

Glascoed
Lon Maes Du
Cefn Coed y
Cymmer
Merthyr Tydfil
CF48 2HH



An Ecological Method
Statement By:



On Behalf Of:

Mr Mark Hopkins

March 2021

Client	Mr Mark Hopkins
Project Name	Glascoed, Lon Maes Du, Cefn Coed y Cymmer, Merthyr Tydfil CF48 2HH
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A Introduction

Just Mammals Limited have prepared this Ecological Method Statement (EMS) for non-licensable work at Glascoed, Cefn Coed y Cymmer, in order to facilitate the careful removal of roof coverings, and the extension of the property. Potential impacts were identified as part of a series of bat surveys completed in August 2020. Those surveys recorded the presence of two common pipistrelle (*Pipistrellus pipistrellus*) bats, day roosting in another part of the building, and away from the area of proposed works.

Bats and their roosts are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019. The legal protection for bats concerns impacts from disturbance, loss of roost locations, modifications to roosts and loss of access or obstruction to roost locations. It is also an offence to intentionally obstruct access to a bat roost. Therefore, there is a risk that bats may be adversely affected by the work.

Proposals aim to avoid all potential impacts by undertaking the works at a time of year outside of the hibernation and maternity seasons, when bats are reasonably likely to be absent, and by protecting existing roost sites. Consequently, it is not necessary for the work to be completed under a European Protected Species licence issued by Natural Resources Wales (NRW), as there is no evidence that bats will actually be implicated by the development proposals. This EMS highlights the potential risks to bats, and sets out measures that must be followed to minimise and avoid these risks.

Detailed survey results are provided in a separate report (Just Mammals Consultancy LLP, October 2020). This report includes an assessment of the house to support roosting bats and has been used to inform this document.

B Site Description

The building in question is a residential house situated on Lon Maes Du, towards the northern end of the community of Cefn Coed. It is located at National Grid Reference (NGR) SO 03267 08378, at an altitude of approximately 257m Above Ordnance Datum (AOD). The house is assumed to be brick built. It is rectangular in shape with a pitched roof covered with cement tiles with cement ridge tiles. The roof structure is likely to be supported by a timber frame. An existing extension projects outwards from the west side of the house, and this has a pitched roof which ties into the main roof of the dwelling. At the southern end of the eastern elevation there is a small ground floor level conservatory, which has a mono-pitched roof.

C Proposed Activities

The owners of Glascoed wish to add a two-storey extension to the east side of the house, with an attached ground floor level extension which will provide a balcony feature.

A contractor has not yet been appointed to undertake the proposed works. However, the work will comprise the following elements:

- scaffolding will be installed along the eastern elevation of the house, possibly at the southern gable end wall;
- careful removal of part of the roof coverings, possibly ridge tiles in order to tie in the new pitched roof of the proposed new extension, supervised by an appropriately licenced and experienced Ecological Clerk of Works (ECW);
- removal of the uPVC cladding along the eastern elevation, supervised by ECW;
- build new extension;
- dismantle the scaffolding upon completion

No roof work is proposed on the western side of the main roof. The two bats which were noted leaving the property were found on the west side of the house.

D Author Experience

Robert has fifteen years' experience with bats (NRW licence holder), carrying out roost surveys, emergence surveys, radio tracking of lesser horseshoe bats and monitoring of important sites. In addition, he has expertise in respect of dormice (NRW licence holder) and barn owls (NRW licence

holder). Rob has experience surveying for otters, water voles, reptiles, amphibians, birds and marsh fritillary butterfly, and is an Ecologist with Just Mammals Limited.

E Ecological Impact Assessment

Surveys carried out during the summer period of 2020 confirmed that the house hosts a summer day roost for a small number of common pipistrelle bats. Two were observed to emerge from the western ridgeline, away from the proposed works. Although no roosting bats were identified anywhere else in the building, several Potential Roosting Features (PRFs) were recorded near the area of the intended development, most notably the gaps between the cement tiles and the barge capping at the southern gable end wall and the horizontal uPVC cladding on the eastern side of the house. The presence of hibernation and maternity roosts could not be ruled out.

