nearby habitats may influence the use of the building by bats.

## 2 LEGISLATION AND PLANNING POLICY

2.1.1 Many sites, animals and plants are protected by European and/or UK legislation either because of their decline across Europe and the UK or due to the persecution they have placed upon them by negligent or illegal acts such as baiting or trade. Legislation is also in place to prevent the spread of introduced or non-native invasive species and harmful weeds. When undertaking an appraisal of a proposed development, such legislation is taken into account as follows.

- **European:** Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'); and Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (codified version of Directive 79/409/EEC as amended) (the 'Birds Directive').
- **UK (England & Wales):** The Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitat Regulations') which transposes the Habitats Directive in UK law. Since 1st January 2021, the UK is no longer a member of Europe but since the Habitats Directives are embedded into UK statute, The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 was published and still applies in England and Wales; The Wildlife and Countryside Act 1981 (as amended); the Countryside and Rights of Way Act (CROW) 2000; the Protection of Badgers Act 1992; the Natural Environment and Rural Communities Act (NERC) (2006) and the Environmental Protection Act (EPA) 1990.

2.1.2 Species such as bats, great crested newts, otter, water vole, reptiles, birds and badgers are all protected to varying degrees under this legislation.

2.1.3 Under the NERC Act, local authorities (and other public bodies) have a duty to conserve biodiversity. The Act confers responsibility on the local authority to take the protection of priority habitats and species (as listed in Section 41) into consideration when making a planning decision. Habitats listed in this section include eutrophic standing waters, rivers, lowland meadows and lowland mixed deciduous woodland. Species listed in this section include great crested newt *Triturus cristatus*, sky lark *Alauda arvensis*, hedgehog *Erinaceus europaeus*, otter *Lutra lutra*, soprano pipistrelle *Pipistrellus pygmaeus* and red squirrel *Sciurus vulgaris*. Full habitats and species' lists can be found at the Natural History Museum website, [nhm.ac.uk](http://nhm.ac.uk) or [jncc.defra.gov.uk](http://jncc.defra.gov.uk).

2.1.4 The RSPB's Birds of Conservation Concern 3' (Eaton et al., 2009) is also taken into consideration when undertaking this appraisal.

2.1.5 In addition to legislation, there are also national and local planning policies pertaining to the protection of biodiversity. Planning Policy Wales (PPW) Edition 12 (February 2024) requires the planning system to have a key role 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. 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;
- secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks;
- measurable biodiversity net benefit is secured through the production and implementation of a Green Infrastructure Statement which comprises a commitment to biodiversity gain through the creation and long term management of valuable habitats.

2.1.6 To accompany the PPW, Technical Advice Note 5 (TAN5) demonstrates how local authorities, developers and stakeholders can deliver sustainable development that does not result in losses to biodiversity and takes the opportunity to protect and enhance it.

2.1.7 Because of the type of development proposed, it is usual that bats are the most likely animals affected and so the legislative and licensing obligations pertaining to bats are described in more detail below.

2.1.8 All bat species are protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The species is also protected under Annex II of the Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (the EC Habitats Directive). This has been transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (as amended) in England and Wales. Bats are referred to as European Protected Species (EPS).

2.1.9 It is an offence to deliberately capture, injure or kill a bat; intentionally or recklessly disturb in a way that would affect their local distribution or abundance, or affect their ability to survive, or breed. It is also an offence to damage or destroy a bat roost and to possess, advertise, control, transport, sell, exchange or offer for sale/exchange any live or dead bat or any part of a bat.

2.1.10 If you wish to undertake works that would affect an EPS then you will need a licence. Natural Resources Wales (NRW), in exercise of the powers conferred under regulation 53(1) and 56(3) (a) of the Conservation of Habitats and Species Regulations 2010, may issue licences for the following purposes:

- 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 for the environment;

- Preventing the spread of disease;
- Preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or any other form of property or to fisheries; to allow people to carry out activities which would otherwise be illegal;

2.1.11 Before issuing a licence under the Habitats Regulations, the licensing authority must be satisfied that “there is no satisfactory alternative” to the work as proposed and, that the proposed actions “will not be detrimental to the maintenance of the population of the species at a favourable conservation status (FCS)”.

2.1.12 To ensure these requirements are met, the licensing authority must have enough information to complete an assessment of the application. This includes sufficient survey data so that the roost and how it is used by bats is understood and impacts upon the roost are appropriately assessed so that mitigation and/or compensation can be designed into the proposed development that will ensure the bat population can be incorporated and maintained in the long term.