Considering the survey results (Just Mammals Consultancy LLP, October 2021), the proposed extension works have the potential to impact bat species and their roosting structures in the following ways:

- killing/injuring bats during the removal of roof coverings or ridge tiles: although no bats were identified to be using the main roof of the house, particularly in the area of the proposed extension at the eastern elevation of the property (although potential roost features are limited to the southern gable end wall and the horizontal uPVC cladding attached to the upper wall of the eastern elevation, there is a low likelihood that bats may still be present during the removal of the roof coverings);
- disturbance to bat(s) during the extension work operations will depend on the manner in which tasks are completed, all activities could result in increased noise levels, site activity, vibrations and the exposure of roost structures to natural light and wind/rain (such levels of disturbance may cause bats to temporarily or permanently abandon their roosts if present);
- roost loss could result, although no bat roosts were identified at the main ridge on the eastern side of the house and PRFs are limited, there is a low likelihood that occasionally-used bat roosts may be present in the area of the proposed works

Despite these potential impacts, all such risks can be avoided by completing the work in an ecologically responsible manner. Therefore, in this instance, it is not necessary for the work to be completed under a European Protected Species (EPS) licence.

F Mitigation Strategy

F.1 Timing strategy

To minimise the risk of disturbance and killing/injury to bats, work to remove the roof coverings in the area of the proposed extension will be completed between mid-March and mid-May 2021, avoiding the hibernation season and maternity seasons.

F.2 Ecological clerk of works

Before commencing any work to the house, the developer or contractor will engage the services of a licenced and suitably experienced ECW to work on the project. At the time of writing this method statement, no contractor has yet been appointed. It is the responsibility of Mr Mark Hopkins and/or the appointed contractor, to ensure that the ECW is given sufficient notice to attend site at the necessary times.

F.3 Pre-works briefings

Before commencing any work to the house (including the erection of scaffold), all builders and contractors will be fully briefed by the ECW. This briefing will involve a tool-box talk to make site workers aware of the possible presence of bats, their identification, legal protection, and of working practices to avoid harming bats and removing roosts if they are discovered. Induction will identify features that could potentially support roosting bats and those features where confirmed roosts have been identified. An explanation of best working practices and what to do if workers find a bat during unsupervised works will also be provided. A copy of this EMS will remain available on site at all times and be readily available to all contractors as and when necessary.

F.4 Procedure for supervised work

Despite the above timing strategy, there is nonetheless a low risk that bats may be encountered during the works. Furthermore, removing roost structures is an offence whether bats are present

or not. Both of these risks are most likely during the early stages of extension works. Therefore, certain elements of the work must be completed with extreme caution under the direction of the ECW. In particular, the ridge line, roof coverings and the horizontal cladding will be thoroughly inspected by the ECW with a hand-held torch and endoscope before being carefully removed under supervision. The ECW will therefore supervise the following operations:

- careful removal of roof coverings, including possibly ridge tiles;
- careful removal of the horizontal uPVC cladding attached to the upper wall of the eastern elevation

These features will all be carefully removed by hand under supervision until such time as the ECW is satisfied that bats and their roosts are safeguarded from any remaining unsupervised work. Note that this list is not exhaustive, and other features will also be removed under supervision at the ECW's discretion if considered appropriate at the time.

F.5 Procedure for encountering bats and their roosts

No capture or removal of bats is permitted under this EMS, since this would require an EPS licence from NRW. In the highly unlikely event that any bats are recorded, all work must stop immediately in order to avoid committing an offence. Any bats must be left *in-situ*. If its roost has been damaged then every attempt will be made to reproduce the structure exactly as it was. Similarly, if the presence of bat droppings indicates the presence of a roosting structure – even if bats are absent at the time – all work must stop. In both instances, the ECW will subsequently assess the need for an EPS licence from NRW.

Only if a grounded or injured bat(s) is found during supervised work will the ECW remove them and either relocate the animal to a safe location or, as a last resort, make arrangements to have it taken to a BCT registered bat carer or wildlife rehabilitation centre. Any such bat(s) will subsequently be released at the site of capture as soon as practicable. In the unlikely event that a bat is discovered at other unsupervised times then work will cease immediately and the ECW called for advice. In both scenarios, all work will stop and the need for an EPS licence reviewed by the ECW.

The ECW will remain 'on-call' and available at short notice for any bat related issues following the supervised work. Contact details will be provided to all site staff alongside this EMS.

Table 1: Responsible Persons and Lines of Communication

Name/Address	Contact	Role
Mark Hopkins Glascoed Lon Maes Du Cefn Coed y Cymmer Merthyr Tydfil CF48 2HH	Mark Hopkins Mobile: 07793 032636 dmt.hopkins@gmail.com	Owner
Just Mammals Consultancy LLP Suite 131-136 Plas y Ffynnon Cambrian Way Brecon LD3 7HP	Robert W Morgan Tel: 01874 623616 Mobile: 07527 415095 rob@justmammals.co.uk	ECW

G References

Morgan, R. W. (2020). 'Glascoed, Lon Maes Du, Cefn Coed y Cymmer, Merthyr Tydfil CF48 2 HH – An Ecological Survey Report'. Just Mammals Consultancy LLP

Appendix I: Relevant Legislation

All species of bat in Britain, and their places of rest are protected under the provisions of the Wildlife and Countryside Act 1981 (WCA), Section 9(1), 9(4)(a) and 9(4)(b) as amended by Schedule 12 of the Countryside and Rights of Way Act 2000. Further protection is afforded by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019. In relation to structures used by bats for shelter or protection (i.e. roosts), this legislation makes it an offence to either intentionally or recklessly damage, destroy or obstruct access to any site used by bats, whether bats are present at the time or not, or to intentionally or recklessly disturb bats within a roost.

Infringements under this legislation include building demolition, removal of hollow trees, blocking, filling or installing grills over old mines or tunnels, building alteration or maintenance work, re-pointing of stone walls, getting rid of unwanted bat colonies, re-roofing, remedial timber treatment, re-wiring or plumbing in roofs, treatment of wasps, bees or cluster flies (Mitchell-Jones, 1992; Childs, 2001). Greater horseshoe bat, lesser horseshoe bat, Bechstein's bat, greater mouse eared bat and barbastelle are included in Annex II of the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019 and hence require special protection.

Maximum penalties for committing offences relating to bats or their roosts can amount to imprisonment for a term not exceeding six months or to fines of up to Level 5 on the standard scale under the Criminal Justice Act 1982/1991 (i.e. £5000 in April 2001) per roost or bat disturbed or killed, or to both. Bodies corporate and their directors/secretaries are liable for offences under the (Amendment) (EU Exit) 2019 Regulations and the WCA. Additionally, where such an offence results in the offender benefitting in a monetary form from the illegal action, confiscation or civil recovery of the proceeds can occur under the Proceeds of Crime Act 2002.

It is sensible to assess as soon as possible if bats are present at potential sites for development – preferable before the land is acquired. In some cases the period required for adequate survey work may span more than one calendar year. If a development, including demolition or change of use, is likely to impact on bats and their roosts then a licence will usually be required. Adequate survey results are a necessary input to any licence application. If bats are not found until late in the development stage this may result in delays while a licence is sought and even in offences being committed.

The law with respect to dwellings and other structures is applied equally. Where disturbance is deemed likely to have a significant effect on bats to survive, breed and rear their young or will affect the local distribution and abundance of the species, a European Protected Species licence issued by Natural Resources Wales. A licence application must demonstrate that the development will not be detrimental to the maintenance and conservation status of the species concerned.

This explanation must be regarded only as a guide to the law. For further details, reference must be made to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019, and the Countryside and Rights of Way Act 2000.

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Just Mammals Limited is an ecological consultancy based in Mid-Wales. Specialising in legally protected mammal, reptile and amphibian species, but providing a wide range of ecological services, it provides appropriate expertise on behalf of a range of clients.

Clients include government departments, local and regional authorities, development agencies, commercial and industrial enterprises as well as statutory nature conservation organisations, wildlife trusts and other charitable bodies.

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