## 3 METHODOLOGY

### 3.1 Introduction

3.1.1 To inform this Appraisal, a site walk-over survey was conducted on 16 April 2024 which comprised an internal and external inspection of building for bats (i.e. a bat scoping survey) and birds. In addition to this, bat activity surveys were conducted between May and June 2024. Photographs are included within this report.

### 3.2 Bat Scoping Survey

3.2.1 The survey followed the methodology set out in the Bat Conservation Trust's *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2023). The survey was carried out by Rebecca Sambrook. The weather was mild with an average temperature of 11°C. Rebecca is a Full Member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and adheres to that organisation's Code of Professional Conduct. Rebecca has gained over 23 years as a professional ecologist, conducting surveys and authoring reports including PEAs, Ecological Impact Assessment chapters, Habitat Regulations Assessments, Biodiversity Management Plans and other specialist technical reports, including mitigation design and licence applications.

3.2.2 The building was inspected both externally and internally for potential roosting features and evidence of the presence of bats. The survey started with an examination of the external parts of the building to locate potential roosting features such as lifted/missing roof material, gaps around soffits, barge boards and similar. Evidence such as staining, droppings, urine splashes and individuals were also searched for. With no evidence externally, an internal inspection was undertaken, searching for the same evidence. Ten minutes was also spent listening (detector and ear) for squeaking noises that bats make when in their roost.

### 3.3 Bat Activity Surveys – TO BE COMPLETED

3.3.1 During the building inspection, no evidence of the presence of bats was found in the building. However externally, five locations were identified as potential roosting features and these exhibited Moderate suitability for bats. The surveys followed the methodology set out in the Bat Conservation Trust's *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2023).

3.3.2 Nocturnal activity surveys comprising dusk surveys were undertaken during appropriate weather conditions, commencing 15 minutes before sunset until 1.5-2 hours after.

3.3.3 The building was surveyed by XX surveyors who were positioned strategically so that good coverage of the building and all identified potential roosting features was achieved (see Figure 3.1 below). All of the surveyors are experienced in bat activity surveys; Rebecca Sambrook, XXXXX.

3.3.4 The surveyors each used a Wildlife Acoustics' EM Touch detectors. The data was analysed by the surveyors and reviewed by Rebecca Sambrook.



3.3.5 The following table provides details of the surveys.

Table 3.1: Survey data

Variable	Visit 1	Visit 2
Survey type		
Sunrise/Sunset		
Time started		
Time completed		
Start weather		
Start Temperature		
Start rain		
Start cloud		
Start wind		
End weather		
End temp		
End rain		
End cloud		
End wind		

Plate 3.1: Surveyor Locations TBC ●

### 3.4 Limitations – TO BE COMPLETED

3.4.1 No significant limitations were encountered during the surveys – all known potential roosting features were covered by the surveyors.

## 4 RESULTS

### 4.1 Introduction

4.1.1 This section provides a commentary on the data collected during the surveys undertaken in 2024. The building is surrounded by hardstanding, with a very small ‘garden’ area.

### 4.2 Bat Scoping Survey

4.2.1 As noted above, the building was assessed as Moderate suitability i.e. the building could support day roosts of bats of low conservation significance or similar but is unlikely to support maternity or hibernation roosts. The reasons for this are given below.

**Table 4.2: Description and Photographs of the Building**

Description
<p>The building is located in the middle of Prestatyn town centre and is surrounded by other buildings and roads. The building comprises red brick and slate roof and of 2.5 storey and 1.5 storey construction.</p>
<p>The building comprises the main 2.5 storey section which is part of the original building, much of which fronts Nant Hall Road. The loft of this part of the building in the main, is converted into office space. The eastern gable end is a section of unconverted loft. To the rear of the property is a 1.5 storey extension comprising porch, lobby, outbuildings. The remaining space is paved pedestrian area and car parking with a very small ‘garden’ area encompassed by a brick wall with a considerable growth of ivy covering.</p>
<p>The main roof of the 2.5 storey section appears in good condition and unremarkable from a bat perspective. There is one area of tiled cladding on a south facing wall to the rear of the property where a couple of tiles are missing; it is unlikely this provides a potential roosting feature. On the western end of the building, the building extends out to the south and it is on this gable that there are a couple of potential roosting features where the mortar is missing from the edge of the slates – these are of low roosting suitability.</p>
<p>The 1.5 storey extension to the rear is mainly unremarkable but there is one roof on the western end of the building that exhibits missing slates and a large hole – this is of moderate roosting suitability.</p>
<p>Also to the rear of the property, the porch extension supports soffits with holes underneath that could allow bats excellent access into the soffits. These offer moderate suitability for roosting bats.</p>
<p>Full access to the loft was not possible (health and safety risk unknown), but using binoculars, no evidence of bats such as droppings was identified (but the search was limited). No potential access points were recorded in the loft spaces. One loft space was no more than 0.5m in height. The other was approximately 1.5m in height. Both were lined with timber boarding and there</p>

were no obvious features that bats could use to access the lofts. There is no access from underneath the roof slates.

In consideration of the potential roosting features, but given the location of the building, being an urban environment, the building is of at most, Moderate suitability.



Rear Elevation	Rear Elevation
	
Rear Elevation with Potential Roosting Features highlighted	Rear Elevation with Potential Roosting Feature highlighted
	
Rear Elevation wall with ivy cover	Porch with soffits and holes
	



4.2.2 The Site and surrounding habitats provide limited foraging and commuting habitat for bat species; all areas are suboptimal for commuting and foraging due to the built-up nature of the area, and light pollution.

### 4.3 Bird Scoping Survey

4.3.1 Active nest building or current/historic nests were not recorded in or around the Site at the time of the survey. The hole in the 1.5 storey roof could provide access for nesting birds.

### 4.4 Bat Activity Surveys – TO BE COMPLETED

4.4.1 Given the presence potential roosting features identified during the survey, up to three nocturnal surveys will be undertaken in 2024. The result of these surveys will determine if bats are present, and if so, the scope of mitigation and compensation required.

### 4.5 Appraisal of Potential Effects – TO BE COMPLETED

4.5.1 The proposed works to the buildings will include as follows:

- Demolition and extension;
- Roof work;
- Internal refurbishment; and
- Re-working of the internal space to include demolition and construction of internal walls.

4.5.2 Construction and renovation work on buildings often gives rise to numerous effects on bats in the absence of mitigation. Direct impacts can include disturbance, loss or modification of roosts due to building work including demolition, removal and repair of roofs, re-pointing of stonework, installation of insulating materials and non-breathable membranes, closing up of access points, increased people presence and installation of lighting. Fragmentation and isolation due to

modification of habitats that bats may use to commute to areas for foraging and roosting can also occur, although this is not anticipated in relation to this development. Lighting at night can cause indirect disturbance to bat roosts and foraging/commuting routes, but in relation to this development, this won't change from the current lighting scheme.

- 4.5.3 No work is proposed to the boundary features and so impacts on (albeit limited) commuting and foraging habitat are not anticipated.
- 4.5.4 No active bird nests were identified in the building or surrounding vegetation, but it is possible they may do at some point between the survey and start of proposed works. It is advised that the disturbance and/or destruction of breeding birds and their nests is illegal under the Wildlife and Countryside Act 1981 (as amended). If any nests are built between the survey and the outset of works, and the nest is likely to undergo any disturbance, an ecologist should be contacted for advice. If nests are identified, the nests must remain intact and undisturbed until young have fledged. Commencing building works during the months of March to August inclusive will require a nesting bird check to be undertaken by an experienced ecologist within 2-4 weeks prior; if no nests are found, work can commence. With this in mind, negative effects on nesting birds are not anticipated.
- 4.5.5 The current soft landscape will remain unaffected; boundary features will remain in-situ.
- 4.5.6 The proposed development offers the opportunity to provide nesting opportunities for birds. It is proposed that 3no. wooden bird boxes and 2no. woodcrete bat boxes will be installed on the building.
- 4.5.7 The landscaping scheme should include the planting of native species, preferably of local provenance, and species that provide a good nectar source for invertebrates.

## 5 GREEN INFRASTRUCTRE STATEMENT – TO BE COMPLETED

### 5.1 Assessed Losses

5.1.1 The proposed development will result in the loss of:

- TBC.

### 5.2 Proposed Biodiversity Net Benefit

5.2.1 The proposed development includes a soft landscaping scheme which will be created with a biodiversity focus. The following will be undertaken:

5.2.2 The above habitats will be created and managed as per the specification below.

<b>Habitat Creation Specification &amp; Management Plan</b>	
<b>Site:</b>	6-8 Nant Hall Road
<b>Notes</b>	All operatives will be appropriately trained, certified and qualified to undertake the tasks required. All work is to be carried out in accordance with the relevant British Standards, Codes of Practice and Legislation.
<b>Proposed Habitats:</b>	Trees TBC
<b>Ground Preparation</b>	Create a planting bed to a depth of 1m and fill with subsoil (700mm) and topsoil (300mm). This will be a sufficient depth the support trees and also be suitable for the creation of the grassland. Topsoil to be the top layer which should be raked to produce a fine tilth.
<b>Sowing/Planting</b>	<p>Trees are to be planted first, and then the grassland can be sown.</p> <p><b>Trees:</b>                      Tree pits of at least 75cm diameter greater than the roost system and no deeper than the container shall be excavated and the sides well scarified to prevent smearing.</p> <p>The root system of the tree should be wetted prior to planting. The tree should be planted at the correct depth taking into account the position of the root flare and the finished level - the rootball or root stem transition should be level with the existing host soil or surface. The base of the rootball should typically sit on subsoil, for larger rootballs the subsoil will sit around the lower portion of the rootball.</p> <p>Tree pits should be backfilled with 1 part excavated topsoil and 2 parts tree planting compost. At each stage the fill should be firmed in to eliminate all air pockets under</p>

	<p>and around the root system, but with care being taken not to excessively compact the soil. The final layer should not be consolidated.</p> <p>Apply a general-purpose slow release fertiliser (at the rate of 75gm/m<sup>2</sup>) and Tree Planting and Mulching Compost at the rate of (20litres/m<sup>2</sup>) are to be incorporated into the top 150mm of topsoil during final cultivations.</p> <p>All trees are to be double staked with 75mm dia stakes with rubbers and spacers. Stakes should be driven at least 300mm into the ground before planting the tree, taking care to avoid underground services and cables etc. and should typically be one third the height of the tree stem above ground. Staked trees shall be secured to stakes with suitable proprietary rubber tree ties and spacers.</p> <p>Immediately after planting, but before applying the bark mulch, all trees should be saturated.</p>
<p><b>Year 1 Management</b></p>	<p><b>Trees:</b> Top up mulch to ensure a 50mm layer around tree bases is maintained. Replace any dead, dying, damaged stock with same species of similar size. Adjust ties and stake as and when required; the need for this must be checked annually.</p>
<p><b>Year 2-30 Management</b></p>	<p><b>Trees:</b> Top up mulch to ensure a 50mm layer around tree bases is maintained. Replace any dead, dying, damaged stock with same species of similar size. Adjust ties and stake as and when required; the need for this must be checked annually.</p> <p>From Year 3, landscape contractor to check for the need to prune to encourage a good shape.</p>



## 6 CONCLUSION & RECOMMENDATIONS – TO BE COMPLETED

- 6.1.1 The site has been the subject of an Ecological Appraisal in 2024 which concludes that the Site is of potential ecological value to bats and birds but no evidence of other protected, notable or invasive species was identified within the Site during the surveys.
- 6.1.2 As such, the following requirements are made in respect of bats.
- **Requirement:** bat activity surveys are required to be undertaken in May and June 2024 in order to fully consider bats in this planning application.
  - **Recommendation:** it is recommended that 2no. woodcrete bat boxes are installed on the building.
- 6.1.3 The following recommendations are made in respect of birds.
- **Recommendation:** to prevent impacts on nesting birds, if building work is due to commence between the months of March through to August inclusive the presence of nests shall first be checked by a competent Ecologist and only if no nests are found can works commence. If nests are found, they will remain in-situ and undisturbed until the young have fledged. Works that do not cause disturbance to the identified nests could continue.
  - **Recommendation:** it is recommended that 3no. wooden bird nest boxes (suitable for passerines) are installed on the building.
- 6.1.4 Taking into consideration these recommendations, long term negative effects on biodiversity are not anticipated and the proposed development actually gives rise to biodiversity enhancement opportunities within the Site, improving biodiversity at a local level.

## 7 REFERENCES

- BSI (2013). *BS 42020 Biodiversity. Code of practice for planning and development*.
- CIEEM (2013). *Guidelines for Preliminary Ecological Appraisal*. Winchester. CIEEM.
- Collins, J (ed.). 2016. *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn)*. The Bat Conservation Trust. London.
- Department for Communities and Local Government (2012). *National Planning Policy Framework*.
- Entwistle, A.C; Racey, P.A; Speakman, J.R. 1997. *Roost Selection by the brown long-eared bat Plecotus auritus*. Journal of Applied Ecology.
- Harris, S., Cresswell, P. and Jefferies, D.J., (1998). *Surveying for Badgers*. Mammal Society Occasional Publication 9.
- Institute of Environmental Assessment (1995). *Guidelines for Baseline Ecological Assessment*. IEA. London.
- Mitchell-Jones, A.J. 2004. *Bat Mitigation Guidelines*. English Nature, Peterborough
- JNCC, (2010). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit (reprint)*. Joint Nature Conservation Committee, Peterborough.
- The Bat Conservation Trust, 2012. *Bats and Buildings – Bats and the Built Environment Series*. BCT, London
- Natural England (2010). *European Protected Species and the Planning Process*.
- Royal Society for the Protection of Birds (2009). *Birds of Conservation Concern (3)*.